

*Prepared*  
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AMENDMENT TO JACKSONVILLE GOLF AND COUNTRY CLUB  
("JGCC")  
MASTER DECLARATION

THIS AMENDMENT is made <sup>as of</sup> this 19<sup>th</sup> day of April, 1997  
by Jacksonville Golf and Country Club ("JGCC") Property Owners'  
Association, Inc. ("Association").

R E C I T A L S :

A. Association is the Homeowners' Association, by virtue of the powers set forth in the Declaration of Covenants for JGCC, recorded in Official Records Book 6622, Page 2152, of the Public Records of Duval County, Florida, as amended and supplemented from time to time (the "Declaration"). The capitalized terms used herein shall have the meanings given them in the Declaration.

B. Section 12.4 of the Declaration provides, in pertinent part, that the Declaration may be amended by Association at any time as set forth therein.

C. The homeowners-members of the Association wish to amend the Declaration to provide an alternative means of enforcing the Declaration and the rules and regulations of the Association.\*

NOW, THEREFORE, in consideration of the recitals and by virtue of the authority of the Association as aforesaid:

**12.9.1 DUE PROCESS.** In addition to all other remedies, and to the maximum extent lawful, in the sole discretion of the Board of Directions of the Association, a fine or fines may be imposed upon an Owner for failure of an Owner or his Member's Permittees to comply with any covenant, restriction, rule or regulation, provided the following procedures are adhered to:

**12.9.2 NOTICE.** The Association shall notify the Owner of the alleged infraction or infractions. Included in the notice shall be the date and time of a special meeting of the Review Committee (as defined below) at which time the Owner shall present reasons why a fine(s) should not be imposed. All notices under this Section 12.9.1, et. seq. shall be provided to the owner via regular mail. At least fourteen (14) days' notice of such meeting shall be given.

\*The below amendments were passed by the necessary vote of the Membership at a duly called meeting on April 19, 1997, at which a quorum was present.

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**12.9.3 REVIEW COMMITTEE.** The Board of Directors shall appoint a Review Committee to perform the functions given it under this Section. The Review Committee shall consist of at least five (5) Members who are not officers, directors or employees of the Association or the spouse, parent, child, brother, or sister of such an officer, director or employee. The Review Committee may impose fines only upon a majority vote thereof.

**12.9.4 HEARING.** The alleged non-compliance shall be presented to the Review Committee at a meeting at which it shall hear reasons why a fine(s) should not be imposed. Legal counsel will have no standing and shall not be allowed to address the Review Committee. A written decision of the Review Committee shall be submitted to the Owner by not later than twenty-one (21) days after the meeting.

**12.9.5 AMOUNTS.** The Review Committee (if its findings are made against the Owner) may impose special assessments in the form of fines against the Lot owned by the Owner as follows:

- (1) In the case of each violation, a fine not to exceed the maximum amount permissible by law; provided, however, that
- (2) To the extent permitted by law, the Board of Directors may adopt a rule whereby any violations of a continuing nature described in that rule will constitute a separate violation (i.e., be subject to a separate fine) for each day or week (as determined in the rule) it continues after notice to the violating party.

**12.9.6 PAYMENT OF FINES.** Fines shall be paid not later than five (5) days after notice of the imposition or assessment of the penalties.

**12.9.7 COLLECTION OF FINES.** Fines shall be treated as an assessment subject to the provisions for the collection of assessments as set forth herein.

**12.9.8 APPLICATION OF PROCEEDS.** All monies received from fines shall be allocated at the discretion of the Board of Directors.

**12.9.9 NON-EXCLUSIVE REMEDY.** These fines shall not be construed to be exclusive, and shall exist in addition to all other rights and remedies to which the Association may be otherwise legally entitled; provided, however, any penalty paid by the offending Owner shall be deducted from or offset against any damages which the Association may otherwise be entitled to recover by law from such Owner.

IN WITNESS WHEREOF, the President and Secretary of the Association have executed the Amendment as of the date and year first above written.

WITNESSED BY:

JGCC PROPERTY OWNERS' ASSOCIATION, INC.

CGB  
Print Name: C. Guy Bond

By: Lawrence N. Stewart  
Print Name: LAWRENCE N. STEWART  
Its President

Adam L. Houseman  
Print Name: Adam L. Houseman

By: David L. Houseman  
Print Name: DAVID L. HOUSEMAN  
Its Secretary

STATE OF FLORIDA )  
                                  ) ss:  
COUNTY OF DUVAL )

The foregoing instrument was acknowledged before me this 26th day of June, 2005 by Lawrence N. Stewart and David L. Houseman, as President and Secretary, respectively, of JGCC Property Owners' Association, Inc., and are personally known to me or have produced \_\_\_\_\_ as identification and did not take an oath.

CGB  
NOTARY PUBLIC, STATE OF FLORIDA  
Print Name: C. Guy Bond  
Commission No.: \_\_\_\_\_  
Commission Exp. \_\_\_\_\_

