

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND CONSENTING TO A TERMINATION/RELEASE OF DECLARATION OF RESTRICTIVE COVENANTS FOR PROJECT ACCESS BY AND BETWEEN BRIDGE POWERLINE, LLC AND BROWARD COUNTY; PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That the City of Pompano Beach approves and consents to the Termination/Release of Declaration of Restrictive Covenants for Project Access, copy of which Agreement is attached hereto and incorporated by reference as if set forth in full.

**SECTION 2.** That the proper officials are hereby authorized to execute said Agreement indicating the City of Pompano Beach's approval and consent.

**SECTION 3.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this 27th day of March, 2018.

  
\_\_\_\_\_  
**LAMAR FISHER, MAYOR**

**ATTEST:**

  
\_\_\_\_\_  
**ASCELETA HAMMOND, CITY CLERK**

009.14

RESOLUTION NO. 2018- 121

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

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**ATTEST:**

  
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**ASCELETA HAMMOND, CITY CLERK**

08.14

Prepared by and return to:

Nectaria M. Chakas, Esq.  
Lochrie & Chakas, P.A.  
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 by and between BRIDGE POWERLINE, LLC, a Florida limited liability company having a principal address of 350 W. Hubbard Street, Suite 430, Chicago, IL 60654 (“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**, on November 14, 2017, DEVELOPER became 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

Betty J. Manes  
Printed Name: Betty J. Manes

By: [Signature]  
Lamar Fisher, Mayor  
Date: 4/3/2018

Shelley R. Bartholomew  
Printed Name: Shelley R. Bartholomew

By: [Signature]  
Gregory Harrison, City Manager  
Date: 4/3/2018

ATTEST:

By: [Signature]  
Asceleta Hammond, Municipal Clerk

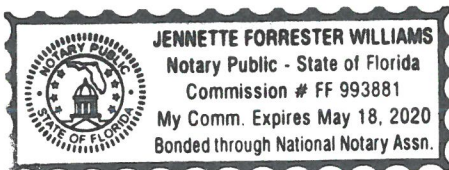
Approved As to Form:  
By: [Signature]  
Mark Berman, City Attorney

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of April, 2018 by **LAMAR FISHER** as Mayor, **GREGORY P. HARRISON** as City Manager and **ASCELETA HAMMOND** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

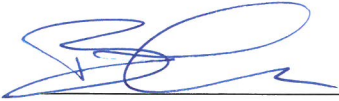
NOTARY'S SEAL:

[Signature]  
NOTARY PUBLIC, STATE OF FLORIDA  
Jennette Forrester Williams  
Printed Name




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

**WITNESSES:**



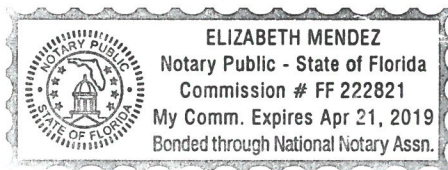
Printed Name: Brian Latta



Printed Name: Nectaria Chakas

STATE OF FLORIDA       )  
COUNTY OF BRAVARD )

The foregoing instrument was acknowledged before me this 16 day of March, 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 nk as identification.



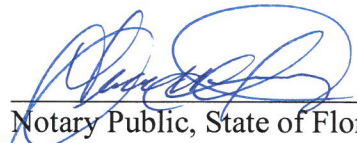
**DEVELOPER:**

**BRIDGE POWERLINE, LLC**, a Florida limited liability company

By: K Carroll

Print Name: KEVIN CARROLL

Title: mgr

  
Notary Public, State of Florida  
Elizabeth Mendez  
Printed Name

**EXHIBIT A**

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