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Prepared by and Return to:

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FIVE MINUTE RECORDING

Public Records of
St. Johns County, FL
Clerk# 03-067667
O.R. 2046 PG 1301
08:10AM 09/16/2003
REC \$21.00 SUR \$3.00

**AMENDMENT TO DECLARATION OF
COVENANTS AND RESTRICTIONS FOR WALDEN CHASE**

THIS AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS (the "Amendment") is made effective September 12, 2003 by **WALDEN CHASE DEVELOPERS, LTD.**, a Florida limited partnership (the "Developer").

RECITALS:

A. The Developer is the "Developer" as defined in Section 4 of Article I of the Declaration of Covenants and Restrictions for Walden Chase, recorded at Official Records Book 1500, page 1638, of the public records for St. Johns County, Florida (the "Declaration").

B. Section 4 of Article VII of the Declaration provides that "[f]or so long as Developer maintains its Class B Membership, Developer reserves the right, without consent or joinder of any Owner to amend this Declaration . . . to cure any ambiguity in or inconsistency between the provision herein contained"

C. The Developer has maintained its Class B Membership in Walden Chase Homeowners Association, Inc., a Florida non-profit corporation.

D. An ambiguity has arisen regarding what constitutes "Common Areas" under the Declaration.

E. Pursuant to Section 4 of Article VII of the Declaration, the Developer desires to hereby amend the Declaration to cure the above-stated ambiguity.

NOW THEREFORE, the Developer hereby amends the Declaration as follows:

1. The Developer confirms that the above-stated recitals are true and correct. All capitalized terms contained in the Amendment shall have the same meaning as such terms are defined in the Declaration.

2. Section 3 of Article I of the Declaration is hereby stricken in its entirety, and replaced with the following:

"Common Areas" shall mean and refer to all property and any interest therein (including the improvements thereto), if any, owned by the Association; any easements granted to the Association of record; the following specific tracts: Tracts A and H (Park Sites) of the plat for Walden Chase Phase One, recorded in Map Book 38 Page 87 through Page 104 of the public records of St. Johns County, Florida; Tract B (Natural Buffer) of the plat for Walden Chase Phase One, recorded in Map Book 38 Page 87 through Page 104 of the public records of St. Johns County, Florida; Tracts C, D, J, and K (Landscape Parcels) of the plat for Walden Chase Phase One, recorded in Map Book 38 Page 87 through Page 104 of the public records of St. Johns County, Florida; Tract E (Wetland Preservation) of the plat for Walden Chase Phase One,

recorded in Map Book 38 Page 87 through Page 104 of the public records of St. Johns County, Florida; Conservation Tracts 1 and 2 of the plat for Walden Chase Phase I ~ Unit Two, recorded in Map Book 43 Page 38 through Page 46 of the public records of St. Johns County; Tracts A and H (Wetland Preservation) of the plat for Walden Chase Phase I ~ Unit Three, recorded at Map Book 47 Page 6 through Page 14 of the public records of St. Johns County, Florida; Tracts B and K (Open Space Tracts) of the plat for Walden Chase Phase I ~ Unit Three, recorded at Map Book 47 Page 6 through Page 14 of the public records of St. Johns County, Florida; Tracts E and M (Landscape Parcels) of the plat for Walden Chase Phase I ~ Unit Three, recorded at Map Book 47 Page 6 through Page 14 of the public records of St. Johns County, Florida; Tracts C, G and J (Natural Buffers) of the plat for Walden Chase Phase I ~ Unit Three, recorded at Map Book 47 Page 6 through Page 14 of the public records of St. Johns County, Florida; and the storm water detention ponds, constructed in accordance with St. Johns River Water Management District Permit Number 4-109-0211-ERP, found in Tracts 5 and 6 of the plat for Walden Chase Phase One, recorded in Map Book 38 Page 87 through Page 104 of the public records of St. Johns County, Florida and tracts D and L of the plat for Walden Chase Phase I ~ Unit Three, recorded at Map Book 47 Page 6 through Page 14 of the public records of St. Johns County, Florida. The previous sentence notwithstanding, the "Common Areas" shall not include that portion of Tract 5 of the plat for Walden Chase Phase One, recorded in Map Book 38 Page 87 through Page 104 of the public records of St. Johns County, Florida described on the attached Exhibit "A."

3. Except as specifically amended hereby, all of the terms and provisions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the parties, through their duly authorized representatives, have executed this Agreement as of the date set forth above.

Signed, sealed and delivered
in the presence of:

WALDEN CHASE DEVELOPERS, LTD.,
a Florida limited partnership

Pamela H. Japour
Print: Pamela H. Japour

Jeannette Long
Print: Jeannette Long

By: **FLORIDA FIRST COAST
DEVELOPMENT CORPORATION,**
a Florida corporation and its general partner

By: [Signature]
Name: Raymond M. O'Steen
Its: President

STATE OF FLORIDA }
 }SS
COUNTY OF DUVAL }

The foregoing instrument was acknowledged before me this 12th day of September, 2003, by **RAYMOND M. O'STEEN**, the President of **FLORIDA FIRST COAST DEVELOPMENT CORPORATION**, a Florida corporation, general partner of **WALDEN CHASE DEVELOPERS, LTD.**, a Florida limited partnership, on behalf of the partnership.

COPY



Wilma Jeanne Long
MY COMMISSION # DD066438 EXPIRES
October 27, 2005
BONDED THRU TROY FAIR INSURANCE, INC.

Wilma Jeanne Long
(Print Name Wilma Jeanne Long)
NOTARY PUBLIC

State of Florida at Large

Commission #

My Commission Expires:

Personally known

or Produced I.D.

[check one of the above]

Type of Identification Produced

JOINED IN AND CONSENTED TO BY:

Pamela L. Japour
Print: Pamela L. Japour

**WALDEN CHASE HOMEOWNER'S
ASSOCIATION, INC.**, a Florida
corporation not for profit

JEANNE LONG
Print: JEANNE LONG

By: Raymond M. O'Steen
Name: Raymond M. O'Steen
Its: President

STATE OF FLORIDA }
 }SS
COUNTY OF DUVAL }

The foregoing instrument was acknowledged before me this 12th day of September, 2003, by
RAYMOND M. O'STEEN, the President of **WALDEN CHASE HOMEOWNER'S
ASSOCIATION, INC.**, a Florida corporation not for profit



Wilma Jeanne Long
MY COMMISSION # DD066438 EXPIRES
October 27, 2005
BONDED THRU TROY FAIR INSURANCE, INC.

Wilma Jeanne Long
(Print Name) Wilma Jeanne Long
NOTARY PUBLIC

State of Florida at Large
Commission #

My Commission Expires:

Personally known

or Produced I.D.

[check one of the above]

Type of Identification Produced

Exhibit A

COPY

A PORTION OF TRACT 5, WALDEN CHASE PHASE ONE, AS RECORDED IN MAP BOOK 38, PAGES 87 THROUGH 104 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT 5, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF THE WEST LINE OF SECTION 1 AND THE SOUTHERLY RIGHT OF WAY LINE OF ENDERSLEIGH LANE; THENCE NORTH 70°00'38" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 37.09 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS DESCRIBED, THENCE THE FOLLOWING TWO COURSES ALONG SAID SOUTHERLY RIGHT OF WAY LINE: COURSE ONE ~ NORTH 70°00'38" EAST, A DISTANCE OF 64.60 FEET TO THE POINT OF CURVATURE; COURSE TWO ~ NORTHEASTERLY, ALONG AND AROUND THE ARC OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 290.00 FEET, AN ARC LENGTH OF 47.79 FEET TO A POINT ON SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 65°17'23" EAST, 47.73 FEET; THENCE SOUTH 32°23'54" EAST, DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 111.46 FEET; THENCE SOUTH 03°56'57" WEST, A DISTANCE OF 106.42 FEET; THENCE SOUTH 89°21'14" WEST, A DISTANCE OF 154.67 FEET; THENCE NORTH 00°38'46" WEST, A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING.

THE LANDS THUS DESCRIBED CONTAIN 0.63 ACRES, MORE OR LESS.