

Prepared By/Record and Return to:
Scott W. Fallar, Esq.
Crabtree & Fallar, P.A.
8375 Dix Ellis Trail, Suite 401
Jacksonville, FL 32256

**AMENDMENT TO HIDDEN HILLS DECLARATION OF
COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS**

WHEREAS, John Wieland Homes of Jacksonville, Inc. is the owner and developer of real property in Duval County, Florida, more particularly described as Hidden Hills Country Club Estates, Unit Eleven, a portion of Government Lots 4, 10, and 11, Section 3, Township 2 South, Range 28 East of the City of Jacksonville, Duval County, Florida, as same appears in Plat Book 53, pages 10A, 10B, 10C, 10D, and 10E, of the current public records of Duval County, Florida and as set forth in the legal description attached hereto as Exhibit "A"; and,

WHEREAS, said owner and developer (hereinafter collectively referred to as "the Developer"), in developing the subdivision, is desirous of placing certain covenants and restrictions upon the use of all of the land shown on the plat, and is desirous that the covenants and restrictions shall run with the title to the land hereby restricted; and,

WHEREAS, John Wieland Homes of Jacksonville, Inc. made certain Covenants, Conditions, Easements and Restrictions recorded in Official Records Volume 6249, page 2234, as amended in Official Records Volume 6389, page 242, and Assigned in Official Records Volume 7485, page 2075, and amended in Official Records Volume 7805, page 786, Official Records Volume 7904, page 693, of the current public records of Duval County, Florida (collectively "Declaration" or "Declaration of Covenants, Conditions, Easements and Restrictions"), and it is the Developer's intent to restrict the use of all real property described herein under the Declaration of Covenants, Conditions, Easements and Restrictions referenced above.

NOW THEREFORE, the Developer, for itself and its successors and assigns, does hereby restrict the use, as hereinafter provided, of all of the land included in the Plat of Hidden Hills Country Club Estates Unit Eleven (all of the land included in the plat being hereinafter sometimes referred to as "the Land"), and the Developer does hereby place and impose upon the Land, those Covenants, Conditions, Easements and Restrictions recorded in Official Records Volume 6249, page 2234, as amended in Official Records Volume 6389, page 242, and Assigned in Official Records Volume 7485, page 2075, and amended in Official Records Volume 7805, page 786, Official Records Volume 7904, page 693, of the current public records of Duval County, Florida which were then imposed, later amended, and as hereinafter modified as to Unit 11:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

said Covenants, Conditions, Easements and Restrictions to run with the lots shown on the plat, and all purchasers of said lots shall be deemed, by the acceptance of their deed, to have agreed to all such covenants and restrictions, and to have covenanted to observe,

comply with and be bound by all such Terms, Conditions, Covenants, Restrictions and Easements.

In addition, pursuant to the powers retained by the Developer under Section 8.1 of the Declaration, and in accordance with the provisions of that Section, the Developer hereby amends the Declaration as follows:

1. Section 2.5 of the Declaration is hereby amended as follows:

Except where set back lines are otherwise shown on the plat, the following set back lines are hereby established for buildings, structures, additions and/or accessories located on any Estate lot:

- i. Twenty (20) feet from the front lot line (the lot line adjacent or nearest to the road way furnishing access to such lot), except that for corner Estate lots, one front set back may be twenty (20) feet;
- ii. Ten (10) feet from the rear lot line; and
- iii. Five (5) feet from the interior side lot lines of any such lot. However, it is required that there be no less than fifteen (15) feet clearance between buildings, structures, additions and/or accessories located on adjoining Estate lots.


For patio lots, multi-family lots, and commercial parcels, it is recognized that the establishment of standard inflexible set back lines may tend to force construction of buildings in such a manner as to have a detrimental affect on privacy, views, preservation of natural vegetation and trees, traffic flow and other similar considerations. Accordingly, no specific set back lines are established herein but the Association shall approve, as a part of its review pursuant to Section 2.2, the precise location and site of all structures to be constructed on any patio lot, multi-family lot or commercial parcel. The Association shall have the right to increase, decrease or otherwise modify any of the above requirements in the process of approval pursuant to Section 2.2, so long as such changes shall preserve the general harmony of Hidden Hills Development and shall not materially impair the value or use of the parcel for which such parcel is sought or of any other parcel. For the purpose of this Section 2.5, fences, walls and unroofed and unscreened patios shall not be considered part of a building and may be erected outside

of the set back lines, subject to Association approval as provided in Section 2.2, and other applicable provisions of this Declaration.

- 2. The property described on Exhibit "A" as attached hereto is hereby subjected to the terms and conditions of the Declaration and shall be included within the definition of "property" as stated in such Declaration. Such property shall be held, sold, and conveyed subject to the terms of the Declaration and the granting of any deed to any parcel of the property shall be deemed by the acceptance of such deed to have agreed to all the Covenants, Conditions, Easements and Restrictions.
- 3. The definition of "plat" as set forth in Section 1.13 of the Declaration shall also include the plat of the property described on the attachment hereto which plat is recorded in Plat Book 53, pages 10A, 10B, 10C, 10D and 10E of the Public Records of Duval County, Florida, except as specifically amended above, the Declaration shall remain in full force and effect.

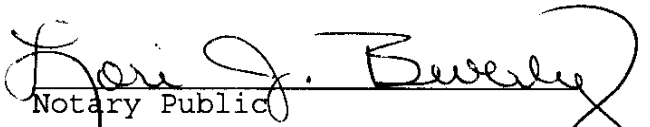
IN WITNESS WHEREOF, the Developer has caused these Covenants, Conditions, Easements and Restrictions to be placed and imposed upon the land herein described by the corporation first described above, executed by their duly authorized officers, with their corporate seal affixed, at Jacksonville, Duval County, Florida, this 30 day of November, 1999.

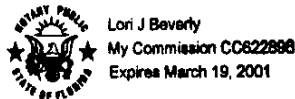
JOHN WIELAND HOMES OF JACKSONVILLE, INC.


By: Rick Giles
Its: Vice President

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 30 day of November, 1999 by Rick Giles of John Wieland Homes of Jacksonville, Inc., a Georgia corporation, on behalf of the corporation. He is personally known to me.


Notary Public



LORI J. BEVERLY
Printed Name

State of Florida
Commission Expires:

EXHIBIT "A"

HIDDEN HILLS COUNTRY CLUB ESTATES UNIT ELEVENCAPTION:

A portion of Government Lots 4, 10 and 11, Section 3, Township 2 South, Range 28 East, Duval County, Florida, being more particularly described as follows: BEGIN at the Southeast corner of Lot 18, Hidden Hills Country Club Estates Unit 10, as recorded in Plat Book 46, pages 16 through 16B (inclusive) of the Current Public Records of said County, said point being situate in the Easterly line of said Government Lot 4, the same being the Westerly line of Government Lot 5 of said Section 3; thence South $00^{\circ}53'10''$ East along last said line, 436.20 feet to the Southwesterly corner of said Government Lot 5, the same being the Northwesterly corner of said Government Lot 10, thence North $88^{\circ}54'40''$ East along the Southerly line of said Government Lot 5, the same being the Northerly line of said Government Lot 10, a distance of 190.00 feet to a point hereinafter referred to as Reference Point "A"; thence South $31^{\circ}51'59''$ East, 842.78 feet to a point hereinafter referred to as Reference Point "B", returning to said Reference Point "A"; thence continue North $88^{\circ}54'40''$ East along said Southerly line of Government Lot 5 and the Northerly line of Government Lot 10, a distance of 8 feet, more or less to the centerline of an existing creek; thence Southeasterly along said centerline and following the meanderings thereof, 900 feet, more or less to its intersection with the Northerly right of way line of McCormick Road (a 120 foot right of way as now established); thence North $86^{\circ}40'40''$ West along said Northerly right of way line, 9 feet, more or less, to said Reference Point "B"; thence continue North $86^{\circ}40'40''$ West along said Northerly right of way line, 130.00 feet to an angle point in said right of way line; thence North $86^{\circ}36'10''$ West and continuing along said Northerly right of way line, a distance of 75.62 feet; thence North $03^{\circ}23'50''$ East, 34.00 feet; thence North $55^{\circ}38'20''$ West, 46.65 feet; thence North $86^{\circ}36'10''$ West, 25.00 feet; thence South $03^{\circ}23'50''$ West, 58.00 feet to a point situate in the aforementioned Northerly right of way line of McCormick Road; thence North $86^{\circ}36'10''$ West along said Northerly right of way line, 1,133.14 feet to the Southeast corner of those certain lands described in Official Records Volume 2887, Page 924 of said Current Public Records; thence North $00^{\circ}53'38''$ West along the Easterly line of said last mentioned lands and along the Easterly line of those certain lands described in Official Records Volume 6083, Page 1496 of said Current Public Records, a distance of 820.19 feet to the Northeast corner of said last mentioned lands; thence South $89^{\circ}06'22''$ West along the Northerly line of said last mentioned lands and its Westerly prolongation thereof, 550.00 feet to a point situate in the Westerly line of said Section 3, the same being the Easterly line of said Section 4, said point also being situate in

EXHIBIT "A"

the Easterly boundary of Cobblestone Unit Five, as recorded in Plat Book 44, Pages 17, 17A, 17B, 17C, 17D, 17E and 17F of said Current Public Records; thence North 00°53'38" West along last said line and along the Westerly line of that certain 150.00 foot Jacksonville Electric Authority Easement as described in Official Records Volume 2379, Page 474 of said Current Public Records, a distance of 293.53 feet to its intersection with the Westerly prolongation of the Southerly boundary of said Hidden Hills Country Club Estates Unit 10; thence North 89°06'22" East along last said line and along the Southerly boundary of said last mentioned plat, a distance of 826.35 feet to the Southeast corner of Lot 17 of said last mentioned plat, said point being situate in the Westerly right of way line of Southern Hills Circle West (a 60 foot right of way as now established), said right of way line being a curve concave Westerly and having a radius of 440.00 feet; thence Southerly along and around the arc of said curve and along said Westerly right of way line and along a Westerly boundary of Hidden Hills Country Club Estates Unit 10, an arc distance of 56.00 feet, said arc being subtended by a chord bearing and distance of South 04°01'00" East, 55.96 feet to the Southwest corner of the Southerly termination of said Southern Hills Circle West; thence North 89°37'47" East and continuing along the Southerly boundary of said last mentioned plat, a distance of 496.81 feet to the POINT OF BEGINNING.

Containing 30.09 acres, more or less.

Doc# 99296269
Book: 9486
Pages: 1186 - 1190
Filed & Recorded
12/08/99 10:51:15 AM
HENRY W COOK
CLERK CIRCUIT COURT
DUVAL COUNTY
TRUST FUND \$ 3.00
RECORDING \$ 21.00