

5 MIN. RETURN

PHONE #

353-2000

Prepared by and Return to
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JIM FULLER
CLERK CIRCUIT COURT
DUVAL COUNTY
RECORDING \$ 29.00
TRUST FUND \$ 4.00

Book 11443 Page 2048

**SUPPLEMENTAL DECLARATION
TO
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS
AND EASEMENTS FOR BARTRAM SPRINGS
AND
NOTICE OF ASSESSMENTS FOR BARTRAM SPRINGS HOMEOWNERS
ASSOCIATION, INC.**

(Bartram Springs Unit 1B)

THIS INSTRUMENT is made this 3rd day of October, 2003, by Sandler at Bartram Lakes, L.L.C., a Virginia limited liability company authorized to do business in Florida ("Developer").

RECITALS

A. Developer subjected certain lands owned by it to the Declaration of Covenants, Conditions, Restrictions and Easements for Bartram Springs and Notice of Assessments for Bartram Springs Homeowners Association, Inc. as recorded in Official Records Book 10927, page 1874, in the current public records of Duval County, Florida ("Declaration").

B. Pursuant to Article 2 of the Declaration, Developer has the right to annex to the Property and to subject to the Declaration any Additional Property, as defined in the Declaration, and to vary the terms of the Declaration so as to reflect any unique characteristics of a particular portion of the Property.

C. The land more fully described in the metes and bounds description of Bartram Springs Unit 1B in Exhibit "A" is a part of the Additional Property (hereafter referred to as "Bartram Springs Unit 1B").

D. Developer desires to annex Bartram Springs Unit 1B in accordance with the terms and conditions set forth herein and in the Declaration.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, receipt and adequacy of which are acknowledged, the parties agree as follows:

1. All provisions of the Recitals are true and correct.

2. Bartram Springs Unit 1B is hereby subjected to the terms and conditions of the Declaration and shall be held, conveyed and occupied subject to the easements, conditions and covenants set forth in the Declaration which are for the purpose of protecting the value and desirability of Bartram Springs Unit 1B and all Property subject to the Declaration and which shall run with Bartram Springs Unit 1B and shall be binding upon all parties having any right, title or interest in Bartram Springs Unit 1B or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each Owner thereof.

3. The Owners of all Lots in Bartram Springs Unit 1B shall be Class A Members of the Association and each Lot shall have associated with it one vote in Association matters.


4. All Lots in Bartram Springs Unit 1B shall be developed with single family dwellings constructed in accordance with the provisions of Section 8.8 of the Declaration; provided however that certain of the eighty-foot (80') Lots to be located within the Bartram Springs Unit 1B plat (Lots 375 through 380 and 403 through 416) shall be improved with dwellings containing a minimum of two thousand six hundred (2,600) square feet of heated and air-conditioned space.


5. Except as supplemented and modified herein, all terms and conditions of the Declaration remain in full force and effect.


IN WITNESS WHEREOF, the undersigned have set their hands and seals as of the date first above written.

Signed, sealed and delivered
In the present of :

SANDLER AT BARTRAM LAKES, L.L.C., a
Virginia limited liability company


Print Name: Susan Orleans

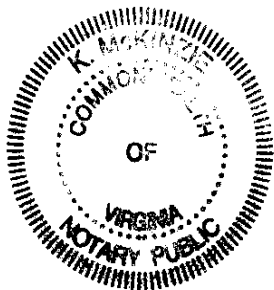

Print Name: Fiona Matteson

By: 
Nathan D. Benson
Its Manager

STATE OF VIRGINIA

COUNTY OF VIRGINIA BEACH

The foregoing instrument was acknowledged before me this 3rd day of OCTOBER, 2003, by Nathan D. Benson, the Manager of Sandler at Bartram Lakes, L.L.C., a Virginia limited liability company, authorized to do business in Florida, on behalf of the limited liability company. He is personally known to me or produced N/A as identification.



K. McKinzie
Print Name: K. MCKINZIE
Notary Public – State of Virginia
My commission expires: 09/30/06
Commission number: N/A

CONSENT OF MORTGAGEE

The undersigned is the holder of that certain Mortgage recorded in Official Records Volume 10716, page 320-345, of the current public records of Duval County, Florida and in Official Records Book 1835, page 1701 of the public records of St. Johns County, Florida ("Mortgage"), and hereby consents to the recording of the Supplemental Declaration to Declaration of Covenants, Conditions, Restrictions and Easements for Bartram Springs and Notice of Assessments for Bartram Springs Homeowners Association, Inc. for Bartram Springs Unit 1B, and subordinates the lien of its Mortgage to the terms and conditions thereof.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed in its name this 8th day of October, 2003.

Witnesses: Marion C. McIntyre
Print Name: Marion C. McIntyre
Scott W. Stollkopf
Print Name: Scott W. Stollkopf

BANK OF AMERICA, N.A.
By: Russell A. Carter
Russell A. Carter
Title: Vice President

(CORPORATE SEAL)

STATE OF VIRGINIA
~~COUNTY~~ OF Norfolk
CITY

The foregoing instrument was acknowledged before me this 8th day of October, 2003, by Russell A. Carter, who is personally known to the undersigned or who produced N/A as identification, and he acknowledged to and before me that he executed the same as the Vice President of Bank of America, N.A., a national association, for and on behalf of the national association.

Suzanne S. Bryson
(Signature of Notary Public)
Suzanne S. Bryson
(Print Name of Notary Public)
NOTARY PUBLIC, STATE OF VIRGINIA
My commission expires: June 30, 2005
Commission number: N/A

[Seal]

EXHIBIT "A"

Bartram Springs Unit 1B

Parcel 1

A portion of Sections 29, 32 and 33, all lying in Township 4 South, Range 28 East, Jacksonville, Duval County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the corner common to said Sections 32 and 33, said Township 4 South, Range 28 East, and Sections 4 and 5, Township 5 South, Range 28 East, said point lying on the line dividing said Township 4 South and said Township 5 South and Duval and St. Johns counties, Florida; thence South $89^{\circ}29'04''$ West along the Southerly line of said Section 32 and along said township and said county dividing line, 562.91 feet; thence North $40^{\circ}25'29''$ West departing said Southerly section line and said dividing line, 892.11 feet to the Point of Beginning.

From said Point of Beginning, thence North $40^{\circ}25'29''$ West, 851.15 feet; thence North $49^{\circ}34'31''$ East, 277.18 feet; thence East, 371.51 feet; thence North $36^{\circ}37'22''$ East, 1607.32 feet; thence North $57^{\circ}09'46''$ West, 1241.61 feet; thence North $32^{\circ}34'33''$ East, 738.57 feet; thence South $59^{\circ}19'48''$ East, 745.23 feet; thence North $30^{\circ}40'12''$ East, 115.00 feet to a point of curvature concave Southwesterly, having a radius of 25.00 feet; thence Northwesterly along the arc of said curve, through a central angle of $90^{\circ}00'00''$, an arc length of 39.27 feet to a point on a curve, said arc being subtended by a chord bearing and distance of North $14^{\circ}19'48''$ West, 35.36 feet; thence North $30^{\circ}40'12''$ East, 70.00 feet to a point on a curve concave Northwesterly, having a radius of 25.00 feet; thence Northeasterly along the arc of said curve, through a central angle of $90^{\circ}00'00''$, an arc length of 39.27 feet to a point of tangency, said arc being subtended by a chord bearing and distance of North $75^{\circ}40'12''$ East, 35.36 feet; thence North $30^{\circ}40'12''$ East, 45.29 feet to a point of curvature concave Northwesterly, having a radius of 275.00 feet; thence Northeasterly along the arc of said curve, through a central angle of $14^{\circ}41'05''$, an arc length of 70.48 feet to a point on said curve, said arc being subtended by a chord bearing and distance of North $23^{\circ}19'39''$ East, 70.29 feet; thence North $59^{\circ}19'48''$ West, 117.09 feet; thence North $18^{\circ}36'01''$ West, 357.90 feet; thence North $21^{\circ}43'47''$ West, 108.63 feet; thence North $29^{\circ}21'14''$ West, 155.96 feet; thence North $38^{\circ}37'30''$ West, 165.69 feet; thence North $45^{\circ}36'24''$ West; 167.89 feet; thence North $19^{\circ}36'09''$ West, 116.24 feet; thence North $34^{\circ}34'10''$ East, 114.76 feet; thence North $40^{\circ}56'06''$ East, 244.24 feet; thence South $41^{\circ}07'54''$ East, 376.96 feet; thence North $48^{\circ}52'06''$ East, 35.37 feet; thence South $36^{\circ}47'50''$ East, 201.56 feet; thence North $57^{\circ}03'19''$ East, 137.83 feet; thence South $09^{\circ}23'30''$ East, 485.73 feet; thence South $22^{\circ}45'28''$ East, 675.82 feet to a point on the Northerly boundary of Bartram Springs Unit 1A as described and recorded in Plat Book 55, Pages 81, 81A through 81R of the current Public Records of said Duval County, Florida; thence along said Northerly

line of lands North 71°13'16" West, 277.81 feet; thence departing said Northerly line of lands and along the Westerly line of said Bartram Springs Unit 1A for the following twenty four courses: (1) South 30°40'12" West, 175.68 feet; (2) South 59°19'48" East, 265.81 feet to a point of curvature concave Southwesterly, having a radius of 385.00 feet; (3) Southeasterly along the arc of said curve, through a central angle of 14°31'04", an arc length of 97.55 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 52°04'16" East, 97.29 feet; (4) South 45°11'16" West, 185.42 feet; (5) South 35°30'51" West, 686.20 feet; (6) South 28°59'21" East, 336.08 feet to a point on a curve concave Southeasterly, having a radius of 175.00 feet; (7) Northeasterly along the arc of said curve, through a central angle of 06°04'48", an arc length of 18.57 feet to a point of tangency, said arc being subtended by a chord bearing and distance of North 64°03'04" East, 18.56 feet; (8) North 67°05'28" East, 25.55 feet; (9) South 22°54'32" East, 175.51 feet; (10) South 00°50'58" East, 64.74 feet; (11) South 06°37'43" East, 180.96 feet; (12) South 18°49'59" West, 174.60 feet; (13) North 66°21'40" East, 160.49 feet; (14) South 40°46'00" East, 258.57 feet; (15) North 49°14'00" East, 18.47 feet; (16) South 39°33'51" East, 208.40 feet; (17) South 29°27'14" East, 170.21 feet; (18) South 20°44'26" East, 128.86 feet; (19) North 67°05'27" East, 130.00 feet; (20) South 22°54'33" East, 27.28 feet; (21) North 63°09'31" East, 288.29 feet; (22) South 21°35'12" East, 279.10 feet; (23) North 54°36'46" East, 89.77 feet to a point on a curve concave Northeasterly, having a radius of 1105.00 feet; (24) Southeasterly along the arc of said curve, through a central angle of 06°33'23", an arc length of 126.45 feet to a point on said curve, said arc being subtended by a chord bearing and distance of South 38°39'56" East, 126.38 feet; thence South 39°00'41" West, 473.31 feet; thence South 76°11'34" West, 1029.66 feet; thence North 23°28'30" West, 694.82 feet; thence South 54°10'45" West, 1181.19 feet to the Point of Beginning.

Said lands being a portion of the lands described and recorded in Official Records Volume 10280, page 346 of said Public Records of said Duval County and containing 105.46 acres, more or less.

Together with:

Parcel 2

A portion of Section 33, together with a portion of Section 48 of the Christopher Minchin Grant, all lying in Township 4 South, Range 28 East, Jacksonville, Duval County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the corner common to Sections 32 and 33, said Township 4 South, Range 28 East, and Sections 4 and 5, Township 5 South, Range 28 East, said point lying on the line dividing said Township 4 South and said Township 5 South and Duval and St. Johns counties, Florida; thence North 89°04'41" East along the Southerly line of Section 33 and along said township and

said county dividing line, a distance of 5333.11 feet to a corner common to said Section 33 and Section 34 of said Township 4 South, and Sections 3 and 4 of said Township 5 South; thence North $89^{\circ}39'09''$ East along the Southerly lines of said Sections 34 and 48, continuing along said township and said county dividing line and along the Northerly right of way line of Race Track Road, a variable width right of way as now established, a distance of 1385.93 feet to its intersection, with the Westerly right of way line of the Florida East Coast Railroad, a 100 foot right of way as now established; thence North $41^{\circ}00'02''$ West departing said Northerly line of Race Track Road, said Southerly section lines, said township and said county dividing line, and along said Westerly right of way line, 1429.95 feet to a point lying on the Southerly line of lands described and recorded in Official Records Volume 10280, page 346 of the current Public Records of said Duval County and the Point of Beginning.

From said Point of Beginning, thence departing said Westerly right of way line and along said Southerly line for the following two courses: (1) South $81^{\circ}42'25''$ West; 1240.11 feet to an angle point in said line; (2) North $89^{\circ}53'23''$ West; 1102.07 feet to a point on the Easterly boundary of Bartram Springs Unit 1A as described and recorded in Plat Book 55, Pages 81, 81A through 81R of said Public Records of said Duval County, Florida; thence departing said Southerly line and along said Easterly line for the following two courses: (1) North $05^{\circ}57'54''$ East; 2317.85 feet; (2) North $48^{\circ}59'57''$ East, 179.60 feet to a point lying on said Westerly right of way line of said Florida East Coast Railroad; thence South $41^{\circ}00'02''$ East departing said Easterly line and along said Westerly right of way line, 2976.51 feet to the Point of Beginning.

Said lands being a portion of the lands described and recorded in Official Records Volume 10280, page 346 of said Public Records of said Duval County and containing 69.57 acres, more or less.

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