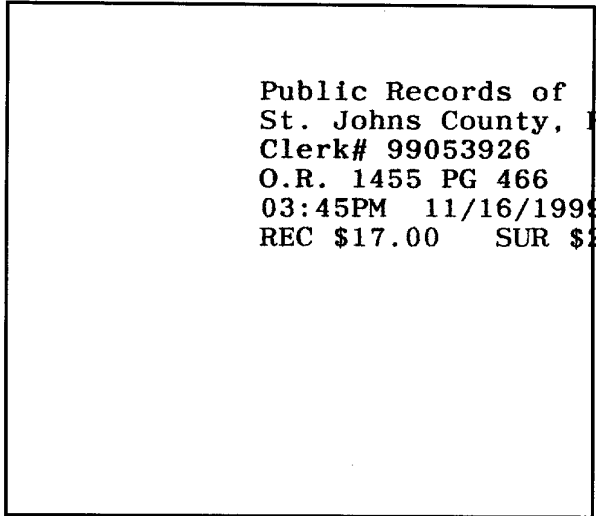


5007

This instrument prepared by and return to:  
JOHN L. WHITEMAN, ESQ.  
Rogers Towers Bailey Jones & Gay  
170 Malaga Street, Suite A  
St. Augustine, Florida 32085



Public Records of  
St. Johns County, FL  
Clerk# 99053926  
O.R. 1455 PG 466  
03:45PM 11/16/1999  
REC \$17.00 SUR \$2.50

**NOTICE OF AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS OF MOSES CREEK ESTATES PHASE 1**

STATE OF FLORIDA        )  
                                      ) ss  
COUNTY OF ST. JOHNS )

The Declaration of Covenants, Conditions, Restrictions and Easements of Moses Creek Estates Phase 1, originally made August 24, 1999, and recorded in the Official Records of St. Johns County, Florida at Official Record Book 1444, pages 32 through 59, hereinafter referred to as the "Protective Covenants", have been amended by the Board of Directors of Moses Creek Estates Developers, Inc. ("Board"), in accordance with Article XI, Section 5 of the Protective Covenants. The amendments are fully described in Resolution adopted by the Board on November 12, 1999, a copy of which is attached hereto and incorporated herein by reference as Exhibit "A".

With the exception of the provisions specifically amended by the Board as stated in Exhibit "A", all provisions of the Protective Covenants remain unchanged and continue in full force and effect.

IN WITNESS WHEREOF, this Notice has been executed this 16 day of November, 1999, and recorded in the Official Records of St. Johns County, Florida.

Signed, sealed & delivered in the presence of:

**MOSES CREEK ESTATES DEVELOPERS, INC.**

Roberta J. Halyburton  
Witness

Thomas Migliaccio  
Thomas Migliaccio, President

Roberta J. Halyburton  
Printed Witness Name

Christie Ochkie

Witness

**CHRISTINE M. OCHKIE**

Printed Witness Name

The foregoing instrument was acknowledged before me this 16 day of November 1999, by Thomas Migliaccio, as President of Moses Creek Estates Developers, Inc., on behalf of the entity, who [] is personally known to me; or [] has produced \_\_\_\_\_ as identification.



Christine M. Ochkie  
MY COMMISSION # CC707866 EXPIRES  
January 13, 2002  
BONDED THRU TROY FAIR INSURANCE, INC.

Christie Ochkie

Notary Public, State of Florida  
**CHRISTINE M. OCHKIE**

Printed Notary Name

My Commission Expires: \_\_\_\_\_

My Commission No. \_\_\_\_\_

COPY

MOSES CREEK ESTATES DEVELOPERS, INC.

RECORD OF ACTION  
BY BOARD OF DIRECTORS WITHOUT MEETING

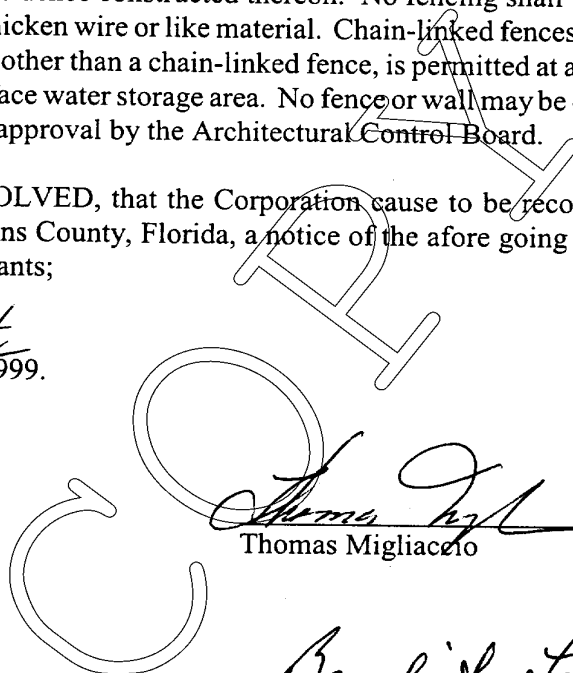
Pursuant to Section 607.0821, Florida Statutes, the undersigned, being all of the members of the Board of Directors of Moses Creek Estates Developers, Inc., a Florida corporation (the "Corporation"), do hereby consent to the following resolutions in lieu of a formal meeting:

RESOLVED, that the Corporation, as Declarant under the Declaration of Covenants, Conditions, Restrictions and Easements of Moses Creek Estates Phase 1 (hereinafter the "Protective Covenants"), pursuant to Article XI, Section 5 of the Protective Covenants, does hereby amend Article V, Section 7.(h) of the Protective Covenants to read as follows:

(h) Fences and Walls. All fences and wall shall be a maximum height of six (6) feet and no fence or wall shall be constructed on any part of a lot located in front of the rear line of the residence constructed thereon. No fencing shall be made of barbed wire, hog wire, chicken wire or like material. Chain-linked fences may be permitted. No fence or wall, other than a chain-linked fence, is permitted at any location on any lot abutting a surface water storage area. No fence or wall may be constructed on any lot without prior approval by the Architectural Control Board.

FURTHER RESOLVED, that the Corporation cause to be recorded in the public records of St. Johns County, Florida, a notice of the afore going amendment to the Protective Covenants;

Date: November 12<sup>th</sup>, 1999.

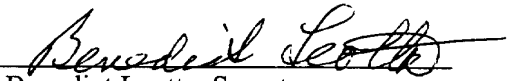


*Thomas Migliaccio*  
Thomas Migliaccio

*Benedict Leotta*  
Benedict Leotta

*Arnold R. DeLorenzo*  
Arnold R. DeLorenzo

Filed in the minutes of the Corporation this 12<sup>th</sup> day of November, 1999.

  
Benedict Leotta, Secretary

rsfjkc\18097\resoluti

COPY