

PREPARED BY AND RETURN TO:
SPENCER N. CUMMINGS, ESQ.
PAPPAS METCALF JENKS & MILLER, P.A.
245 RIVERSIDE AVENUE, SUITE 400
JACKSONVILLE, FL 32202

**FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS
FOR KELLY POINTE**

THIS FIRST AMENDMENT ("First Amendment") is made effective this 10th day of May, 2011, by **KELLY POINTE, LLC**, a Florida limited liability company (the "Developer") and joined by **KELLY POINTE HOMEOWNERS ASSOCIATION, INC.**, a Florida corporation not for profit (the "Association").

RECITALS:

A. The Declaration of Covenants and Restrictions for Kelly Pointe has previously been recorded in Official Records Book 3285, at page 1769, of the public records of St. Johns County, Florida (the "Declaration").

B. SONOC Company, LLC, a Delaware limited liability company ("SONOC"), assigned to Developer all of SONOC's rights as "Developer" under the Declaration, pursuant to that certain Assignment of Developer's Rights recorded in Official Records Book 3343, Page 1171 of the public records of St. Johns County, Florida.

C. Pursuant to Developer's right to amend as set forth in Section 11.6 of the Declaration, the undersigned hereby amend the Declaration as more particularly set forth herein.

NOW THEREFORE, the parties hereby amend the Declaration as follows:


1. **Sidewalks.** A new Section 8.31 is hereby added to the Declaration as follows:

"Sidewalks. Any Owner of a Lot developing a Residential Dwelling Unit on such Lot shall construct any sidewalk on or in front of such Lot, in accordance with the subdivision construction plans submitted to and approved by St. Johns County. Such sidewalk shall be completed prior to the issuance of a certificate of occupancy for such Lot."


2. **Ratification.** As specifically amended hereby, all of the terms and provisions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed and delivered this First Amendment as of the date and year first above written.

Signed, sealed and delivered
in the presence of:



(Signature) LORI A. GODDARD

(Print Name)


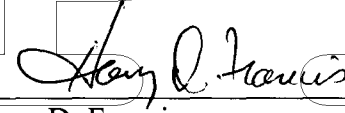
(Signature) SCOTT A. O'K

(Print Name)

DEVELOPER:

KELLY POINTE, LLC,
a Florida limited liability company

By:

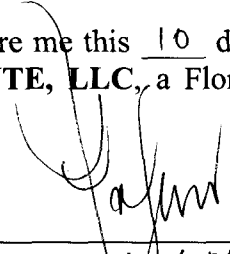


Harry D. Francis
Vice President

STATE OF FLORIDA)
) SS
COUNTY OF DUVAL)

The foregoing instrument was acknowledged before me this 10 day of May, 2011 by Harry D. Francis, the Vice President of **KELLY POINTE, LLC**, a Florida limited liability company, on behalf of the company.





(Print Name LORI A. GODDARD)
NOTARY PUBLIC, State of
Florida at Large
Commission # DD 960886
My Commission Expires: 4.27.2014
Personally Known x
or Produced I.D. _____
[check one of the above]
Type of Identification Produced

Witnesses:

ASSOCIATION:

**KELLY POINTE HOMEOWNERS
ASSOCIATION, INC.,**
a Florida corporation not for profit

Donna Beal
(Signature)

Donna Beal
(Print Name)

Lauren L. Owens
(Signature)

Lauren L. Owens
(Print Name)

By:

Gregory J. Barbour
President

STATE OF FLORIDA)
) SS
COUNTY OF DUVAL)

The foregoing instrument was acknowledged before me this 6th day of May, 2011 by Gregory J. Barbour, the President of **KELLY POINTE HOMEOWNERS ASSOCIATION, INC.**, a Florida corporation not for profit, on behalf of the company.

Lauren L. Owens
(Print Name)

NOTARY PUBLIC, State of
Florida at Large
Commission #

My Commission Expires

Personally Known

or Produced I.D.

[check one of the above]

Type of Identification Produced

