

PZ25-12000010 This instrument prepared by and return to:
10/01/2025

Christina Bilenki, Esq.
Miskel Backman LLP
14 SE 4th Street, Suite 36
Boca Raton, Florida 33432

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DECLARATION OF UNITY OF CONTROL

THIS DECLARATION OF UNITY OF CONTROL ("Declaration") is made this ____ day of _____, 2025 by JOEFRAN INVESTMENTS, LLC, a Florida limited liability company whose address is 1420 SW 28th Avenue, Pompano Beach, Florida, 33069 ("Declarant"). Declarant is the fee simple owner of 2 parcels of property located at 956 & 980 SW 12th Avenue in the City of Pompano Beach, Florida (Property IDs: 494204160010 & 494202000570) and further described herein as Exhibit "A" (the "Property"). Declarant does hereby make the following declaration of conditions, limitations, and restrictions on said lands, hereinafter to be known and referred to as a "Declaration of Unity of Control," as to the following particulars:

1. **Unified Control.** The aforesaid plot or combination of separate lots, plots, parcels acreage, or portions thereof shall hereinafter be regarded and is hereby declared to be under unified control such that:
 - a. The Property shall be developed in substantial conformity with the site plan and Development Order _____ attached hereto as Exhibit "B" and incorporated herein by reference (the "Site Plan") and shall be considered an undivided parcel for zoning purposes.
 - b. Declarant shall not convey any portion of the Property to other parties unless and until the Declarant has executed and recorded a separate Declaration of Restrictions and easement documents which shall, among other things, provide:
 - i. For appropriate easement over the private roads and accessways to provide vehicular and pedestrian ingress and egress between and among each of the uses constructed or to be constructed within the Property; and
 - ii. For appropriate easements for parking, drainage and other shared infrastructure within the Property between and among each of the uses constructed or to be constructed upon the Property.

2. **Covenant Running with the Land.** This Declaration on the part of the Declarant shall constitute a covenant running with the title to the Property and shall remain in full force and effect and be binding upon the undersigned Declarant, and its heirs, successors and assigns unless and until the same is modified or released by the City of Pompano Beach Development Services Director.
3. **Term.** This Declaration is to run with title to the Property and shall be binding upon the Property for a period of thirty (30) years from the date this Declaration is recorded in the public records of Broward County, after which time it shall be extended automatically for successive periods of ten (10) years each, unless modified, amended or released as provided herein.
4. **Modification, Amendment, Release.** This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the Declarant and the City of Pompano Beach, as provided in Paragraph 2 above.
5. **Enforcement.** The Declarant on behalf of itself and its heirs, successors and assigns to the Property, hereby acknowledges and agrees this Declaration may be enforced by the City by injunctive relief. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such attorneys' fees as the Court may adjudge to be reasonable. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.
6. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.
7. **Recording.** This Declaration shall be filed of record in the public records of Broward County, Florida.
8. **Restriction and Encumbrances.** Nothing contained herein is intended to prevent or inhibit the recordation of a Declaration of Covenant against the Property, nor is this Declaration of Unity of Control intended to prevent or inhibit the imposition of mortgages or other encumbrances upon all or a portion of the Property.

(SIGNATURES APPEAR OF THE FOLLOWING PAGES)

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10/01/2025

IN WITNESS WHEREOF, the undersigned has executed this instrument on the date first above written.

Signed, Sealed, and Delivered in the Declarant:
presence of:

**By: JOEFRAN INVESTMENTS, LLC, a Florida
limited liability company**

(Witness Signature)

Sign: _____
By: David Sexton III

(Print Name)

Title: Manager

(Address)

(Witness Signature)

(Print Name)

(Address)

STATE OF FLORIDA

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 202____, by _____, as Authorized Signatory of JOEFRAN INVESTMENTS, LLC, a Florida limited liability company, who executed this instrument on behalf of the Company, and who is personally known to me or has produced _____ as a type of identification.

(Notary Signature)

Print Name: _____
Notary Public, State of: _____
Serial Number, if any: _____
My commission expires: _____

(SEAL)

EXHIBIT "A"

Legal Description of Property

The South 100 feet of the North 2,035 feet of the East 248 feet of that part of the West ½ of the West ½ of the West ½ lying South of Government Lot 5, Section 2, Township 49 South, Range 42 East, said property lying and being situate in Broward County, Florida, less the West 3 feet.

and

The South 50 feet of the South ½ of the South 300 feet of the North 1835 feet of the East 248 feet of that portion of the West ½ of the West ½ of the West 1/2, lying South of Government Lot 5 of Section 2, Township 49 South, Range 42 East, Broward County Florida.

and

The South 100 feet of the North 1935 feet of the East 248 feet of that part of the West ½ of the West ½ of the West ½, lying South of Government Lot 5 of Section 2, Township 49 South, Range 42 East, Broward County, Florida.

EXHIBIT "B"

Site Plan & Development Order

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