

PREPARED BY & RETURN TO:
Barry B. Ansbacher
Ansbacher & McKeel, P.A.
8818 Goodbys Executive Drive
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Jacksonville, Florida 32217-4692
File No. 070112
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RECORD IN DUVAL COUNTY

FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, AND EASEMENTS
FOR
WESTON

THIS FIRST Amendment is made as of the 30TH day of April, 2009 by the members of the **Weston Community Homeowners Association, Inc.**, a Florida not-for-profit Corporation (the "Association") joined by **N and N Development, Inc.**, a Florida Corporation (the "Developer").

STATEMENT OF FACTS:

- A. The Developer established WESTON, a subdivision, according to plat thereof recorded in Plat Book 63, pages 106 through 109, inclusive of the public records of Duval County, Florida; and established the *Declaration of Covenants, Conditions, Restrictions, and Easements for WESTON* (the "Declaration") recorded in Official Records Volume **13928**, page **68** of the public records of Duval County, Florida on April 17, 2007 as Document No. **2007127078**.
- B. Although the Declaration refers to the Association as the "*WESTON Homeowners Association, Inc.*" the actual name of the Association is *WESTON Community Homeowners Association, Inc. incorporated with the Florida Department of State under Document No. NO9000005023*
- C. Developer controls a majority of the votes of the "Class A Members", and is the sole "Class B Member" of the "Association," as such terms are defined in the Declaration.
- D. A meeting of the Association was held on **April 30 2009**, at which meeting a quorum of the Class A Members was present and the Class B Member was present. This Amendment was approved by at least a majority of the Class A

Members and was approved by the Class B Member and the President of the Association was authorized to execute this Amendment by and for the Association pursuant to Section 8.9(b) of the Declaration.

- E. The Developer has also joined in the execution to evidence the Developer's intent to effect changes to the Declaration as permitted under Sections 8.2, and 8.9(a) of the Declaration.

NOW THEREFORE, for and in consideration of the above premises and for other good and valuable consideration, the Association and the Developer amend the Declaration as follows:

1. The Background is incorporated. Terms defined in the Declaration will have the same meaning when used in this instrument, except where this instrument specifies a new definition.

2. The name of the Association referred to in Statement of Facts B, and in Section 1.1 is amended to read: "*WESTON Community Homeowners Association, Inc.*"

3. Section 5.2 is amended and restated in its entirety to read as follows:

5.2 Minimum Size. *Each dwelling located on a Lot must contain not less than 1,800 square feet of enclosed or partially enclosed floor area (inclusive of garages, carports and open or screened porches, terraces or patios). The Developer may, in the Developer's sole discretion, waive this minimum as to one or more Lots, by recording a waiver in the public records.*

4. Section 6.7 is amended and restated in its entirety to read as follows:

6.7 Parking of Wheeled Vehicles, Boats. *Except as below provided no wheeled vehicles of any kind, boats, or any offensive objects as determined by rules enacted by the Board, may be kept or parked on any roads shown on the Plat or upon any Lot, except completely inside a garage attached to the residential dwelling, or completely enclosed by fencing approved by the Developer or Association so as not to be visible from adjacent Lots or streets. Notwithstanding the foregoing, (i) private automobiles or trucks (excluding recreational vehicles, travel trailers, trailers and campers) of the occupants of a residential dwelling constructed on a Lot and those of their guests may be parked in such driveways provided the gross vehicle rate as determined by the manufacturer is less than 6,000 pounds and provided that the vehicle has no more than 4 wheels, (ii), commercial vehicles (including, without limitation, all vehicles with tradenames, logos or advertising exclusive of the name of the automobile manufacturer and/or dealer) may be parked in such driveways during the times necessary for pickup and delivery service and solely for the purpose of such services, and (iii) recreational vehicles, travel trailers, trailers and campers may be parked in the driveway of Lot for up to a total of 12 hours per calendar week, provided the same are not connected to any water well and/or septic tank or used as a place of residence by anyone on any of the Lots. Notwithstanding, the owners of a Lot may keep and park within the garage or driveway one (1) operational commercial vehicle and not be subject to the limitations otherwise applicable to commercial vehicles provided that (a) the commercial vehicle is owned by the Owner or assigned to the Owner as their primary vehicle, (b) the vehicle is maintained in good condition, (c) the vehicle has a gross vehicle weight as determined by the*

manufacturer of less than 6,000 pounds, (d) the vehicle has no more than 4 wheels, and (e) the Owners register the vehicle with the Association and pay any applicable vehicle registration fee that the Association may impose.

IN WITNESS WHEREOF, the Developer has caused this Declaration to be executed and the Association has directed its President to execute this Declaration this Declaration to be executed on its behalf.

N and N Development Inc.,
a Florida corporation (Corporate Seal)

By: L. D. Nichols
L. D. Nichols, President

"DEVELOPER"

Address 752 Blanding Boulevard, Suite 110
Orange Park, Florida 32065

WITNESSES: (2 REQUIRED, NOTARY CAN ALSO SIGN AS A WITNESS)

1 Sherry D. Olmstead
First Witness Signature

1 SHERRY D. OLMSTEAD
First Witness Printed Name

2 [Signature]
Second Witness Signature

2 Frank B Highsmith
Second Witness Printed Name

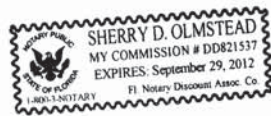
NOTARY ACKNOWLEDGEMENT:

State of Florida
County of Clay

The foregoing instrument was acknowledged before me this 30th day of April, 2009 by L. D. Nichols, as President, for N and N Development, Inc., a Florida Corporation.

Sherry D. Olmstead
Notary Public, State of Florida

Personally Known
 Produced _____ as identification



Weston Community Homeowners Association, Inc.,
a Florida not-for-profit corporation (Corporate Seal)

By: L. D. Nichols
L. D. Nichols, President

"ASSOCIATION"

Address 752 Blanding Boulevard, Suite 110
Orange Park, Florida 32065

WITNESSES: (2 REQUIRED, NOTARY CAN ALSO SIGN AS A WITNESS)

1 Sherry D. Olmstead
First Witness Signature

2 [Signature]
Second Witness Signature

1 SHERRY D. OLMSTEAD
First Witness Printed Name

2 Frank B Highman
Second Witness Printed Name

NOTARY ACKNOWLEDGEMENT:

State of Florida
County of Clay

The foregoing instrument was acknowledged before me this 30th day of April, 2009 by L. D. Nichols, as President, for **Weston Community Homeowners Association, Inc.**

Sherry D. Olmstead
Notary Public, State of Florida

Personally Known
 Produced _____ as identification

