

Prepared by and returned to:  
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#1

## SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HERON ISLES

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HERON ISLES (the "Second Amendment") is made this 21<sup>st</sup> day of July, 2009 by Heron Isles Joint Venture, LLP, a Florida limited liability partnership, ("Heron Isles"), having an address at 2955 Hartley Road, Suite 108, Jacksonville, FL 32257.

### RECITALS

A. Heron Isles has executed the Declaration of Covenants, Conditions and Restrictions for Heron Isles (the "Declaration") and recorded the Declaration at Official Records Book 1273, Page 1208 of the public records of Nassau County, Florida, as amended by the First Amendment to Declaration of Covenants, Conditions and Restrictions for Heron Isles, as recorded in Official Records Book 1311, Page 736, et. seq., of the current public records of Nassau County, Florida, as supplemented by the Supplemental Declaration of Covenants, Conditions and Restrictions for Heron Isles Phase Two, as recorded in Official Records Book 1424, Page 166, et. seq., of the current public records of Nassau County, Florida.

B. Article XI. Section 10. of the Declaration provides that Heron Isles (Declarant) may amend the covenants and restrictions provided that all such amendments conform to the general purposes and standards of the Declaration and may include in any contract or deed or other instrument hereafter made any additional covenants and restrictions applicable to the property being conveyed which do not lower the standards of the covenants and restrictions.

C. As of the date of this Second Amendment, Heron Isles owns all of the Property described by the attached Exhibit "A" and hereby subjects such portion of the property to this Second Amendment.

D. Heron Isles is desirous of amending Article XI, "Restrictions Affecting Residential Lots" of the Declaration to add a section requiring the installation of sidewalks adjacent to a Residential Lot by the Owner at the time of construction of a Residential Dwelling Unit prior to receiving a Certificate of Occupancy pursuant to the changes made by Ordinance 2009-14 which revised Section 11.7.6 of the Nassau County Roadway and Drainage Standards, Ordinance 99-17.



NOW THEREFORE, in consideration of the premises and other good and valuable consideration, Heron Isles hereby amends the Declaration by adding the following:

Article XI. Section 14. Sidewalks. Construction of sidewalks adjacent to a Residential Lot, as shown on the engineering plans approved by Nassau County, may be deferred until the Residential Dwelling Unit is constructed. However, the sidewalk adjacent to a Residential Dwelling Unit shall be installed by the Owner prior to the issuance of a Certificate of Occupancy for such Unit.

Capitalized terms as used herein shall have the same meaning as set forth in the Declaration unless otherwise indicated.

IN WITNESS WHEREOF, the undersigned has set its hand and seal as of the date first written above.

Signed, sealed and delivered  
In the presence of

Jamie Sandifer  
Print name: Jamie Sandifer  
Sharon A. Hudson  
Print name: Sharon A. Hudson

HERON ISLES JOINT  
VENTURE, LLP  
a Florida limited liability partnership  
Gregory E. Matovina  
Gregory E. Matovina  
Managing Partner

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of July 2009 by Gregory E. Matovina, as Managing Partner of Heron Isles Joint Venture, LLP, a Florida limited liability partnership, on behalf of the company. He is personally known to me and did not take an oath.

Sharon A. Hudson  
Print name: Sharon A. Hudson  
NOTARY PUBLIC STATE OF  
FLORIDA  
My commission expires:  
Commission Number:



SHARON A HUDSON  
My Commission # DD738401  
Expires: Dec 11, 2011

EXHIBIT "A"

LEGAL DESCRIPTION

Lots 198 through 204, 212, 241 through 244, according to the plat of Heron Isles Phase One Replat, as recorded in Plat Book 7, Page 152, et. seq., of the current public records of Nassau County, Florida, Lots 299, 301, 311, 312, 343, 347 through 372, 375 through 377, 379 through 414, 416, 418, 419, 421, 423 through 439, 445 through 449, 600, 604 through 610, 612, 614 through 625, 628 through 642, 644 through 647, according to the plat of Heron Isles Phase Two, as recorded in Plat Book 7, Page 218, et. seq., of the current public records of Nassau County, Florida.