

PREPARED BY AND RETURN TO:
The School Board of Broward County, Florida
Kathleen C. Wright Administrative Building
600 Southeast 3rd Avenue
Fort Lauderdale, FL 33301

RELEASE OF

DECLARATION OF RESTRICTIVE COVENANTS

(Land Use Amendment PC 05-23 and PC 07-20)

THIS RELEASE OF DECLARATION OF RESTRICTIVE COVENANTS (the "Release") is made as of the ____ day of _____, 2020 by **BROWARD COUNTY**, a political subdivision of the State of Florida ("County"), and **THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA**, a body corporate and political subdivision of the State of Florida ("School Board").

WITNESSETH:

WHEREAS, Shoal Creek Properties – Pompano, LLC, a Florida limited liability company and (herein referred to as the "Original Owner") executed that certain

(i) Declaration of Restrictive Covenants dated August 7, 2006, and recorded in Official Records Book 42549, Page 705, Public Records of Broward County, Florida (the "Declaration") affecting certain real property located in the City of Pompano Beach, Florida, in Broward County, more particularly described in Exhibit "A" attached hereto (the "Property");

(ii) Amended and Restated Declaration of Restrictive Covenants filed in Official Records Book 42588, Page 1233; and

(iii) Second Amendment to Declaration of Restrictive Covenants filed in Official Records Book 48854, Page 149, (collectively the "Restrictive Covenants"); and

WHEREAS, the Original Owner has complied with the terms of the Restrictive Covenants; and

WHEREAS, the Property is now owned by **Bell Fund VI Pompano Beach, LLC**, a Delaware limited liability Company (the "Current Owner") who has requested that each of the above referenced Restrictive Covenants be release of record; and

WHEREAS, County and School Board now desire to release the referenced Declaration of Restrictive Covenants and their effect on the Property, in its entirety.

NOW THEREFORE, in consideration of the mutual covenants, promises and benefits contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged,

1. The above recitals are true and correct and incorporated herein by reference.
2. The Restrictive Covenants are hereby released, discharged and terminated and by these

presents, the County and School Board do release, discharge and terminate forever all of the right, title, interest, claim and demand which the County and School Board have under and by virtue of said Restrictive Covenants.

IN WITNESS WHEREOF, County and School Board have hereunto executed this Release of Declaration of Restrictive Covenants on the respective dates under each signature.

IN WITNESS WHEREOF, the parties have made and executed this Release on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on the ____ day of _____, 2020, and THE BROWARD SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, signing by and through its Chair, authorized to execute same by Board action on the ____ day of _____, 2020.

COUNTY

ATTEST:

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

By: _____
Bertha Henry, County Administrator and
Ex-Officio Clerk of the
Board of County Commissioners
of Broward County, Florida

By: _____
Dale V.C. Holness, Mayor

____ day of _____, 2020

Approved as to form by
Office of County Attorney
Broward County, Florida
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-6968

By: _____
Deputy County Attorney

____ day of _____, 2020

SCHOOL BOARD

(Corporate Seal)

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

By: _____
Donna P. Korn, Chair

____ day of _____, 2020

By: _____
Robert W. Runcie, Superintendent of Schools

Approved as to Form:

By:  _____
Barbara J. Myrick, General Counsel

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1

ALL THAT PART OF THE NORTH ONE-HALF (IN 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 18, TOWNSHIP 48 SOUTH, RANGE 43 EAST, LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 6, (FORMERLY STATE ROAD NO. 4, U.S. HIGHWAY NO. 1), COMMONLY KNOWN AS FEDERAL HIGHWAY, LYING SOUTH OF A LINE PARALLEL TO AND 838.27 FEET SOUTH OF THE NORTH LINE OF SAID NORTH ONE-HALF (IN 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 18.

TOGETHER WITH: PARCEL 2

THAT PORTION THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 18, TOWNSHIP 48 SOUTH, RANGE 43 EAST, LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 4, ALSO KNOWN AS FEDERAL HIGHWAY, AS NOW LOCATED AND ESTABLISHED, WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 18, THENCE RUNNING NORTH 89°07'30" EAST, A DISTANCE OF 486.8 FEET TO THE WEST BOUNDARY LINE OF SAID STATE ROAD NO. 4, ALSO KNOWN AS FEDERAL HIGHWAY, AS NOW LOCATED AND ESTABLISHED; THENCE SOUTH 87°12'30" WEST, ALONG THE WEST BOUNDARY OF SAID HIGHWAY, A DISTANCE OF 180 FEET TO A POINT; THENCE SOUTH 89°07'30" WEST, A DISTANCE OF 428.17 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 18; THENCE NORTH 80°32'27" WEST, ALONG THE WEST LINE OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 18, A DISTANCE OF 143.5 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH: PARCEL 2

A PORTION OF THE SOUTH 83.85 FEET OF THE NORTH 83.85 FEET (IN THAT PART OF THE NORTH ONE-HALF (IN 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE NORTHWEST ONE-QUARTER (NW 1/4) LYING WEST OF THE RIGHT-OF-WAY OF FEDERAL HIGHWAY IN SECTION 18, TOWNSHIP 48 SOUTH, RANGE 43 EAST, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY OF THE ABOVE DESCRIBED PROPERTY 143.53 FEET WEST OF THE SOUTHEAST CORNER THEREOF; THENCE NORTH ALONG THE WESTERLY BOUNDARY THEREOF 79.88 FEET TO A POINT; THENCE EAST PARALLEL WITH THE SOUTHERLY BOUNDARY THEREOF 80 FEET TO A POINT; THENCE SOUTH PARALLEL WITH THE WESTERLY BOUNDARY THEREOF 79.88 FEET TO THE SOUTHERLY BOUNDARY; THENCE WEST ALONG THE SAID SOUTHERLY BOUNDARY 80 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN BROWARD COUNTY, FLORIDA, CONTAINING 8.87 ACRES MORE OR LESS.

NOTES:

1. THE BEARINGS, DISTANCES, AND AREA SHOWN HEREON AND ON THE ATTACHED SKETCH ARE SUBJECT TO CHANGE BASED ON THE FIELD LOCATION OF EXISTING PROPERTY MONUMENTATION.

2. THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED MERIDIAN, THE WEST RIGHT-OF-WAY OF FEDERAL HIGHWAY BEARS NORTH 07°18'30" EAST ACCORDING TO FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 8623-2326, SHEET 4 OF 20, DATED DECEMBER 21, 1977, REVISED NOVEMBER 24, 1980.

3. THE ABOVE DESCRIPTION IS BASED ON THE FOLLOWING DEEDS:

WARRANTY DEED OFFICIAL RECORDS BOOK 24837, PAGE 978 (LOT 6)
QUIT-CLAIM DEED OFFICIAL RECORDS BOOK 33186, PAGE 986 (LOT 6)
QUIT-CLAIM DEED OFFICIAL RECORDS BOOK 36780, PAGE 1880 (LOT 7)
WARRANTY DEED OFFICIAL RECORDS BOOK 30882, PAGE 1828 (LOT 8 &
PARCELS "1" & "2")
WARRANTY DEED OFFICIAL RECORDS BOOK 31822, PAGE 1819
(PARCEL "3")

THE ABOVE DEEDS ARE ALL RECORDED IN THE OFFICIAL RECORDS OF BROWARD COUNTY, FLORIDA.

CERTIFICATE:

WE HEREBY CERTIFY THAT THE DESCRIPTION AND SKETCH CONFORMS TO CHAPTER 81017-5, (FLORIDA ADMINISTRATIVE CODE) MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA AS ADOPTED BY THE DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, BOARD OF PROFESSIONAL LAND SURVEYORS IN SEPTEMBER, 1981, AS AMENDED, PURSUANT TO CHAPTER 472.027 OF THE FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

DRAYEN THOMPSON & ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION LB371

DOUGLAS M. DAVIS
PROFESSIONAL SURVEYOR AND MAPPER NO. 4343
STATE OF FLORIDA