

5 MIN. RETURN  
PHONE # 704-3165

**ANNEXATION, AMENDMENT AND SUPPLEMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF DAYBREAK WOODS PHASE I**

THIS ANNEXATION, AMENDMENT AND SUPPLEMENT TO DECLARATION (the "Amendment") made as of this 12<sup>th</sup> day of May, 2004, by M.L. PROPERTIES, L.L.C., an Illinois limited liability company (hereinafter referred to as the "Declarant").

RECITALS:

A. M.L. PROPERTIES, L.L.C., executed and caused to be recorded that certain Declaration of Covenants, Conditions and Restrictions of DAYBREAK WOODS PHASE I, being dated June 20, 2002, and recorded in Official Records Book 10538, page 1303, of the current public records of Duval County, Florida (the "Declaration").

B. Pursuant to Section 7.9 of the Declaration, Declarant now desires to annex the following described land to be a part of "Property," as that term is defined in the Declaration:

DAYBREAK WOODS PHASE III, in accordance with the plat thereof as recorded in Plat Book 57, pages 5, 5A and 5B, of the current public records of Duval County, Florida, as more particularly described in Exhibit "A" attached hereto (the "Additional Property").

C. First National Bank is the owner and holder of a mortgage or mortgages encumbering all or a part of the Additional Property.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the undersigned amends the Declaration as follows:

1. The Additional Property, which is the subject of this Amendment, constitutes additional property which is hereby annexed to and shall hereafter be a part of the "Property," as that term is described in the Declaration.
2. Except as modified herein, the original Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused the foregoing Declaration to be executed and, as to Declarant, by its duly authorized officer on the date set forth above.

Signed, sealed and delivered in the presence of:

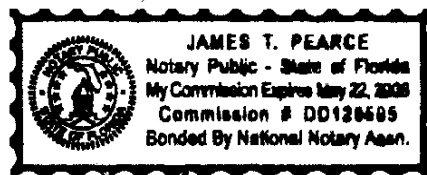
M.L. PROPERTIES, L.L.C., an Illinois limited liability company

Sharon C. Duncan  
Print: Sharon C. Duncan

BY: Frank Blazeovich  
Frank Blazeovich, its Member/Manager

James T. Pearce  
Print: James T. Pearce

STATE OF FL  
COUNTY OF Duval



The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of May, 2004, by Frank Blazeovich, Member/Manager of M.L. PROPERTIES, L.L.C., an Illinois limited liability company, on behalf of the company. He is personally known to me or produced Personally as identification.

James T. Pearce  
Notary Public

My commission expires: 5/22/2006

**MORTGAGEE CONSENT**

The undersigned, FIRST NATIONAL BANK, a banking association, the holder of a mortgage or mortgages encumbering all or a portion of the "Additional Property," as defined in the attached ANNEXATION, AMENDMENT AND SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS of DAYBREAK WOODS PHASE I ("ANNEXATION Amendment"), recorded in the public records of Duval County, Florida, joins in the execution hereof for the purpose of consenting to the Annexation Amendment.

DATED this 12<sup>th</sup> day of May, 2004.

Signed, sealed and delivered  
in the presence of:

FIRST NATIONAL BANK

Dianne O'Briant  
Print: Dianne O'Briant

BY: Robert K. Beatty  
Print: Robert K. Beatty  
Its Senior Vice President

Sharon C. Duncan  
Print: Sharon C. Duncan



STATE OF FLORIDA  
COUNTY OF Clay

The foregoing instrument was sworn to, subscribed and acknowledged before me by Robert Beatty, as Senior Vice President of FIRST NATIONAL BANK, a banking association, on behalf of the association. He is personally known to me or produced Personally as identification.

James T. Pearce  
Notary Public, State of Florida

My commission expires:  
5/22/2006

Doc# 2004152628  
Book: 11802  
Pages: 2143 - 2145  
Filed & Recorded  
05/13/2004 02:21:39 PM  
JIM FULLER  
CLERK CIRCUIT COURT  
DUVAL COUNTY  
RECORDING \$ 13.00  
TRUST FUND \$ 2.00

Exhibit A

A PART OF SECTIONS 8 AND 9 OF THE JOHN BROWARD GRANT WITHIN SECTION 37, TOWNSHIP 1 NORTH, RANGE 27 EAST, JACKSONVILLE, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHWESTERLY CORNER OF LOT 299, DAYBREAK WOODS PHASE I AS RECORDED IN PLAT BOOK 55, PAGES 16, 16A THROUGH 16E INCLUSIVE; SAID NORTHWESTERLY CORNER ALSO LYING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF NEW BERLIN ROAD A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED; THENCE ALONG THE WESTERLY BOUNDARY OF SAID DAYBREAK WOODS PHASE I, THE FOLLOWING FOURTEEN COURSES; THENCE SOUTH 39 DEGREES 51 MINUTES 43 SECONDS EAST, A DISTANCE OF 113.14 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SUNRAY COURT, A 50 RIGHT OF WAY AS NOW ESTABLISHED; THENCE SOUTH 39 DEGREES 45 MINUTES 38 SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID SUNRAY COURT; THENCE SOUTH 42 DEGREES 43 MINUTES 23 SECONDS EAST, A DISTANCE OF 100.08 FEET; THENCE SOUTH 42 DEGREES 50 MINUTES 01 SECONDS EAST, A DISTANCE OF 10.01 FEET; THENCE SOUTH 39 DEGREES 57 MINUTES 28 SECONDS EAST, A DISTANCE OF 249.29 FEET; THENCE SOUTH 50 DEGREES 33 MINUTES 26 SECONDS WEST, A DISTANCE OF 4.74 FEET; THENCE SOUTH 39 DEGREES 33 MINUTES 13 SECONDS EAST, A DISTANCE OF 150.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SUMMER BLUFF ROAD, A 50 FOOT RIGHT WAY, AS NOW ESTABLISHED, SAID POINT ALSO BEING ON A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1075.00 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 67.39 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 48 DEGREES 39 MINUTES 02 SECONDS WEST, 67.38 FEET TO A POINT ON SAID CURVE; THENCE SOUTH 43 DEGREES 08 MINUTES 43 SECONDS EAST, A DISTANCE OF 148.51 FEET; THENCE SOUTH 55 DEGREES 13 MINUTES 34 SECONDS WEST, A DISTANCE OF 26.65 FEET; THENCE SOUTH 16 DEGREES 32 MINUTES 25 SECONDS EAST, A DISTANCE OF 160.50 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF MORNING LIGHT ROAD, A 60 FOOT RIGHT OF WAY, AS NOW ESTABLISHED, SAID POINT ALSO BEING ON A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 330.00 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 34.42 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 70 DEGREES 28 MINUTES 19 SECONDS WEST, 34.40 FEET TO A POINT ON SAID CURVE; THENCE SOUTH 13 DEGREES 17 MINUTES 59 SECONDS EAST, A DISTANCE OF 249.29 FEET; THENCE SOUTH 30 DEGREES 56 MINUTES 33 SECONDS WEST, A DISTANCE OF 90.61 FEET; THENCE NORTH 85 DEGREES 25 MINUTES 19 SECONDS WEST, DEPARTING FROM SAID WESTERLY BOUNDARY LINE OF DAYBREAK WOODS PHASE I, A DISTANCE OF 155.70 FEET; THENCE SOUTH 88 DEGREES 55 MINUTES 09 SECONDS WEST, A DISTANCE OF 60.16 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 02 SECONDS WEST, A DISTANCE OF 155.67 FEET; THENCE NORTH 55 DEGREES 48 MINUTES 37 SECONDS WEST, A DISTANCE OF 47.12 FEET; THENCE NORTH 52 DEGREES 43 MINUTES 46 SECONDS WEST, A DISTANCE OF 31.95 FEET; THENCE NORTH 39 DEGREES 14 MINUTES 23 SECONDS WEST, A DISTANCE OF 48.38 FEET; THENCE NORTH 80 DEGREES 29 MINUTES 21 SECONDS WEST, A DISTANCE OF 79.60 FEET TO A POINT LYING ON THE EASTERLY LINE OF JACKSONVILLE ELECTRIC AUTHORITY'S PARCEL 102; THENCE NORTH 00 DEGREES 46 MINUTES 24 SECONDS WEST, ALONG SAID EASTERLY LINE AND ALONG THE EASTERLY LINE OF JACKSONVILLE ELECTRIC AUTHORITY'S PARCEL 103, A DISTANCE OF 659.74 FEET; THENCE NORTH 00 DEGREES 35 MINUTES 32 SECONDS WEST, ALONG SAID EASTERLY LINE OF PARCEL 103, A DISTANCE OF 334.28 FEET TO A POINT LYING ON THE AFOREMENTIONED SOUTHEASTERLY RIGHT OF WAY LINE OF NEW BERLIN ROAD, SAID POINT ALSO LYING ON A CURVE, SAID CURVE BEING CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 2894.86 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, AN ARC DISTANCE OF 89.97 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 52 DEGREES 54 MINUTES 35 SECONDS EAST, 89.97 FEET TO A POINT ON SAID CURVE AND THE POINT OF BEGINNING.