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Brandon J. Patty, Clerk of the Circuit Court and County Comptroller St. Johns County FL Recording \$27.00

THIS INSTRUMENT PREPARED BY
AND RETURN TO:
THOMAS M. JENKS, ESQ.
GUNSTER, YOAKLEY & STEWART, P.A.
1 INDEPENDENT DRIVE, SUITE 2300
JACKSONVILLE, FLORIDA 32202

AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR PABLO CREEK RESERVE

THIS AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR PABLO CREEK RESERVE (the “**Amendment**”) is made effective May 13, 2025 (the “**Effective Date**”), by **PABLO CREEK RESERVE HOMEOWNERS ASSOCIATION, INC.**, a Florida non-profit corporation (the “**Association**”).

RECITALS:

A. The Association desires to amend the Declaration of Covenants and Restrictions for Pablo Creek Reserve, recorded in Official Records Book 2312, at page 1763, of the public records of St. Johns County, Florida, and in Official Records Book 12128, at page 1099, of the public records of Duval County, Florida, as amended and supplemented (the “**Original Declaration**”). The Original Declaration as amended hereby shall herein be referred to as the “**Declaration**”.

B. Pursuant to Section 12.6 of the Original Declaration, the Original Declaration may be amended by Owners holding two-thirds (2/3) or more of the total votes of the membership of the Association.

C. At a duly noticed meeting of the Association held on May 13, 2025 at which a quorum was present, Owners holding not less than two-thirds (2/3) of the total votes of the membership of the Association were cast in favor of this Amendment.

NOW THEREFORE, the Association hereby amends the Original Declaration is hereby amended in its entirety as follows:

1. The Association confirms that the above-stated recitals are true and correct. Unless otherwise specifically defined in this Amendment, all capitalized terms contained in this Amendment shall have the same meanings as such terms are defined by the Original Declaration.

2. Section 6.8 of the Original Declaration is hereby amended in its entirety as follows:

Section 6.8 **Capitalization of the Association.** In addition to the assessments to be paid pursuant to the provisions of this Article VI, upon acquisition

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of record title to a Lot, each Owner acquiring such Lot shall contribute to the capital of the Association in an amount equal to one and one-half (1-1/2) times the amount of the annual per Lot assessment levied by the Association pursuant to this Article VI. This amount shall be collected at the closing of the purchase and sale of the applicable Lot and shall be disbursed to the Association. Capital contributions collected pursuant to this Section 6.8 shall be allocated equally between the Association's operating expenses and reserve funds. Notwithstanding any provision of this Section 6.8 to the contrary, (i) if prior to or within one hundred twenty (120) days of a Member conveying a Lot to any party, such Member shall acquire fee simple ownership of a different Lot, or (ii) if a Lot is conveyed for no or nominal consideration, including without limitation, a conveyance into a trust or a conveyance between family members, no capital contribution payment shall be required in connection with such acquisition or conveyance.

3. Except as specifically amended hereby, the Original Declaration shall remain in full force and effect.

[Signatures begin on next page]

IN WITNESS WHEREOF, the Association has caused this Amendment to be duly executed as of the date and year first above written.

Signed, sealed and delivered in the presence of:

PABLO CREEK RESERVE HOMEOWNERS ASSOCIATION, INC., a Florida non-profit corporation

Sylvia Gurgabiens
Sylvia Gurgabiens

(Print Name)

Print Address:

4200 Marsh Landing Blvd. Suite 200
Jacksonville Beach, FL 32250

By:

Patrick Kerns
Name Printed: Patrick Kerns
President

Caryn Scott
CARYN SCOTT

(Print Name)

Print Address:

4200 Marsh Landing Blvd. Suite 200
Jacksonville Beach, FL 32250

STATE OF FLORIDA)
COUNTY OF Duval)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 14th day of May, 2025, by Patrick Kerns, as President of **PABLO CREEK RESERVE HOMEOWNERS ASSOCIATION, INC.**, a Florida non-profit corporation, on behalf of the corporation.



DENISE ANN CHURCH
Notary Public
State of Florida
Comm# HH390387
Expires 4/24/2027

Denise Ann Church
Notary Public, State of Florida at Large
Name Printed: Denise Ann Church
Commission # HH390387
My Commission Expires: 4/24/2027
He/she is [check one]:
Personally Known _____
or Produced I.D.

Type of Identification Produced
Drivers License