

Prepared by, Record and Return to:
Blake F. Deal III, Esq.
Bartlett & Deal, PA
135 Professional Drive, Suite 101
Ponte Vedra Beach, FL 32082

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First Amendment to Declaration of Easements, Covenants, Conditions and Restrictions for Payasada Estates

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27.03

This First Amendment to Declaration of Easements, Covenants, Conditions and Restrictions for Payasada Estates is made and entered into this 7th day of June, 2006, by Ocrako Investments, LLC, a Florida Limited Liability Company, and BDI of Ponte Vedra, Inc., a Florida corporation, as "Developer", of that real property situate in St. Johns County, Florida described on Exhibit "A" to that Declaration of Easements, Covenants, Conditions and Restrictions for Payasada Estates, as recorded in Official Records Volume 2469, Page 752, St. Johns County, Florida, being hereinafter referred to as "The Property", and said Easements, Covenants, Conditions and Restrictions being hereinafter referred to as "The Covenants".

RECITALS

WHEREAS Developer is the owner of certain land located in St. Johns County, Florida, being all of that real property known as Payasada Estates, hereinafter referred to as "Payasada" or "Property", being more particularly described on Exhibit "A" attached hereto and incorporated herein; and

WHEREAS the Covenants permit the Developer in Section 12.8 to amend the Covenants, so long as Developer owns any of the Property, and without the consent or joinder of any party; and

WHEREAS the Covenants further provide in Section 7.4(b) that roofing shall be of tile, slate, or wood shingles, and shingle roofs will not be permitted; and

WHEREAS the Covenants further provide in Section 7.4(o) that trampolines are prohibited; and

WHEREAS Developer wishes to amend Section 7.4 to allow asphalt shingle roofs and to allow trampolines; and

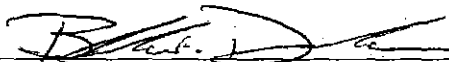
WHEREAS Developer wishes to add a provision regarding maintenance and upkeep of vacant lots in Payasada Estates;

WHEREAS Developer wishes to add a provision regarding sidewalk construction on residential lots in Payasada Estates;

NOW THEREFORE, DEVELOPER, hereby amends the Covenants as follows.

- 1.0 Permitted roofing materials shall consist of tile, slate, wood shingles, or asphalt shingles. Asphalt shingles must be of a minimum 30 year shingle quality and be of an "architectural asphalt" type.
- 2.0 Trampolines shall be a permitted recreational structure provided they are properly screened by landscaping, fencing, or walls, as approved by the ARB or Developer.
- 3.0 Purchasers of lots in the subdivision who do not construct homes on those lots within 1 year of the date of purchase shall be required to remove any dead trees present on the lot, to remove underbrush or unsightly vegetation, to install an irrigation system on the lot, to sod the lot with a Bermuda or St. Augustine type grass, and to maintain the lot in a groomed and attractive condition.
- 4.0 On any residential lot for which the approved PUD Map/Text designates that a sidewalk is to be installed, the lot owner shall be responsible for including the sidewalk construction over their lot frontage in their home construction project. The sidewalk shall be completed in accordance with applicable St. Johns County standards for sidewalks applicable at the time including, but not limited to, driveway cuts, width, thickness, and materials, and shall be constructed at the final stages of the home construction project so as to minimize damage to it from construction traffic. The construction information and plans for the sidewalk construction shall be included in the plans for homes to be constructed when submitted to the ARB.
- 5.0 Other than as amended herein, the Covenants shall remain otherwise in full force and effect.

WHEREFORE the Developer, has set forth its hand and seal as of the date first above written:


OCRAKOKE INVESTMENTS, LLC, a Florida limited liability company
By: Blake F. Deal, III
Its: Managing Member

Witnesses as to Ocrakoke Investments, LLC:


Print Name: **STEPHANIE BURCH**


Print Name: **Nathan Sycks**

Baron L. Bartlett

BDI of PONTE VEDRA, INC., a Florida corporation

By: Baron L. Bartlett

Its: President

Witnesses as to BDI of Ponte Vedra, Inc.:

Stephanie Burch

Print Name: **STEPHANIE BURCH**

Nathan Sycks

Print Name: **Nathan Sycks**

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 7th day of June, 2006, by Blake F. Deal, III, as Managing Member of Ocrako Investments, LLC, on behalf of the company, who is personally known to me or who has produced _____ as identification.



Stephanie Burch
Commission # DD424424
Expires May 1, 2009
Bonded TROY PAIR - Insurance, Inc. 800-385-7010

Stephanie Burch

Notary Public, State of Florida **STEPHANIE BURCH**
My Commission Expires

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 7th day of June, 2006, by Baron L. Bartlett, as President of BDI of Ponte Vedra, Inc., on behalf of the company, who is personally known to me or who has produced _____ as identification.



Stephanie Burch
Commission # DD424424
Expires May 1, 2009
Bonded TROY PAIR - Insurance, Inc. 800-385-7010

Stephanie Burch

Notary Public, State of Florida **STEPHANIE BURCH**
My Commission Expires