

Prepared By and To Be Returned To:
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**SECOND AMENDMENT TO
DECLARATION OF COVENANTS AND RESTRICTIONS
FOR HERITAGE OAKS**

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR HERITAGE OAKS ("Second Amendment") is made by KB Home Jacksonville LLC, a Delaware limited liability company authorized to do business in Florida ("KB").

WITNESSETH:

WHEREAS, the Declaration of Covenants and Restrictions for Heritage Oaks was recorded on December 23, 2014, in Official Records Book 3968, Page 405, public records of St. Johns County, Florida, as has been or may have been amended and supplemented from time to time (collectively, "Declaration"); and

WHEREAS, KB is the Declarant under the Declaration; and

WHEREAS, Section 15.2.1 of the Declaration permits Declarant to amend the Declaration without the approval or joinder of any other party at any time prior to the date on which Declarant shall have conveyed 90% of the Lots of the Property; and

WHEREAS, KB, as Declarant, has not conveyed 90% of the Lots of the Property as of the effective date hereof; and

WHEREAS, KB desires to amend the Declaration in the manner more particularly provided hereinafter;

NOW, THEREFORE, KB hereby states as follows:

1. The foregoing recitals are true and correct and are deemed incorporated herein as if fully stated hereinafter.

2. Section 3.10 of the Declaration is hereby created to read as follows:

3.10 **Sidewalks.** As part of the process of constructing a Home on a Lot, Declarant (or any other builder) shall construct any sidewalk on or in front of such Lot, in accordance with the Community construction plans submitted to and approved by St. Johns County. Such sidewalk shall be completed prior to the issuance of a certificate of occupancy pertaining to the Home for such Lot.

3. Except as modified by this Second Amendment, the Declaration remains valid and in full force and effect. In the event of a conflict between the provisions of this Second Amendment and the provisions of the Declaration prior to the effective date hereof, the provisions of this Second Amendment shall control.

IN WITNESS WHEREOF, KB, as Declarant, has caused this Second Amendment to be executed by its authorized representative and affixed its corporate seal as of this 3rd day of March, 2015.

WITNESSES:

KB Home Jacksonville LLC, a Delaware limited liability company authorized to do business in Florida.

Signature: [Handwritten Signature]
Printed Name: Mason Crapps

By: [Handwritten Signature]
Wes Hinton
Director, Land Development

Signature: [Handwritten Signature]
Printed Name: Lisa Bianchi

SEAL

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 3rd day of March, 2015, by Wes Hinton, as Director, Land Development of KB Home Orlando LLC, a Delaware limited liability company, on behalf of the corporation. He is personally known to me.

My Commission Expires: 12/14/18

[Handwritten Signature]
(Signature)
Name: Lisa Bianchi
(Legibly Printed)



Notary Public, State of Florida
FF178447
(Commission Number, if any)