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HENRY W. COOK  
CLERK CIRCUIT COURT  
DUVAL COUNTY, FL  
REC. \$ 15.00

**AMENDMENT TO COVENANTS,  
CONDITIONS, RESTRICTIONS AND  
EASEMENTS FOR GATELY OAKS**

THIS AMENDMENT TO COVENANTS AND RESTRICTIONS executed this 15th day of April; 1995 by Gately Oaks Joint Venture, Towers Contracting Company, Inc. and G.O. Three Joint Venture, all being Developers of subdivision units known as Gately Oaks Subdivision;

**R E C I T A L S**

WHEREAS, Gately Oaks Joint Venture recorded that certain Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks Unit I which are recorded in Official Records Book 6919 page 1021, et seq., of the public records of Duval County, Florida ("Covenants"); and

WHEREAS, The Covenants were spread to additional property by that certain Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks Unit 3 A, executed by G.O. Three Joint Venture which are recorded in Official Records Book 7816 page 758, et. seq., of the public records of Duval County, Florida; and

WHEREAS, The Covenants were also spread to additional property by that certain Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks One-A executed by G.O. Three Joint Venture which are recorded in Official Records Book 7587 page 703, et. seq., of the public records of Duval County, Florida; and

WHEREAS, The original Covenants were also spread to additional property by that certain Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks Unit Two, executed by Towers Contracting Company and Gately Oaks Joint Venture which are recorded in Official Records Book 7498 page 1139, et. seq., of the public records of Duval County, Florida; and

WHEREAS, By operation of the above each of the Gately Oaks Subdivisions referenced above are subject to the Covenants; and

WHEREAS, Gately Oaks Joint Venture, Towers Contracting Company, Inc, and G.O. Three Joint Venture (hereinafter collectively referred to as "Developer") are the Developers of all the Subdivisions known as Gately Oaks Unit I, Gately Oaks Unit One-A, Gately Oaks Unit Two and Gately Oaks Unit III, Unit 3 A (hereinafter collectively known as "Gately"); and

Mrs. Towers Contracting Co. 5/13/95  
2051 Duval Museum 32207

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**WHEREAS**, Article X, Section 12, subsection (a) of the Covenants states "...Developer specifically reserves the absolute and unconditional right, so long as it owns any of the Property, to amend this Declaration without the consent or joinder of any party to...(iii) to perfect, clarify or make internally consistent the provisions herein"; and

**WHEREAS**, the Developer is desirous of amending the Covenants as provided in Article X (General Provisions) Section 12, subsection (a) (iii) to perfect, clarify and make the Covenants in Gately internally consistent.

**NOW, THEREFORE**, in accordance with the procedures set forth in Article X, Section 12, subsection (a) (iii) of the Covenants, the following amendments are hereby adopted and shall hereafter be a part of the Covenants:

1. Article VIII, Section 1, "Single Family Residence Only." is hereby modified and amended to include garages and the following language is added to the last sentence of said Section 1:

**"All single family residences shall include an attached two car garage."**

2. Article I, subsection (k) is hereby modified and amended to include a garage and the following language is added to the last sentence of said subsection (k):

**"All single family residential dwellings shall have an attached two car garage."**

3. Except as expressly modified herein, the Covenants shall remain unchanged and in full force and effect.
4. The undersigned mortgagee joins in the execution of this Amendment to Covenants for the purpose of consenting to the amendments made herein and subordinating its mortgage lien to such amendments.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their duly authorized representatives this 15th day of April, 1995.

Signed, sealed and delivered in the presence of:

Henry N. Delegal  
Melissa A. Deen

Henry N. Delegal  
Melissa A. Deen

Henry N. Delegal  
Melissa A. Deen

James L. Beal  
Brett K. Losworth

GATELY OAKS JOINT VENTURE,  
a Florida General Partnership

By: TOWERS CONTRACTING CO. INC.  
Managing General Partner

By: Lawrence R. Towers  
Lawrence R. Towers,  
President  
(Corporate Seal)

G.O. THREE JOINT VENTURE,  
Florida General Partnership

By: TOWERS CONTRACTING CO. INC.  
Managing General Partner

By: Lawrence R. Towers  
Lawrence R. Towers,  
President  
(Corporate Seal)

TOWERS CONTRACTING CO. INC.  
a Florida Corporation

By: Lawrence R. Towers  
Lawrence R. Towers,  
President  
(Corporate Seal)

FIRST UNION NATIONAL BANK OF  
FLORIDA, national association

By: Elizabeth Brooke  
Elizabeth Brooke  
Vice President  
Its Vice President  
(Corporate Seal)