

This instrument prepared by and
should be returned to:

Matthew G. Breuer, Esquire
Driver, McAfee, Hawthorne & Diebenow, PLLC
One Independent Drive, Suite 1200
Jacksonville, Florida 32202

**1ST AMENDMENT TO SUPPLEMENTAL DECLARATION AND
PARTIAL RELEASE OF
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR PANTHER CREEK SUBDIVISION
(TO CORRECT LEGAL DESCRIPTION FOR PANTHER CREEK, PHASE FOUR)**

THIS 1ST AMENDMENT TO SUPPLEMENTAL DECLARATION AND PARTIAL RELEASE is made effective as of December 1, 2023 by PANTHER CREEK PRESERVE LLC, a Florida limited liability company, hereinafter referred to as “**Developer**”.

WITNESSETH:

WHEREAS, Pursuant to that certain Assignment and Assumption of Declarant’s Rights recorded in O.R. Book 18398, Page 906 in the Public Records of Duval County, Florida, Developer is the “Developer” under that certain Declaration of Covenants, Conditions, Restrictions and Easements for Panther Creek Subdivision dated May 16, 2003 and recorded in O.R. Book 11096, beginning at Page 2194 of the Public Records of Duval County, Florida, as amended and supplemented (collectively, the “**Declaration**”); and

WHEREAS, pursuant to Article XI.A.1 of the Declaration, the Developer is authorized to supplement and amend the Declaration to annex additional property and include such additional property within the Declaration without the consent of the Owners or Mortgagees; and

WHEREAS, pursuant to Article XI.E of the Declaration, the Developer is authorized to amend the Declaration unilaterally for the purpose of removing a portion of the Property affected by the Association from the provisions of the Declaration to the extent that such portion of the Property was included originally in error; and

WHEREAS, Developer executed and recorded that certain Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Panther Creek Subdivision (To Annex Panther Creek, Phase Four) on December 11, 2023 in Official Records Book 20893, Page 70 of the Public Records of Duval County, Florida (the “**Phase Four Supplemental Declaration**”); and

WHEREAS, Developer is desirous of amending the Phase Four Supplemental Declaration and the Declaration to correct the legal description of Panther Creek Phase Four (as defined in the Phase

Four Supplemental Declaration) and to release certain property originally described but included in error in the Phase Four Supplemental Declaration from the provisions of the Declaration; and

WHEREAS, SIH (as defined in the Phase Four Supplemental Declaration) is desirous of joining in this 1st Amendment to Supplemental Declaration and Partial Release to evidence its consent to matters set forth herein:

NOW THEREFORE, in consideration of the premises, the Developer hereby provides as follows:

1. That the legal description of Panther Creek Phase Four attached to the Phase Four Supplemental Declaration as Exhibit "A" is hereby deleted in its entirety and replaced with the legal description set forth on Exhibit "A" attached hereto and incorporated herein. For the avoidance of doubt, the property described on Exhibit "A" to this 1st Amendment to Supplemental Declaration and Partial Release is the correct legal description of Panther Creek Phase Four.
2. That all of the property described on Exhibit "B" attached hereto and incorporated herein (the "**Released Property**") is hereby released from the terms, easements, restrictions, covenants and other matters as set forth in the Declaration.
3. The definition of "Property" set forth in paragraph 20 of Article I of the Declaration and as used throughout the Declaration is hereby amended to include the above-described Panther Creek Phase Four.
4. Except as supplemented and amended to include Panther Creek Phase Four, the Declaration shall remain in full force and effect as previously recorded.

[signature on following page]

IN WITNESS WHEREOF, Developer has executed this Supplemental Declaration on the day and year first above written.

Signed, sealed, and delivered in the presence of:

PANTHER CREEK PRESERVE LLC, a Florida limited liability company

[Signature]

By: [Signature]

Print Name: Haley Schoening

Name: Christopher K. Funk

Address: 5711 Richard St
Jacksonville FL 32216

Title: Authorized Signatory

[Signature]

Print Name: Sherree J Caruso

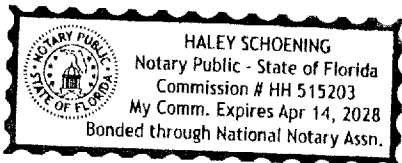
Address: 5711 Richard St.
Jacksonville FL 32216

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 21 day of May, 2024, by Christopher K. Funk, the Authorized Signatory of **Panther Creek Preserve LLC**, a Florida limited liability company, on behalf of the company. Such person is personally known to me or has produced _____ as identification.

[Signature]
Signature of Notary Public



Print Name: Haley Schoening
Notary Public, State and County aforesaid
Commission No.: HH515203
My Commission Expires: 4-14-2028

CONSENT AND JOINDER

The undersigned, Southern Impression Homes LLC, a Florida limited liability company hereby consents to and joins in the foregoing 1st Amendment to Supplemental Declaration and Partial Release and agrees to be bound by the terms set forth therein as may be applicable to the undersigned.

Signed, sealed, and delivered
in the presence of:

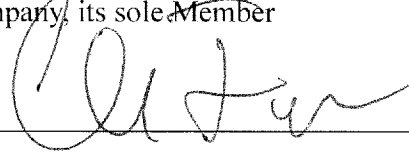
SOUTHERN IMPRESSION HOMES LLC,
a Florida limited liability company

By: SI HoldCo LLC, a Delaware limited liability
company, its sole Member




Print Name: Haley Schoening

Address: 5711 Richard St
Jacksonville FL 32216

By: 

Name: Christopher K. Funk



Title: President

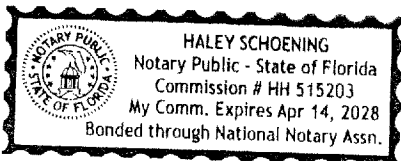
Print Name: Sherel J Caruso

Address: 5711 Richard St.
Jacksonville FL 32216

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 29 day of May, 2024, by Christopher K. Funk, as President of SI HoldCo LLC, a Delaware limited liability company, the sole Member of **Southern Impression Homes LLC**, a Florida limited liability company, on behalf of the company. Such person is personally known to me or has produced _____ as identification.





Signature of Notary Public

Print Name: Haley Schoening
Notary Public, State and County aforesaid
Commission No.: HH 515203
My Commission Expires: 4-14-2028

Exhibit "A"
to

**1st AMENDMENT TO SUPPLEMENTAL DECLARATION AND PARTIAL RELEASE OF
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR PANTHER CREEK SUBDIVISION
(TO CORRECT LEGAL DESCRIPTION FOR PANTHER CREEK, PHASE FOUR)**

Legal Description of Panther Creek Phase Four

Tracts 9 and 10, except the North 385.26 feet of Tract 9, Block 2, Section 25, Township 2 South, Range 24 East, MAP SHOWING LANDS OF JACKSONVILLE HEIGHTS IMPROVEMENT CO., according to the plat thereof as recorded in Plat Book 5, Page 93, of the current public records of Duval County, Florida, including the Southerly and Westerly 15.00 feet thereof, as contained within those certain roadways closed by virtue of resolutions recorded in Official Records Volume 2742, Page 348 and Official Records Volume 2742, Page 352, all in the current Public Records of said Duval County, Florida.

Exhibit "B"
to

**1st AMENDMENT TO SUPPLEMENTAL DECLARATION AND PARTIAL RELEASE OF
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR PANTHER CREEK SUBDIVISION
(TO CORRECT LEGAL DESCRIPTION FOR PANTHER CREEK, PHASE FOUR)**

Legal Description of Released Property

A PORTION OF THE NORTH 385.26 FEET OF TRACT 9, BLOCK 2, SECTION 25, TOWNSHIP 2 SOUTH, RANGE 24 EAST, "MAP SHOWING LANDS OF JACKSONVILLE HEIGHTS IMPROVEMENT CO.", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 93, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH THE NORTH 385.26 FEET OF THAT PORTION OF THE 15 FOOT ROAD RIGHT-OF-WAY, AS SHOWN ON THE AFORESAID PLAT OF "MAP SHOWING LANDS OF JACKSONVILLE HEIGHTS IMPROVEMENT CO.", WHICH HAS BEEN CLOSED, AS PER THAT RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DUVAL COUNTY, FLORIDA RELATING TO THE CLOSING OF A CERTAIN UNNAMED ROAD IN DUVAL COUNTY, FLORIDA, RESOLUTION No. 545, AS RECORDED IN OFFICIAL RECORDS BOOK 2742, PAGE 353 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, BEGIN AT THE MONUMENTED NORTHWEST CORNER OF SOUTHWEST 1/4, OF THE NORTHWEST 1/4, OF SAID SECTION 25, TOWNSHIP 2 SOUTH, RANGE 24 EAST, AND RUN THENCE, NORTH 89°23'17" EAST, ALONG THE MONUMENTED NORTHERLY LINE OF THE SOUTHWEST 1/4, OF THE NORTHWEST 1/4, OF SAID SECTION 25, TOWNSHIP 2 SOUTH, RANGE 24 EAST, (AND ALSO BEING THE NORTHERLY LINE OF AFORESAID 15 FOOT ROAD RIGHT-OF-WAY, CLOSED AS PER ORDINANCE No. 545, AS RECORDED IN OFFICIAL RECORDS BOOK 2742, PAGE 353 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY, FLORIDA, AND THEN ALONG THE MONUMENTED NORTHERLY LINE OF TRACT 9, BLOCK 2, SECTION 25, TOWNSHIP 2 SOUTH, RANGE 24 EAST, "MAP SHOWING LANDS OF JACKSONVILLE HEIGHTS IMPROVEMENT CO.", A DISTANCE OF 95.27 FEET, TO A POINT ON THE MONUMENTED WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 17663, PAGE 910 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY, FLORIDA; RUN THENCE, SOUTH 00°42'30" WEST, ALONG THE MONUMENTED WESTERLY LINE OF LAST SAID LANDS, AND THEN ALONG THE MONUMENTED WESTERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 12131, PAGE 564 OF THE CURRENT PUBLIC RECORDS, A DISTANCE OF 385.26 FEET, TO A POINT; RUN THENCE, SOUTH 89°19'52" WEST, PARALLEL WITH THE MONUMENTED SOUTHERLY LINE OF SAID LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 12131, PAGE 564 OF THE CURRENT PUBLIC RECORDS, A DISTANCE OF 95.14 FEET, TO A POINT ON THE WEST LINE OF SAID SECTION 25, (AND ALSO BEING THE EASTERLY LINE OF LOT/FARM 1, "JACKSONVILLE FARMS", LYING WITHIN SECTION 26, TOWNSHIP 2 SOUTH, RANGE 24 EAST, AS RECORDED IN PLAT BOOK 4, PAGE 2, OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY, FLORIDA; RUN THENCE, NORTH 00°41'16" EAST, ALONG THE MONUMENTED DIVIDING LINE BETWEEN AFORESAID SECTIONS 25 AND 26, TOWNSHIP 2 SOUTH, RANGE 24 EAST, A DISTANCE OF 385.37 FEET, TO THE MONUMENTED NORTHWEST CORNER OF THE SOUTHWEST 1/2, OF THE NORTHWEST 1/4, OF SECTION 25, AND THE POINT OF BEGINNING.