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This Instrument Prepared By:  
Stephen A. Faustini  
Upchurch, Bailey and Upchurch, P.A.  
Post Office Drawer 3007  
St. Augustine, Florida 32085-3007  
FN: 11475.205244

**THIRD AMENDMENT TO  
DECLARATION OF COVENANTS AND RESTRICTIONS  
OF  
MATANZAS CUT**

THIS THIRD AMENDMENT to the Declaration of Covenants and Restrictions of Matanzas Cut (the "Declaration"), recorded in Official Records 761, Pages 1758 through 1769, as amended by a First Amendment recorded in Official Records Book 828, Pages 1421 through 1426, and by a Second Amendment recorded in Official Records Book 831, Pages 1053 through 1055, all of the public records of St. Johns County Florida, is executed this 19 day of August, 2005.

**WITNESSETH:**

**WHEREAS**, the Matanzas Cut Homeowners' Association, Inc. (the "Association") desires to amend the Declaration of Covenants and Restrictions of Matanzas Cut to prohibit the lease or rental of property/structures located within the Matanzas Cut subdivision for periods of time less than six months and one day;

**WHEREAS**, Section 720.306(1)(b), Florida Statutes (2005), authorizes the amendment of the Declaration by the affirmative vote of two-thirds (2/3's) of the voting interests of the Association;

**WHEREAS**, this amendment was previously recorded in Official Records Book 2451, Pages 1790 through 1792, as the First Amendment to Declaration of Covenants and Restrictions of Matanzas Cut;

**WHEREAS**, the Association subsequently determined that both a First Amendment and Second Amendment, as listed above, had previously been recorded; and

**WHEREAS**, the Association desires to re-record this amendment and properly identify it as the Third Amendment to Declaration of Covenants and Restrictions of Matanzas Cut.

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

1. Article IV, Section 4.16 is hereby added as follows:

4.16 No lease or rental agreement of or for any dwelling or structure located on any Lot having a term of less than six months and one day shall be allowed. Owners must provide a copy of the lease or rental agreement to the Association's Board of Directors prior the commencement of any lease or rental agreement. Occupants/tenants must abide by the Declaration and the Association's other governing documents, copies of which shall be furnished to the occupants/tenants by the Lot Owner.

2. In all other respects, the Declaration remains unmodified and in full force and effect.

3. Capitalized terms not defined in this amendment shall have the meanings set forth in the Declaration, and any prior amendments thereto.

IN WITNESS WHEREOF, the Association has caused these presents to be executed this 18<sup>th</sup> day of August, 2005.

Signed, sealed and delivered in the presence of:

MATANZAS CUT HOMEOWNERS' ASSOCIATION, INC.

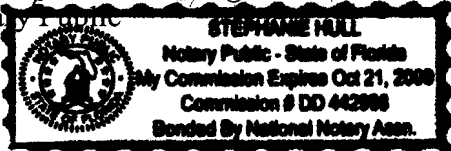
Stephanie Hull  
Witness: Stephanie Hull  
(type or print name)

By: Thomas H. Odenhall  
Print Name: THOMAS H. ODEHALL  
Title: PRESIDENT

Sarah Allen  
Witness: Sarah Allen  
(type or print name)

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

THE FOREGOING instrument was acknowledged before me this 18<sup>th</sup> day of August, 2005, by Thomas H. Odenhall as President of Matanzas Cut Homeowners' Association, Inc., on behalf of the corporation, who (  ) is personally known to me or (  ) has produced Florida driver's license number \_\_\_\_\_ as identification.

Stephanie Hull  
Notary Public  
  
STEPHANIE HULL  
Notary Public - State of Florida  
My Commission Expires Oct 21, 2008  
Commission # DD 442988  
Bonded By National Notary Assn.

**CERTIFICATE OF APPROVAL**

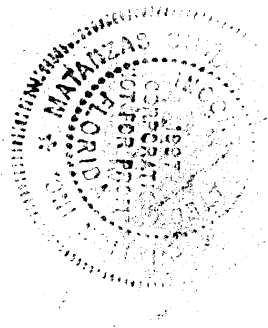
The undersigned, being the Secretary of the Matanzas Cut Homeowners' Association, Inc., hereby certifies that the foregoing Third Amendment to Declaration of Covenants and Restrictions of Matanzas Cut was approved by the Association at a meeting of the members held

January 15<sup>th</sup>, 2005.

Dated this 19<sup>th</sup> day of August, 2005.

MATANZAS CUT HOMEOWNERS' ASSOCIATION, INC.

(CORPORATE SEAL)



By: [Signature]  
Print Name: Blenda Bail  
Title: Secretary MCHA

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