

PREPARED BY AND RETURN TO:

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

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

THIS THIRD SUPPLEMENTAL DECLARATION TO COMMUNITY DECLARATION FOR WELLS CREEK EAST (this “**Third Supplement**”) is made on this 14 day of March, 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**”), 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**”), and by the SECOND SUPPLEMENTAL DECLARATION TO THE COMMUNITY DECLARATION FOR WELLS CREEK EAST recorded as Document Number 2021060704, in Official Records Book 19621, Page 8 (the “**Second Supplement**”), all of the Public Records of Duval County, Florida. The Original Declaration, the First Amendment, the Second Amendment, the First Supplement and the Second 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 Third 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 Third 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 Third Supplement and the Declaration, this Third Supplement shall control. Whenever possible, this Third 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 Third 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 Third Supplement to be executed by its duly authorized representative and has affixed its company seal as of this 14 day of March, 2021.

WITNESSES:

"DECLARANT"

MATTAMY JACKSONVILLE LLC, a
Delaware limited liability company

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

By: *Cliff Nelson*
Name: Cliff Nelson
Title: V.P.

[Seal]

STATE OF FLORIDA)
COUNTY OF Duval)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14 day of March, 2021, by Cliff Nelson, as VP of MATTAMY JACKSONVILLE LLC, a Delaware limited liability company, who ☒ is personally known to me or who ☐ has produced _____ as identification.

R. 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 THIRD SUPPLEMENTAL DECLARATION TO COMMUNITY DECLARATION FOR WELLS CREEK EAST (the "**Third 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 Third Supplement and does not affect the validity of the Third Supplement as the Association has no right to approve the Third Supplement.

IN WITNESS WHEREOF, the undersigned has executed this Joinder on this 14 day of March, 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

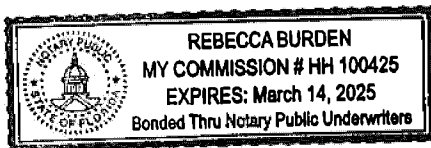
Chelsea A. O'Keefe
Print Name: Chelsea A. O'Keefe

STATE OF FLORIDA)
COUNTY OF Duval)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14 day of March, 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:

R. Burden
NOTARY PUBLIC, State of Florida at Large
Print Name: Rebecca Burden



Schedule A**Legal Description – Phase 2B**

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

For a Point of Reference, commence at the Southeasterly corner of Conservation Easement 9, as described and recorded in Official Records Book 18350, page 464, and its intersection with the boundary line of those lands described and recorded in Official Records Book 19074, page 1771, of the current Public Records of said county; thence Southwesterly along said boundary line the following 3 courses: Course 1, thence North 84°52'03" West, 18.41 feet; Course 2, thence South 48°38'11" West, 25.81 feet; Course 3, thence South 54°11'19" West, 33.91 feet; thence South 87°22'45" West, departing said boundary line, 132.38 feet to a point lying on said boundary line; thence South 46°22'14" West, along said boundary line, 36.39 feet; thence South 32°57'07" West, continuing along said boundary line, 36.65 feet to the Point of Beginning.

From said Point of Beginning, thence South 28°41'30" East, departing said boundary line, 165.99 feet; thence South 61°18'30" West, 75.04 feet; thence South 28°41'30" East, 160.00 feet; thence North 61°18'30" East, 140.00 feet; thence North 63°04'05" East, 46.68 feet; thence North 69°46'58" East, 86.54 feet; thence North 78°56'55" East, 68.18 feet; thence South 16°06'06" East, 130.48 feet; thence South 15°46'52" East, 45.50 feet; thence South 56°35'26" West, 32.22 feet; thence South 15°23'40" West, 63.50 feet; thence North 49°32'37" West, 26.11 feet; thence South 61°09'19" West, 54.02 feet; thence North 15°17'38" West, 27.68 feet; thence South 72°23'10" West, 57.66 feet to the point of curvature of a curve concave Southeasterly having a radius of 15.00 feet; thence Southwesterly along the arc of said curve, through a central angle of 85°18'56", an arc length of 22.34 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 29°43'42" West, 20.33 feet; thence South 12°55'46" East, 52.83 feet; thence South 32°06'17" East, 64.76 feet; thence South 17°31'27" West, 58.59 feet; thence South 17°49'07" West, 5.03 feet; thence North 66°56'01" East, 19.79 feet; thence South 17°31'27" West, 7.88 feet; thence South 17°49'07" West, 34.41 feet; thence South 20°52'17" East, 53.97 feet; thence South 23°21'07" East, 94.14 feet; thence North 89°04'15" West, 39.59 feet; thence South 22°35'02" West, 23.49 feet; thence North 68°45'55" East, 28.48 feet; thence South 22°04'17" East, 40.62 feet; thence South 25°27'51" East, 35.90 feet; thence South 18°13'15" East, 35.77 feet; thence South 67°17'54" East, 46.44 feet; thence South 17°14'18" East, 40.04 feet; thence South 44°44'47" East, 52.08 feet; thence South 18°05'34" West, 64.39 feet; thence South 19°18'39" East, 38.99 feet; thence South 47°06'12" East, 25.05 feet; thence South 24°32'06" West, 39.10 feet; thence South 16°04'38" East, 39.23 feet; thence South 35°10'51" West, 15.62 feet; thence South 06°08'07" West, 71.16 feet; thence North 80°23'27" West, 39.09 feet; thence North 79°54'48" West, 32.29 feet; thence North 71°47'31" West, 34.75 feet; thence North 37°03'58" West, 68.72 feet; thence North 64°04'06" West, 27.06 feet; thence North 11°10'23" West, 55.78 feet; thence North 01°48'31" East, 38.72 feet; thence North 65°40'21" West, 37.63 feet; thence North 73°35'22" West, 40.41 feet;

thence North 42°55'35" West, 34.36 feet; thence North 16°16'18" West, 62.50 feet; thence North 34°46'02" East, 33.89 feet; thence North 03°39'11" East, 47.76 feet; thence North 46°43'02" West, 43.06 feet; thence North 26°44'14" West, 20.38 feet; thence North 64°40'18" West, 33.48 feet; thence South 88°46'27" West, 52.08 feet; thence North 09°26'28" East, 33.99 feet; thence North 66°18'07" East, 34.42 feet; thence North 08°09'41" West, 76.22 feet; thence North 81°10'52" West, 24.88 feet; thence North 57°51'45" West, 27.23 feet; thence North 79°48'54" West, 36.94 feet; thence North 83°05'10" West, 12.07 feet; thence North 11°06'07" West, 25.38 feet; thence North 21°47'16" West, 36.77 feet; thence North 52°36'48" West, 29.61 feet; thence North 49°38'57" West, 21.49 feet; thence North 74°23'29" West, 21.30 feet; thence North 53°28'37" West, 32.50 feet; thence North 19°15'23" West, 37.68 feet; to the point of curvature of a curve concave Southwesterly having a radius of 15.00 feet; thence Northwesterly along the arc of said curve, through a central angle of 70°42'15", an arc length of 18.51 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 54°36'31" West, 17.36 feet; thence North 89°57'38" West, 30.49 feet; thence North 26°58'49" West, 50.23 feet; thence North 28°24'18" West, 36.40 feet; thence North 26°28'31" West, 54.40 feet; thence North 58°11'04" West, 51.95 feet; thence North 30°22'51" East, 14.66 feet; thence North 06°16'15" West, 26.41 feet; thence South 86°52'08" East, 15.11 feet; to the point of curvature of a curve concave Northwesterly having a radius of 15.00 feet; thence Northeasterly along the arc of said curve, through a central angle of 124°40'40", an arc length of 32.64 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 30°47'32" East, 26.57 feet; thence North 31°32'48" West, 39.69 feet; thence North 13°14'30" East, 38.06 feet; thence North 49°39'46" East, 49.03 feet; thence North 53°09'24" East, 41.65 feet; to the point of curvature of a curve concave Westerly having a radius of 15.00 feet; thence Northerly along the arc of said curve, through a central angle of 104°37'36", an arc length of 27.39 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 00°50'36" East, 23.74 feet; thence North 51°28'11" West, 22.77 feet; thence North 49°23'37" East, 164.03 feet; thence South 63°39'39" East, 30.63 feet; thence North 43°40'06" East, 53.49 feet; thence North 32°57'07" East, 22.50 feet to the Point of Beginning.

Containing 9.22 acres, more or less.