

This instrument prepared by/return to:
James Roche, Esq.
Jackson Law Group
1301 Plantation Island Drive, Suite 304
St. Augustine, FL 32080

CERTIFICATE OF AMENDMENT
OF THE
SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR BRADY POINT PRESERVE

THIS FIRST AMENDMENT to the Second Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Brady Point Preserve ("Declaration") is made this 10th day of November, 2016. The undersigned officers of Brady Point Preserve Community Association, Inc. ("Association") hereby certify that the following amendment to the Declaration was proposed by the Board of Directors and approved by at least a majority of the membership represented in person or by proxy at a duly noticed and convened membership meeting of the Association held on November 10, 2016 in accordance with the procedures prescribed by the Declaration and Bylaws. The following provisions shall amend the provisions of the Declaration recorded at Book 1922, Page 285, et seq. of the Official Public Records of Nassau County, Florida.

(Additions are indicated by underline, deletions by ~~strikethrough~~)

ARTICLE 5: Architectural Design Criteria

Section 7. Natural Buffers. The purpose of Natural Buffers is to ensure the preservation and conservation of natural buffer or "greenbelt" areas along all Common Roads, between each Lot, and along all Wetland Preservation Areas, Recreation Areas, Open Space Areas and Water Management System. Some Natural Buffer areas may have additional restrictions if such areas are also part of Wetland Buffers or Wetland Preservation Areas.

(a) Preservation of Natural Buffers. Natural Buffers shall be preserved in their natural condition except as provided below:

(ii) Overgrown shrubs and unsightly understory plant material may be trimmed or removed from Natural Buffers as necessary to eliminate unattractive or aesthetically inconsistent vegetation. Especially included are saplings and shrubs that may have grown or filled in along the edges of Common Roads. The Board or ARC (if delegated) shall have the sole discretion to remove or permit removal of any flora or plant material of any nature from Natural Buffers, Wetland Buffers, and other Common Area but such discretion shall be in accordance with this Declaration and any applicable conservation easements and agreements. Removal, trimming, or other alteration of any flora or plant material of any nature on Lots shall be considered an Improvement and subject to Board or ARC (if delegated) approval as provided in Article 4 herein. After receipt of an application for removal, trimming, or alteration of flora or plant material by the Board or ARC, as applicable, the Board, ARC, or its agent may mark or otherwise identify any particular plant material to remain unaffected and may otherwise impose limitations and conditions on any proposed removal, trimming, or alteration of flora or plant material. The foregoing shall not be interpreted to prevent or require approval for routine maintenance, trimming, and shaping of previously approved and installed landscape features.

(ii)(iii) A single driveway, to be approved by the Association, with a cleared width not to exceed thirty (30) feet and a paved surface not to exceed fifteen (15) feet may be maintained through all front or street buffers;

(iii)(iv) Utilities (water, sewer, underground electric, cable TV and telephone) may be placed through all Natural Buffers, as necessary except that destroyed or removed vegetation shall be replaced;

(iv)(v) A second and permanent driveway may be allowed where the depth of the Lot or unique topographic or vegetative conditions make vehicular circulation impractical without a second driveway. A second driveway is subject to the same standards as noted in paragraph 7(a)(ii) above and must be approved by the Association; and

(vi) Construction access is only allowed through the permanent driveway location(s) except for installations of utilities as noted above.

IN WITNESS WHEREOF, the President and Secretary of Brady Point Preserve Community Association, Inc. have executed this certificate on this ____ day of _____, 2016.

Witnesses

Brady Point Preserve Community Association, Inc.

Shirlene Reeves
Signature of Witness 1

David Caples
Signature of President

Shirlene Reeves
Printed

DAVID J. CAPLES
Printed

S. Nolan Bray
Signature of Witness 2

Stephen J. Borusovic
Signature of Secretary

S. Nolan Bray
Printed

STEPHEN J. BORUSOVIC
Printed

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this 10 day of November, 2016, by David Caples, as President and by Stephen Borusovic, as Secretary of Brady Point Preserve Community Association, Inc.



Jamie Branan
(Signature of Notary Public - State of Florida)
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known or Produced Identification
Type of Identification Produced: _____