

SPECIAL AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
THE LANDING AT CROSS CREEK - UNIT ONE

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Filed & Recorded
01/05/95
10:16:46 A.M.
HENRY W. COOK
CLERK CIRCUIT COURT
DUVAL COUNTY, FL
REC. \$ 10.50

THIS SPECIAL AMENDMENT is made on the date hereinafter set forth by CENTEX REAL ESTATE CORPORATION, a Nevada corporation, hereinafter referred to as "Declarant".

This Special Amendment shall be binding and inure to the benefit of the Declarant and all parties claiming title to or an interest in THE LANDING AT CROSS CREEK - UNIT FOUR, according to Plat thereof recorded in Plat Book 47, Pages 52-~~52A~~, public records of Duval County, Florida.

WHEREAS, Declarant executed a Declaration of Covenants, Conditions and Restrictions for THE LANDING AT CROSS CREEK - UNIT ONE, hereinafter referred to as "Declaration", which is dated August 18, 1990, and recorded in Official Records Volume 6951, beginning at Page 0045; and

WHEREAS, Article XII, Section 5, Page 0060, of said Declaration provides in relevant part as follows:

Section 5. Special Amendment. As long as there is a Class B membership, or so long as Declarant is entitled to annex without the consent of any Owner, the Association or any Mortgagee, [Declarant] hereby reserves and is granted the right and power to make and to record in the public records of Duval County, Florida, Special Amendments to this Declaration at any time and from time to time which amend this Declaration:...(3) to cure any ambiguity or inconsistency.

WHEREAS, Declarant executed a Supplemental Declaration of Covenants, Conditions and Restrictions for THE LANDING AT CROSS CREEK - UNIT ONE, hereinafter referred to as "Supplemental Declaration", which is dated February 11, 1994, and recorded in Official Records Volume 7778, beginning at Page 2146, and annexed the following described real estate:

All lots shown on Plat of THE LANDING AT CROSS CREEK - UNIT FOUR according to Plat thereof recorded in Plat Book 47, Pages 52-~~52A~~, public records of Duval County, Florida;

WHEREAS, Lots 28, 29, and 30 of the annexed real estate are within the boundaries of the wetland jurisdiction line of the St. Johns River Water Management District, hereinafter referred to as "District", and thus subject to the Conservation Easement provisions of Article II, Section 7, of the Declaration, hereinafter referred to as "Conservation Easement";

WHEREAS, there is still Class B membership, and Declarant is entitled to annex without the consent of any Owner, the Association or any Mortgagee; and

Record and Return to:
METROPOLITAN TITLE
Southpoint Building
6620 Southpoint Drive South
Suite 400
Jacksonville, Florida 32216

10.30
(2)

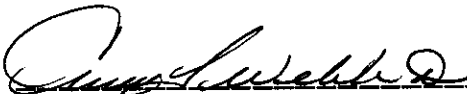
WHEREAS, this Special Amendment is executed and recorded to cure any ambiguity or inconsistency in the Declaration and Supplemental Declaration as to Lots 28, 29, and 30 being subject to the Conservation Easement.

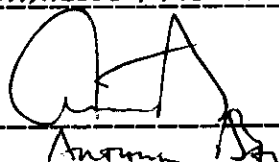
NOW, THEREFORE, Declarant hereby declares that Lots 28, 29, and 30 are included in the Conservation Easement dedicated to the District in Article II, Section 7, of the Declaration, and said lots shall be transferred, held, sold, conveyed and developed subject to all terms and provisions of the Conservation Easement to the same extent as though originally subject thereto.

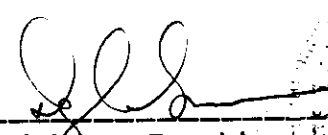
IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this 14th day of DECEMBER, 1994.

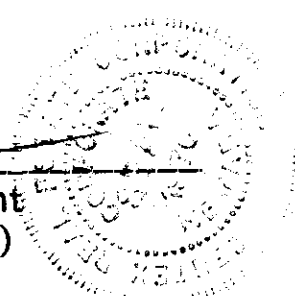
Signed, sealed and delivered in the presence of the following witnesses:

CENTEX REAL ESTATE CORPORATION
a Nevada Corporation


CHARLES F. WELSH, III (print)

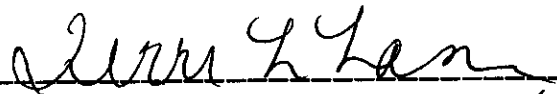

Anna Bay (print)

By 
Its Division President
(Corporate Seal)



STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 14 day of December, 1994, by Douglas Smith, the Division President of Centex Real Estate Corporation, a Nevada corporation, on behalf of the corporation. He is personally known to me or has produced _____ as identification, and did take an oath.


(print)

Notary Public
State of Florida

