

PREPARED BY TODD WHITE/CENTEX HOMES
6620 SOUTHFOUNDER S. STE 400 JAX., FL. 32216

SPECIAL AMENDMENT TO DECLARATION OF

Book 9057 Pg 1480

COVENANTS, CONDITIONS AND RESTRICTIONS

FOR HIDDEN COVE - UNIT ONE

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Pg: 1480 - 1481
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HENRY W. COOK
CLERK CIRCUIT COURT
DUVAL COUNTY, FL
REC. \$ 10.50

5 Am.
296-4551

THIS SPECIAL AMENDMENT TO DECLARATION is made on the date hereinafter set forth by 2728 HOLDING CORPORATION, a Nevada corporation, hereinafter referred to as "Declarant".

This Amendment to Declaration shall be binding and inure to the benefit of the Declarant and all parties claiming title to or an interest in HIDDEN COVE, according to Plat thereof recorded in Plat Book 50, Pages 14-14C, public records of Duval County, Florida, and any additional land annexed thereto including HIDDEN COVE - UNIT TWO and HIDDEN COVE - UNIT THREE;

WHEREAS, Declarant, fka Centex Real Estate Corporation, executed a Declaration of Covenants, Conditions and Restrictions for HIDDEN COVE - UNIT ONE, hereinafter referred to as "Declaration", which is dated November 10, 1995, and recorded in Official Records Volume 8218, beginning at Page 1087, and executed and recorded supplemental declarations thereto;

WHEREAS, Article IV, Section 3, Page 7, of said Declaration provides in relevant part as follows:

(a) Until January 1 of the year immediately following the conveyance of the first Lot to an Owner, the maximum annual assessment shall be one hundred fifty and no/100 dollars (\$150.00) per year for each Lot, except for Lots 118, 119, 120, 121, 122, 123 and 124, and any lots subsequently annexed at this level, for which the maximum annual assessment shall be one hundred ninety and no/100 dollars (\$190.00) per year for each Lot. The entire annual assessment shall be paid in advance in one payment.

WHEREAS, Lots 118, 119, 120, 121, 122, 123 and 124, with the exception of Lot 121, are the only Lots in Hidden Cove which include a portion of a lake or pond upon the Lot;

WHEREAS, Lot 121 does not include a portion of a lake or pond thereon and should be assessed in accordance with the Declaration provisions and applicable rules and regulations pertaining to Lots without a lake or pond thereon and not in accordance with the provisions and applicable rules and regulations pertaining to Lots that include a lake or pond thereon;

WHEREAS, Article XII, Section 5, Page 18, 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, the 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, the inclusion of Lot 121 in the listing of Lots that include a lake or pond thereon is ambiguous and inconsistent with the payment by such Lots of a higher annual assessment than other Lots in the Property; and

WHEREAS, this Amendment is executed and recorded to clarify any ambiguity or inconsistency in the Declaration as to Lot 121 and its noninclusion in the listing of Lots that include a lake or pond thereon.

NOW, THEREFORE, Declarant hereby declares that Lot 121 is subject to the payment of annual assessments in accordance with the payment of annual assessments as to all Lots which do not include a lake or pond thereon.

AND Declarant further declares that Article IV, Section 3, Page 7 of said Declaration shall be amended by deleting the words " 121,". In all other respects, said Declaration shall remain the same as originally recorded and otherwise amended.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this 17th day of AUGUST, 1998.

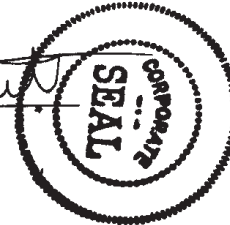
Signed, sealed and delivered in the presence of the following witnesses:

2728 HOLDING CORPORATION
a Nevada Corporation

Godd White
GODD WHITE (print)

(print)

By Douglas W. Smith
Its Division President
(Corporate Seal)



STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 17 day of AUGUST, 1998, by DOUGLAS W. SMITH, the Division President of 2728 HOLDING 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.

Diana R. Palmieri
Diana R. Palmieri (print)
Notary Public, State of Florida

