

Record and return to :
Susan S. Bloodworth, Esq.
Rogers, Towers, P.A.
170 Malaga Street
Suite A
St. Augustine, Florida 32084

FIRST AMENDMENT AND EXTENSION OF THE
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND
EASEMENTS FOR EAGLES HAMMOCK
(ADDING UNIT TWO)

WHEREAS, D.R. HORTON, INC.-JACKSONVILLE, a Delaware corporation authorized to do business in the State of Florida, whose address is D.R. Horton, Inc. -- Jacksonville, 9456 Phillips Highway - Suite 1, Jacksonville, Florida 32256, (hereinafter referred to as "Declarant") is the owner of the following described property, situate, lying and being in St. Johns County, Florida (the "Property"), to-wit:

See Exhibit "A" attached hereto

WHEREAS, Declarant has caused to be recorded that certain Declaration of Covenants, Conditions, Restrictions and Easements for Eagles Hammock (the "Declaration") on April 14, 2004, in Official Records Book 11754, pages 1038 through 1097, current public records of Duval County, Florida; and

WHEREAS, Declarant has recorded multiple Subdivision Plats in Plat Book 56, Page 91, et. seq., and Plat Book 57, Pages 87, 87A through 87O of the current public records of Duval County, Florida; and

WHEREAS, pursuant to Article II, Section B of the Declaration, no consent of the Association, Institutional Mortgagee or Owner is required.

NOW THEREFORE, Declarant amends the Declaration as follows:

1. Clarification/Extension. Although the Property described in the Declaration is that certain real property described in Plat Book 56, page 91, et. seq., and further described in **Exhibit "A,"** no Exhibit "A" was attached and/or recorded as part of the Declaration. Declarant does hereby confirm that the real property described in Exhibit "A" attached hereto is one and the same as the real property described in Plat Book 56, page 91, et. seq., and subject to the Declaration. Declarant does hereby extend the provisions of the Declaration to certain additional lands more particularly described in **Exhibit "B"** attached hereto and incorporated herein by reference.

2. Effect. It is the intent of Declarant that the Declaration have the same force and effect as if it initially had been incorporated into, and constituted a portion of, the Declaration. To effectuate such intent, the provisions of the Declaration are hereby incorporated by reference herein. Declarant is imposing the provisions of the Declaration on the lands described on Exhibit "B" for the benefit of all Owners of Lots within the Property for the purpose of preserving the value and maintaining the desirability of the Property and the lands described on Exhibit "A." The provisions of the Declaration, as hereby amended, shall run with title to the Property and lands described on Exhibits "A" and "B" or any portion thereof, and shall be binding upon all parties having any right, title, or interest therein, or any portion thereof, their respective heirs, personal representatives, successors and assigns, and shall be enforceable by and inure to the benefit of the Association and each Owner, as such terms are defined in the Declaration. The grantee of any deed conveying the Property or the lands described on Exhibits "A" and "B," or any portion thereof, shall be deemed by acceptance of such deed to have agreed to observe, comply with, and be bound by the provisions of the Declaration, as amended hereby.

3. Operation. This instrument will take effect upon recordation in the current public records of Duval County, Florida. From and after such date, Declarant intends that all references to the Declaration now or thereafter made in any other instrument recorded in such public records, or in the Articles of Incorporation, By-Laws, or other corporate documents of the Association, shall refer to the Declaration, as amended by this Amendment unless expressly provided otherwise.

4. Amendment. The foregoing notwithstanding, Article VIII, paragraphs B and C of the Declaration shall not apply to Lots 202, 203 and 204, as reflected on the plat of Eagles Hammock Unit Two, recorded Plat Book 57, pages 87A through 87O, current public records of Duval County, Florida, but only to the extent that portions of Lots 202, 203 and 204, as described in Exhibit "C" and depicted on Exhibit "D" attached hereto and incorporated herein by reference shall be dedicated for use as a public road.

5. Limitation. Except as amended herein, all terms and conditions of the Declaration, and any prior amendments or supplements, remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has hereunto set its hand and seal this 5th day

of April, 2005.

By: D.R. HORTON, INC. –
JACKSONVILLE, a Delaware corporation

By: [Signature]
Name: Jan Doan
Its: Vice President

[Signature]
Regina Warren

[Signature]
Bethany A. Prier

Attest:

[Signature]
Kenneth L. Johnson Jr.
Asst. Secretary

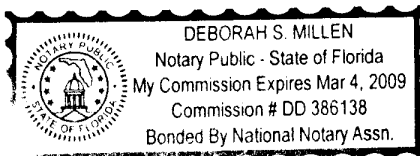
(Corporate Seal)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing First Amendment and Extension of Declaration of Covenants, Conditions, Restrictions and Easements for Eagles Hammock was acknowledged before me on the __ day of April, 2005, by Jan Doan, as the Vice President of D.R. Horton, Inc. – Jacksonville, a Delaware corporation, on behalf of the corporation. They are personally known to me and did not take an oath.

WITNESS my hand and official seal on the day and year last aforesaid.

[Signature]
Notary Public, State of FL
Printed Name: Deborah S. Millen
Commission Number: _____
My Commission Expires: _____



ACCEPTANCE

FOR GOOD AND VALUABLE CONSIDERATION, the receipt whereof is hereby acknowledged, Eagles Hammock Homeowners Association, Inc., a Florida corporation not for profit, hereby agrees to accept all of the benefits and all of the duties, responsibilities, obligations and burdens imposed upon it by the provisions of this First Amendment and Extension of the Declaration of Covenants, Conditions, Restrictions and Easements for Eagles Hammock and Exhibits attached hereto.

IN WITNESS WHEREOF, the above described corporation, a Florida corporation not for profit, has caused these presents to be signed in its name by its President and its corporate seal affixed, attested by its Secretary, this 5th day of April, 2005.

Signed, Sealed and Delivered in the presence of:

EAGLES HAMMOCK HOMEOWNERS ASSOCIATION, INC., a Florida corporation not for profit

By: Kenneth L. Johns, Jr.
Name: Kenneth L. Johns, Jr.
Its: President

Regina Norris
Name: Regina Norris
Beth A. Prior
Name: Bethany A. Prior

Attest
Jan J. Doan Secretary

(Corporate Seal)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing Acceptance was acknowledged before me the 5th day of April, 2005, by Kenneth L. Johns, Jr., and Jan Doan, as President and Secretary, respectively, of Eagles Hammock Homeowners Association, Inc., a Florida corporation not for profit, on behalf of the corporation.

WITNESS my hand and official seal on the day and year last aforesaid.

Deborah S. Milten

Notary Public, State of Florida

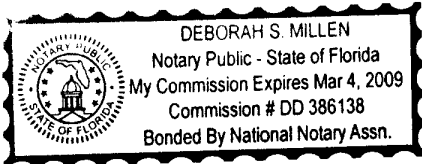


Exhibit "A"

Eagles Hammock - Unit One

A Portion of Government Lots 1 and 2, lying in
Section 23, Township 1 North, Range 27 East,
City of Jacksonville, Duval County, Florida.

CAPTION

A PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOTS 1 AND 2 LYING IN SECTION 23, TOWNSHIP 1 NORTH, RANGE 27 EAST, CITY OF JACKSONVILLE, DUVAL COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH LINE OF SAID SECTION AND THE EASTERLY RIGHT OF WAY LINE OF YELLOW BLUFF ROAD (A 100 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 89°53'08" EAST, ALONG SAID NORTH LINE OF SECTION 23, A DISTANCE OF 1872.50 FEET, TO A POINT LYING ON THE WEST LINE OF CHARLES SETON GRANT; THENCE SOUTH 01°10'10" EAST, ALONG SAID WEST LINE, A DISTANCE OF 1517.05 FEET TO A POINT; THENCE SOUTH 54°53'34" WEST, A DISTANCE OF 220.12 FEET, TO A POINT; THENCE SOUTH 29°10'42" WEST, A DISTANCE OF 56.38 FEET, TO A POINT; THENCE SOUTH 58°37'59" WEST, A DISTANCE OF 212.91 FEET, TO A POINT; THENCE SOUTH 21°17'16" EAST, A DISTANCE OF 48.91 FEET, TO A POINT; THENCE SOUTH 54°07'27" EAST, A DISTANCE OF 23.21 FEET, TO A POINT; THENCE NORTH 75°10'10" WEST, A DISTANCE OF 213.83 FEET, TO A POINT; THENCE SOUTH 72°09'25" WEST, A DISTANCE OF 109.54 FEET, TO A POINT; THENCE SOUTH 74°40'04" WEST, A DISTANCE OF 94.87 FEET, TO A POINT; THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 951.60, TO A POINT LYING ON THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF YELLOW BLUFF ROAD; THENCE NORTH 00°06'17" EAST, A LONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1863.13 FEET, TO THE POINT OF BEGINNING.

Exhibit "B"

EAGLES HAMMOCK UNIT TWO

A PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOT 2, AND ALL OF GOVERNMENT LOT 3, TOGETHER WITH A PORTION OF THE WEST 1/2, OF THE SOUTHWEST 1/4, OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 27 EAST, CITY OF JACKSONVILLE, DUVAL COUNTY, FLORIDA, LYING EASTERLY OF YELLOW BLUFF ROAD (A 100 FOOT PUBLIC RIGHT OF WAY, AS PRESENTLY ESTABLISHED).

ADOPTION AND DEDICATION

A PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOT 2 AND ALL OF GOVERNMENT LOT 3, TOGETHER WITH A PORTION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 27 EAST, CITY OF JACKSONVILLE, DUVAL COUNTY, FLORIDA, LYING EASTERLY OF YELLOW BLUFF ROAD (A 100 FOOT RIGHT OF WAY AS CURRENTLY ESTABLISHED) SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF GOVERNMENT LOT 1, OF SAID SECTION 23 WITH THE EASTERLY RIGHT OF WAY LINE OF SAID YELLOW BLUFF ROAD; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE S.00°06'17"W., A DISTANCE OF 1,863.13 FEET TO THE SOUTHWEST CORNER OF EAGLES HAMMOCK - UNIT ONE, AS RECORDED IN PLAT BOOK 56, PAGES 91 AND 91-A THROUGH 91-H, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID EAGLES HAMMOCK UNIT - ONE THE FOLLOWING 9 COURSES:

- 1) N.90°00'00"E., A DISTANCE OF 951.60 FEET;
- 2) THENCE N.74°40'04"E., A DISTANCE OF 94.87 FEET;
- 3) THENCE N.72°09'25"E., A DISTANCE OF 109.54 FEET;
- 4) THENCE S.75°10'10"E., A DISTANCE OF 213.83 FEET;
- 5) THENCE N.54°07'27"W., A DISTANCE OF 23.21 FEET;
- 6) THENCE N.21°17'16"W., A DISTANCE OF 48.91 FEET;
- 7) THENCE N.58°37'59"E., A DISTANCE OF 212.91 FEET;
- 8) THENCE N.29°10'42"E., A DISTANCE OF 56.38 FEET;
- 9) THENCE N.54°53'34"E., A DISTANCE OF 220.12 FEET TO THE SOUTHEAST CORNER OF SAID EAGLES HAMMOCK - UNIT ONE, AND AN INTERSECTION WITH THE EASTERLY LINE OF SAID SECTION 23, SAID LINE ALSO BEING THE WESTERLY LINE OF SECTION 38, THE CHARLES SETON GRANT, TOWNSHIP 1 NORTH, RANGE 27 EAST; THENCE ALONG LAST SAID LINE S.01°10'10"E., A DISTANCE OF 2,435.86 FEET TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 3, OF SAID SECTION 23; THENCE ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 3 S.89°36'19"W., A DISTANCE OF 1,726.89 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 3; THENCE ALONG THE WEST LINE OF GOVERNMENT LOT 4 OF SAID SECTION 23 S.01°05'27"E., A DISTANCE OF 17.42 FEET; THENCE N.89°27'10"W., A DISTANCE OF 68.93 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF SAID YELLOW BLUFF ROAD; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING 2 COURSES

- 1) N.09°56'29"E., A DISTANCE OF 204.64 FEET;
- 2) THENCE N.00°06'17"E., A DISTANCE OF 1,912.89 FEET TO THE POINT OF BEGINNING.

Less and except

A portion of Lots 202, 203 and 204, EAGLES HAMMOCK UNIT TWO, according to plat thereof as recorded in Plat Book 57, pages 87, 87A through 87O, inclusive, of the public records of Duval County, Florida, being more particularly described as follows:

For the point of reference, commence at the Northwest corner of Lot 202 EAGLES HAMMOCK UNIT TWO; thence South 01°09'46" East a distance of 64.62 feet to the point of curvature of a curve being concave Northeasterly, said point also being the Point of Beginning of the herein described parcel; thence along and around the arc of a curve to the left, having a radius of 25.00 feet, an arc length of 39.27 feet to the point of tangency, said arc being subtended by a chord bearing and distance of South 46°09'46" East 35.36 feet; thence North 88°50'14" East a distance of 85.32 feet to a point on the Westerly line of the Charles Seton Grant, Section 38, Township 1 North, Range 27 East, said Duval County, Florida; thence South 01°10'10" East along said Westerly line of said Charles Seton Grant of said Section 38, a distance of 60.00 feet to a point; thence South 88°50'14" West a distance of 85.32 feet to the point of curvature of a curve being concave Southeasterly; thence along and around the arc of a curve to the left having a radius of 25.00 feet, an arc length of 39.27 feet to the point of tangency, said arc being subtended by a chord bearing and distance of South 43°50'14" West, a distance of 35.36 feet; thence North 01°09'46" West, a distance of 110.00 feet to the Point of Beginning.

Exhibit "C"

A portion of Lots 202, 203 and 204, EAGLES HAMMOCK UNIT TWO, according to plat thereof as recorded in Plat Book 57, pages 87, 87A through 87O, inclusive, of the public records of Duval County, Florida, being more particularly described as follows:

For the point of reference, commence at the Northwest corner of Lot 202 EAGLES HAMMOCK UNIT TWO; thence South 01°09'46" East a distance of 64.62 feet to the point of curvature of a curve being concave Northeasterly, said point also being the Point of Beginning of the herein described parcel; thence along and around the arc of a curve to the left, having a radius of 25.00 feet, an arc length of 39.27 feet to the point of tangency, said arc being subtended by a chord bearing and distance of South 46°09'46" East 35.36 feet; thence North 88°50'14" East a distance of 85.32 feet to a point on the Westerly line of the Charles Seton Grant, Section 38, Township 1 North, Range 27 East, said Duval County, Florida; thence South 01°10'10" East along said Westerly line of said Charles Seton Grant of said Section 38, a distance of 60.00 feet to a point; thence South 88°50'14" West a distance of 85.32 feet to the point of curvature of a curve being concave Southeasterly; thence along and around the arc of a curve to the left having a radius of 25.00 feet, an arc length of 39.27 feet to the point of tangency, said arc being subtended by a chord bearing and distance of South 43°50'14" West, a distance of 35.36 feet; thence North 01°09'46" West, a distance of 110.00 feet to the Point of Beginning.

