

VERIFIED BY
LUB

⑤ Lec. 2400
CERTIFICATE OF AMENDMENT
TO
COVENANTS AND RESTRICTIONS OF
PELICAN REEF SUBDIVISION

WE, the undersigned President and Secretary of Pelican Reef Homeowners Association, Inc. do hereby certify that the following Amendment to the Declaration of Covenants and Restrictions of Pelican Reef Subdivision as recorded in Official Records Book 937 at Page 198, Public Records of St. Johns County, Florida was duly adopted by an Action of the Members Without Meeting duly signed by at least eighty percent (80%) of the members entitled to cast a vote:

That the Declaration of Covenants and Restrictions for Pelican Reef Subdivision as recorded in Official Records Book 937, Page 198, Public Records of St. Johns County, Florida, be, and the same is hereby, amended by amending Exhibit "A" thereto to read as follows:

Exhibit "A"

Pelican Reef Subdivision according to map or plat thereof recorded in Map Book 25, Page 87, of the Public Records of St. Johns County, Florida, TOGETHER WITH:

That part of Outlot "F", PELICAN REEF, described as follows:

Beginning at the northeast corner of Lot 7, Block 4, PELICAN REEF, according to the plat thereof as recorded in Map Book 25, pages 87 through 91 of the Public Records of St. Johns County, Florida; thence northerly along the westerly right-of-way of Pelican Reef Drive along a curve concave to the east having a radius of 311.13 feet through a central angle of 11 degrees 22 minutes 43 seconds for an arc distance of 61.79 feet (chord bearing - North 04 degrees 49 minutes 32 seconds East, chord distance - 61.69 feet); thence North 10 degrees 30 minutes 54 seconds East along said westerly right-of-way line 46.66 feet; thence, departing

INCR - North EA

the said westerly right-of-way line, North 80 degrees 00 minutes 00 seconds West 149.16 feet, more or less, to the Mean High Water Line of the Matanzas River; thence southwesterly along said Mean High Water Line 110 feet, more or less, to the point of intersection with a line bearing North 80 degrees 00 minutes 00 seconds West from the Point of Beginning; thence South 80 degrees 00 minutes 00 seconds East 158.14 feet, more or less, to the Point of Beginning.

Signed, sealed and delivered in the presence of:

MARIEA F. WOOD
Signature of Witness

MARIEA F. WOOD
Typed or Printed Name of Witness

PAUL J. THOMPSON
Signature of Witness

Paul J. Thompson
Typed or Printed Name of Witness

Pierre D. Thompson
Pierre D. Thompson, President

John D. Thompson
John D. Thompson, Secretary-Treasurer

STATE OF FLORIDA
COUNTY OF ST. JOHNS

BEFORE ME, the undersigned authority duly authorized to take oaths and acknowledgments in the County and State aforesaid, personally appeared, Pierre D. Thompson and John D. Thompson, to me personally known and who acknowledged, under oath, to and before me that they executed the foregoing Certificate of Amendment for the purposes therein expressed and the contents thereof are true.

MARIEA F. WOOD
Notary Public, State of Florida at Large
My Commission Expires Notary Public, State of Florida
My Comm. Exp. Aug. 17, 1994
Florida Insurance Agency

CERTIFICATE OF AMENDMENT
TO
COVENANTS AND RESTRICTIONS OF
PELICAN REEF SUBDIVISION

WE, the undersigned President and Secretary of Pelican Reef Homeowners Association, Inc. do hereby certify that the following Amendment to the Declaration of Covenants and Restrictions of Pelican Reef Subdivision as recorded in Official Records Book 937 at Page 198, Public Records of St. Johns County, Florida was duly adopted by an Action of the Members Without Meeting duly signed by at least eighty percent (80%) of the members entitled to cast a vote:

That the Declaration of Covenants and Restrictions for Pelican Reef Subdivision as recorded in Official Records Book 937, Page 198, Public Records of St. Johns County, Florida, be, and the same is hereby, amended by amending Section 1.3 to read as follows:

Section 1.3 Access to the Subdivision is provided by means of Casanova Road. The Developer and the Association reserve the right to enter into an agreement with the owners of the property lying between the Subdivision and State Road 312 to provide for additional access to the Subdivision by means of a 700 foot connecting bridge and private road (the "Road Agreement"); provided, however, that the Road Agreement may be entered into only after the later of April 21, 1997 or the sale of 80 Residential Lots and only with the approval of a majority of the Owners. In the event the Road Agreement is entered into to provide for such additional access, the Association may levy a special assessment on each Lot for the purpose of paying for the cost of construction of the bridge and such portion of the cost of the connector road and entrance as shall be provided in the Road Agreement; provided, however, that such special assessment shall not exceed 8% of the Lot purchase price of each Owner. The Road Agreement shall grant to the Owners, their guests and invitees a non-exclusive perpetual easement

for access and ingress and egress to the Subdivision from State Road 312 and shall contain a provision that the proportionate costs of the construction of the connector road and its maintenance may be enforced against the owners of the properties immediately adjacent to such connector road.

Any bridge constructed under the authority of this Section shall constitute a Common Area property, even though it might be otherwise without the described area of the Subdivision.

Any lien resulting from the special assessment authorized in this Section shall be subordinate to the lien of any mortgage or any claim of lien recorded prior to the Association's Claim of Lien pursuant to Section 4.13 hereof.

and

That the Declaration of Covenants and Restrictions for Pelican Reef Subdivision as recorded in Official Records Book 937, Page 198, Public Records of St. Johns County, Florida, be, and the same is hereby, amended by amending Section 2.19 to read as follows:

Section 2.19 On Intracoastal frontage or marsh frontage Lots, no building, pier, dock, bulkhead or other shoreline improvements outside of jurisdiction control line may be built without the approval of the ARB and other affected governmental agencies, including but not limited to City of St. Augustine Planning and Zoning Board, Corps of Engineers, Department of Natural Resources, Department of Environmental Regulation, St. Johns River Water Management District. No dock or pier boat houses will be allowed on the piers or docks, except those for open boats up to eighteen (18) feet in length, and with approval of the ARB. No boat lifts will be permitted without the approval of the ARB.

Signed, sealed and delivered in the presence of:

Vernon F. Wood
Signature of Witness

Pierre D. Thompson
Pierre D. Thompson, President

VERNON F WOOD
Typed or Printed Name of Witness

Paul J. Thompson

Signature of Witness

John D. Thompson

John D. Thompson, Secretary-Treasurer

Paul J. Thompson

Typed or Printed Name of Witness

STATE OF FLORIDA
COUNTY OF ST. JOHNS

BEFORE ME, the undersigned authority duly authorized to take oaths and acknowledgments in the County and State aforesaid, personally appeared, Pierre D. Thompson and John D. Thompson, to me personally known and who acknowledged, under oath, to and before me that they executed the foregoing Certificate of Amendment for the purposes therein expressed and the contents thereof are true.

Talman Wood

Notary Public, State of Florida at Large

My Commission Expires

Notary Public, State of Florida
My Comm. Exp. Aug. 17, 1941
Notary Public, State of Florida