

Prepared by and return to:

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**AMENDMENT TO DECLARATION OF COVENANTS, EASEMENTS AND
RESTRICTIONS FOR AHERN TOWNHOMES**

THIS AMENDMENT TO DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS FOR AHERN TOWNHOMES (this "Amendment") is made this 26th day of July 2019 by **AHERN TH PROJECT, LLC**, a Florida limited liability company (the "Declarant").

RECITALS

WHEREAS, Declarant is the owner of the following described real property lying in Duval County, Florida:

The Plat of AHERN TOWNHOMES, according to the plat thereof, as recorded in Plat Book 71, Page(s) 96 and 97, of the current Public Records of Duval County, Florida.

WHEREAS, that certain Declaration of Covenants, Conditions, Easements, and Restrictions for Ahern Townhomes was recorded in Official Records Book 18540, Page 416 of the public records of Duval County, Florida (the "Declaration"); and

WHEREAS, Section 17.12, among others, of the Declaration allows Declarant to amend the Declaration; and

NOW THEREFORE, Declarant amends the Declaration as set forth below:

1. Paragraph 5.5.12 is hereby added to the Declaration:

5.5.12. Patio Furniture and Balcony Use. The patio furniture, if any, kept on Owners' balconies or otherwise on the exterior of the Dwelling Unit, shall be teak, or teak appearing material or as otherwise approved by the Board, and shall be maintained and kept in a first class appearance. It is contemplated that "polywood type" furniture made from high density polyethylene lumber in a specific color(s) will be approved.

Nothing shall be hung from the balcony or Dwelling Unit by any Owner for any purpose. Nothing but patio furniture and one small or medium sized plant may be stored on each balcony.

Additional rules regarding patio furniture and balcony use may be established by the Board pursuant to Section 17.3 hereof.

2. The first two (2) sentences of paragraph 11.2 of the Declaration are hereby amended and restated in its entirety as follows:

Except as elected by the Board pursuant to paragraph 11.1.2 hereof, the Association shall not procure insurance on any Lot or Dwelling Unit constructed thereon, or personalty contained therein. Accordingly, Owners of Lots shall, to the extent certain coverages are not obtained by the Association, pursuant to Section 11.2 hereof, purchase their own insurance for their Lot and Dwelling Unit and personalty located therein, and for any risk they may incur by Ownership of a Lot, and for the use of the Common Property.

[Signatures appear on following page]

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed under seal this 26th day of July 2019.

Signed, sealed and delivered in the presence of

AHERN TH PROJECT, LLC, a Florida limited liability company

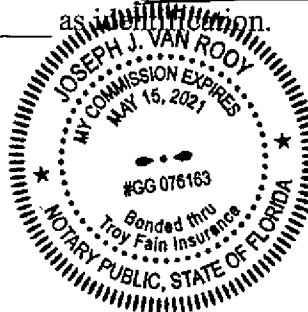
By: **Atlantic Beach Investors, LLC**, a Florida limited liability company

By: [Signature]
Richard J. Johnston, Manager

[Signature]
Print Name: Joseph J. Van Rooy
[Signature]
Print Name: Joanna Oursler

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 26th day of July, 2019, by Richard J. Johnston, as Manager of Atlantic Beach Investors, LLC, a Florida limited liability company, the Sole Member and Manager of AHERN TH PROJECT, LLC, a Florida limited liability company, who is personally known to me or has produced



[Signature]
Print Name: _____
Notary Public, State of Florida at Large
Commission No.: _____
My Commission Expires: _____