

Prepared by and Return to:
D. Randall Briley, Esq.
2215 South Third Street, Ste. 101
Jacksonville Beach, FL 32250

**SUPPLEMENTAL DECLARATION TO DECLARATION
OF COVENANTS, CONDITIONS, EASEMENTS,
AND RESTRICTIONS FOR MAGNOLIA POINT GOLF
AND COUNTRY CLUB PHASE IV**

(Magnolia Point Golf and Country Club Phase VIII-B)

February **THIS SUPPLEMENTAL DECLARATION** is made this 12th day of February, 2016, by DREAM FINDERS HOMES, LLC, a Florida limited liability company ("Developer"), as consented to and joined in by DFH MAGNOLIA, LLC, a Florida limited liability company ("Land Owner").

RECITALS

A. Developer, by virtue of that certain Assignment and Assumption of Developer's Rights under Declaration of Covenants, Conditions, Easements, and Restrictions for Magnolia Point Golf and Country Club Phase IV dated November 8, 2012 and recorded on November 12, 2012 in Official Records Book 3469, page 1901, of the public records of Clay County, Florida, is the Developer under that certain Declaration of Covenants, Conditions, Easements, and Restrictions for Magnolia Point Golf and Country Club Phase IV dated and recorded on January 13, 2003 in Official Records Book 2144, page 358 (the "Initial Declaration"), as supplemented and/or amended by: (a) that certain Supplementary Declaration of Covenants and Restrictions for Magnolia Point (Magnolia Point Phase V), recorded in Official Records Book 2421, page 1850 (the "First Supplemental Declaration"); (b) that certain Supplementary Declaration of Covenants and Restrictions for Magnolia Point (Magnolia Point Phase VI), recorded in Official Records Book 2453, page 570 (the "Second Supplemental Declaration"); (c) that certain Supplementary Declaration of Covenants and Restrictions for Magnolia Point (Magnolia Point Phase VII), recorded in Official Records Book 2660, page 1949 (the "Third Supplemental Declaration"); (d) that certain First Amendment to Declaration of Covenants, Conditions, Easements, and Restrictions for Magnolia Point Golf and Country Club Phase IV, recorded in Official Records Book 2793, page 1276 (the "First Amendment"); and (e) that certain Assignment and Assumption of Developer's Rights Under Declaration of Covenants, Conditions, Easements, and Restrictions for Magnolia Point Golf and Country Club Phase IV, recorded in Official Records Book 3430, page 1764 (the "Prior Assignment"), all recorded in the public records of Clay County, Florida. The Initial Declaration, as supplemented and/or amended by the First Supplemental Declaration, the Second Supplemental Declaration, the Third Supplemental Declaration, the First Amendment, and the Prior Assignment, all as may further be amended and supplemented from time to time, are collectively referred to herein as the "Declaration."

B. Pursuant to Section 8.1(e) of the Declaration, the Developer may from time to time subject other land to the provisions of the Declaration.

C. Any addition of land authorized in Section 8.1.(e) of the Declaration must be made by filing a statement among the public records of Clay County incorporating the terms applicable to such additional land.

D. Land Owner is the record title holder of the real property described in Exhibit "A" attached ("Magnolia Point Phase VIII-B") and desires, and hereby consents to, the annexation of the Magnolia Point Phase VIII-B land by the Developer to the provisions of the Declaration.

E. Developer has agreed to subject the real property described in Exhibit "A" attached ("Magnolia Point Phase VIII-B") to the provisions of the Declaration.

NOW, THEREFORE, Developer hereby declares as follows:

1) The Magnolia Point Phase VIII-B land shall be held, sold, occupied, and conveyed subject to the plats and covenants, restrictions, limitations, conditions, easements, changes, and liens contained within the Declaration, which are for the purpose of protecting the value and desirability of and shall run with the Magnolia Point Phase VIII-B land and be binding upon all parties having any right, title, or interest in the Magnolia Point Phase VIII-B land or any part thereof, their heirs, successors, and assigns and shall inure to the benefit of each Owner thereof and the Developer.

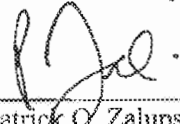
2) Except as modified and supplemented herein, the terms and conditions of the Declaration remain in full force and effect.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK.

IN WITNESS WHEREOF, this Supplemental Declaration has been executed as of the day and year first above written.

DREAM FINDERS HOMES, LLC
a Florida limited liability company

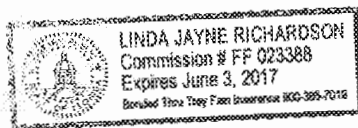
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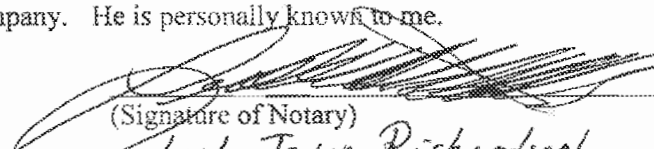

Patrick O. Zalupski, Manager

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 12th day of February, 2016, by Patrick O. Zalupski, as Manager of DREAM FINDERS HOMES, LLC, a Florida limited liability company. He is personally known to me.

[Notary Seal must be affixed]




(Signature of Notary)

Linda-Jayne Richardson
(Print Name of Notary Public)

Notary Public, State of Florida

My Commission Expires: June 3, 2017

Commission No.: FF 023388

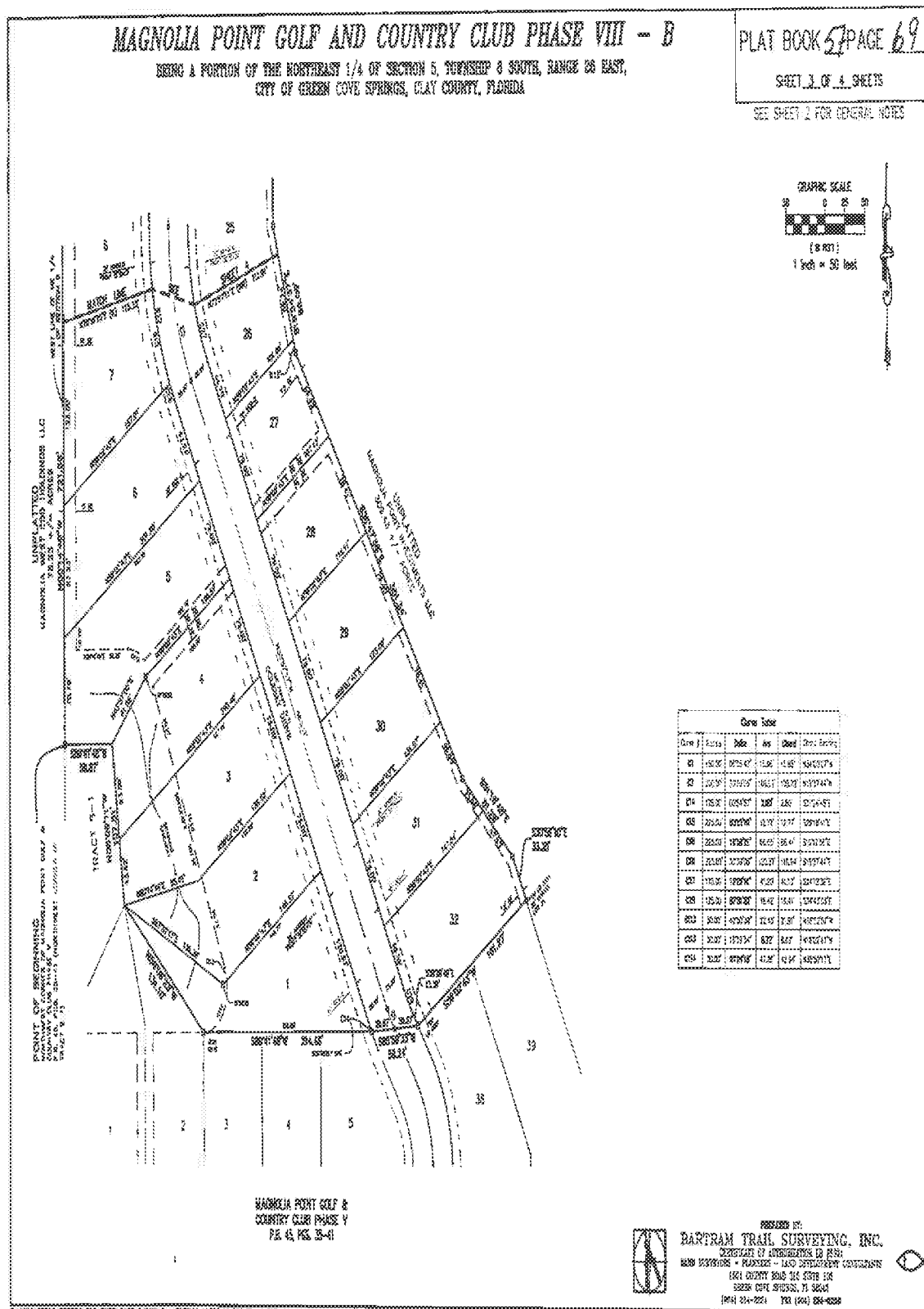
EXHIBIT "A"
LEGAL DESCRIPTION

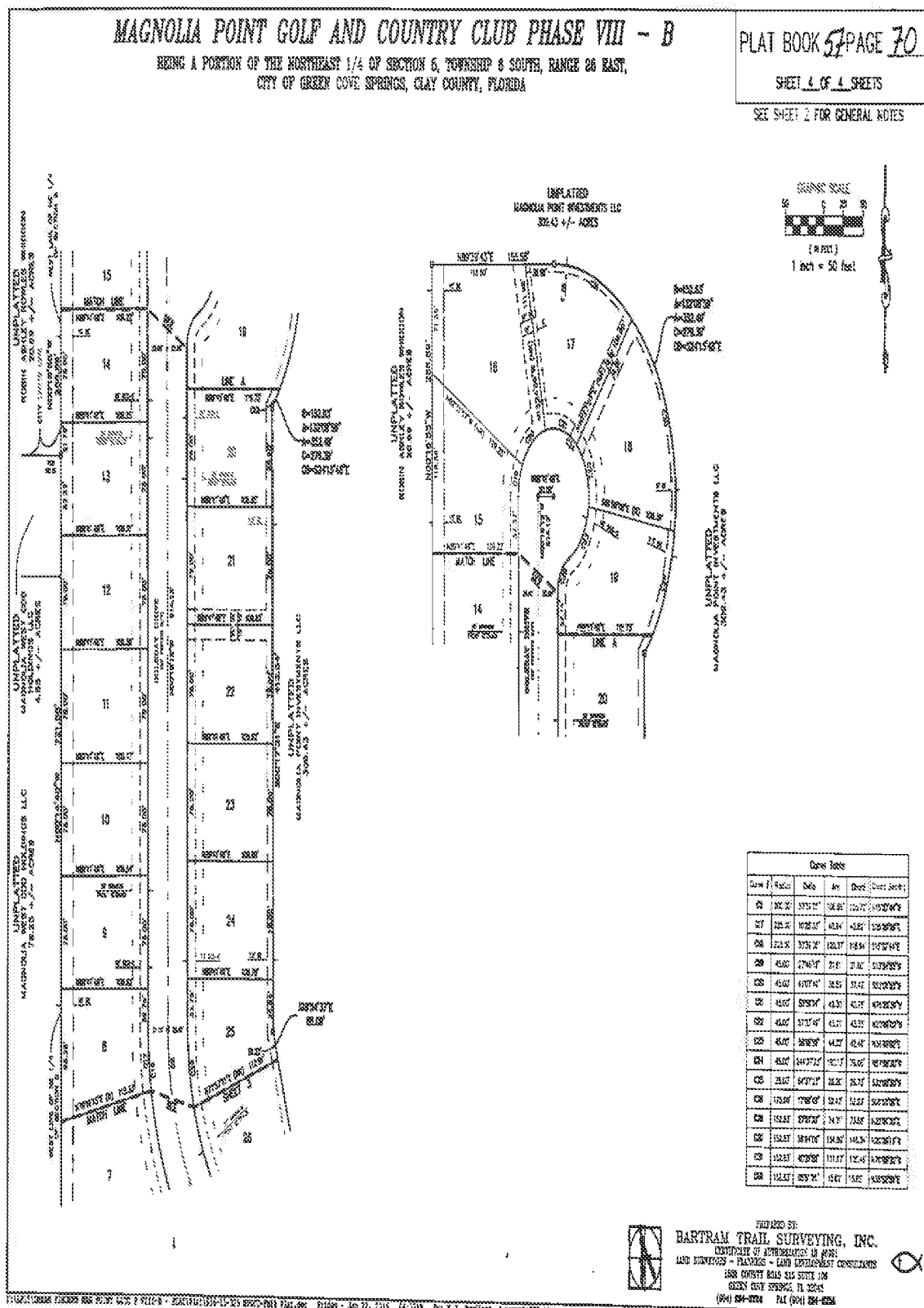
Magnolia Point Golf and Country Club Phase VIII-B, according to the Plat thereof as recorded in Plat Book 57, Pages 67 through 70, inclusive, in the Public Records of Clay County, Florida.

3/7/2016

Landmark Web Official Records Search

BK: 38 PG: 69






CONSENT AND JOINDER OF PROPERTY OWNER

THE UNDERSIGNED, as owner of the Magnolia Point Phase VIII-B land more particularly described in Exhibit "A" attached hereto, consent to and joins in the execution of this Supplemental Declaration on the day and year first above written.

DFH MAGNOLIA, LLC
a Florida limited liability company

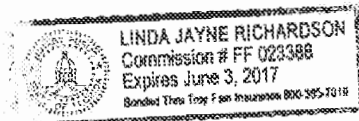
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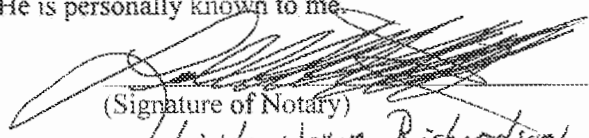

Patrick O. Zalupski, Manager

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 12th day of February, 2016, by Patrick O. Zalupski, as Manager of DFH MAGNOLIA, LLC, a Florida limited liability company. He is personally known to me.

[Notary Seal must be affixed]




(Signature of Notary)

Linda Jayne Richardson

(Print Name of Notary Public)

Notary Public, State of Florida

My Commission Expires: June 3, 2017

Commission No.: FF 023388

**JOINDER AND CONSENT TO THE SUPPLEMENTAL DECLARATION TO
DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, AND
RESTRICTIONS FOR MAGNOLIA POINT GOLF AND COUNTRY CLUB PHASE IV
(ADDING PHASE VIII-B)**

KNOW ALL MEN BY THESE PRESENTS, that Medley Capital Corporation, a Delaware corporation, ("the Lender"), the owner and holder of the following described mortgage ("the Mortgage").

Mortgage, Security Agreement, Assignment of Rents & Fixtures Filing from DFH LAND, LLC, DFH GREYHAWK LLC, DFH WILDWOOD, LLC, DFH CORONA, LLC, DFH JOHNS LANDING, LLC, DFH MAGNOLIA, LLC and DFH MANDARIN, LLC, each a Florida limited liability company, to Lender, dated September 13, 2013, and recorded September, 19, 2013 in O.R. Book 3578, Page 758; Assignment of Leases and Rents and Security Deposits, dated September 13, 2013, recorded September 19, 2013 in O.R. Book 3578, Page 793; Assignment of Leases and Rents and Security Deposits to Medley Capital Corporation dated September 13, 2013, recorded September 19, 2013 in O.R. Book 3578, Page 1585; Assignment of Leases and Rents and Security Deposits dated June 30, 2014 and recorded July 8, 2014 in O. R. Book 3658, Page 1541; Agreement of Spreader and Modification of Mortgage Security Agreement, Assignment of Rents and Fixture Filing recorded July 8, 2014 in O.R. Book 3658, Page 1608; Modification Agreement dated June 30, 2014, and recorded July 8, 2014 in O.R. Book 3658, Page 1626; Modification Agreement recorded July 8, 2014 in O. R. Book 3658, Page 1650; Spreader Agreement and Modification of Mortgage, Security Agreement, Assignment of Rents and Fixture Filing dated July 29, 2014, recorded July 31, 2014 in O.R. Book 3665, Page 1253; Mortgage Security Agreement, Assignment of Rents and Fixture Filing dated May 29, 2015, recorded June 3, 2015 in O.R. Book 3753, Page 1562; Assignment of Leases and Rents and Security Deposits recorded June 3, 2015 in O. R. Book 3753, Page 1606; Modification Agreement recorded June 3, 2015 in O. R. Book 3753, Page 1639; UCC-1 Financing Statement recorded September 19, 2013 in O.R. Book 3578, Page 1599; Amended UCC-1 Financing Statement recorded July 8, 2014 in O.R. Book 3658, Page 1585, all of the Public Records of Clay County, Florida, hereby joins in and consents to the Supplemental Declaration To Declaration of Covenants, Conditions, Easements, and Restrictions for Magnolia Point Golf and Country Club Phase IV adding Phase VIII-B ("the "Declaration") by DREAM FINDERS HOMES, LLC, a Florida limited liability company and DFH MAGNOLIA, LLC, a Florida limited liability company, to which Declaration this joinder is attached for the purpose of acknowledging its consent to the covenants, conditions, restrictions, and easements of the Declaration and the imposition of the same upon the property subject to the Mortgage.

IN WITNESS WHEREOF, the Lender has caused this presents to be executed as of the
17 day of February, 2016.

Signature page follows

Witnesses:

[Signature]
First Witness
LINDSY Tennell
Print Name
[Signature]
Second Witness
ROSEANN EFF
Print Name

Medley Capital Corporation,
a Delaware corporation

By: [Signature]
Name: Richard Allorto
Its: Chief Financial Officer

STATE OF NEW YORK
COUNTY OF NEW YORK

The foregoing instrument was acknowledged before me on this 17 day of February, 2016, before me personally appeared Richard Allorto, as Chief Financial Officer of Medley Capital Corporation, on behalf of said corporation.

WITNESS my signature and official seal at 280 Park Ave, in the County and State aforesaid, the day and year last aforementioned.

My Commission Expires: 6/17/2017

[Signature]
NOTARY PUBLIC - State of New York
Rachel Cross
Print Name

Personally known ☒ OR Produced identification ☐
Type of Identification Produced _____

Rachel Cross
Notary Public, State of New York
No. 91CR6284263
Qualified in New York County
My Commission Expires June 17, 2017

1207

**JOINDER AND CONSENT TO THE SUPPLEMENTAL DECLARATION TO
DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, AND
RESTRICTIONS FOR MAGNOLIA POINT GOLF AND COUNTRY CLUB PHASE IV
(ADDING PHASE VIII-B)**

KNOW ALL MEN BY THESE PRESENTS, that Texas Capital Bank, National Association, a national banking association, ("the Lender"), the owner and holder of the following described loan documents ("the Loan Documents").

Amended and Restated Mortgage, Security Agreement, Assignment of Rents, Fixture Filing and Spreader Agreement from DFH LAND, LLC, DFH GREYHAWK LLC, DFH WILDWOOD, LLC, DFH CORONA, LLC, DFH JOHNS LANDING, LLC, DFH MAGNOLIA, LLC and DFH MANDARIN, LLC, each a Florida limited liability company, to Lender,, dated June 30, 2014, recorded on July 8, 2014. recorded in O.R. Book 3658, page 1546; Mortgage Modification Agreement and Notice of Future Advances dated January 28, 2015 recorded February 2, 2015 O.R. Book 3716, Page 53; Mortgage, Security Agreement, Assignment of Rents, Fixture Filing dated June 22, 2015, recorded on June 25, 2015, recorded in O.R. Book 3760, Page 1312; Mortgage Modification Agreement and Notice of Future Advances dated October 15, 2015 recorded October 20, 2015 O.R. Book 3797, Page 1415; Mortgage Modification Agreement and Notice of Future Advances dated November 12, 2015 recorded November 17, 2015 O.R. Book 3806, Page 304; all of the Public Records of Clay County, Florida, hereby joins in and consents to the Supplemental Declaration To Declaration of Covenants, Conditions, Easements, and Restrictions for Magnolia Point Golf and Country Club Phase IV adding Phase VIII-B by DREAM FINDERS HOMES, LLC, a Florida limited liability company and DFH MAGNOLIA, LLC, a Florida limited liability company, to which Declaration this joinder is attached for the purpose of acknowledging its consent to the covenants, conditions, restrictions, and easements of the Declaration and the imposition of the same upon the property subject to the Mortgage.

(Signature page follows)

1th IN WITNESS WHEREOF, the Lender has caused this presents to be executed as of the
day of February, 2016.

Witnesses:

Carm Miller
First Witness
Carm A Miller
Print Name

Brittany Martinez
Second Witness
Brittany Martinez

TEXAS CAPITAL BANK, NATIONAL
ASSOCIATION,
as Administrative Agent

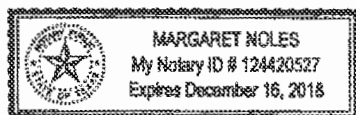
By: [Signature]
Name: BIRGITTA JACKSON
Its: SVP

STATE OF TEXAS

COUNTY OF Harris

The foregoing instrument was acknowledged before me on this 17th day of February, 2016, before me personally appeared Birgitta Jackson as SVP of TEXAS CAPITAL BANK, NATIONAL ASSOCIATION, as Administrative Agent, on behalf of said corporation.

WITNESS my signature and official seal at Houston, in the County and State aforesaid, the day and year last aforementioned.



My Commission Expires: 12-16-18

Margaret Noles
NOTARY PUBLIC - State of Texas
Margaret Noles
Print Name

Personally known ☒ OR Produced identification ☐
Type of Identification Produced _____