

THIS INSTRUMENT PREPARED BY  
AND RECORD AND RETURN TO:

THOMAS M. JENKS, ESQ.  
GUNSTER YOAKLEY & STEWART, P.A.  
225 WATER STREET, SUITE 1750  
JACKSONVILLE, FL 32202

**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS AND RESTRICTIONS  
FOR GREENBRIAR PLANTATION**

**THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR GREENBRIAR PLANTATION** ("Amendment") is made effective February 5, 2013, by **GREENBRIAR PLANTATION OWNERS ASSOCIATION, INC.**, a Florida non-profit corporation (the "Association").

**RECITALS:**

A. G & C Developers, Inc., a Florida corporation (the "Developer") has previously executed the Declaration of Covenants and Restrictions for Greenbrier Plantation which is recorded in Official Records Book 2461, page 79, of the public records of St. Johns County, Florida. Said Declaration, as amended and supplemented to the date hereof, is herein collectively referred as the "Declaration".

B. The Association desires to amend the Declaration as more particularly described below.

C. Pursuant to Section 13.5 of the Declaration, the Declaration may be amended by the Owners holding two-thirds (2/3) or more of the total votes in the Association. As of the date hereof, the Developer does not own any land within the Property or any property that is contiguous of the Property.

D. At a meeting of the members of Association held on February 5, 2013, Owners holding not less than two-thirds (2/3) of the total votes of the Association voted to amend Declaration as more particularly described hereafter.

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

1. The Association hereby confirms that the above stated recitals are true and correct. All capitalized terms contained in this Amendment shall have the same meanings as such terms are defined by the Declaration.

2. Section 6.3(d) of the Declaration is hereby amended in its entirety as follows:

(d) to (i) adopt and impose a schedule of reasonable fees for processing requests for ARB approval of proposed improvements in such amounts as shall be reasonably determined by the ARB and approved by Board from time to time; and (ii) establish reasonable requirements for performance deposits to be delivered to the Association by parties seeking architectural approval pursuant to this Article VI, which deposits shall secure such parties' construction of improvements in accordance with plans and specifications approved in accordance with this Article VI. Such fees and performance deposits shall be payable to the Association, in cash, at the time that plans and specifications are submitted to the ARB. In the event that all or any portion of any performance deposit shall be forfeited, the same shall be retained by Association and may thereafter be used by the Association for any lawful purpose.

3. Section 10.4 of the Declaration is hereby amended in its entirety as follows:


Section 10.4 Living Area. Each detached single family residence constructed upon a Residential Parcel shall contain a minimum of three thousand five hundred (3,500) square feet of heated and air conditioned living area.

4. Except as specifically amended hereby, all terms and provisions of the Declaration shall remain in full force and effect.

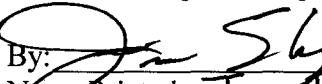
IN WITNESS WHEREOF, the Association has caused this Amendment to be duly executed as of the date and year first above written.

Signed, sealed and delivered in the presence of:

  
\_\_\_\_\_  
Kathy Mayfield  
(Print Name)

  
\_\_\_\_\_  
Karen Adell  
(Print Name)

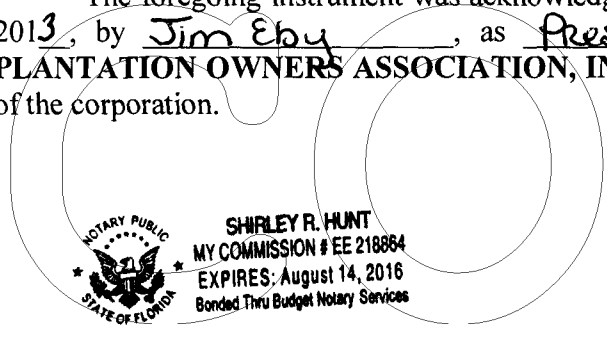
**GREENBRIAR PLANTATION OWNERS ASSOCIATION, INC.,**  
a Florida non-profit corporation

By:   
\_\_\_\_\_  
Name Printed: Jim Eby  
Title: President

STATE OF FLORIDA

COUNTY OF St. Johns

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of February, 2013, by Jim Eby, as President of GREENBRIAR PLANTATION OWNERS ASSOCIATION, INC., a Florida non-profit corporation, on behalf of the corporation.



Shirley R. Hunt  
Notary Public, State of Florida at Large  
Name Printed: Shirley R. Hunt  
Commission # EE 218864  
My Commission Expires: 8/14/16  
He/she is [check one]:  
Personally Known \_\_\_\_\_  
OR Produced I.D.  \_\_\_\_\_  
Type of Identification Produced  
Fl. Drivers License