

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 DECLARATION OF RESTRICTIVE COVENANTS

WHEREAS, on June 4, 2018, a Declaration of Restrictive Covenants was executed by Anthony Damiani and Dawn M. Damiani (the "Former Owners") and subsequently recorded on June 6, 2018, in Official Records Book 4141, Page 918, of the Public Records of St. Lucie County, Florida (the "First Declaration"), encumbering the following described real property:

Lots 10 and the Easterly half Lot 11, Block 3197, Port St. Lucie Section Forty-Seven, according to the Plat thereof, as recorded in Plat Book 16, Pages 40, 40A through 40L, of the Public Records of St. Lucie County, Florida ("Lots 10 and East of 11")

WHEREAS, on June 4, 2018, another Declaration of Restrictive Covenants was executed by the Formers Owners and recorded on June 6, 2018, in Official Records Book 4141, Page 915, of the Public Records of St. Lucie County, Florida (the "Second Declaration"), encumbering the following described real property:

Lots 12 and the Westerly half of Lot 11, Block 3197, Port St. Lucie Section Forty-Seven, according to the Plat thereof, as recorded in Plat Book 16, Pages 40, 40A through 40L, of the Public Records of St. Lucie County, Florida ("Lots 12 and West of 11")

Lots 10 and East of 11 and Lots 12 and West of 11 being collectively referred to as the "Subject Property".

WHEREAS, in the First Declaration, the Former Owners stated that they desire and intend to restrict Lots 10 and West of 11 so it could be occupied and used only as one single residential unit; and

WHEREAS, in the Second Declaration, the Former Owners stated that they desire and intend to restrict Lots 12 and West of 11 so it could be occupied and used only as one single residential unit; and

WHEREAS, the First Declaration and Second Declaration were created for the purposes of combining the properties so they would be assessed by the City of Port St. Lucie as a single residential unit for the water/sewer extension project, referred to as PS11 SAD 1 Phase 1; and

WHEREAS, on December 23, 2022, the Former Owners, via a Warranty Deed recorded on December 27, 2022, in Official Records Book 4931, Page 1806 of St. Lucie County, Florida, conveyed Lot 10 of the Subject Property to Monna Homes LLC, a Florida limited liability company (the “Current Owner”); and

WHEREAS, on December 23, 2022, the Former Owners, via a Warranty Deed recorded on December 27, 2022, in Official Records Book 4931, Page 1802, of St. Lucie County, Florida, conveyed Lot 11 of the Subject Property to the Current Owner; and

WHEREAS, on December 23, 2022, the Former Owners, via a Warranty Deed recorded on December 27, 2022, in Official Records Book 4931, Page 1795, of St. Lucie County, Florida, conveyed Lot 12 of the Subject Property to the Current Owner; and

WHEREAS, the Current Owner wishes to separate Lots 10 and East of 11 and no longer desires to restrict Lots 10 and East of 11 to one single residential unit; and

WHEREAS, the Current Owner wishes to separate Lots 12 and West of 11 and no longer desires to restrict Lots 12 and West of 11 to one single residential unit; and

WHEREAS, the City of Port St. Lucie agrees to the Termination of the First Declaration and the Second Declaration upon payment of the total sum of **Two Hundred Dollars (\$200.00)**, which sum represents the total outstanding assessments due and owing on the Subject Property based upon equivalent residential connections (ERC) within the Utility Service assessment area; and

WHEREAS, by the Termination of the First Declaration and the Second Declaration, each of the lots identified herein will be subject to assessment by the City of Port St. Lucie as a separate residential unit.

NOW, THEREFORE, for and in consideration of the sum of **\$200.00**, 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 Declarations of Restrictive Covenants and said Declarations of Restrictive Covenants are hereby released, satisfied, and discharged in its entirety.
3. The Declaration of Restrictive Covenants recorded in Official Records Book 4141, at Page 918 and Official Records Book 4141, at Page 915, of the Public Records of St. Lucie County, Florida, restricting the Subject Property are hereby terminated.
4. By the Termination of said Declarations of Restrictive Covenants, the lots described herein may each be subject to assessment by the City of Port St. Lucie as a separate residential unit.
5. Lots 10, 11 and 12, Block 3197, Port St. Lucie Section Forty-Seven, 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 Declaration of Restrictive Covenants to be executed by its proper and duly authorized public official on this ____ day of July 2023.

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 July 2023, 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 _____