

This instrument prepared by:
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**AMENDMENT TO THE
DECLARATION OF CONDITIONS, COVENANTS,
EASEMENTS AND RESTRICTIONS
FOR
WESTBERRY**

THIS AMENDMENT is made this 4th day of may, 2021, by
Westberry Owners Association, Inc., a Florida not-for-profit corporation (the "Association").

RECITALS:

WHEREAS,

- A. The Declaration of Conditions, Covenants, Easements and Restrictions for Westberry, dated the 26th day April, 2013 is recorded at Official Records Book 16350, Page 1208, *et seq.*, of the current public records of Duval County, Florida (hereinafter referred to as the "Declaration");
- B. The Association desires to modify the regulations contained in the Declaration regarding the use of basketball goals and backboards within the Association;
- D. Pursuant to Section 11.2 of the Declaration, an amendment to the Declaration requires the approval of not less than two-thirds (2/3) of the total votes of the Association;
- E. A Special Meeting of the Members was held on April 21, 2021, at which quorum was obtained, at which the Association obtained the approval of not less than two-thirds (2/3) of the total voting interests of the Association for the adoption of this Amendment.

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Westberry Owners Association, Inc, does hereby amend the Declaration as identified on the following page:

(new words are inserted in the text and underlined; and words to be deleted are ~~lined through~~ with hyphens)

ARTICLE XI
AFFIRMATIVE AND RESTRICTIVE COVENANTS

9.22 Yard Accessories and Play Structures. No temporary or permanent ~~basketball hoop or backboard~~, skateboard or bicycle ramp, swing set, treehouse, jungle gym, and/or other game or play structure of any type (collectively, the "Equipment") may be placed, built, located, constructed, erected and/or installed on any Lot without the prior written approval of the Reviewing Entity. All such Equipment must not be placed, built, located, constructed, erected and/or installed on the front yard of any Lot, and all such Equipment shall be completely screened from view so as to not be visible from any street or from any other Lot within the Property. Notwithstanding anything contrary stated herein, a single basketball backboard and hoop may be installed on an owner's Lot upon approval of the Reviewing Entity. A Lot Owner may also place a permanent pole with attached basketball backboard and hoop located in the front of a Lot within the Lot's set-back lines, and located in the front of a Lot in such a manner when in use so as to reasonably prevent any basketballs from entering a neighboring Lot or adjacent roadway. Placement of a portable basketball goal on a Lot or in the roadway is not permitted. All permanent poles must be painted completely black, be professionally installed, and have no exposed rocks, sand backs, or cinder blocks. All basketball backboards must be clear or white and may not exceed 5 feet x 3 feet in dimensions, with netting of nylon or similar cord. Metal and chain netting are prohibited. The painting or display of any marker upon the driveway is prohibited. The Lot Owner shall maintain any Equipment and basketball backboards and poles in a well-kept condition and appearance, including free of rust or in a visibly damaged condition.

CERTIFICATE OF AMENDMENT TO THE
DECLARATION OF CONDITIONS, COVENANTS,
EASEMENTS AND RESTRICTIONS
FOR
WESTBERRY

THE UNDERSIGNED being the President and Secretary of Westberry owners Association, Inc., a Florida not-for-profit corporation, do hereby certify that a Special Meeting of the Members was held on April 21, 2021, at which quorum was obtained and at which the Association obtained the approval of not less than two-thirds (2/3) of the total voting interests of the Association for the adoption of this Amendment.

Dated this: 4 day of MAY, 2021.

WITNESS OUR HAND AND SEALS, the undersigned sets its hand and seal as of the date first above written.
Signed, sealed, and delivered
in the presence of:

WITNESS

Robert A Wooten
Print Name

Charlotte Lutto
Print Name

WESTBERRY OWNERS ASSOCIATION, INC.,
A Florida not-for-profit corporation

Issa Odeh
By: Issa Odeh
Its: President

Ashley Seagers
Attest By: Ashley Seagers
Its: Secretary

STATE OF FLORIDA)
COUNTY OF DUVAL)

The foregoing instrument was acknowledged before me [x] by physical presence or [] by online notarization, this 4th day of May, 2021, by Issa Odeh, as President for the Westberry Owners Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation, who (✓) is personally known to me or provided () _____ as identification, and who did take an oath.

Elizabeth Crawford
(Print Name)

NOTARY PUBLIC, State of Florida

At Large.

Commission No. _____

My Commission Expires _____

