

**PREPARED BY AND RETURN TO:**

Christian F. O’Ryan, Esq.  
Stearns Weaver Miller Weissler  
Alhadeff & Sitterson, P.A.  
401 East Jackson Street, Suite 2100  
Tampa, Florida 33602

-----SPACE ABOVE THIS LINE RESERVED FOR RECORDING DATA-----

**SECOND SUPPLEMENTAL DECLARATION  
TO COMMUNITY DECLARATION FOR WELLS CREEK EAST**

THIS SECOND SUPPLEMENTAL DECLARATION TO COMMUNITY DECLARATION FOR WELLS CREEK EAST (this “**Second Supplement**”) is made on this 19<sup>th</sup> day of February, 2021, by MATTAMY JACKSONVILLE LLC, a Delaware limited liability company (the “**Declarant**”), joined by WELLS CREEK EAST HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation (the “**Association**”).

**RECITALS**

A. The Declarant recorded the COMMUNITY DECLARATION FOR WELLS CREEK EAST as Document Number 2019094435, in Official Records Book 18768, Page 68 (the “**Original Declaration**”), as amended by the FIRST AMENDMENT TO COMMUNITY DECLARATION FOR WELLS CREEK EAST recorded as Document Number 2019120837, in Official Records Book 18802, Page 2217 (the “**First Amendment**”), by the SECOND AMENDMENT TO COMMUNITY DECLARATION FOR WELLS CREEK EAST recorded as Document Number 2020074236, in Official Records Book 19161, Page 1573 (the “**Second Amendment**”), and by the FIRST SUPPLEMENTAL TO COMMUNITY DECLARATION FOR WELLS CREEK EAST recorded as Document Number 2020157616, in Official Records Book 19297, Page 158 (the “**First Supplement**”), all of the Public Records of Duval County, Florida. The Original Declaration, the First Amendment, the Second Amendment and the First Supplement shall hereinafter be referred to collectively as the “**Declaration**.”

B. The Declaration provides in Section 5.1 that the Declarant may annex additional land by recording a Supplemental Declaration.

C. The Declarant wishes, in accordance with Section 5.1 of the Declaration, to file of record this Second Supplement for the purpose of annexing the Additional Property (as defined below) to WELLS CREEK EAST.

NOW THEREFORE, the Declarant hereby amends and supplements the Declaration as set forth herein.

1. Recitals and Defined Terms. The foregoing Recitals are true and correct and are incorporated into and form a part of this Second Supplement. All initially capitalized terms not defined herein shall have the meanings set forth in the Declaration.

2. Conflicts. In the event there is a conflict between this Second Supplement and the Declaration, this Second Supplement shall control. Whenever possible, this Second Supplement and the Declaration shall be construed as a single document. Except as modified hereby, the Declaration shall remain in full force and effect.

3. Annexation. The Declaration is hereby amended by the addition of the real property legally described in **Schedule A**, attached hereto and incorporated herein by this reference (the "**Additional Property**"). The Additional Property shall be subject to each and every term, condition, covenant, easement and restriction of the Declaration as it exists and as it may be amended from time to time.

4. Ratification. The Declaration, as amended, is hereby incorporated by reference as though fully set forth herein and, except as specially amended hereinabove, is hereby ratified and confirmed in its entirety.

5. Covenant. This Second Supplement shall be a covenant running with the land and shall be effective immediately upon its recording in Duval County, Florida.

[Signatures on the Following Page]

IN WITNESS WHEREOF, the Declarant has caused this Second Supplement to be executed by its duly authorized representative and has affixed its company seal as of this 12 day of January, 2021.

WITNESSES:

“DECLARANT”

MATTAMY JACKSONVILLE LLC, a Delaware limited liability company

Jacob E. O'Keefe  
Print Name: Jacob E. O'Keefe

By: Cliff Nelson  
Name: Cliff Nelson  
Title: Div. Pres.

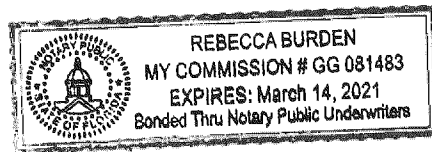
Chelsea A. O'Keefe  
Print Name: Chelsea A. O'Keefe

[Seal]

STATE OF FLORIDA )  
COUNTY OF Duval )

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 15 day of January, 2021, by Cliff Nelson, as DP of MATTAMY JACKSONVILLE LLC, a Delaware limited liability company, who is personally known to me or who has produced \_\_\_\_\_ as identification.

Rebecca Burden  
Notary Public  
Print Name: Rebecca Burden  
My Commission Expires:



**JOINDER**

WELLS CREEK EAST HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation (the "**Association**") does hereby join in the SECOND SUPPLEMENTAL DECLARATION TO COMMUNITY DECLARATION FOR WELLS CREEK EAST (the "**Second Supplement**"), to which this Joinder is attached, and the terms thereof are and shall be binding upon the undersigned and its successors in title. The Association agrees this joinder is for the purpose of evidencing the Association's acceptance of the Second Supplement and does not affect the validity of the Second Supplement as the Association has no right to approve the Second Supplement.

IN WITNESS WHEREOF, the undersigned has executed this Joinder on this 12 day of January, 2021.

**WELLS CREEK EAST HOMEOWNERS ASSOCIATION, INC.**, a Florida not-for-profit corporation

Jacob E. O'Keefe  
Print Name: Jacob E. O'Keefe

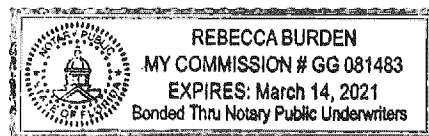
By: DJ Smith  
Name: DJ Smith  
Title: President

Chelsea A. O'Keefe  
Print Name: Chelsea A O'Keefe

STATE OF FLORIDA )  
COUNTY OF Duval )

The foregoing instrument was acknowledged before me by means of  physical presence or [ ] online notarization, this 15 day of January, 2021, by DJ Smith as President of WELLS CREEK EAST HOMEOWNERS ASSOCIATION, INC., a Florida corporation not-for-profit, on behalf of the corporation, who is personally known to me or who has produced \_\_\_\_\_ as identification.

My commission expires: \_\_\_\_\_  
Rebecca Burden  
NOTARY PUBLIC, State of Florida at Large  
Print Name: Rebecca Burden



## Schedule A

### Legal Description – Phase 2A

A portion of Section 21, Township 4 South, Range 28 East, of the City of Jacksonville, Duval County, Florida, being more particularly described as follows:

For a Point of Beginning, commence at the Northerly most corner of lot 173 as depicted on the plat of Wells Creek Phase 1B, as recorded in Plat Book 74, pages 116 through 125 of the current Public Records of said county, thence Southwesterly along the Northwesterly line of said plat the following 6 Courses: Course 1, thence South 64°41'07" West, 129.76 feet; Course 2, thence North 84°24'42" West, 21.03 feet to a point on a curve concave Northwesterly having a radius of 125.00 feet; Course 3, thence Southwesterly along the arc of said curve, through a central angle of 59°05'49", an arc length of 128.93 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 35°08'13" West, 123.29 feet; Course 4, thence South 64°41'07" West, 205.00 feet; Course 5, thence South 25°18'53" East, 85.20 feet; Course 6, thence South 64°41'07" West, 413.00 feet to the Northwesterly corner of lot 180 as depicted on said plat of Wells Creek Phase 1B, said corner being a point on a curve concave Southwesterly having a radius of 25.00 feet; thence Northwesterly, departing said Northwesterly line and along the arc of said curve, through a central angle of 09°40'03", an arc length of 4.22 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 25°55'29" West, 4.21 feet; thence North 30°45'30" West, 33.23 feet; thence North 45°04'43" West, 58.62 feet; thence North 74°48'31" West, 45.35 feet; thence North 00°29'21" East, 30.19 feet; thence North 18°22'29" East, 40.04 feet; thence North 09°00'11" West, 34.63 feet; thence North 17°24'29" East, 35.50 feet; thence North 04°42'10" East, 54.99 feet; thence North 21°38'12" East, 89.83 feet; thence North 27°06'52" East, 43.69 feet; thence North 15°30'35" East, 51.46 feet; thence North 29°47'37" East, 40.45 feet; thence North 08°06'16" East, 60.66 feet; thence North 00°03'17" East, 65.08 feet; thence North 47°47'12" West, 83.27 feet; thence South 81°35'48" West, 59.27 feet; thence North 67°48'14" West, 51.81 feet; thence North 58°38'55" West, 72.63 feet to a point on a curve concave Southerly having a radius of 15.00 feet; thence Westerly along the arc of said curve, through a central angle of 70°51'24", an arc length of 18.55 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 85°55'23" West, 17.39 feet; thence South 50°29'41" West, 47.96 feet to the point of curvature of a curve concave Easterly having a radius of 15.00 feet; thence Southeasterly along the arc of said curve, through a central angle of 66°35'48", an arc length of 17.43 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 17°11'47" West, 16.47 feet; thence North 16°06'06" West, 88.55 feet; thence South 78°56'55" West, 68.18 feet; thence South 69°46'58" West, 86.54 feet; thence South 63°04'05" West, 46.68 feet; thence South 61°18'30" West, 140.00 feet; thence North 28°41'30" West, 160.00 feet; thence North 61°18'30" East, 75.04 feet; thence North 28°41'30" West, 165.99 feet; thence North 32°57'07" East, 36.65 feet; thence North 46°22'14" East, 36.39 feet; thence North 87°22'45" East, 132.38 feet; thence North 54°11'19" East, 33.91 feet; thence North 48°38'11" East, 25.81 feet; thence South 84°52'03" East, 18.41

feet; thence South 88°18'28" East, 46.87 feet; thence North 65°19'54" East, 52.92 feet; thence South 78°47'08" East, 44.35 feet; thence North 86°18'26" East, 57.48 feet; thence North 76°36'19" East, 55.08 feet; thence South 80°26'45" East, 96.74 feet; thence North 77°38'26" East, 50.03 feet; thence North 41°49'05" East, 36.65 feet; thence North 72°28'03" East, 48.72 feet; thence North 10°05'26" East, 378.85 feet to the point of curvature of a curve concave Westerly having a radius of 470.00 feet; thence Northerly along the arc of said curve, through a central angle of 06°02'33", an arc length of 49.57 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 07°04'10" East, 49.54 feet; thence North 56°01'12" West, 31.78 feet; thence South 47°08'07" West, 139.66 feet; thence South 65°36'14" West, 25.84 feet; thence North 82°18'53" West, 46.28 feet; thence South 43°50'12" West, 14.82 feet; thence North 65°27'55" West, 94.74 feet; thence North 07°46'53" West, 12.95 feet; thence North 21°26'14" West, 37.61 feet; thence North 07°53'20" West, 14.98 feet; thence South 71°45'30" West, 52.89 feet; thence North 09°15'33" East, 33.82 feet; thence North 71°45'30" East, 40.74 feet; thence North 23°05'36" West, 27.76 feet; thence North 66°04'11" East, 24.59 feet to a point on a curve concave Easterly having a radius of 40.00 feet; thence Northerly along the arc of said curve, through a central angle of 90°04'36", an arc length of 62.89 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 21°16'05" East, 56.61 feet; thence North 66°18'23" East, 118.67 feet to the point of curvature of a curve concave Southwesterly having a radius of 40.00 feet; thence Southeasterly along the arc of said curve, through a central angle of 95°39'45", an arc length of 66.79 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 65°51'44" East, 59.29 feet; thence South 18°01'52" East, 10.54 feet to a point on a curve concave Northeasterly having a radius of 50.00 feet; thence Southeasterly along the arc of said curve, through a central angle of 21°09'34", an arc length of 18.47 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 27°44'07" East, 18.36 feet; thence North 71°05'03" East, 121.48 feet to a point on a curve concave Westerly having a radius of 490.00 feet; thence Northerly along the arc of said curve, through a central angle of 02°11'58", an arc length of 18.81 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North 16°34'52" West, 18.81 feet; thence North 72°19'10" East, 75.04 feet to the Southwesterly line of the James Hall Grant, Section 43 of said Township and Range; thence South 25°18'58" East along said Southwesterly line 1,366.85 feet to the Point of Beginning.

Containing 23.65 acres, more or less.