

Prepared by and return to:
Sharon Strayer Learch
Attorney at Law
5050 San Pablo Road South
Jacksonville, Florida 32224-0829

**SUPPLEMENTAL
DECLARATION OF COVENANTS AND RESTRICTIONS
FOR PABLO CREEK RESERVE
(Withdrawal of Portion of Common Area, Phase One)**

THIS SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS FOR PABLO CREEK RESERVE ("Supplemental Declaration") is made this 7th day of February, 2014, by **PABLO CREEK RESERVE, LLC**, a Florida limited liability company ("Developer"). **PABLO CREEK RESERVE HOMEOWNERS ASSOCIATION, INC.** a Florida not-for-profit corporation ("Association"), and **ROBERT EDWARD FORMAN and EVELYN M. FORMAN**, husband and wife ("Owner"), execute this Supplemental Declaration to evidence their consent to its terms and conditions.

WITNESSETH

WHEREAS, 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 current 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; and

WHEREAS, Developer continues to own Lots which are subject to the Declaration; and

WHEREAS, Association owns that portion of the Common Area as defined in the Declaration and more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof as though set out in full herein (the "Withdrawn Property"); and

WHEREAS, Owner is the owner of the following real property located in Duval County, Florida:

Lot 176, PABLO CREEK RESERVE PHASE TWO AND TWO-A, according to plat thereof recorded in Plat Book 58, pages 135 through 142, inclusive, of the current public records of Duval County, Florida

(collectively, the "Lot"); and

WHEREAS, Developer has previously granted Owner a variance over the Withdrawn Property for placement of a fence, all as more particularly described in that certain Variance Under Declaration of Covenants and Restrictions For Pablo Creek Reserve dated April 26, 2013, and recorded on May 7, 2013, in Official Records Book 16357, page 369, of the current public records of Duval County, Florida (the "Variance"); and

WHEREAS, Owner has expressed to Developer Owner's desire to have the Withdrawn Property conveyed to Owner, made a part of the Lot, and utilized as part of the Lot along with the Residential Dwelling Unit which has been constructed on the Lot; and

WHEREAS, pursuant to Section 4.3 of the Declaration, Developer has the right in Developer's sole discretion to withdraw land from the Common Area for so long as the Developer shall own any Lot and the withdrawal of property will not materially or adversely affect any Lot or materially or adversely affect access, visibility, or drainage to or from any Lot; and

WHEREAS, pursuant to the request of Developer as required by Section 4.3 of the Declaration, Association has agreed to execute and deliver to Owner a Quit-Claim Deed to the Withdrawn Property.

NOW, THEREFORE, Developer hereby declares that:

1. The above recitals are true and correct and are incorporated herein by this reference.
2. All capitalized terms contained in this Supplemental Declaration and which are defined by the Declaration, shall have the same meanings as such terms are defined by the Declaration, unless otherwise defined herein.
3. The Withdrawn Property is hereby designated by Developer by this Supplemental Declaration to be a part of the Lot to be used for single-family residential use along with the Residential Dwelling Unit currently located on the Lot, subject to the terms, conditions, covenants, and restrictions contained in the Variance. The Withdrawn Property may not be sold, conveyed, or transferred by Owner separately from the Lot.
4. "Owner" shall include the Owner's heirs, successors, and assigns of Owner.
5. This Supplemental Declaration shall become effective upon its recording in the current public records of Duval County, Florida. Except as specifically supplemented hereby, all terms and conditions of the Declaration remain in full force and effect as originally executed and recorded.

IN WITNESS WHEREOF, Developer has caused this Supplemental Declaration to be executed and its seal affixed hereto by its duly authorized officer effective the date first above written.

Signed, sealed and delivered in the presence of:

Tina E Miller
 Print Name: Tina E Miller

Chrling Povtak
 Print Name: Chrling Povtak

PABLO CREEK RESERVE, LLC, a Florida limited liability company

By: *[Signature]*
 Gregory J. Barbour, its Vice President

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 7 day of February, 2014, by Gregory J. Barbour, Vice President of PABLO CREEK RESERVE, LLC, a Florida limited liability company, on behalf of the limited liability company. He is personally known to me.

Tina E Miller
 Print Name: Tina E Miller
 Notary Public, State of Florida at Large
 Commission Number:
 My Commission Expires:
 NOTARIAL SEAL



IN WITNESS WHEREOF, the undersigned have executed this Supplemental Declaration effective the date first above written.

Signed, sealed, and delivered in the presence of:

PABLO CREEK RESERVE HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation

Tina E Miller
Print Name: Tina E Miller

By: [Signature]
Gregory J. Barbour, its President

Carling Portak
Print Name: Carling Portak

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 7 day of February, 2014, by Gregory J. Barbour, President of **PABLO CREEK RESERVE HOMEOWNERS ASSOCIATION, INC.**, a Florida not-for-profit corporation, on behalf of the corporation. He is personally known to me.

Tina E Miller
Print Name: Tina E Miller
Notary Public, State of Florida at Large
Commission Number:
My Commission Expires:
NOTARIAL SEAL



IN WITNESS WHEREOF, the undersigned have executed this Supplemental Declaration effective the date first above written.

Signed, sealed, and delivered in the presence of:

Jessica R Allen
Print Name: Jessica R Allen
Sharon Strayer Learch
Print Name: **SHARON STRAYER LEARCH**

Robert Edward Forman
ROBERT EDWARD FORMAN

Evelyn Forman
EVELYN FORMAN

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 10th day of January, 2014, by ROBERT EDWARD FORMAN and EVELYN FORMAN. They produced valid Fla DLs drivers' licenses as identification.

Sharon Strayer Learch
Print Name: _____
Notary Public, State of Florida at Large
Commission Number:
My Commission Expires:
NOTARIAL SEAL



EXHIBIT "A"

A & J Land Surveyors, Inc.

5847 Luella Street

Jacksonville, Florida 32207

Telephone (904) 346-1733

Fax (904) 346-1736

Jon Bowan, PLS

Jeff Ward, PLS

JOB No. 36789

PORTION OF TRACT "A"

A PORTION OF TRACT "A", PABLO CREEK RESERVE PHASE ONE, AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 57, PAGES 49, 49A-49Q OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY, SAID PORTION OF TRACT "A" BEING ADJACENT TO LOT 176, OF PABLO CREEK RESERVE PHASE TWO AND TWO-A, AS SHOWN ON THE PLAT THEREOF, RECORDED IN PLAT BOOK 58, PAGES 135-142 OF AFORESAID CURRENT PUBLIC RECORDS, SAID PORTION OF TRACT "A", BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, BEGIN AT THE NORTHEAST CORNER OF LOT 176, PABLO CREEK RESERVE PHASE ONE, AND RUN THENCE, ALONG THE EASTERLY BOUNDARY OF SAID LOT 176, (AND ALSO BEING THE WESTERLY BOUNDARY OF TRACT "A"), AND RUN THENCE, ALONG THE AFORESAID EASTERLY BOUNDARY OF SAID LOT 176, (AND ALSO BEING THE WESTERLY BOUNDARY OF AFORESAID TRACT "A"), THE FOLLOWING TWO (2) COURSES AND DISTANCES:

COURSE No. 1: RUN THENCE SOUTHEASTERLY, ALONG AD AROUND THE ARC OF A CURVE, BEING CONCAVE NORTHEASTERLY, AND HAVING A RADIUS OF 870.00 FEET, THROUGH A CENTRAL ANGLE OF 03°10'10" TO THE LEFT, AN ARC DISTANCE OF 48.09 FEET, TO THE POINT OF TANGENCY OF LAST SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 17°41'02" EAST, 48.09 FEET;

COURSE No. 2: RUN THENCE SOUTH 32°07'24" EAST, ALONG LAST SAID TANGENCY, A DISTANCE OF 44.94 FEET, TO A POINT; THENCE NORTH 24°39'28" WEST, DEPARTING FROM AFORESAID EASTERLY BOUNDARY OF LOT 176, A DISTANCE OF 92.29 FEET, TO THE AFORESAID NORTHEAST CORNER OF LOT 176, PABLO CREEK RESERVE PHASE TWO AND TWO-A, AND THE POINT OF BEGINNING.

THE LANDS THUS DESCRIBED, CONTAINS 280 SQUARE FEET, MORE OR LESS, IN AREA.