

Prepared by and return to:

Nectaria M. Chakas, Esq.
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1401 E. Broward Boulevard, Suite 200
Ft. Lauderdale, FL 33301

Folio No. 484228280010 and 484228280011

TERMINATION / RELEASE
OF DECLARATION OF RESTRICTIVE COVENANTS
FOR PROJECT ACCESS

This TERMINATION/RELEASE OF DECLARATION OF RESTRICTIVE COVENANTS FOR PROJECT ACCESS is entered into this _____ day of _____, 2018 among BRIDGE POWERLINE, LLC, a Florida limited liability company having a principal address of 1000 W. Irving Park Road, Suite 150, Itasca, IL 60143, BRIDGE POWERLINE FRONTAGE, LLC having a principal address of 1000 W. Irving Park Road, Suite 150, Itasca, IL 60143 (collectively "DEVELOPER") and Broward County, a political subdivision of the State of Florida, having an address of 115 S. Andrews Avenue, Fort Lauderdale, FL 33301 ("County").

RECITALS:

WHEREAS, DEVELOPER is the fee simple owner of a parcel of land located in the City of Pompano Beach, which parcel is subject to the Delta Pompano Plat recorded in Plat Book 179, Page 67 of the Public Records of Broward County, Florida and more particularly described on Exhibit A attached hereto and made a part hereof (the "Plat");

WHEREAS, as a condition of approval of the Plat, the County required DEVELOPER'S predecessor in title to record a declaration which limited and restricted the location and operation of access to, from, and throughout the Plat; and

WHEREAS, to comply with the condition of approval, a Declaration of Restrictive Covenants for Project Access in favor of the County dated January 15, 2010, was recorded in Official Records Book 46881, Page 1473, of the Public Records of Broward County, Florida (the "Declaration").

WHEREAS, DEVELOPER requested to amend the Plat to modify the project access; and

WHEREAS, as a result of the modifications to the project access, the Declaration is no longer needed and the parties wish to terminate the Declaration; and

WHEREAS, the County and City of Pompano Beach have no objection and consent to the termination/release of the Declaration;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto intending to be legally bound do hereby agree as follows:

1. Recitals. The foregoing recitals are true and correct and incorporated herein.

2. Release/Termination. County hereby consents to and acknowledges the termination of the Declaration and releases and discharges the Plat from the covenants and restrictions established by the Declaration except those covenants and restrictions that specifically survive the early termination of the Declaration under the terms of the Declaration.

3. Consent by City of Pompano/Broward County. In accordance with Section 6 of the Declaration, the City of Pompano Beach and Broward County hereby approve and consent to the termination/release of the Declaration.

IN WITNESS WHEREOF, the County, City of Pompano Beach, and DEVELOPER have made and executed this TERMINATION/RELEASE OF DECLARATION OF RESTRICTIVE COVENANTS FOR PROJECT ACCESS on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, acting by and through its Mayor or Vice-Mayor, authorized to execute same; CITY OF POMPANO BEACH through its Commission, acting by and through its Mayor or Vice Mayor, authorized to execute same, and DEVELOPER, acting by and through its manager, duly authorized to execute same.

COUNTY

ATTEST:

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

County Administrator and
Ex-Officio Clerk of the
Board of County Commissioners
of Broward County, Florida

By _____
Mayor

____ day of _____, 20__

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 _____
Assistant County Attorney

____ day of _____, 20__

TERMINATION/RELEASE OF DECLARATION OF RESTRICTIVE
COVENANTS FOR PROJECT ACCESS

WITNESSES:

CITY OF POMPANO BEACH, a
municipal corporation of the State of
Florida

Printed Name: _____

By: _____
Lamar Fisher, Mayor

Date: _____

Printed Name: _____

By: _____
Gregory Harrison, City Manager

Date: _____

ATTEST:

By: _____
Asceleta Hammond, Municipal Clerk

By: _____
Mark Berman, City Attorney

STATE OF FLORIDA)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2018 by
LAMAR FISHER, as Mayor, of CITY OF POMPANO BEACH, a municipal corporation of the
State of Florida. He is personally known to me or has produced _____ as
identification.


Notary Public, State of Florida

Printed Name


I have read and acknowledge the above paragraphs; and hereby request the release of Declaration referenced above.

WITNESSES:

DEVELOPER:
BRIDGE POWERLINE, LLC, a Florida
limited liability company


Printed Name: Brian Lettz


By: KCarroll
Print Name: KEVIN CARROLL
Title: MGR


Printed Name: E. Santamarina III

STATE OF FLORIDA)
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 24 day of August, 2018 by KEVIN CARROLL, as Manager, of BRIDGE POWERLINE, LLC, a Florida limited liability company, on behalf of the company. He/She is personally known to me or has produced _____ as identification.




Notary Public, State of Florida
Brenda Rubio
Printed Name

I have read and acknowledge the above paragraphs; and hereby request the release of Declaration referenced above.

WITNESSES:



Printed Name: Brian Latta



Printed Name: E. Santamarina III

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 24 day of AUGUST, 2018 by KEVIN CARROLL, as MANAGER, of BRIDGE POWERLINE FRONTAGE, LLC, a Florida limited liability company, on behalf of the company. He/She is personally known to me or has produced _____ as identification.



Notary Public, State of Florida

Brenda Rubio
Printed Name

EXHIBIT A

TRACT A OF "DELTA POMPARNO" ACCORDING TO THE PLAT THEREOF
RECORDED IN PLAT BOOK 179, PAGE 67 OF THE PUBLIC RECORDS OF
BROWARD COUNTY, FLORIDA.