

PREPARED BY AND RETURN TO:

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

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

THIS FIRST SUPPLEMENTAL DECLARATION TO COMMUNITY DECLARATION FOR WELLS CREEK EAST (this "**First Supplement**") is made 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 ("**First Amendment**"), and 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**"), all of the Public Records of Duval County, Florida. The Original Declaration, the First Amendment and the Second Amendment 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 and such Supplemental Declaration may modify the terms of the Declaration to reflect the different character of a particular portion of the Property.

C. The Declarant wishes, in accordance with Section 5.1 of the Declaration, to file of record this First Supplement for the purpose of annexing additional land 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 First 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 First Supplement and the Declaration, this First Supplement shall control. Whenever possible, this First 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. Slope Maintenance Lots. Lots 156 – 173 of WELLS CREEK PHASE 1B as depicted on the Plat thereof recorded in Plat Book 74, Pages 116 through 125 of the Public Records, and Lots 104 – 125 WELLS CREEK PHASE 1C as depicted on the Plat thereof recorded in Plat Book 74, Pages 110 through 115 of the Public Records, are hereby designated as "Slope Maintenance Lots" as defined in Section 10.12 of the Declaration. The Retention/Detention Area Slopes located upon any such Slope Maintenance Lot will be regulated and maintained by the Association in accordance with the Declaration. The Slope Maintenance Lots shall be subject to all applicable terms and conditions of Section 10.12 of the Declaration.

5. 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.

6. Covenant. This First 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 First Supplement to be executed by its duly authorized representative and has affixed its company seal as of this 20th day of July, 2020.

WITNESSES:

"DECLARANT"

MATTAMY JACKSONVILLE LLC, a
Delaware limited liability company

Jennifer Thomas
Print Name: Jennifer Thomas
Winnie Jacques
Print Name: Winnie JACQUES

By: Leslie C Candes
Name: Leslie C Candes
Title: Vice President

[Seal]

STATE OF FLORIDA)
COUNTY OF Orange)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 20th day of July, 2020, by Leslie C. Candes, as Vice President of MATTAMY JACKSONVILLE LLC, a Delaware limited liability company, who is personally known to me or who has produced _____ as identification.



JENNIFER H. THOMAS
Commission # HH 008642
Expires July 4, 2024
Bonded Thru Budget Notary Services

Jennifer Thomas
Notary Public
Print Name: Jennifer Thomas
My Commission Expires:

JOINDER

WELLS CREEK EAST HOMEOWNERS ASSOCIATION, INC., a Florida not for profit corporation (the "**Association**") does hereby join in the FIRST SUPPLEMENTAL DECLARATION TO COMMUNITY DECLARATION FOR WELLS CREEK EAST (the "**First 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 rights and obligations provided in the First Supplement and does not affect the validity of the First Supplement as the Association has no right to approve the First Supplement.

21st IN WITNESS WHEREOF, the undersigned has executed this Joinder on this day of July, 2020.

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

[Signature]
Print Name: Sason Thomas

By: [Signature]
Name: DJ Smith
Title: President

[Signature]
Print Name: Dawn Henderson

STATE OF FLORIDA)
COUNTY OF Orange)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or [] online notarization, this 21st day of July, 2020, 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:



JENNIFER H. THOMAS
Commission # HH 008642
Expires July 4, 2024
Bonded Thru Budget Notary Services

[Signature]
NOTARY PUBLIC, State of Florida at Large
Print Name: Jennifer Thomas

Schedule A

Legal Description – Phase 1B

A parcel of land lying in Section 21 and Section 28, Township 4 South, Range 28 East, Duval County, Florida, said parcel being more particularly described as follows:

BEGIN at the Northeasterly corner of Lot 151, WELLS CREEK PHASE 1A, according to Plat Book 73, pages 15 through 30, of the Current Public Records of said County; thence along the Northerly line of said WELLS CREEK PHASE 1A, run the following 15 courses: 1) S88°52'33"W, 129.85 feet to a point on a curve concave to the West and having a radius of 530.00 feet; 2) Northerly along the arc of said curve, subtended by a chord bearing and distance of N01°56'52"W, 15.24 feet, an arc distance of 15.24 feet; 3) S87°16'35"W, 60.00 feet to a point on a curve concave to the West and having a radius of 470.00 feet; 4) Southerly along the arc of said curve, subtended by a chord bearing and distance of S02°15'24"E, 8.54 feet, an arc distance of 8.54 feet; 5) S88°15'51"W, 94.18 feet; 6) S64°41'07"W, 166.52 feet; 7) S67°25'53"W, 49.59 feet; 8) S72°04'50"W, 48.89 feet; 9) S76°42'43"W, 48.89 feet; 10) S81°25'37"W, 98.09 feet; 11) S83°59'18"W, 195.34 feet to a point on a curve concave to the East and having a radius of 300.00 feet; 12) Northerly along the arc of said curve, subtended by a chord bearing and distance of N02°29'50"W, 36.78 feet, an arc distance of 36.80 feet; 13) N88°58'57"W, 50.00 feet to a point on a curve concave to the East and having a radius of 350.00 feet; 14) Southerly along the arc of said curve, subtended by a chord bearing and distance of S00°46'46"W, 2.91 feet, an arc distance of 2.91 feet; 15) N89°27'30"W, 161.79 feet to the Westerly line of "Phase 1, Parcel 2", as described in Official Records Book 18352, page 1050, of said Current Public Records; thence along said line, run the following 19 courses: 1) N36°51'53"W, 24.38 feet; 2) N20°48'41"E, 57.73 feet; 3) N01°25'17"W, 72.81 feet; 4) N36°18'31"E, 28.64 feet; 5) N43°18'04"E, 67.44 feet to the point of curvature of a curve concave to the West and having a radius of 25.00 feet; 6) Northerly along the arc of said curve, subtended by a chord bearing and distance of N11°44'56"E, 26.16 feet, an arc distance of 27.53 feet to the point of tangency; 7) N19°48'12"W, 16.80 feet; 8) N14°00'18"E, 48.68 feet; 9) N16°00'18"W, 24.00 feet; 10) N67°44'09"E, 38.40 feet; 11) N06°26'18"E, 99.60 feet; 12) N01°45'22"E, 29.14 feet; 13) N37°55'59"E, 46.83 feet to the point of curvature of a curve concave to the West and having a radius of 25.00 feet; 14) Northerly along the arc of said curve, subtended by a chord bearing and distance of N12°16'51"E, 21.65 feet, an arc distance of 22.39 feet to the point of tangency; 15) N13°22'17"W, 45.06 feet; 16) N08°23'26"E, 58.70 feet; 17) N07°21'07"E, 46.71 feet; 18) N54°43'45"E, 27.95 feet to the point of curvature of a curve concave to the West and having a radius of 25.00 feet; 19) Northerly along the arc of said curve, subtended by a chord bearing and distance of N16°49'09"E, 30.72 feet, an arc distance of 33.08 feet to the Northwestern line of said "Phase 1, Parcel 2"; thence along said line, run the following 6 courses: 1) N64°41'07"E, 413.00 feet; 2) N25°18'53"W, 85.20 feet; 3) N64°41'07"E, 205.00 feet to the point of curvature of a curve concave to the Northwest and having a radius of 125.00 feet; 4) Northeasterly along the arc of said curve, subtended by a chord bearing and distance of N35°08'13"E, 123.29 feet, an arc distance of 128.93 feet; 5) S84°24'42"E, 21.03 feet; 6) N64°41'07"E, 129.76 feet to the Southwesterly line of the James Hall Grant, Section 43, said Township 4 South, Range 28 East; thence along said line, S25°18'58"E, 128.92 feet to the Southwesterly corner thereof; thence along the Southerly line of said James Hall Grant, N64°32'22"E, 98.99 feet to the Easterly line of said Section 21; thence along said line, S00°39'59"E, 616.42 feet to the Southeasterly corner of said Section 21, also being the Northeasterly corner of said Section 28; thence along the Easterly line of last said Section, S00°59'45"E, 412.98 feet to the POINT OF BEGINNING of the parcel herein described. Said lands situated, lying and being in Duval County, Florida.

ALSO DESCRIBED AS:

All of the lands depicted on the map or plat, WELLS CREEK PHASE 1B, recorded in Official Records Plat Book 74, Pages 116 through 125, Duval County, Florida.

AND

Legal Description – Phase 1C

A parcel of land lying in Section 28, Township 4 South, Range 28 East, Duval County, Florida, said parcel being more particularly described as follows:

BEGIN at the Southeasterly corner of Tract "E", WELLS CREEK PHASE 1A, according to Plat Book 73, pages 15 through 30, of the Current Public Records of said County; thence along Easterly line of "Phase 1, Parcel 1", as described in Official Records Book 18352, page 1050, of said Current Public Records, run the following 10 courses: 1) S16°11'11"E, 122.67 feet to the point of curvature of a curve concave to the West and having a radius of 475.00 feet; 2) Southerly along the arc of said curve, subtended by a chord bearing and distance of S08°35'25"E, 125.58 feet, an arc distance of 125.95 feet; 3) S38°02'33"E, 17.07 feet; 4) S75°39'22"E, 59.78 feet; 5) S58°16'16"E, 51.70 feet; 6) N31°43'44"E, 15.00 feet; 7) S58°16'16"E, 30.33 feet; 8) S47°11'25"E, 55.81 feet; 9) S22°14'33"E, 55.62 feet; 10) S75°43'00"E, 73.42 feet to the Easterly line of said Section 28; thence along said line, S00°59'45"E, 462.29 feet to the Southerly line of said "Phase 1, Parcel 1"; thence along said line, run the following 15 courses: 1) N09°59'56"W, 9.93 feet to the point of curvature of a curve concave to the West and having a radius of 9.00 feet; 2) Northerly along the arc of said curve, subtended by a chord bearing and distance of N22°17'07"W, 3.83 feet, an arc distance of 3.86 feet to the point of tangency; 3) N34°34'17"W, 56.71 feet; 4) S84°11'06"W, 62.47 feet; 5) N84°53'07"W, 38.71 feet; 6) S80°10'42"W, 17.62 feet; 7) N09°49'18"W, 15.00 feet; 8) S80°10'42"W, 37.04 feet; 9) S61°13'56"W, 36.79 feet; 10) S74°55'24"W, 45.89 feet; 11) S76°32'56"W, 73.55 feet; 12) N27°42'40"W, 59.54 feet to the point of curvature of a curve concave to the Southwest and having a radius of 15.00 feet; 13) Northwesterly along the arc of said curve, subtended by a chord bearing and distance of N59°36'34"W, 15.85 feet, an arc distance of 16.70 feet to the point of tangency; 14) S88°29'31"W, 5.96 feet; 15) N68°14'56"W, 95.27 feet to the Westerly line of said "Phase 1, Parcel 1"; thence along said line, run the following 29 courses: 1) N21°47'16"W, 46.96 feet; 2) N20°37'48"E, 47.48 feet; 3) N03°26'10"W, 120.36 feet; 4) N23°25'27"W, 84.52 feet; 5) S87°54'14"W, 43.51 feet; 6) N60°43'35"W, 20.08 feet; 7) N15°40'01"W, 51.74 feet; 8) S75°31'01"W, 30.89 feet; 9) N26°59'49"W, 11.74 feet; 10) N14°05'30"W, 35.98 feet; 11) N10°30'36"E, 26.74 feet; 12) N61°04'27"W, 26.35 feet; 13) N43°51'01"W, 31.77 feet; 14) N46°08'59"E, 60.94 feet; 15) S00°30'17"W, 20.89 feet; 16) S11°22'21"E, 24.60 feet; 17) S69°52'05"E, 30.58 feet; 18) S42°54'09"E, 13.05 feet; 19) S69°28'13"E, 59.71 feet; 20) N41°39'19"E, 85.20 feet; 21) N69°02'42"E, 46.99 feet; 22) N78°04'06"E, 45.23 feet; 23) S89°11'46"E, 3.94 feet; 24) N00°48'14"E, 15.00 feet; 25) N04°00'16"W, 30.37 feet to the point of curvature of a curve concave to the West and having a radius of 375.00 feet; 26) Northerly along the arc of said curve, subtended by a chord bearing and distance of N10°05'44"W, 79.58 feet, an arc distance of 79.73 feet; 27) N16°11'11"W, 21.08 feet; 28) N19°24'29"W, 100.57 feet to a point of a non-tangent curve concave to the Southwest and having a radius of 520.84 feet; 29) Northwesterly along the arc of said curve, subtended by a chord bearing and distance of N28°12'04"W, 1.21 feet, an arc distance of 1.21 feet to the Southerly line of said WELLS CREEK PHASE 1A; thence along said line, N73°48'49"E, 105.90 feet to the POINT OF BEGINNING of the parcel herein described. Said lands situated, lying and being in Duval County, Florida.

Containing 6.71 acres, more or less.

ALSO DESCRIBED AS:

All of the lands depicted on the map or plat, WELLS CREEK PHASE 1C, recorded in Official Records Plat Book 74, Pages 110 through 115, Duval County, Florida.