

Prepared by and return to:  
Mark C. Dearing, Esq.  
4220 Race Track Road  
St. Johns, Florida 32259

**SUPPLEMENTAL DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS AND EASEMENTS  
FOR FOX CREEK PHASE 1**

**THIS SUPPLEMENTAL DECLARATION** is made this 19<sup>th</sup> day of Sept 2019, by D.R. HORTON, INC. – JACKSONVILLE, a Delaware corporation ("*Declarant*") and by FORESTAR (USA) REAL ESTATE GROUP INC. ("*Forestar*"), who recite and provide:

RECITALS:

A. Pursuant to that certain Assignment of Declarant Rights, recorded in Official Records Book 18857, page 1636 of the public Records of Duval County, Florida, Declarant holds all rights as "Declarant" under that certain Declaration of Covenants, Conditions and Restrictions for Fox Creek Phase 1, recorded in Official Records Book 17997, page 2344 of the public records of Duval County, Florida (the "*Declaration*").

B. Pursuant to Article IV, Section 2 of the Declaration, Declarant is authorized to subject other lands, which may be contained within or adjacent to the Future Development Property, as defined in the Declaration, to the terms and conditions of the Declaration by recording a Supplemental Declaration.

C. Forestar is the owner of certain lands more particularly described as follows (the "*Additional Property*"):

See Exhibit "A", attached hereto and made a part hereof

D. Forestar desires, and Declarant agrees, to annex and subject the Additional Property to the terms and conditions of the Declaration, as more particularly provided herein.

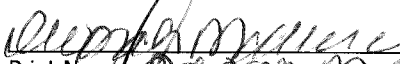
**NOW, THEREFORE**, in consideration of the premises Declarant hereby declares:

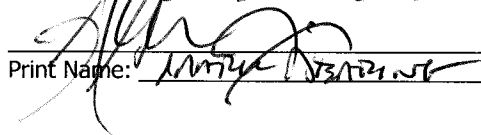
1. All Recitals are true and correct.
2. The Additional Property is hereby subjected to all terms and conditions of the Declaration and all owners of all or any portion of the Additional Property shall be bound by all such terms and conditions and shall have all rights and obligations set forth herein. The Additional Property shall be held, transferred, conveyed and encumbered in compliance with the terms and conditions of the Declaration, which are covenants running with title to the Additional Property.
3. Except as set forth herein, all terms and conditions of the Declaration remain in full force and effect.

**SIGNATURE PAGES TO FOLLOW**

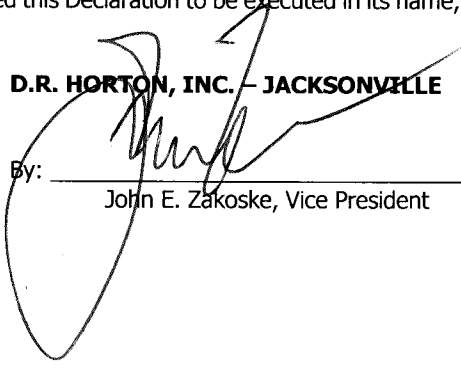
**IN WITNESS WHEREOF**, the undersigned have caused this Declaration to be executed in its name, the day and year first above written.

Signed, sealed and delivered  
In the presence of

  
Print Name: Deborah E. McClure

  
Print Name: John E. Zakoske

**D.R. HORTON, INC. - JACKSONVILLE**

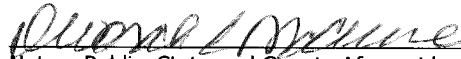
By:   
John E. Zakoske, Vice President

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 19 day of Sept, 2019, by John E. Zakoske, the Vice President of D.R. Horton, Inc. - Jacksonville, a Delaware corporation, on behalf of the company, and who is personally known to me.



DEBORAH E. MCCLURE  
MY COMMISSION # GG 009987  
EXPIRES: July 10, 2020  
Bonded Thru Budget Notary Services

  
Notary Public, State and County Aforesaid  
Print Name: Deborah E. McClure  
My commission expires: \_\_\_\_\_  
Commission No.: \_\_\_\_\_



Signed, sealed and delivered  
in the presence of:

[Signature]  
Print Name: MIKE DEMUN

[Signature]  
Print Name: JOHN KELLY


**FOX CREEK AT OAKLEAF HOMEOWNERS'  
ASSOCIATION, INC.**, a Florida not for profit corporation

By: [Signature]  
Name: Deborah E. McClure  
Its: President

**(CORPORATE SEAL)**

STATE OF FLORIDA }  
                              }SS  
COUNTY OF ST. JOHNS }

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of SEPT. 2019, by Deborah McClure, the PRESIDENT of **FOX CREEK AT OAKLEAF HOMEOWNERS' ASSOCIATION, INC.**, a Florida not for profit corporation, on behalf of the not for profit corporation. He is personally known to me.

 Mark Dearing  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG176164  
Expires 2/11/2022

[Signature]  
Print: \_\_\_\_\_  
NOTARY PUBLIC  
State of Florida at Large  
Commission # \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**Exhibit "A"**

All that real property contained within Fox Creek Phase 3A, according to plat thereof, recorded in Map Book 74, pages 59 through 66, inclusive, in the public records of Duval County, Florida.