

Document prepared by:  
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**SECOND AMENDMENT TO THE DECLARATION OF COVENANTS AND  
RESTRICTIONS FOR RIVER STORY TO CORRECT SCRIVENER'S ERROR**

THIS SECOND AMENDMENT to the Declaration of Covenants and Restrictions for River Story to correct a scrivener's error is made this 19<sup>th</sup> day of SEPTEMBER, 2025 by River Story HOA, Inc. (the "Association").

WHEREAS, the Declaration of Covenants and Restrictions for River Story was recorded on September 30, 2015, in the Official Records of Duval County, Florida at Book 17318, Page 1031 *et seq.* (the "Declaration");

WHEREAS, the First Amendment to Declaration of Covenants and Restrictions for River Story was recorded on January 18, 2018, in the Official Records of Duval County, Florida at Book 18255, Page 1323 *et seq.*;

WHEREAS, the legal description for the area of land subject to the Association and Declaration is attached to the Declaration as Exhibit "A" and states that the legal description includes "All of the foregoing less and except lots 6, 7, 25 and 26 of River Story, according to the plat thereof as recorded in Plat Book 68, Pages 134 through 140 inclusive, of the Public Records of Duval County, Florida."

WHEREAS, Section 3.4 of the Declaration is titled "Omitted Lots" and contains a scrivener's error. Specifically, Section 3.4 states the following:

Lots 6, 7, 25 and 26 as shown on the Plat (the "Omitted Lot(s)") are specifically excluded from this Declaration. Accordingly, the owners of the Omitted Lots shall not be members of the Association or have any voting rights within the Association. Further, the owners of the Omitted Lots shall not be responsible for the payment of assessments as provided herein. However, once title to an Omitted Lot is transferred subsequent to the recording of this Declaration, such Omitted Lot shall be fully encumbered by this Declaration, and the subsequent owner of the Omitted Lot shall be an Owner as provided herein subject to the full rights and obligations of an Owner.

WHEREAS, the error in Section 3.4 is with the last sentence that states "However, once title to an Omitted Lot is transferred subsequent to the recording of this Declaration, such Omitted

Lot shall be fully encumbered by this Declaration, and the subsequent owner of the Omitted Lot shall be an Owner as provided herein subject to the full rights and obligations of an Owner.” Upon receipt of a letter from an attorney representing two owners of the Omitted Lots, and upon further review of the relevant Official Records of Duval County, Florida, and other documents concerning Lots 6, 7, 25 and 26, the owners of Lots 6, 7, 25 and 26 did not execute any document stating that said Omitted Lots would eventually become encumbered by the Declaration if or when title to an Omitted Lot is transferred to a subsequent owner. No deeds, joinders, nor any other recorded documents involving the Omitted Lots expressly state this and the Declaration, where the Developer made this statement, is not signed by any of the owners of the Omitted Lots. Therefore, it appears that the Developer made that statement in error and the last sentence of Section 3.4 is a scrivener’s error to which the owners of the Omitted Lots never agreed.

WHEREAS, two of the owners of the Omitted Lots hired legal counsel to object to and challenge any attempt made by the Association to make the Omitted Lots part of the Association without the express written consent of the owners of the Omitted Lots.

WHEREAS, the Board of Directors of the Association has executed and caused to be recorded this Second Amendment to correct this scrivener’s error to avoid any future legal issues with the owners of the Omitted Lots.

NOW THEREFORE, Section 3.4 of the Declaration of Covenants and Restrictions for River Story is amended as follows:

1. The sentence with the ~~strike through~~ is hereby deleted from the Declaration as follows:

Section 3.4 **Omitted Lots.** Lots 6, 7, 25 and 26 as shown on the Plat (the “Omitted Lot(s)”) are specifically excluded from this Declaration. Accordingly, the owners of the Omitted Lots shall not be members of the Association or have any voting rights within the Association. Further, the owners of the Omitted Lots shall not be responsible for the payment of assessments as provided herein. ~~However, once title to an Omitted Lot is transferred subsequent to the recording of this Declaration, such Omitted Lot shall be fully encumbered by this Declaration, and the subsequent owner of the Omitted Lot shall be an Owner as provided herein subject to the full rights and obligations of an Owner.~~

2. The remaining provisions of the Declaration of Covenants and Restrictions for River Story shall remain in full force and effect.

3. All defined terms shall be as stated in the Declaration of Covenants and Restrictions for River Story.

IN WITNESS WHEREOF, the undersigned, being the Association has caused this Second Amendment to the Declaration of Covenants and Restrictions for River Story to Correct Scrivener's Error to be executed on the day and year first above written.

Signed, sealed and delivered in the presence of:

RIVER STORY HOA, INC., a Florida non-profit corporation

Witness: Debra Cobb

By: Jeff Thorsen  
Jeff Thorsen, President

Print name: Debra Cobb

Address: 1676 Royal Fern Lane  
Flaming Island, FL 32003

Witness: Amber McKinney

Print name: Amber McKinney  
Address: 2904 Brittany Bluff Dr  
Orange Park, FL, 32073

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of X physical presence or     online notarization, this 19<sup>th</sup> day of SEPTEMBER, 2025, by Jeff Thorsen, as President of River Story HOA, Inc., a Florida non-profit corporation, on behalf of the corporation. Such person did take an oath and: (Notary must check applicable box).

- is/are personally known to me.
- produced a current driver's license as identification.
- produced \_\_\_\_\_ as identification.

{Notary Seal must be affixed}

Edith Stone Manning  
SIGNATURE OF NOTARY



EDITH STONE MANNING  
Commission # HH 445075  
Expires January 18, 2028

EDITH STONE MANNING  
Name of Notary (Typed, Printed or Stamped)