

3182547

This instrument was prepared by,  
Record and return to:  
John T. Dekle, PL  
10175 Fortune Pkwy, Suite 202  
Jacksonville, FL 32256

**ANNEXATION OF LAND**  
**AND SEVENTH AMENDMENT TO DECLARATION OF COVENANTS, EASEMENTS**  
**AND RESTRICTIONS FOR WESTLAND OAKS COMMUNITY ASSOCIATION, INC.**

THIS ANNEXATION OF LAND AND SEVENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR WESTLAND OAKS COMMUNITY ASSOCIATION, INC., is executed as of the 15<sup>th</sup> day of May 2015, by KB HOME JACKSONVILLE LLC, a Delaware limited liability company, whose address is 10475 Fortune Parkway, Suite 100, Jacksonville, Florida 32256 (“**Declarant**”).

**RECITALS**

**WHEREAS**, Declarant is the owner of certain real property more particularly described on the attached **Exhibit “A”** (the “**Additional Property**”);

**WHEREAS**, pursuant to that certain Assignment of Developer Rights recorded June 9, 2010 in Official Records Book 15269, Page 1106 of the Public Records of Duval County, Florida, Declarant is the Declarant and Master Developer under that certain Declaration of Covenants, Easements and Restrictions for Westland Oaks Community Association, Inc. recorded November 28, 2006 in Official Records Book 13663, Page 1684, of the Public Records of Duval County, Florida and as amended by First Amendment dated December 8, 2006, and recorded at Book 13707, Page 2198, Second Amendment dated May 24, 2007, and recorded at Book 14008, Page 1046, Third Amendment dated February 4, 2008, and recorded at Book 14378, Page 219, Fourth Amendment dated March 13, 2009, and recorded at Book 14823, Page 1094, Fifth Amendment dated September 18, 2009, and recorded at Book 15017, Page 1222, and Sixth Amendment dated September 6, 2012, and recorded at Book 16086, Page 561, of said public records, and encumbering the real property described therein (as amended, the “**Declaration**”);

**WHEREAS** KB Home Jacksonville LLC holds all rights as Declarant and Master Developer under the Declaration pursuant to that certain Assignment of Developer Rights recorded in Official Records Book \_\_\_\_\_, Page \_\_\_\_\_ of the Public Records of Duval County, Florida.

**WHEREAS**, under Article IX, Section 1 of the Declaration, the Declarant has the right, in the Declarant's sole discretion, to subject additional land to the Declaration provided that (i) the additional land is contiguous to the Property, (ii) the fee simple owner of the Land agrees to the provisions of the Declaration, including, without limitation, the obligation to pay such owner's pro rata share of assessments levied under the Declaration, and (iii) the addition of the land shall not materially increase due from each Owner for Association Expenses;

**WHEREAS** Declarant has confirmed with the management company responsible for collecting assessments for the homeowner's association that the annexation of the Additional Land shall not result in a material increase in assessments, and,

**WHEREAS**, Declarant desires to subject the Additional Property to all of the terms, conditions and provisions contained in the Declaration and any amendments thereto.

**NOW, THEREFORE**, the Declarant hereby declares that:

1. **Recitals**. The Recitals set forth above are true and correct and are incorporated herein by reference.
2. **Capitalized Terms**. All capitalized terms contained in this Seventh Amendment shall have the same meanings as such terms are defined by the Declaration.
3. **Annexation**. The Additional Property is hereby subjected to all of the terms and conditions set forth in the Declaration, including, without limitation, the obligation for owners of the Additional Property to pay pro rata assessments levied pursuant to the terms set forth in the Declaration.
4. **Remainder of Declaration**. Except as specifically amended hereby, the Declaration shall remain in full force and effect as originally executed and recorded.
5. **Effectiveness**. This Seventh Amendment shall become effective upon its recordation in the Public Records of Duval County, Florida.

[Signature Page Follows]

IN WITNESS WHEREOF, the undersigned caused this instrument to be executed and the day and year first above written.

Signed, sealed and delivered in the Presence of the following witnesses:

[Signature]  
Signature of Witness 1

Mason Crapps  
Print Name of Witness 1

[Signature]  
Signature of Witness 2

Lisa Bianchi  
Print Name of Witness 2

DECLARANT AND MASTER DEVELOPER:

KB HOME JACKSONVILLE LLC, a Delaware limited liability company

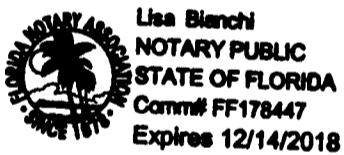
By: [Signature]  
Name: Todd Holder  
Its: President

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of May, 2015, by Todd Holder, the President of KB Home Jacksonville LLC, a Delaware limited liability company, on behalf of the company. He is personally known to me.

[Seal]

[Signature]  
NOTARY PUBLIC



**EXHIBIT "A"**

The land referred to herein below is situated in the County of Duval, State of Florida, and is described as follows:

A PARCEL OF LAND BEING PART OF TRACTS 13, 14, 15 AND 16, BLOCK 2, SECTION 25, TOWNSHIP 3 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS, ACCORDING TO PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; TOGETHER WITH PART OF TRACTS "L", "M", "N" AND "T", WESTLAND OAKS UNIT TWO, ACCORDING TO PLAT BOOK 65, PAGES 40 THROUGH 49, OF SAID CURRENT PUBLIC RECORDS; ALSO TOGETHER WITH PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 SOUTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF TRACT "P", SAID WESTLAND OAKS UNIT TWO; THENCE ALONG THE NORTHWESTERLY LINE OF SAID WESTLAND OAKS UNIT TWO, RUN THE FOLLOWING 4 COURSES: 1) SOUTH 07°30'01" EAST, A DISTANCE OF 32.14 FEET; 2) SOUTH 00°47'19" WEST, A DISTANCE OF 41.45 FEET; 3) SOUTH 44°59'27" WEST, A DISTANCE OF 955.60 FEET; 4) SOUTH 17°23'51" WEST, A DISTANCE OF 79.21 FEET TO THE SOUTHWESTERLY CORNER OF TRACT "Q", SAID WESTLAND OAKS UNIT TWO; THENCE ALONG THE SOUTHERLY LINE THEREOF, RUN THE FOLLOWING 3 COURSES: 1) SOUTH 78°05'50" EAST, A DISTANCE OF 18.08 FEET; 2) NORTH 75°24'26" EAST, A DISTANCE OF 123.47 FEET; 3) NORTH 57°26'41" EAST, A DISTANCE OF 102.20 FEET TO AN ANGLE POINT IN THE NORTHWESTERLY LINE OF LOT 325, WESTLAND OAKS UNIT TWO - REPLAT NO. 4, ACCORDING TO PLAT BOOK 66, PAGES 78 THROUGH 83, OF SAID PUBLIC RECORDS; THENCE ALONG SAID NORTHWESTERLY LINE AND THEN ON THE NORTHWESTERLY LINES OF LOTS 326, 327, AND 328, SAID WESTLAND OAKS UNIT TWO - REPLAT NO. 4, SOUTH 32°35'25" WEST, A DISTANCE OF 275.22 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STEVENTON WAY (A 60' RIGHT-OF-WAY ACCORDING TO SAID PLAT OF WESTLAND OAKS UNIT TWO), SAID POINT BEING ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 430.00 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 118.69 FEET TO SAID NORTHWESTERLY LINE OF WESTLAND OAKS UNIT TWO (SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 68°26'19" WEST AND A CHORD DISTANCE OF 118.31 FEET); THENCE ALONG SAID NORTHWESTERLY LINE, SOUTH 42°43'37" WEST, A DISTANCE OF 70.47 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID STEVENTON WAY, SAID POINT BEING ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 370.00 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 208.53 FEET TO THE MOST NORTHERLY CORNER OF LOT 493, SAID WESTLAND OAKS UNIT TWO - REPLAT NO. 4, (SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 65°30'36" EAST AND A CHORD DISTANCE OF 205.78 FEET); THENCE ALONG THE NORTHWESTERLY LINE OF SAID LOT 493, SOUTH 43°06'31" WEST, A DISTANCE OF 109.66 FEET TO THE MOST EASTERLY CORNER OF LOT 490, WESTLAND OAKS UNIT TWO - REPLAT NO. 5, ACCORDING TO PLAT BOOK 66, PAGES 142 THROUGH 146, OF SAID PUBLIC RECORDS; THENCE ALONG THE NORTHEASTERLY LINE THEREOF, AND THEN ON THE NORTHEASTERLY LINE OF LOT 491, SAID WESTLAND OAKS UNIT TWO - REPLAT NO. 5, NORTH 46°53'29" WEST, A DISTANCE OF 120.00 FEET TO THE MOST NORTHERLY CORNER THEREOF; THENCE ALONG THE NORTHWESTERLY LINE OF SAID LOT 491, SOUTH 43°06'31" WEST, A DISTANCE OF 110.00 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF BENES TRAIL (A 60' RIGHT-OF-WAY ACCORDING TO SAID PLAT OF WESTLAND OAKS UNIT TWO); THENCE ALONG SAID RIGHT-OF-WAY LINE, NORTH 46°53'29" WEST, A DISTANCE OF 74.02 FEET TO SAID NORTHWESTERLY LINE OF WESTLAND OAKS UNIT TWO; THENCE ALONG SAID LINE, SOUTH 43°12'22" WEST, A DISTANCE OF 60.00 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID BENES TRAIL; THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 46°53'29" EAST, A DISTANCE OF 60.05 FEET TO THE MOST NORTHERLY CORNER OF LOT 421, SAID WESTLAND OAKS UNIT TWO - REPLAT NO. 5; THENCE ALONG THE NORTHWESTERLY LINE THEREOF, SOUTH 43°06'31" WEST, A DISTANCE OF 153.05 FEET TO THE

MOST WESTERLY CORNER OF SAID LOT 421; THENCE ALONG THE NORTHERLY LINE OF BLOCK 3, SAID SECTION 25, TOWNSHIP 3 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS, RUN THE FOLLOWING 2 COURSES: 1) SOUTH 89°43'03" WEST, A DISTANCE OF 635.32 FEET TO THE NORTHEAST CORNER OF TRACT 3, SAID BLOCK 3; 2) SOUTH 89°40'34" WEST, A DISTANCE OF 338.54 FEET TO A POINT ON THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY I-295/STATE ROAD NO. 9A (A 300' LIMITED ACCESS RIGHT-OF-WAY AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 72001-2405 & F.P. 2133451) SAID POINT BEING ON A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 5579.58 FEET; THENCE ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE, RUN THE FOLLOWING 2 COURSES: 1) NORTHERLY ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 30.79 FEET TO A POINT OF TANGENCY OF SAID CURVE (SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 12°06'03" WEST AND A CHORD DISTANCE OF 30.79 FEET); 2) NORTH 11°56'34" WEST, A DISTANCE OF 1059.52 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF DUNSON ROAD (COUNTY ROAD NO. 2912 - A 66' RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE ALONG LAST SAID RIGHT-OF-WAY LINE, NORTH 00°56'44" EAST, A DISTANCE OF 213.60 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9744, PAGE 1636, OF SAID PUBLIC RECORDS; THENCE ALONG THE SOUTHERLY LINE THEREOF, NORTH 89°33'24" EAST, A DISTANCE OF 2180.85 FEET TO THE POINT OF BEGINNING OF PARCEL DESCRIBED HEREIN.

SAID LANDS SITUATED, LYING AND BEING IN DUVAL COUNTY, FLORIDA.