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Clerk # 93011461 O.R. 988 PG 675 10:48AM 04-21-93
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Prepared By and
Return To:
Sharon R. Parks, Esq.
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R+ in Commonwealth

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17+2.50

VERIFIED BY

Recorded in Public Records St. Johns County, FL
Clerk # 93017072 O.R. 996 PG 86 09:52AM 06-11-93
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SECOND AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR SEVEN MILE DRIVE
(Seven Mile Drive Unit Two)

THIS SECOND AMENDMENT to Declaration of Covenants and Restrictions for Seven Mile Drive is made this 15th day of April, 1993, by **SEVEN MILE DRIVE HOMEOWNERS ASSOCIATION, INC.**, a Florida corporation not-for-profit ("Association").

BACKGROUND:

A. Arvida/JMB Partners, a Florida general partnership ("Arvida/JMB") has previously recorded a Declaration of Covenants and Restrictions for Seven Mile Drive in Official Records Book 767, page 1882, as amended by First Amendment to Declaration of Covenants and Restrictions for Seven Mile Drive recorded in Official Records Book 797, page 142, both of the public records of St. Johns County, Florida (the "Declaration").

B. Arvida/JMB is the owner of the real property described as Seven Mile Drive Unit Two, according to the plat thereof, recorded in Map Book 26, page 84 through 90, of the public records of St. Johns County, Florida (the "Property"). Arvida has previously recorded that certain Supplementary Declaration of Covenants and Restrictions for Seven Mile Drive recorded in Official Records Book 981, page 1068 through 1070, of the public records of St. Johns County, Florida, subjecting the Property to the terms, conditions and provisions contained in the Declaration.

C. Pursuant to Section 14.4 of the Declaration, the Declaration may be amended upon the approval by owners of two-thirds (2/3) of the lots which are subject to the Declaration, and upon the approval of Arvida/JMB as "Developer".

D. Arvida/JMB, as Developer and owner of seventy-eight (78) of the total one hundred and thirteen (113) lots subject to the Declaration, has agreed to an amendment of the Declaration as more particularly described hereafter.

NOW THEREFORE, the Association, pursuant to Section 14.4 of the Declaration, hereby amends the Declaration as follows:

2338
This document is re-recorded by Arvida/JMB Partners to correct a scrivener's error in paragraph 1 on page 2 hereof. As of the date of re-recording this document, Arvida/JMB Partners is the owner of seventy-eight (78) of the total one hundred thirteen (113) lots subject to the terms of the Declaration.

1. Section 10.17 of the Declaration as it applies to the Property is hereby amended in its entirety as follows:

Section 10.17 Setback.

10.17.1 As to the real property described as Seven Mile Drive according to the plat thereof, recorded in Map Book 21, page 13 through 17, of the pubic records of St. Johns County, Florida, no dwelling shall be erected within thirty (30) feet of the front lot line or within ten (10) feet of any side lot line or side line of any building parcel or within any easement area shown on the plat of the Subdivision or reserved in Article XII of this Declaration. The ARB shall have the right to require a rear setback of up to thirty (30) feet on any lot within the Subdivision. (Setbacks for lots including a portion of a lake area shall be measured from the top of bank). All setbacks shall be measured from the exterior wall of the dwelling to the applicable parcel boundary.

10.17.2 As to the real property described as Seven Mile Drive Unit Two according to the plat thereof, recorded in Map Book 26, page 84 through 90, of the pubic records of St. Johns County, Florida, no dwelling shall be erected within twenty (20) feet of the front lot line or within ten (10) feet of any side lot line or side line of any building parcel or within any easement area shown on the plat of the Subdivision or reserved in Article XII of this Declaration. The ARB shall have the right to require a rear setback of up to thirty (30) feet on any lot within the Subdivision. (Setbacks for lots including a portion of a lake area shall be measured from the top of bank). All setbacks shall be measured from the exterior wall of the dwelling to the applicable parcel boundary.

COPY

2. By its execution of this First Amendment, Arvida/JMB, as Developer pursuant to the terms of the Declaration, and as owner of seventy-eight (78) of the one hundred and thirteen (113) lots subject to the Declaration, hereby consents and joins in this First Amendment to Declaration of Covenants and Restrictions for Seven Mile Drive.

IN WITNESS WHEREOF, Seven Mile Drive Homeowners Association, Inc. and Arvida/JMB Partners, have executed this Second Amendment on the date and year first above written.

Signed, sealed and delivered in the presence of:

(Print Name Donna J. Hylton)

(Print Name Adrienne A. Totti)

SEVEN MILE DRIVE HOMEOWNERS ASSOCIATION, INC., a Florida corporation not-for-profit

By: _____

Its: Vice President

Address: 3995 Hunt Club Road
Jacksonville, FL
32224

ARVIDA/JMB PARTNERS, a Florida general partnership

By: Arvida/JMB Managers, Inc., a Delaware corporation

By: _____
James D. Motta

Its: Vice President

Address: 1200 Weston Road
Ft. Lauderdale, FL
33326

(Print Name P. A. Andrews)

(Print Name Donna J. Hylton)

COPY

STATE OF FLORIDA }
}SS
COUNTY OF Duval }

The foregoing instrument was acknowledged before me this 15th day of April, 1993, by Gwyer Frailey, as Vice President of **SEVEN MILE DRIVE HOMEOWNERS ASSOCIATION, INC.**, a Florida corporation not-for-profit, on behalf of the corporation. He/She is ~~personally known to me~~ or has produced ~~as identification~~ and who ~~did~~ (did not) take an oath.

(Print Name Donna J. Nunn)
NOTARY PUBLIC State of Florida at Large
Commission # CC 127542
My Commission Expires: 8/2/95

O.R. 996 PG 0089

STATE OF FLORIDA)
)SS
COUNTY OF DUVAL)

The foregoing instrument was acknowledged before me this 15th day of April, 1993, by James D. Motta, the Vice President of **ARVIDA/JMB MANAGERS, INC.**, a Delaware corporation, a general partner of **ARVIDA/JMB PARTNERS**, a Florida general partnership, on behalf of the partnership. He is personally known to me and who ~~did~~ (did not) take an oath.

COPY

(Print Name Donna J. Nunn)
NOTARY PUBLIC, State of Florida at Large
Commission No. CC 127542
My Commission Expires: 8/2/95