

This instrument was prepared under the direction of:

City of Port St. Lucie City Attorney's Office

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 June 22, 2001, a Restrictive Covenant was executed by Joseph T. Zelenak and Carol A. Duprey-Zelenak (the "Previous Owners") and subsequently recorded on November 21, 2001, in Official Records Book 1458, Page 210, of the Public Records of St. Lucie County, Florida, encumbering the following described real property:

**Lots 9, 10 and 11, Block 1185, Port St. Lucie Section Eight, according to the plat thereof, as recorded in Plat Book 12, Page 38, of the Public Records of St. Lucie County, Florida (the "Subject Property").**

**WHEREAS**, by said Restrictive Covenant, the Previous Owners stated that they occupied the Subject Property as one single residential unit and intended to restrict the Subject Property so that it could be occupied and used only as one single residential unit; and

**WHEREAS**, the Restrictive Covenant was created for the purpose 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 PS56, USA 5, 6 and 7A; and

**WHEREAS**, the Previous Owners, via a Warranty Deed dated September 22, 2022, and recorded in Official Records Book 4895, Page 273, of the Public Records of St. Lucie County, Florida, conveyed title to Lot 11 of the Subject Property to Synergy Homes, LLC, a Florida Limited Liability Company; and

**WHEREAS**, Carol A. Zelenak, the current owner of the Lots 9 and 10 of the Subject Property, wishes to separate the Subject Property 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 (\$200.00)**, which sum represents the total administrative charges for terminating the Restrictive Covenant; and

**WHEREAS**, by the Termination of the Restrictive Covenant, each of the lots identified herein may be subject to assessment by the City of Port St. Lucie as a separate residential unit; and

**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 of \$200.00 on March 1, 2024, and said Restrictive Covenant is hereby released, satisfied, and discharged in its entirety.
3. The Restrictive Covenant recorded on November 21, 2001, in Official Records Book 1458, Page 210, 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 assessment by the City of Port St. Lucie as a separate residential unit.
5. Lots 9, Block 1185, Port St. Lucie Section Eight, may be developed independently of Lots 10 and 11, Block 1185, Port St. Lucie Section Eight 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 March 2024.

WITNESSES

**CITY OF PORT ST. LUCIE,**  
a Florida municipal corporation

\_\_\_\_\_  
Signature  
Print Name: \_\_\_\_\_  
Address: 121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984

By: \_\_\_\_\_  
Shannon M. Martin, Mayor

\_\_\_\_\_  
Signature  
Print Name: \_\_\_\_\_  
Address: 121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984

STATE OF FLORIDA            )  
COUNTY OF ST. LUCIE       )

The foregoing instrument was acknowledged before me by means of [ ☒ ] physical presence or [ ☐ ] online notarization, this \_\_\_\_ day of March 2024, 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 [ ☒ ] 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 \_\_\_\_\_