

Public Records of  
St. Johns County, FL  
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Prepared by and return to:  
Bert C. Simon, Esquire  
Gartner, Brock and Simon  
1660 Prudential Drive, Suite 203  
Jacksonville, Florida 32207

**FIRST AMENDMENT TO DECLARATION  
OF CONDOMINIUM  
OF THE GREENS II OF ST. AUGUSTINE, A CONDOMINIUM**

This FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OF THE GREENS II OF ST. AUGUSTINE, A CONDOMINIUM, is made as of May 28<sup>th</sup>, 2004, by **SWAN DEVELOPMENT CORP.**, a Florida corporation, whose address is 49 Shores Boulevard, St. Augustine, Florida 32086 ("Declarant").

Preliminary Statement

By Declaration of Condominium of The Greens II of St. Augustine Condominiums dated February 17, 2004 and recorded in Official Records Book 2139, page 1018, of the Public Records of St. Johns County, Florida (hereinafter collectively referred to as the "Declaration"), Declarant has submitted certain lands to the condominium form of ownership as Phase 1 of The Greens II of St. Augustine Condominiums. Under paragraph 20 of the Declaration, the Declarant reserved the right to develop in one or more additional phases and to submit to the condominium form of ownership under the terms and conditions of the Declaration all or a part of the real property more particularly described on Exhibit "B" to the Declaration and identified therein as the "Future Phase" and "Phase 2". Declarant desires to amend the Declaration to add the Future Phase described on Exhibit "A" to this Amendment to become a part of Southern Grove Condominiums (the "Condominium").

NOW THEREFORE, in consideration of the foregoing premises, Declarant hereby amends the Declaration as follows:

1. Submission of Real Property to Condominium Ownership. Declarant is the owner of the real property described on Exhibit "A" attached hereto. Declarant hereby submits the real property described on Exhibit "A" hereto to the condominium form of ownership as Phase 2 of the Condominium in accordance with the Declaration and the provisions of Chapter 718, Florida Statutes.

2. Surveyor's Certificate of Substantial Completion. In accordance with *Section 718.104, F.S.*, Declarant hereby amends the Declaration to include the Surveyor's Certificate attached hereto as Exhibit "C" for the purpose of evidencing substantial completion of the units described in the Surveyor's Certificate.

3. Fractional Share. The fractional share in the Common Elements, Common Expenses and Common Surplus appurtenant to each Unit in the Condominium following the addition of the

Future Phase described on Exhibit "A" is set forth on Exhibit "D" to this Amendment. Declarant hereby amends the Declaration to delete the Exhibit "D" attached to the Declaration and substitute in its place the Exhibit "D" attached hereto.

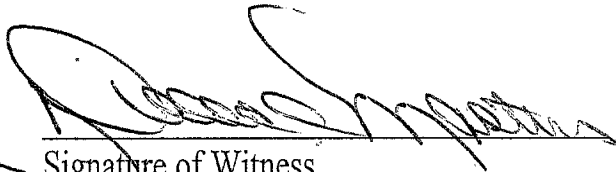
4. Limitation. Except as provided herein, the Declaration is not otherwise amended and remains in full force and effect.

IN WITNESS WHEREOF, Declarant has executed this First Amendment to Declaration of Condominium as of the date set forth above.

**WITNESSES:**

**DECLARANT:**

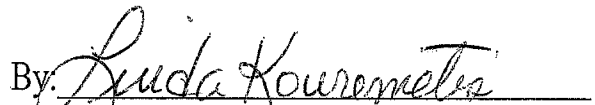
**SWAN DEVELOPMENT CORP.,**  
a Florida corporation



Signature of Witness

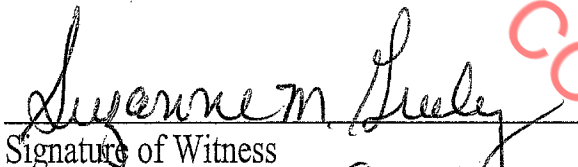
Della A. Masters

Printed Name of Witness

By: 

Rudy Gram, Vice President

by Linda Kouremetis POA



Signature of Witness

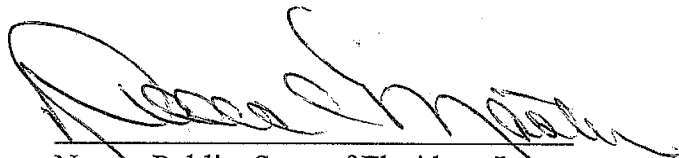
Suzanne M. Greeley

Printed Name of Witness

**COPY**

STATE OF FLORIDA  
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of May, 2004, by ~~Linda Kouremetis, POA~~ ~~Rudy Gram, the Vice President of Swan Development Corp.,~~ a Florida corporation, on behalf of the corporation. She [] is personally known to me; or [] provided a valid Florida Driver's License as identification [check one].



Notary Public, State of Florida at Large

Print Name: \_\_\_\_\_

Commission No: \_\_\_\_\_

My Commission expires: \_\_\_\_\_



[NOTARIAL SEAL]

COPY