

5 MIN. RETURN  
PHONE # 704.3165

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

THIS ANNEXATION, AMENDMENT AND SUPPLEMENT TO DECLARATION (the "Amendment") made as of this 18th day of October, 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 GENTLE WOODS PHASE I, being dated August 22, 2003, and recorded in Official Records Book 11348, page 968, 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:

Doc# 2004335799  
Book: 12102  
Pages: 1320 - 1322  
Filed & Recorded  
10/19/2004 10:04:56 AM  
JIM FULLER  
CLERK CIRCUIT COURT  
DUVAL COUNTY  
RECORDING \$ 13.00  
TRUST FUND \$ 2.00  
REC ADDITIONAL \$ 12.00

GENTLE WOODS PHASE 3, in accordance with the plat thereof as recorded in Plat Book 57, pages 43, 43A, 43B, 43C and 43D, of the current public records of Duval County, Florida, as more particularly described in Exhibit "A" attached hereto (the "Additional Property").

BankAtlantic 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:  
*James T. Pearce*  
Print: James T. Pearce

M.L. PROPERTIES, L.L.C., an Illinois limited liability company  
BY: *Frank Blazeovich*  
Frank Blazeovich, its Member/Manager

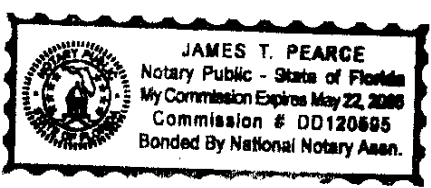
*James T. Pearce*  
Print: James T. Pearce

STATE OF Florida  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 18th day of October, 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 known to me as identification.

*James T. Pearce*  
Notary Public

My commission expires: May 22, 2006



**MORTGAGEE CONSENT**

The undersigned, BANKATLANTIC, the holder of a mortgage or mortgages encumbering all of the property in GENTLE WOODS PHASE 3, according to the plat thereof as recorded in Plat Book 57, pages 43, 43A, 43B, 43C and 43D, of the current public records of Duval County, Florida, joins in the execution of the Annexation, Amendment and Supplement to Declaration of Covenants, Conditions and Restrictions of Gentle Woods Phase I (the "Annexation") for the purpose of consenting to the Annexation.

DATED this 18<sup>th</sup> day of October, 2004.

Signed, sealed and delivered  
in the presence of:

Kay D. Hendrixson  
Print: Kay Hendrixson

James T. Pearce  
Print: James T. Pearce

BANKATLANTIC

BY: Michael P. Blevins  
Michael P. Blevins  
Its Senior Vice President

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was sworn to, subscribed and acknowledged before me by Michael P. Blevins, as Senior Vice President of BANKATLANTIC, on its behalf. He is personally known to me or produced \_\_\_\_\_ as identification.

Kay D. Hendrixson  
Notary Public, State of Florida

My commission expires \_\_\_\_\_



## Exhibit "A"

THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA, TOGETHER WITH A PORTION OF TRACTS 5, 6, 7 AND 8, BLOCK 1, SECTION 24, TOWNSHIP 3 SOUTH, RANGE 25 EAST, JACKSONVILLE HEIGHTS, AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 24; THENCE ON THE NORTH LINE THEREOF RUN NORTH 88 DEGREES 50 MINUTES 49 SECONDS EAST, A DISTANCE OF 659.90 FEET TO THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 1-295. (STATE ROAD NO. 9-A, ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION NO. 72001-2405 A 300.0 FOOT LIMITED ACCESS RIGHT OF WAY AS ESTABLISHED); THENCE ON LAST SAID LINE RUN THE FOLLOWING TWO (2) COURSES; 1) SOUTH 00 DEGREES 17 MINUTES 40 SECONDS WEST, A DISTANCE OF 2,290.54 FEET; 2) SOUTHERLY ALONG THE ARC OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 11,309.16 FEET, THROUGH A CENTRAL ANGLE OF 01 DEGREES 20 MINUTES 23 SECONDS, A DISTANCE OF 264.44 FEET TO A POINT LYING ON THE NORTHERLY RIGHT OF WAY LINE OF MORSE AVENUE (A VARIABLE WIDTH RIGHT OF WAY), SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 00 DEGREES 22 MINUTES 29 SECONDS EAST, 264.44 FEET; THENCE RUN THE FOLLOWING THREE (3) COURSES ON LAST SAID LINE; 1) SOUTH 86 DEGREES 37 MINUTES 26 SECONDS EAST, A DISTANCE OF 802.24 FEET; 2) SOUTH 00 DEGREES 46 MINUTES 13 SECONDS EAST, A DISTANCE OF 17.00 FEET; 3) NORTH 89 DEGREES 12 MINUTES 25 SECONDS EAST, A DISTANCE OF 722.83 FEET; THENCE, DEPARTING SAID NORTHERLY RIGHT OF WAY LINE, NORTH 24 DEGREES 48 MINUTES 52 SECONDS EAST, A DISTANCE OF 227.45 FEET; THENCE NORTH 56 DEGREES 17 MINUTES 39 SECONDS EAST, A DISTANCE OF 110.13 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 59 SECONDS EAST, A DISTANCE OF 103.65 FEET; THENCE NORTH 80 DEGREES 16 MINUTES 50 SECONDS EAST, A DISTANCE OF 51.56 FEET; THENCE NORTH 55 DEGREES 11 MINUTES 56 SECONDS EAST, A DISTANCE OF 140.33 FEET; THENCE SOUTH 86 DEGREES 08 MINUTES 55 SECONDS EAST, A DISTANCE OF 266.95 FEET TO A POINT LYING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 230.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09 DEGREES 16 MINUTES 55 SECONDS, A DISTANCE OF 37.26 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 04 DEGREES 37 MINUTES 11 SECONDS WEST, 37.22 FEET; THENCE NORTH 00 DEGREES 01 MINUTE 17 SECONDS EAST, A DISTANCE OF 436.12 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 43 SECONDS WEST, A DISTANCE OF 70.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTE 17 SECONDS EAST, A DISTANCE OF 100.00 FEET; THENCE NORTH 03 DEGREES 22 MINUTES 42 SECONDS WEST, A DISTANCE OF 50.09 FEET; THENCE NORTH 00 DEGREES 01 MINUTE 17 SECONDS EAST, A DISTANCE OF 100.69 FEET; THENCE NORTH 70 DEGREES 45 MINUTES 59 SECONDS WEST, A DISTANCE OF 3.26 FEET; THENCE NORTH 43 DEGREES 50 MINUTES 49 SECONDS EAST, A DISTANCE OF 102.23 FEET; THENCE NORTH 35 DEGREES 14 MINUTES 43 SECONDS EAST, A DISTANCE OF 60.68 FEET; THENCE NORTH 43 DEGREES 50 MINUTES 49 SECONDS EAST, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 46 DEGREES 09 MINUTES 11 SECONDS WEST, A DISTANCE OF 323.83 FEET; THENCE NORTH 01 DEGREES 09 MINUTES 11 SECONDS WEST, A DISTANCE OF 1053.03 FEET; THENCE SOUTH 88 DEGREES 50 MINUTES 49 SECONDS WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 01 DEGREES 09 MINUTES 11 SECONDS WEST, A DISTANCE OF 100.00 FEET TO THE PRESENT SOUTHERLY RIGHT OF WAY LINE OF 118TH STREET (A VARIABLE WIDTH RIGHT OF WAY); THENCE ON LAST SAID LINE RUN NORTH 88 DEGREES 50 MINUTES 49 SECONDS EAST, A DISTANCE OF 1219.89 FEET TO A POINT LYING ON THE WEST LINE OF GEORGE'S ADDITION TO CYPRESS GARDENS, ACCORDING TO PLAT BOOK 23, PAGE 1 OF SAID CURRENT PUBLIC RECORDS; THENCE ALONG SAID WEST LINE SOUTH 00 DEGREES 03 MINUTES 01 SECONDS WEST, A DISTANCE OF 920.89 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 59 SECONDS WEST, A DISTANCE OF 312.13 FEET; THENCE NORTH 86 DEGREES 21 MINUTES 14 SECONDS WEST, A DISTANCE OF 100.00 FEET TO A POINT ON A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 330.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04 DEGREES 47 MINUTES 56 SECONDS, A DISTANCE OF 27.64 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 01 DEGREES 14 MINUTES 47 SECONDS EAST, 27.63 FEET; THENCE SOUTH 88 DEGREES 50 MINUTES 49 SECONDS WEST, A DISTANCE OF 60.00 FEET TO THE INTERSECTION WITH A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 270.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45 DEGREES 00 MINUTES 00 SECONDS, A DISTANCE OF 212.06 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 21 DEGREES 20 MINUTES 49 SECONDS WEST, 206.65 FEET TO THE POINT OF TANGENT; THENCE SOUTH 43 DEGREES 50 MINUTES 49 SECONDS WEST, A DISTANCE OF 87.56 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, A DISTANCE OF 39.27 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 88 DEGREES 50 MINUTES 49 SECONDS WEST, 35.36 FEET; THENCE NORTH 46 DEGREES 09 MINUTES 11 SECONDS WEST, A DISTANCE OF 45.00 FEET; THENCE SOUTH 43 DEGREES 50 MINUTES 49 SECONDS WEST, A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.