

Prepared by and Return to:

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Public Records of  
St. Johns County, FL  
Clerk # 2008005069,  
O.R. 3036 PG 1937-1938  
01/25/2008 at 09:24 AM,  
REC. \$9.00 SUR. \$9.50

Parcel Tax I.D. No. 062155-9999, 062156-0999 Q  
062156-2400

### **FIRST AMENDMENT**

To

### **DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR PONTE VEDRA BY THE SEA**

THIS FIRST AMENDMENT is made to that certain Declaration of Covenants, Conditions, Restrictions and Easements for Ponte Vedra By The Sea, recorded at Book 1079, Page 790, of the current official records of St. Johns County, Florida (the "Declaration"), made and effective as set forth hereafter.

### **RECITALS**

WHEREAS, the Declaration governs the Ponte Vedra By the Sea subdivision and all "Property" (as such term is defined therein), and as the "Property" has since recordation been supplemented and annexed lawfully by and through the recordation of supplemental declarations under the terms thereof, but where such Declaration has otherwise not been amended;

WHEREAS, the Declaration provides for governance of the subdivision and its member lot owners by and through the Board of Directors of the Ponte Vedra by the Sea Homeowners Association, Inc., a Florida not-for-profit corporation (the "Association");

WHEREAS, the Declaration provides at Article IX, Section 8(d), that it may be amended from time to time at a duly called meeting of the Association whereat a quorum is present if the amendment resolution is adopted by a majority of all Class A Members;

WHEREAS, in response to certain inquiries and requests made by member lot owners to the Association, in accordance with the Declaration and in compliance with its governing Articles of Incorporation, its Bylaws and all other applicable laws and regulations, the Board duly called and properly noticed a meeting of all members for 7 February 2001, specifically to address the adoption of a resolution providing for certain changes to be made to the Declaration allowing for vehicular parking on driveways;

WHEREAS, at the meeting set forth above, with a quorum of Class A members present in person or by proxy, and where the Developer was no longer a Class B member, the Class A members voted one hundred forty-four (144) to eleven (11) in favor of adopting the amendment to the Declaration set forth hereafter; and,

WHEREAS, this instrument, the First Amendment to Declaration, is intended to effectuate the terms of the resolution adopted as set forth above, to be recorded in the current, official records of St. Johns County, Florida, and effective thereafter over all of the Property then governed by the Declaration, all as set forth more particularly hereafter.

NOW THEREFORE, as attested to as set forth below, the Declaration of Ponte Vedra By the Sea is hereby amended at paragraph (v), section 1, article VII, with all additions denoted by underlining and all deletions denoted by strike-through as follows:

### **ARTICLE VII USE OF PROPERTY**

Section 1.

(v) Garage doors shall be kept closed except when automobiles are entering or leaving the garage. All vehicles shall be kept inside garages, except that they may be parked temporarily on the driveway, as may be necessary to accommodate normal family activities. Garage doors shall be closed overnight and when the dwelling is unoccupied.

Only daily use vehicles not prohibited from outside parking by paragraph (cc), may be parked on driveways providing they do not block sidewalks. A "daily-use vehicle" is one which is normally and consistently used and moved by members of a household on a daily basis. They must remain in operating condition and not degrade the appearance of the neighborhood.

All other provisions of the Declaration not expressly amended by the above shall remain in full force and effect.

IN WITNESS WHEREOF, the Association's President and Secretary do hereby attest to the veracity of the foregoing facts and information, and signify their assent to record this instrument amending the Declaration as of the dates set forth hereafter.

ATTEST: [Signature]  
President and Chair, of  
Association

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

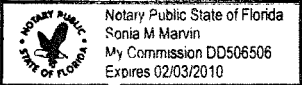
THIS INSTRUMENT was acknowledged before me this 10<sup>th</sup> day of Jan, 2008, by \_\_\_\_\_, as \_\_\_\_\_, being identified to me as follows:

Personally Known: ✓  
Produced I.D.: \_\_\_\_\_  
Type of I.D.: \_\_\_\_\_

[Signature]  
Notary Signature  
Sonia M Marven  
Notary Printed Name

[SEAL]

My commission expires:



ATTEST: [Signature]  
Secretary, of  
Association

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

THIS INSTRUMENT was acknowledged before me this 10<sup>th</sup> day of Jan, 2008, by \_\_\_\_\_, as \_\_\_\_\_, being identified to me as follows:

Personally Known: ✓  
Produced I.D.: \_\_\_\_\_  
Type of I.D.: \_\_\_\_\_

[Signature]  
Notary Signature  
Sonia M Marven  
Notary Printed Name

[SEAL]

My commission expires:

