

This document prepared by and return to:

D. Randall Briley, Esq.
Briley & Deal, LLC
2215 S. Third Street, Suite 101
Jacksonville Beach, FL 32250

**FIRST AMENDMENT TO DECLARATION OF EASEMENTS,
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
THE PRESERVE AT PONTE VEDRA LAKES**

This FIRST AMENDMENT TO DECLARATION OF EASEMENTS, COVENANTS CONDITIONS AND RESTRICTIONS FOR THE PRESERVE AT PONTE VEDRA LAKES is made effective the 5th day of October, 2016 by DFH LAND, LLC, a Florida limited liability company, hereinafter the "Owner" and The PRESERVE AT PONTE VEDRA LAKES HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation hereinafter, the "Association".

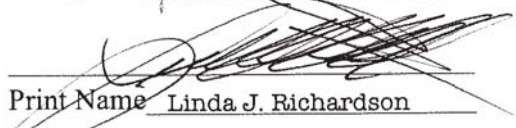
RECITALS:

- A. The Declaration of Easements, Covenants, Conditions and Restrictions for THE PRESERVE AT PONTE VEDRA LAKES is recorded in official Records Book 4266, at Page 537 of the public records of St. Johns County, Florida, hereinafter the "Declaration".
- B. Section 12.7 of the Declaration provides that a two thirds (2/3) vote of the total votes of the Association may amend the Declaration.
- C. A vote has been taken and more than two thirds of the total votes of the Association have approved this FIRST AMENDMENT TO DECLARATION OF EASEMENTS, COVENANTS CONDITIONS AND RESTRICTIONS FOR THE PRESERVE AT PONTE VEDRA LAKES which provides as more particularly described below:

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

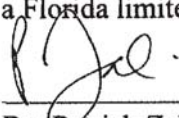
- 1. All terms capitalized herein shall have the meaning as contained herein or if not defined herein shall have the same meaning as provided in the Declaration.
- 2. Exhibit B of the Declaration contains the Articles of Incorporation of THE PRESERVE AT PONTE VEDRA LAKES HOMEOWNERS ASSOCIATION, INC.
- 3. Exhibit B inadvertently omitted two amendments to the Articles of Incorporation of THE PRESERVE AT PONTE VEDRA LAKES HOMEOWNERS ASSOCIATION, INC.
- 4. Exhibit B of the Declaration shall be amended to include: the omitted amendments attached hereto as Exhibit "1" and Exhibit "2".


 Print Name Batey C. McGraw

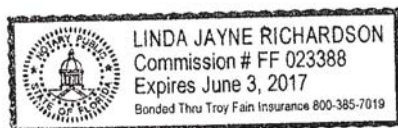

 Print Name Linda J. Richardson

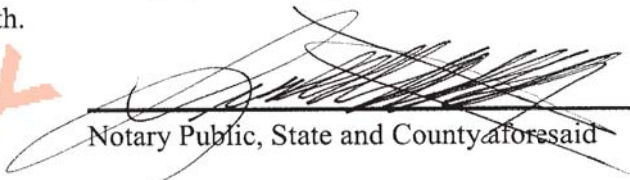
STATE OF FLORIDA
 COUNTY OF CLAY

DFH LAND, LLC (Developer)
 a Florida limited liability company

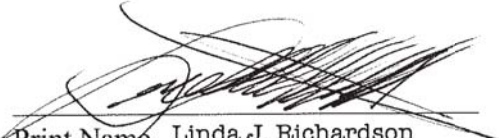

 By: Patrick Zalupski
 Its Manager

The foregoing instrument was acknowledged before me this 5th day of October 5, 2016 by Patrick Zalupski, as Manager of **DFH LAND, LLC**, a Florida limited liability company, on behalf of the company, ☒ who is personally known to me or ☐ who has produced a driver's license as identification and who did/did not take an oath.

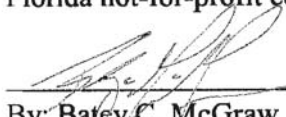



 Notary Public, State and County aforesaid

The **PRESERVE AT PONTE VEDRA LAKES HOMEOWNERS ASSOCIATION, INC.**, a Florida not-for-profit corporation

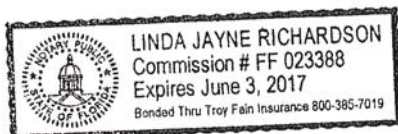

 Print Name Linda J. Richardson

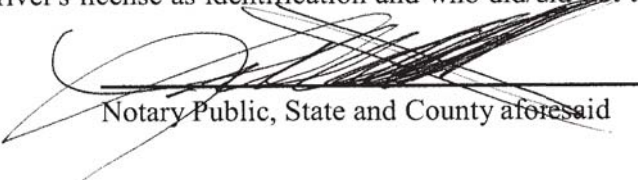

 Print Name Patrick O. Zalupski


 By: Batey C. McGraw
 Its President

STATE OF FLORIDA
 COUNTY OF CLAY

The foregoing instrument was acknowledged before me this 5th day of October 5, 2016 by Batey C. McGraw, as President of The **PRESERVE AT PONTE VEDRA LAKES HOMEOWNERS ASSOCIATION, INC.**, a Florida not-for-profit corporation, ☒ who is personally known to me or ☐ who has produced a driver's license as identification and who did/did not take an oath.




 Notary Public, State and County aforesaid

COVER LETTER

**TO: Registration Section
Division of Corporations**

SUBJECT: Preserve at Ponte Vedra Lakes Homeowners Association, Inc
Name of Limited Liability Company

The enclosed Articles of Amendment and fee(s) are submitted for filing.

Please return all correspondence concerning this matter to the following:

D. Randall Briley, Esq.

Name of Person

Briley & Deal, LLC

Firm/Company

2215 South Third Street, Ste. 101

Address

Jacksonville Beach, FL 32250

City/State and Zip Code

rb Riley@jaxrelaw.com

E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

D. Randall Briley, Esq.

904 285-5299

at ()

Name of Person

Area Code

Daytime Telephone Number

Enclosed is a check for the following amount:

☒ \$25.00 Filing Fee

☐ \$30.00 Filing Fee &
Certificate of Status

☐ \$55.00 Filing Fee &
Certified Copy
(additional copy is enclosed)

☐ \$60.00 Filing Fee,
Certificate of Status &
Certified Copy
(additional copy is enclosed)

MAILING ADDRESS:
Registration Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

STREET/COURIER ADDRESS:
Registration Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

EXHIBIT 1

SECRETARY - STATE
DIVISION OF CORPORATIONS

16 MAY -3 AM 8:44

ARTICLES OF AMENDMENT
of
PRESERVE AT PONTE VEDRA LAKES HOMEOWNERS ASSOCIATION, INC.

N15000005869

1. The following provisions of the Articles of Incorporation of Preserve at Ponte Vedra Lakes Homeowners Association, Inc., a Florida corporation, filed in Tallahassee on June 11, 2015, be and they hereby are amended in the following particulars:

A. Article V. Purpose and Powers of the Association, paragraph (5), be and it hereby is amended to read as follows:

5. The Association shall operate maintain and manage the surface water or stormwater management system(s) in a manner consistent with the requirements of St. Johns River Water Management District permit no. 143091-1 and applicable District rules and shall assist in the enforcement of the Declaration of Covenants and Restrictions which relate to the surface water or stormwater management system.

B. Article VIII Section 1, be and it hereby is amended to read as follows:

Section 1. Number of Directors: The affairs of the Association shall be managed and governed by a Board of Directors consisting of at least three (3) Directors, who need not be members of the Association. The number of Directors may be changed by amendment of the By-Laws of the Association. The members of the Board of Directors shall be elected in accordance with the By-Laws of the Association. The names and addresses of the persons who are to act in the capacity of Directors until the selection of their successors are:

| Name | Address |
|--------------|---|
| Batey McGraw | 360 Corporate Way, Suite 100 Orange Park, FL 32073 |
| Marcus Meide | 360 Corporate Way, Suite 100 Orange Park, FL 32073 |
| John Blanton | 360 Corporate Way, Suite 100 Orange Park, FL 32073 |

2. The foregoing amendment was adopted by all of the Members and Directors of the Corporation on the 28th day of April, 2016.

[SIGNATURES ARE ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned President and Secretary of this Corporation have executed this Article of Amendment this 28th day of April, 2016.

By: 

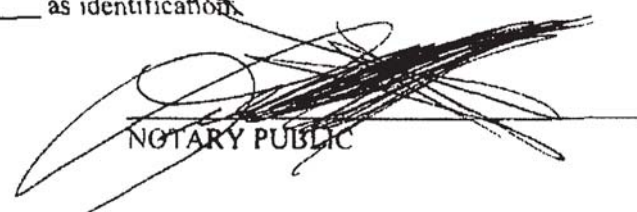
BATEY MCGRAW, President

By: 

JOHN BLANTON, Secretary

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 28th day of April, 2016, by Batey McGraw, as President and John Blanton, as Secretary ☒ who are personally known to me or ☐ who have produced _____ as identification.


NOTARY PUBLIC

FILED
STATE
CLERK
DIVISION
16 MAY - 3 AM 8:44

COVER LETTER

TO: Amendment Section
Division of Corporations

NAME OF CORPORATION: Preserve at Ponte Veda Lakes Homeowners Association, Inc.

DOCUMENT NUMBER: NI5000005869

The enclosed *Articles of Amendment* and fee are submitted for filing.

Please return all correspondence concerning this matter to the following:

Batey McGraw

(Name of Contact Person)

(Firm/ Company)

360 Corporate Way, Suite 100

(Address)

Orange Park, FL 32073

(City/ State and Zip Code)

batey.mcgraw@dreamfindershomes.com

E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

Batey McGraw

904

644-7670

at

(Name of Contact Person)

(Area Code)

(Daytime Telephone Number)

Enclosed is a check for the following amount made payable to the Florida Department of State:

☒ \$35 Filing Fee

☐ \$43.75 Filing Fee &
Certificate of Status

☐ \$43.75 Filing Fee &
Certified Copy
(Additional copy is
enclosed)

☐ \$52.50 Filing Fee
Certificate of Status
Certified Copy
(Additional Copy is
Enclosed)

Mailing Address

Amendment Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Street Address

Amendment Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, FL 32301

EXHIBIT

2

Articles of Amendment
to
Articles of Incorporation
of

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
2016 MAY 31 PM 4:41

Preserve at Ponte Vedra Lakes Homeowners Association, Inc.

(Name of Corporation as currently filed with the Florida Dept. of State)

NI5000005869

(Document Number of Corporation (if known))

Pursuant to the provisions of section 617.1006, Florida Statutes, this *Florida Not For Profit Corporation* adopts the following amendment(s) to its Articles of Incorporation:

A. If amending name, enter the new name of the corporation:

The new
name must be distinguishable and contain the word "corporation" or "incorporated" or the abbreviation "Corp." or "Inc."
"Company" or "Co." may not be used in the name.

B. Enter new principal office address, if applicable:

(Principal office address MUST BE A STREET ADDRESS)

C. Enter new mailing address, if applicable:

(Mailing address MAY BE A POST OFFICE BOX)

D. If amending the registered agent and/or registered office address in Florida, enter the name of the new registered agent and/or the new registered office address:

Name of New Registered Agent:

(Florida street address)

New Registered Office Address:

(City)

, Florida

(Zip Code)

New Registered Agent's Signature, if changing Registered Agent:

I hereby accept the appointment as registered agent. I am familiar with and accept the obligations of the position.

Signature of New Registered Agent, if changing

If amending the Officers and/or Directors, enter the title and name of each officer/director being removed and title, name, and address of each Officer and/or Director being added:

(Attach additional sheets, if necessary)

Please note the officer/director title by the first letter of the office title:

P = President; V = Vice President; T = Treasurer; S = Secretary; D = Director; TR = Trustee; C = Chairman or Clerk; CEO = Chief Executive Officer; CFO = Chief Financial Officer. If an officer/director holds more than one title, list the first letter of each office held. President, Treasurer, Director would be PTD.

Changes should be noted in the following manner. Currently John Doe is listed as the PST and Mike Jones is listed as the V. There is a change, Mike Jones leaves the corporation, Sally Smith is named the V and S. These should be noted as John Doe, PT as a Change, Mike Jones, V as Remove, and Sally Smith, SV as an Add.

Example:

| | | |
|--|----|-------------|
| <input checked="" type="checkbox"/> Change | PT | John Doe |
| <input checked="" type="checkbox"/> Remove | V | Mike Jones |
| <input checked="" type="checkbox"/> Add | SV | Sally Smith |

| Type of Action (Check One) | Title | Name | Address |
|--|-------|--------------|------------------------------|
| 1) <input type="checkbox"/> Change | D | Marcus Meide | 360 Corporate Way, Suite 100 |
| <input type="checkbox"/> Add | | | Orange Park, FL 32073 |
| <input checked="" type="checkbox"/> Remove | | | |
| 2) <input type="checkbox"/> Change | D | Jamie Mott | 360 Corporate Way, Suite 100 |
| <input checked="" type="checkbox"/> Add | | | Orange Park, FL 32073 |
| <input type="checkbox"/> Remove | | | |
| 3) <input type="checkbox"/> Change | | | |
| <input type="checkbox"/> Add | | | |
| <input type="checkbox"/> Remove | | | |
| 4) <input type="checkbox"/> Change | | | |
| <input type="checkbox"/> Add | | | |
| <input type="checkbox"/> Remove | | | |
| 5) <input type="checkbox"/> Change | | | |
| <input type="checkbox"/> Add | | | |
| <input type="checkbox"/> Remove | | | |
| 6) <input type="checkbox"/> Change | | | |
| <input type="checkbox"/> Add | | | |
| <input type="checkbox"/> Remove | | | |

E. If amending or adding additional Articles, enter change(s) here:
(attach additional sheets, if necessary). (Be specific)

COPY

The date of each amendment(s) adoption: 5/19/16 if other than the date this document was signed.

FILED
SECRETARY OF STATE
DIVISION OF CORPORATION


Effective date if applicable: _____
(no more than 90 days after amendment file date) **2016 MAY 31 PM 4:41**

Note: If the date inserted in this block does not meet the applicable statutory filing requirements, this date will not be listed as the document's effective date on the Department of State's records.

Adoption of Amendment(s) (CHECK ONE)

- ☒ The amendment(s) was/were adopted by the members and the number of votes cast for the amendment(s) was/were sufficient for approval.
- ☐ There are no members or members entitled to vote on the amendment(s). The amendment(s) was/were adopted by the board of directors.

Dated 5/19/16

Signature 
(By the chairman or vice chairman of the board, president or other officer-if directors have not been selected, by an incorporator - if in the hands of a receiver, trustee, or other court appointed fiduciary by that fiduciary)

Batey McGraw

(Typed or printed name of person signing)

Director/ President

(Title of person signing)