

5 minute Return  
356.6733

Prepared by:

RET. TO: **GRIFFIN HELWIG**  
**ATTORNEY-AT-LAW**  
**12428 SAN JOSE BLVD., STE. 2**  
**JACKSONVILLE, FL 32223**

**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 13 day of May, 2003, 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 II, in accordance with the plat thereof as recorded in Plat Book 56, pages 14, 14A, 14B, 14C and 14D, of the current public records of Duval County, Florida, as more particularly described in Exhibit "A" attached hereto (the "Additional Property").

Doc# 2003158222  
Book: 11097  
Pages: 1482 - 1485  
Filed & Recorded  
05/16/2003 03:56:48 PM  
JIM FULLER  
CLERK CIRCUIT COURT  
DUVAL COUNTY  
RECORDING \$ 17.00  
TRUST FUND \$ 2.50

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

Print: Michelle Guidry

BY: [Signature]  
Frank Blazevich, Its Member/Manager

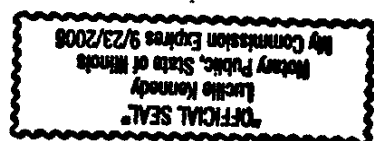
Print: Nicole Hawkins

STATE OF ILLINOIS  
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 13 day of May, 2003, by Frank Blazevich, 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 ✓ as identification.

[Signature]  
Notary Public

My commission expires:



## EXHIBIT "A"

## PARCEL 1

A PART OF SECTION 8 OF THE JOHN BROWARD GRANT, IN SECTION 37, TOWNSHIP 1 NORTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT OF WAY LINE OF DAYLIGHT TRAIL AS ESTABLISHED IN DAYBREAK WOODS PHASE I AS RECORDED IN PLAT BOOK 55, PAGES 16, 16A THROUGH 16E, INCLUSIVELY OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY WITH THE SOUTHEASTERLY RIGHT OF WAY LINE OF NEW BERLIN ROAD (A 60 FOOT WIDE RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH  $50^{\circ}08'18''$  EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 988.61 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 925.37 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 362.49 FEET AND BEING SUBTENDED BY A CHORD BEARING OF NORTH  $61^{\circ}21'37''$  EAST AND A CHORD DISTANCE OF 360.17 FEET; THENCE SOUTH  $00^{\circ}46'24''$  EAST, DEPARTING FROM SAID RIGHT OF WAY LINE, A DISTANCE OF 780.45 FEET TO THE NORTHEAST CORNER OF LOT 37 OF SAID DAYBREAK WOODS PHASE I; THENCE ALONG THE NORTHERLY LINES OF SAID DAYBREAK WOODS PHASE I THE FOLLOWING SEVENTEEN COURSES: SOUTH  $85^{\circ}09'35''$  WEST, A DISTANCE OF 301.56 FEET; THENCE NORTH  $81^{\circ}40'10''$  WEST, A DISTANCE OF 79.40 FEET; THENCE NORTH  $81^{\circ}17'21''$  WEST, A DISTANCE OF 39.43 FEET; THENCE NORTH  $87^{\circ}42'54''$  WEST, A DISTANCE OF 36.90 FEET; THENCE NORTH  $89^{\circ}52'01''$  WEST, A DISTANCE OF 67.23 FEET; THENCE SOUTH  $84^{\circ}17'48''$  WEST, A DISTANCE OF 63.52 FEET; THENCE SOUTH  $71^{\circ}45'16''$  WEST, A DISTANCE OF 61.20 FEET; THENCE SOUTH  $65^{\circ}39'12''$  WEST, A DISTANCE OF 38.93 FEET; THENCE SOUTH  $61^{\circ}04'10''$  WEST, A DISTANCE OF 21.05 FEET; THENCE SOUTH  $54^{\circ}54'15''$  WEST, A DISTANCE OF 60.17 FEET; THENCE SOUTH  $51^{\circ}09'48''$  WEST, A DISTANCE OF 180.00 FEET; THENCE NORTH  $38^{\circ}50'12''$  WEST, A DISTANCE OF 101.89 FEET; THENCE SOUTH  $51^{\circ}09'48''$  WEST, A DISTANCE OF 40.01 FEET; THENCE NORTH  $39^{\circ}27'55''$  WEST, A DISTANCE OF 50.00 FEET TO A POINT ALONG A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 38.82 FEET AND BEING SUBTENDED BY A CHORD BEARING OF NORTH  $84^{\circ}20'57''$  WEST AND A CHORD DISTANCE OF 35.04 FEET; THENCE NORTH  $39^{\circ}51'42''$  WEST, A DISTANCE OF 62.64 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 39.27 FEET AND BEING SUBTENDED BY A CHORD BEARING OF NORTH  $05^{\circ}08'18''$  EAST AND A CHORD DISTANCE OF 35.36 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF NEW BERLIN ROAD AND THE POINT OF BEGINNING. CONTAINING 11.72 ACRES, MORE OR LESS.

## PARCEL 2

A PART OF SECTION 8 AND 9 OF THE JOHN BROWARD GRANT, IN SECTION 37, TOWNSHIP 1 NORTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING, COMMENCE AT THE SOUTHEAST CORNER OF LOT 38 OF DAYBREAK WOODS PHASE I AS RECORDED IN PLAT BOOK 55, PAGES 16, 16A THROUGH 16E, INCLUSIVELY OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH  $00^{\circ}46'24''$  EAST, A DISTANCE OF 1584.09 FEET TO THE NORTHEAST CORNER OF LOT 97 OF SAID DAYBREAK WOODS PHASE I; THENCE NORTHERLY AND NORTHEASTERLY ALONG THE EASTERLY LINES OF SAID DAYBREAK WOODS PHASE I THE FOLLOWING THIRTY COURSES: NORTH  $50^{\circ}44'47''$  WEST, A DISTANCE OF 61.74 FEET; THENCE NORTH  $69^{\circ}47'07''$  WEST, A DISTANCE OF 32.65 FEET; THENCE NORTH  $45^{\circ}03'20''$  WEST, A DISTANCE OF 85.79 FEET; THENCE NORTH  $01^{\circ}01'00''$  EAST, A DISTANCE OF 62.16 FEET; THENCE NORTH  $42^{\circ}33'19''$  WEST, A DISTANCE OF 67.94 FEET; THENCE NORTH  $42^{\circ}47'58''$  WEST, A DISTANCE OF 27.98 FEET; THENCE NORTH  $79^{\circ}15'08''$  WEST, A DISTANCE OF 37.81 FEET; THENCE NORTH  $11^{\circ}37'51''$  WEST, A DISTANCE OF 63.50 FEET; THENCE NORTH  $04^{\circ}24'08''$  EAST, A DISTANCE OF 98.85 FEET; THENCE NORTH  $57^{\circ}48'09''$  EAST, A DISTANCE OF 35.61 FEET; THENCE NORTH  $45^{\circ}05'17''$  WEST, A DISTANCE OF 31.29 FEET; THENCE NORTH  $62^{\circ}29'58''$  WEST, A DISTANCE OF 20.95 FEET; THENCE SOUTH  $74^{\circ}28'21''$  WEST, A DISTANCE OF 50.27 FEET; THENCE NORTH  $30^{\circ}50'01''$  WEST, A DISTANCE OF 66.31 FEET; THENCE NORTH  $41^{\circ}42'51''$  WEST, A DISTANCE OF 62.38 FEET; THENCE NORTH  $12^{\circ}22'36''$  WEST, A DISTANCE OF 59.00 FEET; THENCE NORTH  $22^{\circ}11'51''$  WEST, A DISTANCE OF 89.14 FEET; THENCE NORTH  $01^{\circ}58'23''$  WEST, A DISTANCE OF 89.83 FEET; THENCE NORTH  $19^{\circ}39'25''$  WEST, A DISTANCE OF 82.17 FEET; THENCE NORTH  $01^{\circ}13'06''$  WEST, A DISTANCE OF 30.83 FEET; THENCE NORTH  $27^{\circ}54'22''$  WEST, A DISTANCE OF 69.99 FEET; THENCE NORTH  $04^{\circ}22'46''$  WEST, A DISTANCE OF 77.55 FEET; THENCE NORTH  $61^{\circ}24'03''$  EAST, A DISTANCE OF 26.69 FEET; THENCE NORTH  $19^{\circ}05'25''$  WEST, A DISTANCE OF 218.56 FEET; THENCE SOUTH  $70^{\circ}54'35''$  WEST, A DISTANCE OF 19.12 FEET; THENCE NORTH  $19^{\circ}05'25''$  WEST, A DISTANCE OF 159.32 FEET; THENCE NORTH  $27^{\circ}34'13''$  WEST, A DISTANCE OF 33.02 FEET; THENCE NORTH  $62^{\circ}05'11''$  EAST, A DISTANCE OF 166.38 FEET; THENCE NORTH  $42^{\circ}33'22''$  EAST, A DISTANCE OF 131.27 FEET; THENCE SOUTH  $87^{\circ}59'11''$  EAST, A DISTANCE OF 372.86 FEET TO THE POINT OF BEGINNING. CONTAINING 13.87 ACRES, MORE OR LESS.

**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 14 day of May, 2003.

Signed, sealed and delivered  
in the presence of:

Sharonna C. Duncan  
Print: Sharonna C. Duncan

Alison Hargus  
Print: Alison HARGUS

FIRST NATIONAL BANK

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

STATE OF FLORIDA  
COUNTY OF Clay

The foregoing instrument was sworn to, subscribed and acknowledged before me by Robert K. 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 Florida Drivers License as identification.



Erica E. Van Zant  
MY COMMISSION # CC872173 EXPIRES  
September 20, 2003  
BONDED THRU TROY FAIN INSURANCE, INC.

Erica E. Van Zant  
Notary Public, State of Florida

My commission expires: 9/20/03