

THIS DOCUMENT PREPARED
BY AND RETURNED TO:

SPENCER N. CUMMINGS, ESQ.
GUNSTER, YOAKLEY & STEWART, P.A.
225 WATER STREET, SUITE 1750
JACKSONVILLE, FL 32202

**VARIANCE UNDER DECLARATION OF COVENANTS AND RESTRICTIONS FOR
PABLO CREEK RESERVE**

THIS VARIANCE is made effective November 15, 2012, by **PABLO CREEK RESERVE, L.L.C.**, a Florida limited liability company (“Developer”), having an address of 4314 Pablo Oaks Courts, Jacksonville, Florida 32224.

W I T N E S S E T H:

WHEREAS, the Developer has executed the Declaration of Covenants and Restrictions for Pablo Creek Reserve which was recorded on November 4, 2004, in Official Records Volume 12128, pages 1099 through 1132, of the public records of Duval County, Florida, and in Official Records Book 2312, pages 1763 through 1796, of the public records of St. Johns County, Florida (the “Declaration”), thereby submitting all of the real property described in the Declaration to the terms thereof;

WHEREAS, the Developer, pursuant to Section 5.2 of the Declaration, has promulgated Architectural Criteria which are applicable to the Property described in the Declaration and which establishes a twenty foot setback;

WHEREAS, Section 5.3 of the Declaration allows the Developer to authorize variances from compliance with any architectural provisions of the Declaration or applicable Architectural Criteria;

WHEREAS, the Owner of Lot 251 as shown on the plat of Pablo Creek Reserve Phase Four, as recorded in Plat Book 62, page 110 of the public records of Duval County, Florida (“Lot 251”) has requested a variance pursuant to Section 5.3 of the Declaration to construct a pool deck that encroaches two feet into the twenty foot setback established by the Architectural Criteria, as shown in the site plan attached hereto as Exhibit “A”.

NOW THEREFORE, the Developer hereby declares that:

1. All capitalized terms contained in this Variance and which are defined by the Declaration, shall have the same meanings as such terms are defined by the Declaration.
2. Pursuant to Section 5.3, the Developer approves a variance for Lot 251 allowing the construction of such pool deck encroaching two feet into the twenty foot setback established by the Architectural Criteria as shown in the site plan attached hereto as Exhibit “A”.

3. No other variance is granted by this Variance and no pool, screen, enclosure or other improvements shall be constructed on such two foot encroachment hereby granted without obtaining a future variance pursuant to the Declaration.

IN WITNESS WHEREOF, the Developer has caused this Variance to be duly executed as of the date first above written.

Signed, sealed and delivered in the presence of:

Tina E Miller
Tina E Miller
(Print Name)

Lauren L Owens
Lauren L Owens
(Print Name)

PABLO CREEK RESERVE, L.L.C.,
a Florida limited liability company

By: Gregory J. Barbour
Name Printed: Gregory J. Barbour
Title: its Vice President

STATE OF FLORIDA)
)SS
COUNTY OF DUVAL)

The foregoing instrument was acknowledged before me this 15 day of November, 2012, by Gregory J. Barbour, the Vice President of **PABLO CREEK RESERVE, L.L.C.**, a Florida limited liability company, on behalf of the company. He is personally known to me.

Lauren L Owens
Print Name

NOTARY PUBLIC, State of Florida at Large

Commission # _____

My Commission Expires: _____

Personally Known
or Produced I.D.

[check one of the above]

Type of Identification Produced

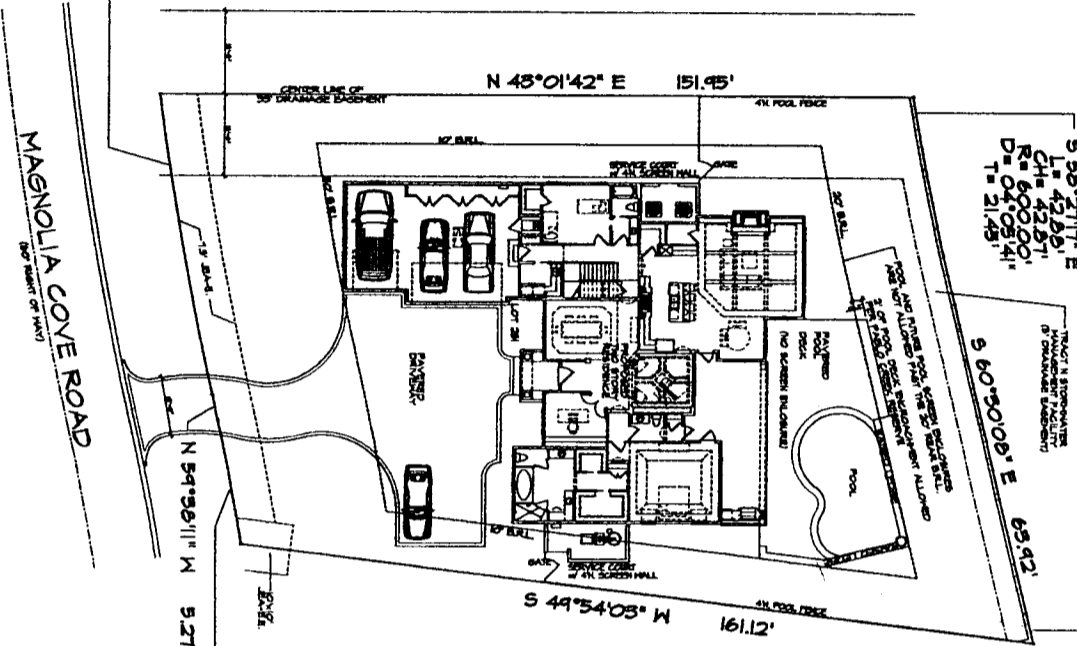


251

Exhibit "A"

R = 130.00'
D = 05°21'23"
T = 21.94'

N 57°08'17" W
L = 61.42'
CH = 61.40'
R = 100.00'
D = 04°59'47"
T = 50.98'



S 50°27'17" E
L = 42.85'
CH = 42.87'
R = 600.00'
D = 04°05'41"
T = 21.45'

5 60°50'08" E 65.92'
TWO 8" STRIP-PILING
IN EXISTING DRIVEWAY
TO BE REMOVED AND
REPLACED WITH
CONCRETE

S 60°11'25" E
L = 6.26'
CH = 6.26'
R = 500.00'
D = 00°57'06"
T = 5.18'

N 57°08'14" W
L = 25.57'
CH = 25.57'
R = 400.00'
D = 09°22'44"
T = 12.84'

SITE PLAN

LOT 251, PHASE FOUR
PABLO CREEK RESERVE
JACKSONVILLE, DUVAL COUNTY, FLORIDA
SCALE: 1" = 10'-0"



PABLO CREEK RESERVE
Architectural Review Committee
S.V.O. 11.2.12
APPROVED

PRELIMINARY ONLY
NOT TO BE USED FOR CONSTRUCTION

THE OAKWOOD COMPANIES
A2.14

THE OAKWOOD CO., INC.
THE BRANT RESIDENCE
LOT 251 PHASE FOUR
PABLO CREEK RESERVE
PLAT BOOK 62, PAGES 100 THROUGH 128
JACKSONVILLE, DUVAL COUNTY, FLORIDA

KEVIN GRAY DESIGN GROUP, INC.

NOT TO BE USED FOR CONSTRUCTION