

This instrument was prepared under the direction of:

James D. Stokes, Esq., City Attorney

Prepared by:

CITY OF PORT ST. LUCIE

City Attorney's Office

121 S.W. Port St. Lucie Boulevard

Port St. Lucie, FL 34984

(Space above this line reserved for recording office use only)

TERMINATION OF RESTRICTIVE COVENANT

WHEREAS, on August 10, 2001, a Restrictive Covenant was executed by Armand A. Neri and Shelly A. Neri (the "Former Owners") and subsequently recorded on November 27, 2001, in Official Records Book 1458, Page 2605, of the Public Records of St. Lucie County, Florida, encumbering the following described property, to wit:

Lots 4 and 5, Block 1293, Port St. Lucie Section Twelve, according to the plat thereof, as recorded in Plat Book 12, Pages 55, 55A through 55G, of the Public Records of St. Lucie County, Florida (the "Subject Property").

WHEREAS, by said Restrictive Covenant, the Former Owners stated that they are the owners of the Subject Property, they have a principal residence on Lot 4, they occupy the Subject Property as one single residential unit, and they intend to restrict the Subject Property so that it can be occupied and used only as one single residential unit; and

WHEREAS, the Restrictive Covenant was created for the purpose of combining the Subject Property so Lots 4 and 5, Block 1293, Port St. Lucie Section Twelve, would be assessed by the City of Port St. Lucie as a single residential unit for the special assessment program to fund the extension of utility services to all properties located within the Port St Lucie Utility Service Area 5, 6 and 7A (PS56) assessment area, including the Subject Property; and

WHEREAS, Armand A. Neri died on or about March 13, 2008, as evidenced by the Florida Certificate of Death, Local File number 2008 038851, issued on March 18, 2022, leaving Shelly A. Neri as the sole surviving tenant by the entirety; and

WHEREAS, Shelly Ann Neri, a single woman, by Corrective Quit Claim Deed dated January 13, 2022, and recorded in Official Records Book 4756, Page 1346, of the Public Records of St. Lucie County, Florida, conveyed title to the Subject Property to the Shelly Ann Neri Revocable Trust, dated November 8, 2021 (the "Current Owner"); and

WHEREAS, the Current Owner wishes to separate Lots 4 and 5 and no longer desires to occupy the Subject Property as one single residential unit; and

WHEREAS, the City of Port St. Lucie agrees to the Termination of said Restrictive Covenant, upon payment of the total sum of Two Hundred Dollars and Zero Cents (\$200.00), which sum represents the administrative fee for processing the request to terminate the Restrictive Covenant, there being no outstanding

assessments due and owing on the Subject Property based upon equivalent residential connections (ERC) within the Port St Lucie Utility Service Area 5, 6 and 7A (PS56) assessment area.

NOW, THEREFORE, for and in consideration of the sum of \$200.00, received from DHI Title of Florida, Inc. on March 31, 2022, and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the City of Port St. Lucie hereby covenants and agrees as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. The City of Port St. Lucie hereby acknowledges receipt of full and complete payment in satisfaction of the referenced Restrictive Covenant and said Restrictive Covenant is hereby released, satisfied and discharged in its entirety.
3. The Restrictive Covenant recorded in Official Records Book 1458, Page 2605, of the Public Records of St. Lucie County, Florida, restricting the Subject Property to one single residential unit is hereby terminated.
4. By the Termination of said Restrictive Covenant, the lots described herein may each be subject to assessments by the City of Port St. Lucie as a separate residential unit.
5. Lots 4 and 5, Block 1293, Port St. Lucie Section Twelve, may be developed independently of each other in accordance with the rules and regulations of the City of Port St. Lucie.

IN WITNESS WHEREOF, the City of Port St. Lucie, Florida, a Florida municipal corporation, has caused this Termination of Restrictive Covenant to be executed by its proper and duly authorized public official on this ____ day of April 2022.

WITNESSES

CITY OF PORT ST. LUCIE,
a Florida municipal corporation

Signature
Print Name: _____

By: _____
Shannon M. Martin, Mayor

Signature
Print Name: _____

STATE OF FLORIDA)
COUNTY OF ST. LUCIE)

The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this ____ day of April 2022, by Shannon M. Martin as Mayor of the City of Port St. Lucie, and on behalf of the City of Port St. Lucie who is [X] personally known to me, or who has [] produced the following identification _____.

NOTARY SEAL/STAMP

Signature of Notary Public
Print Name: _____
Notary Public, State of _____
My Commission expires _____