

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 24, 1994, a Restrictive Covenant was executed by Frank L. Roberts and Patricia A. Roberts (the "Former Owners") and subsequently recorded on October 20, 1994, in Official Records Book 0925, Page 1898, of the Public Records of St. Lucie County, Florida, encumbering the following described real property:

Lots 1 and 44, Block 427, Port St. Lucie Section Three, according to the Plat thereof, as recorded in Plat Book 12, Pages 13A through 13IG, of the Public Records of St. Lucie County, Florida (the "Subject Property").

WHEREAS, by said Restrictive Covenant, the Former Owners stated that they occupied the Subject Property as one single residential unit and intended 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 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 PS12, SAD 1 Phase 2; and

WHEREAS, on July 31, 2023, Synergy Homes LLC, a Florida limited liability company ("Lot 44 Owner"), via Warranty Deed recorded on August 1, 2023, in Official Records Book 5024, Page 1115, of St. Lucie County, Florida, obtained title to Lot 44 of the Subject Property; and

WHEREAS, on August 4, 2023, Anthony Ascanio and Joseph Ascanio ("Lot 1 Owners") via Warranty Deed recorded on August 21, 2023, in Official Records Book 5032, Page 2778, of St. Lucie County, Florida, (the "Owners") obtained title to Lot 1 of the Subject Property; and

WHEREAS, the Lot 44 Owner and Lot 1 Owners wish to separate the Subject Property and no longer desire 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 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 Restrictive Covenant, each of the lots identified herein will be subject to assessment by the City of Port St. Lucie as a separate residential unit for the water/sewer extension project, referred to as PS12, SAD 1 Phase 2.

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 August 21, 2023, 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 on October 20, 1994, in Official Records Book 0925, Page 1898, 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 1 and 44, Block 427, Port St. Lucie Section Three, 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 October 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 October 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 _____