

AMENDMENT OF DECLARATION OF REVITALIZED COVENANTS, CONDITIONS,
EASEMENTS AND RESTRICTIONS FOR SCOTT MILL HOLLOW RELEASING BUILDING
PLOT 8 (LOT 8 OR PARCEL 8) FROM COVENANTS, CONDITIONS AND
RESTRICTIONS WITH CONSENT OF OWNERS

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on August 25, 2015, there was filed in the Circuit Court, Fourth Judicial Circuit, In And For Duval County, Florida that certain civil action styled Daniel E. Blanchard, etc., et al., Plaintiffs, vs. Neil Scott McEachern, etc., et al., Defendants, Case Number 16-2015-CA-5476, Division CV-E (hereinafter "the civil action") wherein the Plaintiffs sued the Defendants for a court order to find them in violation of that certain Declaration Of Covenants, Conditions, Easements And Restrictions For Scott Mill Hollow (the "Original Declaration") recorded on June 22, 1985, at Official Records Volume 5816, Pages 1322-1337, of the public records of Duval County, Florida, and that certain Annexation Of Additional Lands To And Modification Of Declaration Of Covenants, Conditions, Easements And Restrictions For Scott Mill Hollow (the "Annexation Amendment") recorded on January 28, 1985, at Official Records Volume 5908, Pages 1914-1932, of the public records of Duval County, Florida, and that certain Amendment To Declaration Of Covenants, Conditions, Easements And Restrictions For Scott Mill Hollow (the "First Amendment") recorded on July 7, 2014, at Official Records Volume 16836, Pages 1056-1060 of the public records of Duval County, Florida, and that certain Second Amendment To Declaration Of Covenants, Conditions, Easements And Restrictions For Scott Mill Hollow (the "Second Amendment") recorded on August 4, 2014, at Official Records Volume 16865, Pages 2202-2216 of the public records of Duval County, Florida, and that certain Third Amendment To Declaration Of Covenants, Conditions, Easements And Restrictions For Scott Mill Hollow (the "Third Amendment") recorded on December 2, 2014, at Official Records Volume 16991, Pages 1899-1911 of the public records of Duval County, Florida; and prayed that the Court enjoin Defendants from further violating said original Declaration, Annexation Agreement and the aforementioned amendments and further compelling the Defendants to take certain actions in order to bring them into compliance with said documents and to award further relief as prayed for in said Complaint; and

WHEREAS, at the time of filing the original Complaint in the civil action the various Plaintiffs owned the following Building Plots in Scott Mill Hollow: Daniel E. Blanchard, Parcel 5; Frederick M. Blum and Cheryl B. Blum, his wife, Parcel 4; Ted E. Greene and Ann J. Greene, his wife, Parcel 3, Carol Lynn Harper, Parcel 2, Casey Williams and Rachel E. Williams, his wife, Parcel 6; and

WHEREAS, David Schwartz the owner of Building Plot 7 was never a Plaintiff in the civil action; Henny Fisch, as co-trustee of the SD Trust dated March 13, 2015, the owner of Building Plot 1, was never a Plaintiff in the civil action; and

WHEREAS, the Scott Mill Hollow Homeowners Association, Inc. (the "Association") on May 24, 2016, recorded that certain Declaration Of Revitalized Covenants, Conditions, Easements And Restrictions For Scott Mill Hollow (the "Revitalized Declaration") at Official Records Volume 17572, Pages 1274-1362 of the public records of Duval County, Florida. The Revitalized Declaration became the governing document for the Association and the parcel owners in Scott Mill Hollow; and

WHEREAS, an Amended Complaint was later filed in the civil action to include allegations brought against Defendant State Of Florida, Department Of Economic Opportunities (hereinafter "DEO") and to incorporate the same allegations against the original Defendants under the Revitalized Declaration as had been made against them earlier in violating the original Declaration, Annexation Agreement and the aforementioned amendments; and

WHEREAS, the original Defendants in the civil action were and have remained Neil Scott McEachern and Elizabeth S. Rivera, his wife, who are the owners of Building Plot 8 in Scott Mill Hollow; and

WHEREAS, the parties have agreed to a settlement of the civil action whereby the Defendants as owners of Building Plot 8 of Scott Mill Hollow shall no longer be subject to the Revitalized Declaration, except as to sections 17, 18 and 19, which describe certain easements and related mutual obligations that the parties hereto desire to preserve, and shall no longer be members of the Association; and

WHEREAS, pursuant to Section 26 of the Revitalized Declaration, the persons owning 80% or more the Building Plots in Scott Mill Hollow shall have the right to amend or alter provisions of the Revitalized Declaration provided that the amendment or additions thereto shall conform to the general purposes and standards contained in the Revitalized Declaration. The purpose of this amendment is to alter the provisions of the Revitalized Declaration so as to terminate the Revitalized Declaration as to Building Plot 8 (except as to sections 17, 18 and 19) so that the remaining 7 parcels of land constituting Scott Mill Hollow can continue to be used for residential purposes in accordance with the Revitalized Declaration and will therefore maintain the standards contained in the Revitalized Declaration.

NOW, THEREFORE,

1. The Scott Mill Hollow Homeowners Association, Inc. (the "Association") for itself, its successors and assigns hereby rescinds and terminates the terms, conditions, covenants and restrictions of the Revitalized Declaration with respect to Building Plot 8 (sometimes referred to as Lot 8 or Parcel 8 in the text) owned by Neil Scott McEachern, Elizabeth S. Rivera and Catalina McEachern, except Sections 17, 18 and 19 thereof. This excepting out of Sections 17, 18 and 19 from the rescission and termination of the Revitalized Declaration is for the express purpose of continuing the rights of ingress and egress of access, utilities water and sewer to Building Plot 8. Sections 17, 18 and 19 may not be modified in the future to the detriment of Neil Scott McEachern, Elizabeth S. Rivera, Catalina McEachern or Building Plot 8.

2. The Association, for itself, its successors and assigns and the current owners of Building Plots 1, 2, 3, 4, 5, 6 and 7 of Scott Mill Hollow for themselves, their heirs, successors and assigns all of whom are recognized by Section 28 of both the Original Declaration and the Revitalized Declaration as the sole parties with the right to currently enforce the covenants, and restrictions contained in both the Original Declaration and any amendment thereto and the Revitalized Declaration for any violations thereof, hereby remise, release, acquit, satisfy and forever discharge Neil Scott McEachern, Elizabeth S. Rivera and Catalina McEachern and Building Plot 8 completely and forever from all of the terms, conditions, covenants, and restrictions of the Original Declaration recorded at Official Records Volume 5816, Pages 1322-1337 of the public records of Duval County, Florida, and any amendment thereto and from all of the terms, conditions, covenants and restrictions of the Revitalized Declaration recorded at Official Records Volume 17572, Pages 1274-1362 of the public records of Duval County, Florida, and all amendments thereto except the provisions contained in Sections 17, 18 and 19 of the Revitalized Declaration recorded at Official Records Volume 17572, Pages 1284-1286 of the public records of Duval County, Florida.

3. The parties hereto for themselves, their heirs, successors and assigns each acknowledge, recognize and consent to the continued use by Neil Scott McEachern, Elizabeth S. Rivera and Catalina McEachern, their heirs, successors, assigns, guests, invitees, tenants, domestic help, delivery, pickup, fire protection services, police and other authorities of the law, United States Mail Carrier, representatives of utilities to serve the land and holders and servicers of mortgage liens of easements already granted in the Revitalized Declaration as to Private Road, Drainage, Utilities, Water and Sewer. The Association hereby reserves and shall have the sole and absolute right at any time, with the consent of the governing body of any municipality or other governmental body politic then having jurisdiction over the lands to dedicate to the public all or any part of the land designated as streets, rights of way and easement.

4. Neil Scott McEachern, Elizabeth S. Rivera and Catalina McEachern agree to the terms of Sections 17, 18 and 19 of the Revitalized Declaration. The parties agree that Section 18 of the Revitalized Declaration (concerning maintenance, repairs, replacement and restoration of Private Road Easement and Easements For Drainage and Utilities) makes each Owner of a Building Plot in Scott Mill Hollow jointly responsible with all of the other Owners of the Building Plots 1-8 in Scott Mill Hollow for all costs of maintenance, repair, replacement and restoration of the Private Road Easement and the Easements for Drainage and Utilities, as more fully set forth in Section 18 of the Revitalized Declaration. For as long as the ownership interests in Building Plot 8 remain vested in either Neil Scott McEachern, Elizabeth S. Rivera or Catalina McEachern, without transfer to a third party (as contemplated herein a transfer to a third party does not include transfers to anyone in that class of persons identified in Sections 732.102 and 732.103, Fla. Stat. nor to The Rivera-McEachern Revocable Trust, as amended), each of the two separate parcels forming the whole of Building Plot 8 shall be responsible for 1/16 of the total costs imposed upon the Owners by Section 18 of the Revitalized Declaration, thus making Building Plot 8 responsible for 1/8 of the total costs, and each of the Owners of Building Plots 1-7 shall also be responsible for 1/8 of the total costs during such period of time. In the event of any transfer of ownership of

either of the 2 parcels constituting Building Plot 8 to a third party (as contemplated herein a transfer to a third party does not include transfers to anyone in that class of persons identified in Sections 732.102 and 732.103, Fla. Stat. nor to The Rivera-McEachern Revocable Trust, as amended), then each of the 2 parcels constituting Building Plot 8 shall thereafter be responsible for 1/9 of the total costs imposed upon the Owners by Section 18 of the Revitalized Declaration, and each of the Owners of Building Plots 1-7 shall also thereafter be responsible for 1/9 of the total costs. All Owners of Building Plots 1-8 in Scott Mill Hollow shall be entitled to the protections provided by the lien and foreclosure procedures set forth in Section 18 of the Revitalized Declaration.

5. This document is executed by all current owners of Building Plots within Scott Mill Hollow (parcels 1-7) whether or not Plaintiffs in the civil action and also executed by all of the Plaintiffs in the civil action whether or not same are current owners of Building Plots within Scott Mill Hollow (Lots 1-7). In addition thereto, this modification is executed by the Association on behalf of its members, officers, directors, successors and assigns.

6. This document is executed by Neil Scott McEachern, Elizabeth S. Rivera and Catalina McEachern on behalf of themselves, their heirs, successors and assigns.

7. The Association shall take any and all actions necessary in making this Amendment part of the Revitalized Declaration including but not limited to its recording in the public records of Duval County, Florida and if necessary with the State of Florida, Department Of Economic Opportunity.

IN WITNESS HEREOF, the Amendment Of Declaration Of Revitalized Covenants, Conditions, Easement And Restrictions For Scott Mill Hollow with consent of owners has been executed this 18 day of MAY, 2017 by the parties signing below.

SCOTT MILL HOLLOW HOMEOWNERS ASSOCIATION, INC.

Margaret H Ward
Witness
Aimee A. Lopiano
Witness

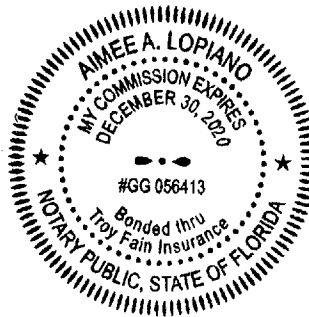
[Signature]
By: Casey Williams, its President

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Casey Williams as President of Scott Mill Hollow Homeowners Association, Inc. this 18 day of MAY, 2017, who is personally known to me or to have produced the following identification:
FLORIDA DRIVERS LICENSE

Notary Public, State of Florida
at Large
My Commission Expires: 12/30/20

Aimee A. Lopiano
NOTARY PUBLIC



SCOTT MILL HOLLOW HOMEOWNERS' ASSOCIATION, INC.

Vincent C. [Signature]

Witness

[Signature]

Witness

[Signature]

By: SPENCER JONES, its Secretary

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by SPENCER JONES as Secretary of Scott Mill Hollow Homeowners Association, Inc. this 25 day of MAY, 2017, who is personally known to me or to have _____ produced the following identification:

Notary Public, State of Florida
at Large
My Commission Expires: _____

WILLIAM S. STEELE
Notary Public, State of Florida
My Comm. Expires Nov. 15, 2018
Commission No. FF 156822

[Signature]
NOTARY PUBLIC

[Signature]
Witness Scott A. Padgett

[Signature]
Daniel E. Blanchard, Plaintiff

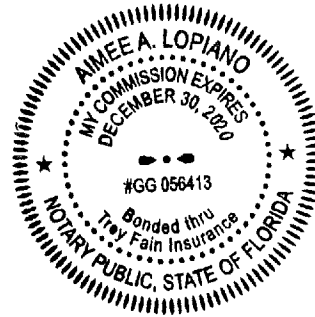
[Signature]
Witness AIMEEA. LOPIANO

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Daniel E. Blanchard this 18th day of MAY, 2017, who is personally known to me or to have _____ produced the following identification: _____

Notary Public, State of Florida
at Large
My Commission Expires: _____

[Signature]
NOTARY PUBLIC



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[Signature]
Witness

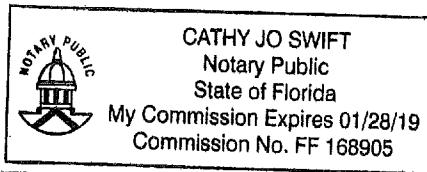
[Signature]
Frederick M. Blum, Plaintiff

[Signature]
Witness

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Frederick M. Blum this 16th day of MAY, 2017, who is personally known to me or to have _____ produced the following identification: _____

Notary Public, State of Florida
at Large
My Commission Expires: 1-28-19



[Signature]
NOTARY PUBLIC

[Signature]
Witness

[Signature]
Cheryl B. Blum, Plaintiff

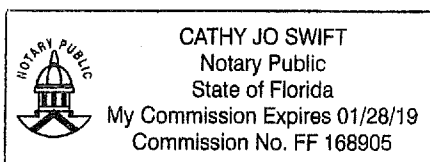
[Signature]
Witness

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Cheryl B. Blum this 16th day of MAY, 2017, who is personally known to me or to have _____ produced the following identification: _____

Notary Public, State of Florida
at Large
My Commission Expires: 1-28-19

[Signature]
NOTARY PUBLIC



APerez
Witness Alex Perez

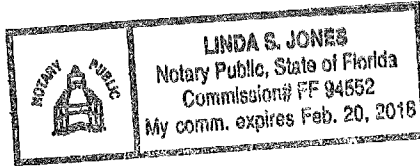
Rebecca Walker
Witness Rebecca Walker

Ted E. Greene
Ted E. Greene, Plaintiff

STATE OF FLORIDA
COUNTY OF ~~DUVAL~~ Flagler

Sworn and subscribed before me by Ted E. Greene this 10 day of MAY, 2017, who is personally known to me or to have produced the following identification: Florida Driver License

Notary Public, State of Florida
at Large
My Commission Expires: 2/20/18



Linda S Jones
NOTARY PUBLIC

APerez
Witness Alex Perez

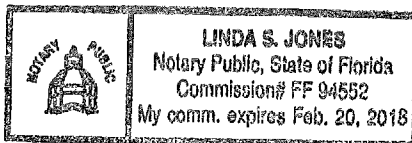
Rebecca Walker
Witness Rebecca Walker

Ann J. Greene
Ann J. Greene, Plaintiff

STATE OF FLORIDA
COUNTY OF ~~DUVAL~~ Flagler

Sworn and subscribed before me by Ann J. Greene this 10 day of MAY, 2017, who is personally known to me or to have produced the following identification: Florida Driver License

Notary Public, State of Florida
at Large
My Commission Expires: 2/20/18



Linda S Jones
NOTARY PUBLIC

Louis Marin
Witness

Carol Lynn Harper
Carol Lynn Harper, Plaintiff

[Signature]
Witness

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Carol Lynn Harper this 16th day of May, 2017, who is personally known to me or to have produced the following identification: _____

Notary Public, State of Florida
at Large
My Commission Expires: 1/8/2018



[Signature]
NOTARY PUBLIC

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Margaret H Ward
Witness

Casey Williams
Casey Williams, Plaintiff

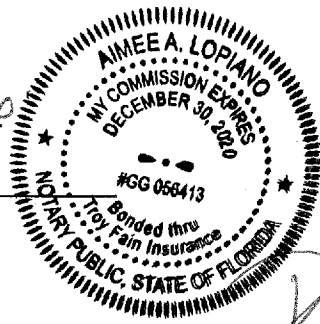
Aimee A. Lopiano
Witness

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Casey Williams this 18 day of MAY, 2017, who is _____ personally known to me or to have produced the following identification: FLORIDA DRIVERS LICENSE

Notary Public, State of Florida
at Large
My Commission Expires: 12/30/20

Aimee A. Lopiano
NOTARY PUBLIC



Margaret H Ward
Witness

Rachel E. Williams
Rachel E. Williams, Plaintiff

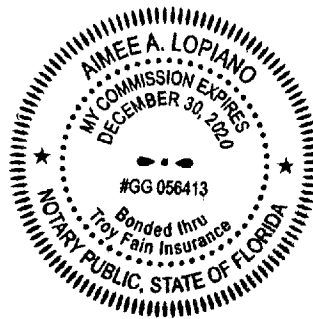
Aimee A. Lopiano
Witness

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Rachel E. Williams this 18 day of MAY, 2017, who is _____ personally known to me or to have produced the following identification: FLORIDA DRIVERS LICENSE

Notary Public, State of Florida
at Large
My Commission Expires: 12/30/30

Aimee A. Lopiano
NOTARY PUBLIC



Jeanne Wright
Witness

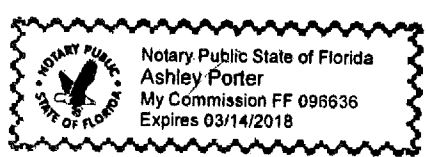
Henny Fisch
Henny Fisch, Co-Trustee of The SD Trust
Dated 13th Day of March, 2015
Parcel 1

Teresta Velazquez
Witness

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Henny Fisch, Co-Trustee of The SD Trust Dated 13th Day Of March, 2015 this 7th day of June, 2017, who is personally known to me or to have _____ produced the following identification: _____

Notary Public, State of Florida
at Large
My Commission Expires: 3-14-18
Ashley Porter
NOTARY PUBLIC



Jeanne Wright
Witness

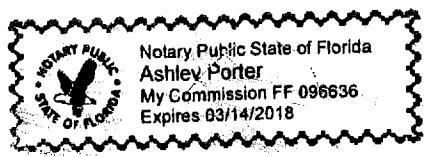
Henny Fisch
Henny Fisch, Co-Trustee of The SD Trust
Dated 13th Day of March, 2015
Parcel 2

Teresta Velazquez
Witness

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Henny Fisch, Co-Trustee of The SD Trust Dated 13th Day Of March, 2015 this 7th day of June, 2017, who is personally known to me or to have _____ produced the following identification: _____

Notary Public, State of Florida
at Large
My Commission Expires: 3-14-18
Ashley Porter
NOTARY PUBLIC



Vincent K. Nob

Witness

Timothy Franklin
Witness

Spencer C. Jones

Spencer C. Jones
Parcel 3

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Spencer C. Jones this 25 day of MAY, 2017, who is personally known to me or to have produced the following identification: _____

Notary Public, State of Florida
at Large
My Commission Expires: _____

NOTARY PUBLIC

Vincent K. Nob

Witness

Timothy Franklin
Witness

H Jones

~~Haley S. Jones~~ Hayley S. Jones
Parcel 3

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by ~~Spencer C. Jones~~ HAYLEY JONES this 25 day of MAY, 2017, who is personally known to me or to have produced the following identification: _____

Notary Public, State of Florida
at Large
My Commission Expires: _____

WILLIAM S. STEELE
Notary Public, State of Florida
My Comm. Expires Nov. 15, 2018
Commission No. FF 156922

William S. Steele
NOTARY PUBLIC

Kimberly Williams

Witness

[Signature]

Witness

Frederick M. Blum

Frederick M. Blum, Plaintiff
Parcel 4

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Frederick M. Blum this 16th day of MAY, 2017, who is personally known to me or to have produced the following identification: _____

Notary Public, State of Florida
at Large

My Commission Expires: 1-28-19

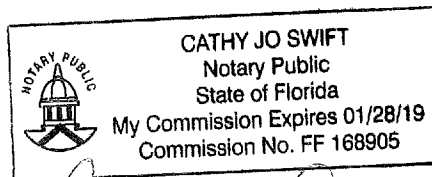
Cathy Jo Swift
NOTARY PUBLIC

Kimberly Williams

Witness

[Signature]

Witness



Cheryl B. Blum

Cheryl B. Blum, Plaintiff
Parcel 4

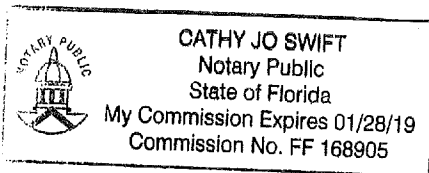
STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Cheryl B. Blum this 16th day of MAY, 2017, who is personally known to me or to have produced the following identification: _____

Notary Public, State of Florida
at Large

My Commission Expires: 1-28-19

Cathy Jo Swift
NOTARY PUBLIC



Kathy J. Rubab
Witness

Witness

Grace J. Abboud
Witness

Witness

Edward J. Farhat
Edward J. Farhat
Parcel 5

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Edward J. Farhat this 2nd day of June, 2017, who is X personally known to me or to have produced the following identification: _____

Notary Public, State of Florida
at Large

My Commission Expires: 7/11/18

Shannon Kuhnell
NOTARY PUBLIC

NOTARY PUBLIC

Kathy J. Rubab
Witness

Witness

Grace J. Abboud
Witness

Witness

Saundra H. Farhat
Saundra H. Farhat
Parcel 5

STATE OF FLORIDA
COUNTY OF DUVAL



Sworn and subscribed before me by Saundra H. Farhat this 2nd day of June, 2017, who is X personally known to me or to have produced the following identification: _____

Notary Public, State of Florida
at Large

My Commission Expires: 7/11/18

Shannon Kuhnell
NOTARY PUBLIC

NOTARY PUBLIC



Aimee A. Lopiano
AIMEE A. LOPIANO

Witness

[Signature]
Scott Padgett

Witness

[Signature]

Casey Williams, Plaintiff
Parcel 6

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Casey Williams this 22ND day of MAY, 2017, who is personally known to me or to have produced the following identification: FLORIDA DRIVERS LICENSE

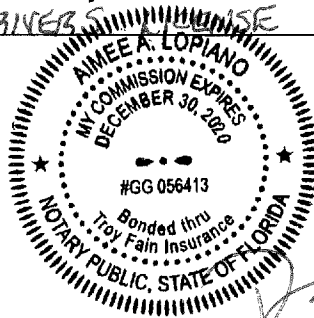
Notary Public, State of Florida
at Large

My Commission Expires: 12/30/20

Aimee A. Lopiano
NOTARY PUBLIC

[Signature]
Witness

Aimee A. Lopiano
Witness



[Signature]

Rachel E. Williams, Plaintiff
Parcel 6

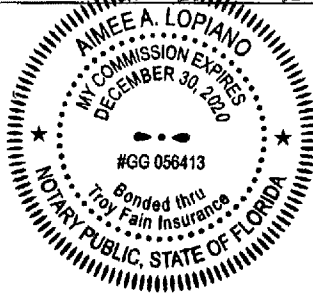
STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Rachel E. Williams this 26th day of MAY, 2017, who is personally known to me or to have produced the following identification: FLORIDA DRIVERS LICENSE

Notary Public, State of Florida
at Large

My Commission Expires: 12/30/20

Aimee A. Lopiano
NOTARY PUBLIC



Witness Jose Ayala
Thia Berapin
Witness

[Signature]
David Schwartz
Parcel 7

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by David Schwartz this 5th day of June, 2017, who is personally known to me or to have produced the following identification: _____

Notary Public, State of ~~Florida~~ Connecticut
at Large
My Commission Expires: 12-31-2017

LUANN LEVINE
NOTARY PUBLIC
MY COMMISSION EXPIRES 12-31-2017

Luann Levine
NOTARY PUBLIC

Witness _____
Witness _____

Limor Schwartz
Parcel 7

STATE OF FLORIDA
COUNTY OF DUVAL

*Not Applicable - Not
an owner of Parcel 7*

Sworn and subscribed before me by Limor Schwartz this _____ day of _____, 2017, who is _____ personally known to me or to have produced the following identification: _____

Notary Public, State of Florida
at Large
My Commission Expires: _____

NOTARY PUBLIC

Jennifer Humes
Witness

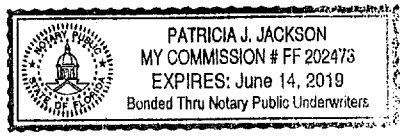
Neil Scott McEachern
Neil Scott McEachern, Defendant
Parcel 8

[Signature]
Witness

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Neil Scott McEachern this 17th day of MAY, 2017, who is X personally known to me or to have produced the following identification: Palma Jackson

Notary Public, State of Florida
at Large
My Commission Expires: _____



NOTARY PUBLIC

Jennifer Humes
Witness

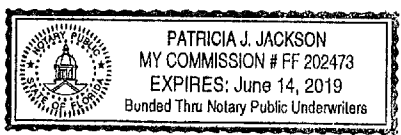
Elizabeth S. Rivera
Elizabeth S. Rivera, Defendant
Parcel 8

[Signature]
Witness

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn and subscribed before me by Elizabeth S. Rivera this 17th day of MAY, 2017, who is X personally known to me or to have _____ produced the following identification: _____

Notary Public, State of Florida
at Large
My Commission Expires: _____



Palma Jackson
NOTARY PUBLIC

[Handwritten Signature]

Witness *Herbert L. Lee*

[Handwritten Signature]

Catalina McEachern
Parcel 8

Benny Hickox Benny Hickox
Witness

STATE OF FLORIDA
COUNTY OF DUVAL

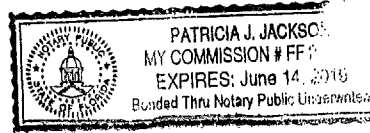
Sworn and subscribed before me by Catalina McEachern this 19th day of May, 2017, who is is personally known to me or to have _____ produced the following identification: _____

Notary Public, State of Florida
at Large

My Commission Expires: _____

[Handwritten Signature]

NOTARY PUBLIC



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