



SUPPLEMENTAL DECLARATION OF  
COVENANTS & RESTRICTIONS

SV-4

Trellis Park S

#2165  
④ Jrk

THIS DOCUMENT PREPARED  
BY AND RETURN TO:

THOMAS A. JENKS, ESQ.  
PAPPAS METCALF JENKS & MILLER, P.A.  
200 WEST FORSYTH STREET  
SUITE 1400  
JACKSONVILLE, FL 32202

Public Records of  
St. Johns County, FL  
Clerk# 02-010437  
O.R. 1720 PG 1790  
08:31AM 02/21/2002  
REC \$17.00 SUR \$2.50

**SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS  
FOR PALENCIA**

**THIS SUPPLEMENTAL DECLARATION** is made effective February 18, 2002  
by **MARSHALL CREEK, LTD.**, a Florida limited partnership (the "Developer").

**WITNESSETH:**

**WHEREAS**, the Developer is the owner of certain real property more particularly described  
on the attached Exhibit A (the "Property"); and

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions for Palencia has  
been recorded in Official Records Book 1666, at page 803 of the public records of St. Johns County,  
Florida, (together, the "Declaration"); and

**WHEREAS**, the Developer desires to subject the Property to all of the terms, conditions and  
provision contained in the Declaration as provided for under the terms of Section 3.2 of the  
Declaration.

**NOW THEREFORE**, the Developer hereby declares that:

1. All capitalized terms contained in this Supplemental Declaration shall have the same meanings as such terms are defined by the Declaration.
2. All of the Property and any portion thereof shall be held, transferred, sold and conveyed and occupied subject to all covenants, restrictions, easements, charges and liens and all other matters as set forth in the Declaration as amended from time to time. In the event of conflict between the Declaration and this Supplemental Declaration, this Supplemental Declaration shall control.
3. Except as specifically supplemented hereby, the Declaration shall remain in full force and effect as originally executed and recorded.
4. This Supplemental Declaration shall become effective upon its recordation in the public records of St. Johns County, Florida.

IN WITNESS WHEREOF, the Developer has caused this instrument to be duly executed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

MARSHALL CREEK, LTD., a Florida limited partnership

By: Hines/Marshall Creek, Ltd., a Florida limited partnership, its sole general partner

By: Hines Management, L.L.C., a Delaware limited liability company, its sole general partner

By: Hines Interests Limited Partnership, a Delaware limited partnership, its sole member

By: Hines Holdings, Inc., a Texas corporation, its sole general partner

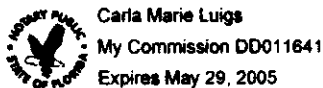
By: Michael T. Harrison  
Title: Vice President  
Date: February 19, 2002

Jennifer M. Cody  
Name Printed: Jennifer M. Cody  
Carla M. Luigs  
Name Printed: Carla M. Luigs

STATE OF FLORIDA }  
COUNTY OF St. Johns }

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of February, 2002, by Michael T. Harrison, the Vice President of Hines Holdings, Inc., a Texas corporation (the "Company"), as general partner of Hines Interests Limited Partnership, a Delaware limited partnership ("HILP"), which in turn is the sole member of Hines Management, L.L.C., a Delaware limited liability company (the "LLC"), which in turn is the sole general partner of Hines/Marshall Creek, Ltd., a Florida limited partnership (the "GP"), which in turn is the sole general partner of Marshall Creek, Ltd., a Florida limited partnership, on behalf of the Company, HILP, the LLC, the GP and the Partnership.

Carla Marie Luigs  
(Print Name Carla Marie Luigs)  
NOTARY PUBLIC, State of Florida  
Commission # DD011641  
My Commission Expires: May 29, 2005  
Personally Known ✓  
or Produced I.D. \_\_\_\_\_  
[check one of the above]  
Type of Identification Produced \_\_\_\_\_



CONSENT AND JOINDER TO SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS FOR PALENCIA

GENESIS, LTD., a Florida limited partnership, does hereby consent to and join in the execution of the Supplemental Declaration of Covenants and Restrictions for Palencia (the "Supplemental Declaration")...

Signed, Sealed and Delivered in the presence of:

GENESIS, LTD., a Florida limited partnership

Mary Louise Dungen (Print Name)

H. Smith, Inc. Gen Pt.

By: J. Hanley Smith, Jr. Pres V. Hawley Smith, Jr.

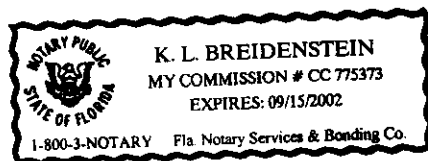
Katherine L Breidenstein (Print Name)

Its: Pres.

STATE OF FLORIDA ) )SS COUNTY OF DUVAL )

The foregoing instrument was acknowledged before me this 8th day of February 2002, by V. Hawley Smith, Jr., President - H. Smith Inc, as General Partner of GENESIS, LTD., a Florida limited partnership, on behalf of the partnership.

K L Breidenstein (Print Name) NOTARY PUBLIC State of Florida at Large Commission # My Commission Expires: Personally known or Produced I.D. [check one of the above] Type of Identification Produced



**EXHIBIT A**

Marshall Creek DRI Unit SV-4 according to the plat thereof as recorded in Plat Book 43, Pages 3 through 6 of the public records of St. Johns County, Florida.

TJH

THIS DOCUMENT PREPARED  
BY AND RETURN TO:

THOMAS A. JENKS, ESQ.  
PAPPAS METCALF JENKS & MILLER, P.A.  
200 WEST FORSYTH STREET  
SUITE 1400  
JACKSONVILLE, FL 32202

Public Records of  
St. Johns County, FL  
Clerk# 02-010438  
O.R. 1720 PG 1794  
08:31AM 02/21/2002  
REC \$17.00 SUR \$2.50

**SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS  
FOR PALENCIA RESIDENTIAL LOTS**

THIS SUPPLEMENTAL DECLARATION is made effective February 18, 2002  
by **MARSHALL CREEK LTD.**, a Florida limited partnership (the "Developer").

**WITNESSETH:**

**WHEREAS**, the Developer is the owner of certain real property more particularly described on the attached Exhibit A (the "Property"); and

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions for Palencia Residential Lots has been recorded in Official Records Book 1666, at page 831, of the public records of St. Johns County, Florida, (together, the "Declaration"); and

**WHEREAS**, the Developer desires to subject the Property to all of the terms, conditions and provision contained in the Declaration as provided for under the terms of Section 3.2 of the Declaration.

**NOW THEREFORE**, the Developer hereby declares that:

1. All capitalized terms contained in this Supplemental Declaration shall have the same meanings as such terms are defined by the Declaration.
2. All of the Property and any portion thereof shall be held, transferred, sold and conveyed and occupied subject to all covenants, restrictions, easements, charges and liens and all other matters as set forth in the Declaration as amended from time to time. In the event of conflict between the Declaration and this Supplemental Declaration, this Supplemental Declaration shall control.
3. Except as specifically supplemented hereby, the Declaration shall remain in full force and effect as originally executed and recorded.
4. This Supplemental Declaration shall become effective upon its recordation in the public records of St. Johns County, Florida.

IN WITNESS WHEREOF, the Developer has caused this instrument to be duly executed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

MARSHALL CREEK, LTD., a Florida limited partnership

By: Hines/Marshall Creek, Ltd., a Florida limited partnership, its sole general partner

By: Hines Management, L.L.C., a Delaware limited liability company, its sole general partner

By: Hines Interests Limited Partnership, a Delaware limited partnership, its sole member

By: Hines Holdings, Inc., a Texas corporation, its sole general partner

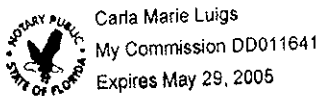
By: Michael T. Harrison  
Title: Vice President  
Date: February 19, 2002

Jennifer M. Cody  
Name Printed: Jennifer M. Cody  
Carla Marie Luigs  
Name Printed: Carla Marie Luigs

STATE OF FLORIDA )  
COUNTY OF St. Johns )

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of February, 2002, by Michael T. Harrison, the Vice President of Hines Holdings, Inc., a Texas corporation (the "Company"), as general partner of Hines Interests Limited Partnership, a Delaware limited partnership ("HILP"), which in turn is the sole member of Hines Management, L.L.C., a Delaware limited liability company (the "LLC"), which in turn is the sole general partner of Hines/Marshall Creek, Ltd., a Florida limited partnership (the "GP"), which in turn is the sole general partner of Marshall Creek, Ltd., a Florida limited partnership, on behalf of the Company, HILP, the LLC, the GP and the Partnership.

Carla Marie Luigs  
(Print Name Carla Marie Luigs)  
NOTARY PUBLIC, State of Florida  
Commission # DD011641



My Commission Expires: May 29, 2005  
Personally Known   
or Produced I.D.  
[check one of the above]  
Type of Identification Produced

CONSENT AND JOINDER TO SUPPLEMENTAL  
DECLARATION OF COVENANTS AND RESTRICTIONS FOR  
PALENCIA RESIDENTIAL LOTS

GENESIS, LTD., a Florida limited partnership, does hereby consent to and join in the execution of the Supplemental Declaration of Covenants and Restrictions for Palencia (the "Supplemental Declaration"), to which this Consent and Joinder is attached and simultaneously recorded, and by such consent and joinder, does hereby agree that any real property owned by the undersigned that is within the lands described by Exhibit A attached to the Supplemental Declaration, shall hereafter be subject to all terms and provisions of the Declaration of Covenants and Restrictions for Palencia Residential Lots described therein.

Signed, Sealed and Delivered  
in the presence of:

GENESIS, LTD., a Florida limited partnership

Mary Louise Dudgeon  
Mary Louise Dudgeon  
(Print Name)

By: I.L. Smith, Inc. Gen P/R  
V. Hawley Smith, Jr. Pres.  
Its: V. Hawley Smith, Jr.  
Pres.

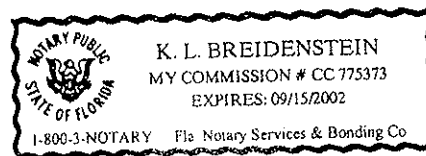
Katherine L Breidenstein  
KATHERINE L BREIDENSTEIN  
(Print Name)

STATE OF FLORIDA     )  
  )SS  
COUNTY OF DUVAL    )

The foregoing instrument was acknowledged before me this 8th day of February 2002, by V. Hawley Smith Jr, as General Partner of GENESIS, LTD., a Florida limited partnership, on behalf of the partnership.

PRESIDENT OF  
H. Smith INC.,

K.L. Breidenstein  
(Print Name \_\_\_\_\_)  
NOTARY PUBLIC  
State of Florida at Large  
Commission # \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Personally known X  
or Produced I.D. \_\_\_\_\_  
[check one of the above]  
Type of Identification Produced \_\_\_\_\_





**EXHIBIT A**

**The Property**

Marshall Creek DRI Unit SV-4 according to the plat thereof as recorded in Plat Book 43, Pages 3 through 6 of the public records of St. Johns County, Florida.