

06/21/2016 08:52 AM

Instrument# 2016-112374 # 1

Book: 7267

Page: 2583

Prepared by
Record and Return to
Kevin Bond, Esq.
10475 Fortune Parkway, Suite 100
Jacksonville, FL 32256

**TWENTY SECOND AMENDMENT TO DECLARATION OF COVENANTS AND
RESTRICTIONS FOR THE HUNTER'S RIDGE SUBDIVISION VOLUSIA
COUNTY/FLAGLER COUNTY, FLORIDA**

WHEREAS, US Capital Alliance, LLC, a Florida Limited Liability Corporation, is the current Developer of the Hunters Ridge Subdivision;

WHEREAS, US Capital Alliance, LLC, is the successor developer to Hunter's Ridge Residential Golf Properties, Inc., a Florida corporation (hereinafter referred to as "Hunter's Ridge RGP");

WHEREAS, Hunter's Ridge RGP was the successor by merger between Hunter's Ridge Residential Golf Properties, Inc., a Florida corporation, Hunter's Ridge Golf Company, Inc., a Florida corporation, and Hunter's Ridge Timber Company, Inc., a Florida corporation (collectively, the "Hunters Ridge Corporations"), who, as tenants in common, were the Developer of the Hunter's Ridge Subdivision;

WHEREAS, previous Amendments to the Declaration of Covenants and Restrictions for the Hunter's Ridge Subdivision, Volusia County/Flagler County, Florida have erroneously referred to the Hunter's Ridge Corporations as the "predecessor" developer to Georgia Pacific Investment Company, an Oregon corporation, and the Original Developer of the Subdivision, the FLA-GA Venture Group, a Florida general Partnership;

WHEREAS, the Hunter's Ridge Corporations were in fact the successor developer to Georgia Pacific Investment Company, an Oregon corporation, and the Original Developer of the Subdivision, the FLA-GA Venture Group, a Florida general partnership (hereinafter the foregoing developers are inclusively and collectively referred to as the "Developer");

WHEREAS, on the 24th day of April, 1990 the Developer recorded the Declaration of Covenants and Restrictions for the Hunter's Ridge Subdivision, Volusia County/Flagler County, Florida et al. at Official Records Book 3457, Pages 1623-1676, Public Records of Volusia County, Florida, and subsequently at Official Records Book 1512, Page 1642, Public Records of Flagler County, Florida (the "Declaration"), which Declaration has been amended as follows:

- a. First Amendment to said Declaration at Official Records Book 3600, Pages 1212-1217, Public Records of Volusia County, Florida, and at Official Records Book 1512, Page 1688, Public Records of Flagler County;
- b. Second Amendment to said Declaration at Official Records Book 3710, Page 3559, Public Records of Volusia County, Florida, and at Official Records Book 1512, Page 1694, Public Records of Flagler County, Florida;
- c. Third Amendment to said Declaration at Official Records Book 3771, Pages 3128-3132, Public Records of Volusia County, Florida, and at Official Records Book 1512, Page 1697, Public Records of Flagler County, Florida;
- d. Fourth Amendment to said Declaration at Official Records Book 4031, Pages 1727-1733, Public Records of Volusia County, Florida and at Official Records Book 1512, Page 1702, Public Records of Flagler County, Florida;
- e. Fifth Amendment to said Declaration at Official Records Book 4067, Pages 2967-2969, Public Records of Volusia County, Florida and at Official Records Book 1512, Page 1709, Public Records of Flagler County, Florida;
- f. Sixth Amendment to said Declaration at Official Records Book 4160, Page 4276, Public Records of Volusia County, Florida and at Official Records Book 1512, Page 1712, Public Records of Flagler County, Florida;
- g. Seventh Amendment to said Declaration at Official Records Book 4286, Page 4436, Public Records of Volusia County, Florida and at Official Records Book 1512, Page 1716, Public Records of Flagler County, Florida;
- h. First Eighth Amendment to said Declaration at Official Records Book 4318, Page 2090, Public Records of Volusia County, Florida;
- i. Second Eighth Amendment to said Declaration at Official Records Book 4551, Page 1550, Public Records of Volusia County, Florida and at Official Records Book 1512, Page 1720, Public Records of Flagler County, Florida;
- j. Ninth Amendment to said Declaration at Official Records Book 5099, Page 3685, Public Records of Volusia County, Florida and at Official Records Book 1512, Page 1724, Public Records of Flagler County, Florida;
- k. Tenth Amendment to said Declaration at Official Records Book 5259, Page 585, Public Records of Volusia County, Florida and at Official Records Book 1512, Page 1728, Public Records of Flagler County, Florida;
- l. Eleventh Amendment to said Declaration at Official Records Book 5373, Page 958, Public Records of Volusia County, Florida and at Official Records Book 1512, Page 1736, Public Records of Flagler County, Florida;
- m. Twelfth Amendment to said Declaration at Official Records Book 5976, Page 4228, Public Records of Volusia County, Florida and at Official Records Book 1751, Page 1511, Public Records of Flagler County, Florida;
- n. Thirteenth Amendment to said Declaration at Official Records Book 6159, Page 2886, Public Records of Volusia County, Florida and at Official Records Book 1751, Page 1519, Public Records of Flagler County, Florida;
- o. Fourteenth Amendment to said Declaration at Official Records Book 6192, Page 1130, Public Records of Volusia County, Florida and at Official Records Book 1751, Page 1524, Public Records of Flagler County, Florida;

- p. Fifteenth Amendment to said Declaration at Official Records Book 6225, Page 1958, Public Records of Volusia County, Florida and at Official Records Book 1751, Page 1530, Public Records of Flagler County, Florida;
- q. Sixteenth Amendment to said Declaration at Official Records Book 6431, Page 4443, Public Records of Volusia County, Florida and at Official Records Book 2121, Page 1071, Public Records of Flagler County, Florida;
- r. Seventeenth Amendment to said Declaration at Official Records Book 6471, Page 3046, Public Records of Volusia County, Florida and at Official Records Book 1767, Page 303, Public Records of Flagler County, Florida;
- s. Eighteenth Amendment to said Declaration at Official Records Book 6698, Page 2024, Public Records of Volusia County, Florida and at Official Records Book 1861, Page 743, Public Records of Flagler County, Florida;
- t. Nineteenth Amendment to said Declaration at Official Records Book 7239, Page 297, Public Records of Volusia County, Florida and at Official Records Book 1982, Page 877, Public Records of Flagler County, Florida;
- u. Amended Seventeenth Amendment to said Declaration at Official Records Book 7006, Page 4351, Public Records of Volusia County, Florida and at Official Records Book 1987, Page 274, Public Records of Flagler County, Florida;
- v. Twentieth Amendment to said Declaration at Official Records Book 7047, Page 2628, Public Records of Volusia County, Florida and at Official Records Book 2030, Page 1184, Public Records of Flagler County, Florida; and
- w. Twenty First Amendment to said Declaration at Official Records Book 7094, Page 3290, Public Records of Volusia County, Florida and at Official Records Book 2059, Page 1855, Public Records of Flagler County, Florida;

WHEREAS, the Hunters Ridge Homeowners Association of East Florida, Inc. (the "Owner's Association") has the power and authority to enforce the Declaration in accordance with the terms thereof;

WHEREAS, KB Home Jacksonville LLC, is the record title owner of the real property more particularly described on Exhibit "A" attached hereto, and said real property is located within the Hunter's Ridge Subdivision and KB Home Jacksonville LLC, desires that said real property be incorporated within the Subdivision;

WHEREAS, pursuant to Article V, Section 5.1 of said Declaration, the Developer has the right to amend, modify or rescind such parts of the Declaration as it, in its sole discretion, deems necessary or desirable as long as such amendment, modification or rescission does not substantially change the character, nature or general scheme of development of the Subdivision; and

WHEREAS, the Developer has determined it desirable to amend portions of said Declaration of Covenants and Restrictions in a manner which does not substantially change the character, nature, or general scheme of the development of the Subdivision as provided herein below:

1. In order to correct a typographical error in the name of the corporation identified therein, Article I, Paragraph (k), is hereby amended to read as follows:

“Owners Association” shall mean and refer to the Hunter’s Ridge Homeowners Association of East Florida, Inc., a Florida Corporation not for profit, and its successors and assigns, the members of which shall consist of owners of “Lots” in the Subdivision, including Lots in the future units or phases of the Subdivision hereinafter platted and recorded in the Public Records of Volusia County and/or Flagler, County, Florida.

2. Exhibit “A” to the Declaration of Covenants and Restrictions for the Hunter’s Ridge Subdivision, as amended by prior amendments to the said Declaration of Covenants and Restrictions, is again amended by adding the legal description of Deer Creek Phase Four Unit C of Hunter’s Ridge Subdivision, a replat of Tract 4C Deer Creek Phase Four Unit A of Hunter’s Ridge Subdivision, according to the Plat thereof, as recorded in Plat Book 55, Pages 93 through 100, of the Public Records of Volusia County, Florida, said legal description being attached hereto as Exhibit “A” and incorporated herein.

3. Article IV, Section 4.3 is hereby amended by adding the following paragraphs:

Assessments on each lot shall not be due on the lots within Deer Creek Phase Four Unit C of Hunter’s Ridge Subdivision referenced in the immediately preceding paragraph until the earlier of:

- (a) One year from the date of execution of this Amendment; or
- (b) Upon the transfer of any of the Lots or any residential dwelling(s) within Deer Creek Phase Four Unit C of Hunter’s Ridge Subdivision by KB Home Jacksonville LLC.

At the time the assessments are made against the lot or dwelling unit as stated hereinabove in paragraph (a) or (b), the owner of any such lot or dwelling unit shall immediately become a member of the Association and entitled to vote in accordance with the terms and conditions set forth in the Hunter’s Ridge Covenants and Restrictions.

Until such time as assessments are made against the lot or dwelling unit as stated hereinabove in paragraph (a) or (b), KB Home Jacksonville LLC, shall be solely responsible for the following: installation and maintenance of any and all trees, shrubbery, plants and flowers; install and maintain the entry signage in good repair and clean condition; install and maintain any and all landscaping including but not limited to, sprinkler systems, mowing, weeding, and trimming of all common areas; construction and maintenance of all road easements including the

front six feet (6') of each lot and drainage swales or systems; and monitoring and maintaining any and all wetlands and ponds. The Owner's Association shall have no obligation to maintain any portion of the property in Deer Creek Phase Four Unit C of Hunter's Ridge Subdivision, until such time as assessments are made and collected as provided herein.

If, in the sole opinion of the Developer, the property within Deer Creek Phase Four Unit C of Hunter's Ridge Subdivision, is not maintained as set forth above, in accordance with the standards for the Subdivision, then the Owner's Association may, but is not otherwise obligated to, undertake whatever landscaping work or such other work as is needed to meet the standards of the Subdivision. The Owner's Association shall have a lien against Deer Creek Phase Four Unit C, or that portion owned by KB Home Jacksonville LLC, for the full costs and expense of such work. Such lien shall be perfected and enforced in the same manner as any of the Owner's Association's other liens.

4. Except as specifically amended hereinabove or in the amendments to Declaration of Covenants and Restrictions referenced above, the Declaration of Covenants and Restrictions for the Hunter's Ridge Subdivision, Volusia County/Flagler County, Florida, are unchanged and remain in full force and effect. In the event of a conflict between any provision of this Twenty Second Amendment and any provision of the prior Amendments, the provisions of this Twenty Second Amendment shall prevail.

[signature pages follow]

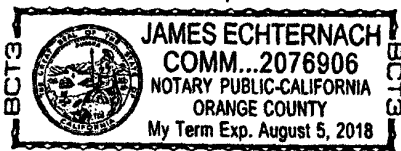
DEVELOPER:

WITNESS:

US Capital Alliance, LLC,
a Florida Limited Liability CorporationBy: Allan Feker
Date: 2/4/16Kevin Mota
Jason Bil
Jason BilSTATE OF California
COUNTY OF Orange

I HEREBY CERTIFY that I am an Officer duly authorized in the State and County aforesaid to take acknowledgements and that on this day personally appeared before me Allan Feker as the Manager of US Capital Alliance, LLC, well known to me to be the Developer of Hunter's Ridge Subdivision, and that he/she executed the above referenced documents freely and voluntarily under authority duly vested in him/her by said Limited Liability Corporation.

WITNESS MY HAND AND OFFICIAL SEAL in the County and State aforesaid this 27 day of April, 2016.

James Echternach
Notary Public

WITNESSES:

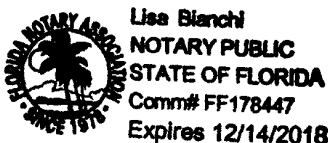
W-72
Lisa Bianchi

KB Home Jacksonville LLC

By: [Signature]
Date: 5/3/16STATE OF FLORIDA
COUNTY OF Duval

I HEREBY CERTIFY that I am an Officer duly authorized in the State and County aforesaid to take acknowledgements and that on this day personally appeared before me Todd Holder as the Division President of KB Home Jacksonville LLC, and that he/she executed the above referenced documents freely and voluntarily under authority duly vested in him/her by said entity.

WITNESS MY HAND AND OFFICIAL SEAL in the County and State aforesaid this 3rd day of May, 2016.

Lisa Bianchi
Notary Public

Instrument# 2016-112374 # 7
Book : 7267
Page : 2589
Diane M. Matousek
Volusia County, Clerk of Court

Exhibit "A"

Legal Description

TRACT 4C, DEER CREEK PHASE FOUR UNIT A OF HUNTER'S RIDGE
SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN
PLAT BOOK 55, PAGES 93-100, OF THE PUBLIC RECORDS OF VOLUSIA
COUNTY, FLORIDA.

CONTAINING 16.50 ACRES OF LAND MORE OR LESS.

FCC RD