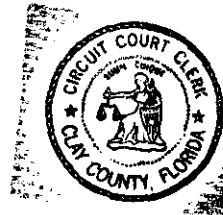


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Book: 1775
Page: 1805
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James B. Jett
Clerk Of Courts
Clay County, FL
FEE: \$15.00



**NINTH ADDENDUM TO DECLARATION
OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR
VILLAGES OF FIRESIDE
ANNEXING VILLAGES OF FIRESIDE UNIT 2-C**

THIS NINTH ADDENDUM TO DECLARATION is made this 17th day of February, 1999, by HUTSON LAND COMPANY, INC., a Florida corporation, assignee of THE INDEPENDENT LIFE AND ACCIDENT INSURANCE, a Florida corporation, as assignee of The Villages of Fireside Corp., hereinafter "Developer", which term includes its successors and assigns.

BACKGROUND

A. Developer caused an instrument entitled Declaration of Covenants, Conditions, Restrictions and Easements for Villages of Fireside to be recorded in the public records of Clay County, Florida, in Official Records Volume 1192, page 583 (the "Declaration").

B. Developer caused an instrument entitled First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Villages of Fireside to be recorded in the public records of Clay County, Florida, in Official Records Volume 1195, page 40 (the "First Amendment") amending the Declaration.

C. Developer caused an instrument entitled Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Villages of Fireside to be recorded in the public records of Clay County, Florida, in Official Records Volume 1251, page 747 (the "Second Amendment") amending the Declaration.

D. Developer caused an instrument entitled Third Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Villages of Fireside to be recorded in the public records of Clay County, Florida, in Official Records Volume 1296, page 364 (the "Third Amendment") amending the Declaration.

E. Developer caused an instrument entitled Fourth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Villages of Fireside to be recorded in the public records of Clay County, Florida, in Official Records Volume 1306, page 334 (the "Fourth Amendment") amending the Declaration.

F. THE INDEPENDENT LIFE & ACCIDENT INSURANCE COMPANY was the assignee of the rights of Developer pursuant to the provisions of the Deed In Lieu of Foreclosure dated April 14, 1992, and recorded in Official Records Book 1411, page 1607, of the public records of Clay County, Florida.

G. Developer caused an instrument entitled Fifth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Villages of Fireside to be recorded in the public records of Clay County, Florida, immediately prior to the recording of this Addendum, in Official Records Volume 1536, page 1227 (the "Fifth Amendment") amending the Declaration.

H. Developer caused an instrument entitled Addendum to Declaration of Covenants, Conditions, Restrictions and Easements for Villages of Fireside Annexing Villages of Fireside Unit Two to be recorded in the public records of Clay County, Florida, immediately prior to the recording of this Addendum, in Official

Records Book 1536, page 1231 (the "Sixth Amendment") amending the Declaration.

I. HUTSON LAND COMPANY, INC. is the assignee of the rights of Developer pursuant to that certain Partial Assignment of Developer's Rights Villages of Fireside Unit Two dated January 5, 1995, and recorded in Official Records Book 1536, page 1235 and re-recorded in Official Records Book 1538, page 0394, of the public records of Clay County, Florida.

J. HUTSON LAND COMPANY, INC. is the assignee of the rights of Developer pursuant to that certain QuitClaim Bill of Sale, Assignment and General Instrument of Transfer dated September 12, 1996, and recorded in Official Records Book 1621, page 1039, of the public records of Clay County, Florida.

K. Developer caused an instrument entitled Addendum to Declaration of Covenants, Conditions, Restrictions and Easements for Villages of Fireside Annexing Villages of Fireside Unit 2-A to be recorded in the public records of Clay County, Florida, immediately prior to the recording of this Addendum, in Official Records Book 1655, page 1553 (the "Seventh Amendment") amending the Declaration.

L. Developer caused an instrument entitled Seventh Addendum to Declaration of Covenants, Conditions, Restrictions and Easements for Villages of Fireside Annexing Villages of Fireside Unit 2-B to be recorded in the public records of Clay County, Florida, immediately prior to the recording of this Addendum, in Official Records Book 1696, page 1439 (the "Eighth Amendment") amending the Declaration.

M. Developer is the owner of all those certain properties in Clay County, Florida, being more particularly described as:

Villages of Fireside, Unit 2-C, according to the plat thereof recorded in Plat Book 32, pages 44, 45, 46, 47, 48, 49, 50 and 51, of the public records of Clay County, Florida ("Villages of Fireside, Unit 2-C"); and

N. Developer desires to amend the Declaration to annex Fireside 2-C pursuant to the provisions of the Declaration.

NOW, THEREFORE, for and in consideration of the premises and benefit of itself and of persons claiming by, through or under it, Developer hereby amends the Declaration as follows:

1. All of Fireside 2-C shall be held, sold, and conveyed subject to all of the terms, easements, restrictions, covenants and conditions as set forth in the Declaration

2. All references in the Declaration and all amendments thereto to Committed Property shall include Fireside 2-C.

3. The following restrictions on use which are different from restrictions on use set forth in the Declaration shall apply exclusively to lots in Fireside 2-C:

a. Each residence must have an attached two-car garage. Garages may face the street with the approval of the Architectural Control Committee. No garage shall be permanently enclosed or converted to another use. All garages must have doors which shall be maintained in a useful condition and shall be kept closed when not in use. Carports will not be permitted.

b. Residence set-back requirements and residence restrictions shall conform to current zoning.

c. Restrictions on Use set forth in the Declaration which are not in conflict with the restrictions set forth in this addendum shall be in force in Fireside 2-C.

6. Notwithstanding the language, if any, contained in the Covenants and Restrictions as originally recorded, the Covenants and Restrictions shall be amended as to Villages of Fireside, Units 2A, 2B and 2C to require that at the time a dwelling is constructed on any lot which abuts a lake bank that exists as the result of any natural lakes or retention ponds, it is the responsibility of the Builder to sod the land bank to the water' edge.

7. Except as specifically amended hereby, the Declaration, as amended is unchanged.

IN WITNESS WHEREOF, this Addendum has been executed by the Developer on the day and year first above set forth.

Signed, sealed and delivered in the presence of:

HUTSON LAND COMPANY, INC.

Elinore C. Cox
Print Name: ELINORE C. COX

By: Donald P. Hinson
Donald P. Hinson, President

Deborah H. Dunbar
Print Name: Deborah H. Dunbar

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 17th day of February, 1999, by Donald P. Hinson, President of HUTSON LAND COMPANY, INC., a Florida corporation, on behalf of the corporation, who is personally known to me.

Elinore C. Cox
Notary Public, State of Florida
My commission expires:

