

SECOND AMENDMENT TO
THE DECLARATION OF
COVENANTS AND RESTRICTIONS
FOR OCEAN TRACE

COMES NOW CSC INVESTMENT PROPERTIES, INC., a Florida corporation, the Developer and owner of the lands located in St. Johns County, Florida now platted as the Ocean Trace Sub-division as recorded in Map Book 32, Page 18 & 19 of the Public Records of St. Johns County, Florida, by and through its undersigned President and Secretary, and hereby amends the DECLARATION OF COVENANTS AND RESTRICTIONS FOR OCEAN TRACE as recorded in Official Records Book 1275, Page 1055 of the Public Records of St. Johns County, Florida for the purpose of defining "Common Elements" to include the white, vinyl fencing surrounding the sewage system pump station located within the boundaries of the subdivision and requiring the Homeowners' Association to maintain said fencing. This amendment is made pursuant to the provisions of Article XXII, Section 12.8 of said Declaration.

The Declaration of Covenants and Restrictions for Ocean Trace is hereby amended, as follows (additions are underlined; deletions are ~~stricken~~):

Article I, Section 1.1(g): "Common Property" means all of the Property, except the Lots, together with any improvements thereon, and all personal property intended for the common use and enjoyment of the Owners and any area within the Property which the Association is obligated to maintain, notwithstanding that it may not own the underlying fee simple title to such areas. The Common Property is not dedicated for use by the general public. The Common Property shall specifically include, without limitation, sign and landscape features (including, but not limited to, those shown on the plat of the Property), entry features (including easement, sign, landscaping, lighting, and entry wall), any perimeter fencing or walls, all landscaping not located within a Lot, and the Stormwater Management System (defined Below) and the white vinyl fencing surrounding the sewage system pump station located within the boundaries of the subdivision.

Article IV, Section 4.1 (b): Maintenance. It shall be the duty of the Association to manage and maintain the Common Property in a clean, attractive, sanitary and serviceable condition, and in good order and repair for the benefit of all Owners. The Association's

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duties shall commence upon the completion of any improvements upon the Common Property, irrespective of which entity holds title thereto, and servicing, replacement, and renewal of all improvements, equipment, and tangible personal property installed by Developer as a part of Association assumes and agrees to be responsible for the maintenance and operation of the Stormwater Management System and Stormwater Management System permits. The Association shall keep the improvements located on the Common Property, including fixtures insurable replacement value, excluding foundation and excavation costs, as determined by the Board of Directors. The Association shall also maintain all landscaping on the Common property, provided that neither Developer nor the Association shall be deemed the guarantor of such landscaping. The cost of landscaping shall be a part of the Annual Assessments. The Association shall maintain, repair and replace at Association expense the white vinyl fencing surrounding the sewage system pump station located within the boundaries of the subdivision.

EXECUTED this 20th day of May, 1998.

CSC INVESTMENT PROPERTIES, INC.

ATTEST:

Lara K. Burton
Its Secretary

(seal)

By:

Carl Denard
CARL DENARD, President

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STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared CARL DENARD, President, of the corporation named CSC INVESTMENT PROPERTIES, INC., who is known to me or who has produced 10-109-0348-ERP as identification, and that he acknowledged executing the same freely and voluntarily on behalf of said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State aforesaid this 20th day of May, 1998.

Cynthia A. Drew
Notary Public, State of Florida



CYNTHIA A. DREW
MY COMMISSION # CC-480173 EXPIRES
July 12, 1999
DONATED THRU TROY FAN INSURANCE, INC.