

Recording _____
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THIS INSTRUMENT WAS PREPARED BY AND,
AFTER RECORDING, RETURN TO:
JOEL B. GILES, ESQUIRE
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**SECOND AMENDMENT TO
MASTER DECLARATION OF
EASEMENTS, COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR WELLS CREEK**

THIS SECOND AMENDMENT TO MASTER DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS, AND RESTRICTIONS FOR WELLS CREEK (this “Second Amendment”) is made as of this ____ day of October, 2019 (“Effective Date”), by **WELLS CREEK, LLC**, a limited liability company organized and existing under the laws of the State of Florida, the mailing address of which is 700 Ponte Vedra Lakes Boulevard, Ponte Vedra Beach, Florida 32082 (“Grantee”).

Recitals

(A) Grantee is the Declarant under that certain Master Declaration of Easements, Covenants, Conditions, and Restrictions for Wells Creek made by Wells Creek, LLC, dated April 10, 2018, and recorded April 16, 2018, in Official Records Book 18351, at page 1906, as supplemented by that certain Supplement to Master Declaration of Easements, Covenants, Conditions, and Restrictions for Wells Creek made by Wells Creek, LLC, dated July 20, 2018, and recorded August 1, 2018, in Official Records Book 18477, at page 1599, as amended by that certain Amendment to Master Declaration of Easements, Covenants, Conditions, and Restrictions for Wells Creek made by Wells Creek, LLC, dated February 14, 2019, and recorded March 9, 2019, in Official Records Book 18749, at page 2051, all of the public records of Duval County, Florida (collectively, the “Declaration”). Capitalized terms used but not defined herein shall have the meanings given to them in the Declaration.

(B) Articles III and IV of the Declaration reserved to Grantee, its successors and assigns, and certain others, certain easements (“Easements”) and the right to grant certain easements to others (“Easement Rights”).

(C) Article VIII, Section 2 of the Declaration provides that the Declaration may be amended by an instrument executed by Grantee, the Homebuilders, and the Parcel Owners with the prior consent of the Homeowners Associations, but not the Unit Owners.

(D) Grantee desires to amend the Declaration such that, upon the dedication, to the City of Jacksonville, Florida ("City"), of a right of way, driveway, sidewalk, or walkway ("Publicly Dedicated Area"), the Easements reserved to Grantee, its successors and assigns, and all others, including Parcel Owners and Lot Owners, under the Declaration within the Publicly Dedicated Area shall terminate and the Easement Rights under the Declaration held by Grantee its successors and assigns, and all others, including Parcel Owners and Lot Owners, within the Publicly Dedicated Area shall be released.

(E) The undersigned constitute all of the Homebuilders, Parcel Owners, and Homeowners Associations under the Declaration.

NOW, THEREFORE, in consideration of Ten and No/100ths Dollars (\$10.00) and other covenants and other premises herein contained, the receipt and legal sufficiency of which are hereby acknowledged by Grantee, Grantee agrees as follows:

1. Recitals. The above recitals are true and correct and, by this reference, are incorporated into the operative terms of this Second Amendment.

2. Amendment; Partial Termination and Release. Articles III and IV of the Declaration are hereby amended to provide that, from and after the Effective Date, upon a dedication (whether by plat or by other instrument recorded in the public records of Duval County, Florida) to the City of a Publicly Dedicated Area, the Easements reserved to Grantee, its successors and assigns, and all others, including Parcel Owners and Lot Owners, within the Publicly Dedicated Area shall terminate and the Easement Rights held by Grantee, its successors and assigns, and all others, including Parcel Owners and Lot Owners, within the Publicly Dedicated Area shall be released, effective upon recordation of such dedication.

3. Full Force and Effect. Except as otherwise terminated and released herein, all other Easements reserved to Grantee, its successors and assigns, or any others, including Parcel Owners and Lot Owners, under the Declaration and all other Easement Rights reserved to Grantee, its successors and assigns, or any others, including Parcel Owners and Lot Owners, under the Declaration remain valid and in full force and effect. Except as modified and amended herein, the Declaration remains in full force and effect.

[Signature pages immediately follows]

IN WITNESS WHEREOF, Grantee has signed this Second Amendment effective as of the Effective Date.

WITNESSES:


(Sign on this line.)
(Print name legibly on this line.) John Dodson


(Sign on this line.)
(Print name legibly on this line.) Linda McMahon Scandurra

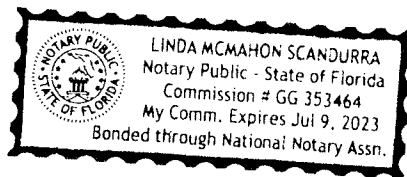
GRANTEE:

WELLS CREEK, LLC

By: 
ARTHUR E. LANCASTER,
its Vice President

STATE OF FLORIDA)
COUNTY OF ST. JOHNS)

The foregoing instrument was acknowledged before me this 4th day of October, 2019, by ARTHUR E. LANCASTER, as Vice President of WELLS CREEK, LLC, a limited liability company organized and existing under the laws of the State of Florida, on behalf of the limited liability company, who is personally known to me or who has produced _____ as identification.




(Sign on this line.)
(Print name legibly on this line.)

NOTARY PUBLIC, State of Florida

COMMISSION NO.:

EXPIRATION DATE:

(SEAL)

JOINDER AND CONSENT OF PARCEL OWNER

WITNESSES:

[Signature]
(Sign on this line.)
MISRAEL RYAN
(Print name legibly on this line.)

[Signature]
(Sign on this line.)
Jacob E. O'Keefe
(Print name legibly on this line.)

MATTAMY JACKSONVILLE LLC, a
Delaware limited liability company

By:

[Signature]
JASON SESSIONS,
its Vice President

STATE OF FLORIDA)
COUNTY OF ST. JOHNS)

The foregoing instrument was acknowledged before me this 2nd day of October, 2019, by JASON SESSIONS, as Vice President of MATTAMY JACKSONVILLE LLC, a limited liability company organized and existing under the laws of the State of Delaware, on behalf of the limited liability company, who is personally known to me or who has produced _____ as identification.

[Signature]
(Sign on this line.)
Suheily Torres
(Print name legibly on this line.)

NOTARY PUBLIC, State of Florida
COMMISSION NO.: GG006005
EXPIRATION DATE: 7/23/2020

(SEAL)



SUHEILY TORRES
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG006005
Expires 7/23/2020

JOINDER AND CONSENT OF PARCEL OWNER

WITNESSES:

Lisa Bianchi
(Sign on this line.)
Lisa Bianchi
(Print name legibly on this line.)

Joseph Jennesse
(Sign on this line.)
Joseph Jennesse
(Print name legibly on this line.)

KB HOME JACKSONVILLE LLC, a
Delaware limited liability company

By:

Todd Holder
it's President

STATE OF FLORIDA)
COUNTY OF DUVAL)

The foregoing instrument was acknowledged before me this 11th day of October, 2019, by Todd Holder, as President of KB HOME JACKSONVILLE LLC, a limited liability company organized and existing under the laws of the State of Delaware, on behalf of the limited liability company, who is personally known to me.

Lisa Bianchi
(Sign on this line.)
Lisa Bianchi
(Print name legibly on this line.)

NOTARY PUBLIC, State of Florida

COMMISSION NO.: GG261619

EXPIRATION DATE: 12-14-22

(SEAL)



Lisa Bianchi
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG261619
Expires 12/14/2022

ACKNOWLEDGMENT OF CONSENT OF HOMEOWNERS ASSOCIATION

WITNESSES:

[Signature]
(Sign on this line.)
Misha Kunn
(Print name legibly on this line.)

[Signature]
(Sign on this line.)
Jacob E. O'Keefe
(Print name legibly on this line.)

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

By:

[Signature]
Name: JASON SESSIONS
Title: President

STATE OF FLORIDA)
COUNTY OF ST. JOHNS)

The foregoing instrument was acknowledged before me this 2nd day of October, 2019, by JASON SESSIONS, as President of WELLS CREEK EAST HOMEOWNERS ASSOCIATION, INC., a not for profit corporation organized and existing under the laws of the State of Florida, on behalf of the company, who is personally known to me or who has produced _____ as identification.

[Signature]
(Sign on this line.)
Suheily Torres
(Print name legibly on this line.)

NOTARY PUBLIC, State of Florida
COMMISSION NO.: GG006005
EXPIRATION DATE: 7/23/2020

(SEAL)



SUHEILY TORRES
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG006005
Expires 7/23/2020

ACKNOWLEDGMENT OF CONSENT OF HOMEOWNERS ASSOCIATION

WITNESSES:

Lisa Bianchi
(Sign on this line.)
Lisa Bianchi
(Print name legibly on this line.)

Chris Williams
(Sign on this line.)
Chris Williams
(Print name legibly on this line.)

WELLS CREEK WEST HOMEOWNERS
ASSOCIATION, INC., a Florida
corporation not for profit

By: Thomas Jinks
Name: Thomas Jinks
Title: Vice President

STATE OF FLORIDA)
COUNTY OF DUVAL)

The foregoing instrument was acknowledged before me this 9th day of October, 2019, by Thomas Jinks, as Vice President of WELLS CREEK WEST HOMEOWNERS ASSOCIATION, INC., a not for profit corporation organized and existing under the laws of the State of Florida, on behalf of the company, who is personally known to me or who has produced _____ as identification.

Lisa Bianchi
(Sign on this line.)
Lisa Bianchi
(Print name legibly on this line.)

NOTARY PUBLIC, State of Florida
COMMISSION NO.: 66261619
EXPIRATION DATE: 12-14-22

(SEAL)



Lisa Bianchi
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG261619
Expires 12/14/2022