

5 MIN. RETURN
PHONE # 3983411

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HENRY W COOK
CLERK CIRCUIT COURT
DUVAL COUNTY
TRUST FUND \$ 2.50
RECORDING \$ 17.00

**FIFTH AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF ORTEGA BLUFFS**

THIS FIFTH AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS (the "Fourth Amendment") made this 29th day of
September 2000, by ORTEGA BLUFFS, INC., a Florida corporation, (hereinafter referred to
as the "Developer").

RECITALS

A. Developer has executed and caused to be recorded that certain Declaration of
Covenants, Conditions and Restrictions of Ortega Bluffs, being dated August 30, 1993 and recorded
in Official Records Volume 7657, pages 1019 through 1032, as amended by that certain First
Amendment to Declaration of Covenants, Conditions and Restrictions of Ortega Bluffs dated
February 12, 1998 and recorded in Official Records Volume 8853, pages 604 through 606 and as
further as amended by that certain Second Amendment to Declaration of Covenants, Conditions and
Restrictions of Ortega Bluffs dated March 26, 1999 and recorded in Official Records Volume 9241,
pages 1492 through 1494, and as further as amended by that certain Third Amendment to
Declaration of Covenants, Conditions and Restrictions of Ortega Bluffs dated December 29, 1999
and recorded in Official Records Volume 9506, pages 620 through 623, and as further as amended
by that certain Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of

(4)

Ortega Bluffs dated April 6, 2000 and recorded in Official Records Volume 9594, pages 818 through 820, all of the current public records of Duval County, Florida (collectively, the "Declaration").

B. Developer now desires to amend the Declaration to annex additional lands as permitted by Section 7.6 of the Declaration, which additional lands are more particularly described as follows:

See Exhibit "A" attached hereto and by this reference made a part hereof (the Additional Lands").

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the undersigned has caused this Fifth Amendment to be executed and amend the Declaration as follows:

1. The Additional Lands are hereby annexed and made subject to the Declaration.
2. Except as modified herein the original Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Developer has caused the foregoing Declaration to be executed by a duly authorized officer, on the date set forth above.

"Developer"

Signed, sealed and delivered in the presence of:

ORTEGA BLUFFS, INC., a Florida corporation

Cecile Evans Rider
Name: Cecile Evans Rider

By: Kelley D. Ferguson
Kelley D. Ferguson
Its: President

Marsha Sham
Name: Marsha Sham

(CORPORATE SEAL)

STATE OF FLORIDA)
)
COUNTY OF DUVAL)

The foregoing Amendment to Declaration was acknowledged before me this 29th day of September, 2000, by Kelley D. Ferguson, the President of ORTEGA BLUFFS, INC., a Florida corporation, who is personally known to me or who has produced _____ as identification, and who executed this instrument on behalf of the corporation.

Cecile Evans Rider
Notary Public, State of Florida



Cecile Evans Rider
MY COMMISSION # CCB61529 EXPIRES
September 28, 2003
BONDED THRU TROY FAIN INSURANCE, INC.

A PARCEL OF LAND BEING A PORTION OF BLOCK 4, SECTION 29, TOWNSHIP 3 SOUTH, RANGE 26 EAST, JACKSONVILLE HEIGHTS, ACCORDING TO PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF ORTEGA BLUFF UNIT THREE-B, ACCORDING TO PLAT BOOK 53, PAGES 41 THROUGH 41D, OF SAID CURRENT PUBLIC RECORDS; THENCE ON THE EASTERLY BOUNDARY OF ORTEGA BLUFF UNIT THREE-A, ACCORDING TO PLAT BOOK 53, PAGES 14 THROUGH 14H, OF SAID CURRENT PUBLIC RECORDS RUN THE FOLLOWING 5 COURSES: 1) NORTH 06 DEGREES 47 MINUTES 44 SECONDS EAST 153.08 FEET; 2) NORTH 83 DEGREES 12 MINUTES 16 SECONDS WEST 80.00 FEET; 3) NORTHERLY ON THE ARC OF A CURVE CONCAVE TO THE WESTERLY AND HAVING A RADIUS OF 1960.00 FEET, A CHORD DISTANCE OF 47.33 FEET, THE BEARING OF SAID CHORD BEING NORTH 06 DEGREES 06 MINUTES 14 SECONDS EAST; 4) NORTH 05 DEGREES 24 MINUTES 44 SECONDS EAST 422.30 FEET; 5) NORTHERLY ON THE ARC OF A CURVE CONCAVE TO THE EASTERLY AND HAVING A RADIUS OF 390.00 FEET, A CHORD DISTANCE OF 100.93 FEET, THE BEARING OF SAID CHORD BEING NORTH 12 DEGREES 50 MINUTES 48 SECONDS EAST; THENCE SOUTH 89 DEGREES 43 MINUTES 09 SECONDS EAST 203.42 FEET; THENCE NORTH 71 DEGREES 15 MINUTES 05 SECONDS EAST 200.92 FEET; THENCE SOUTH 87 DEGREES 39 MINUTES 08 SECONDS EAST 414.84 FEET; THENCE SOUTH 67 DEGREES 58 MINUTES 22 SECONDS EAST 351.39 FEET; THENCE SOUTH 30 DEGREES 44 MINUTES 57 SECONDS WEST 149.24 FEET TO THE NORTHWEST CORNER OF TRACT 2, SAID BLOCK 4, SECTION 29, TOWNSHIP 3 SOUTH, RANGE 26 EAST, JACKSONVILLE HEIGHTS; THENCE ON THE WEST LINE THEREOF SOUTH 00 DEGREES 18 MINUTES 00 SECONDS WEST 222.02 FEET TO THE SOUTH LINE OF THE NORTH 1/3 OF SAID TRACT 2; THENCE ON LAST SAID LINE SOUTH 89 DEGREES 42 MINUTES 30 SECONDS EAST 161.33 FEET; THENCE SOUTH 00 DEGREES 17 MINUTES 30 SECONDS WEST 95.00 FEET; THENCE SOUTH 89 DEGREES 42 MINUTES 30 SECONDS EAST 50.00 FEET; THENCE NORTH 00 DEGREES 17 MINUTES 30 SECONDS EAST 95.00 FEET TO SAID SOUTH LINE OF THE NORTH 1/3 OF TRACT 2; THENCE ON LAST SAID LINE SOUTH 89 DEGREES 42 MINUTES 30 SECONDS EAST 450.37 FEET TO THE EAST LINE OF SAID SECTION 29; THENCE ON LAST SAID LINE SOUTH 00 DEGREES 18 MINUTES 00 SECONDS WEST 444.05 FEET TO THE SOUTH LINE OF SAID TRACT 2; THENCE ON LAST SAID LINE NORTH 89 DEGREES 42 MINUTES 30 SECONDS WEST 661.70 FEET TO THE EASTERLY LINE OF SAID ORTEGA BLUFF UNIT THREE-B; THENCE ON LAST SAID LINE NORTH 00 DEGREES 17 MINUTES 30 SECONDS EAST 164.05 FEET TO THE NORTHERLY BOUNDARY THEREOF; THENCE ON LAST SAID BOUNDARY NORTH 89 DEGREES 42 MINUTES 30 SECONDS WEST 284.98 FEET; THENCE NORTH 86 DEGREES 49 MINUTES 31 SECONDS WEST 546.60 FEET; THENCE NORTH 83 DEGREES 12 MINUTES 16 SECONDS WEST 219.13 FEET TO THE POINT OF BEGINNING, BEING 24.206 ACRES, MORE OR LESS, IN AREA.

ALSO KNOWN AS ALL THAT PROPERTY CONTAINED WITHIN PLAT BOOK 53, PAGES 69, 69A, 69B, 69C, 69D, 69E, AND 69F OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND KNOWN AS ORTEGA BLUFFS, UNIT FOUR-A.