

This instrument prepared by and return to:

Nectaria M. Chakas, Esq.
Lochrie & Chakas, P.A.
699 N. Federal Highway, Suite 400
Fort Lauderdale, FL 33304

Folio Number: 5041 3701 1280

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS (“Declaration”) is made this ____ day of _____, 20____, by the HOUSING AUTHORITY OF THE CITY OF FORT LAUDERDALE, a Florida governmental entity created under Chapter 421, Part I of the Florida Statutes (“Declarant”), which shall be for the benefit of BROWARD COUNTY, FLORIDA, a political subdivision of the State of Florida (“County”).

WITNESSETH:

WHEREAS, Declarant is the owner of a 37.180 acre parcel located at 4590 Peters Road in unincorporated Broward County, Florida, more particularly described on **Exhibit A** attached hereto and made a part hereof (the “Property”); and

WHEREAS, Declarant made application to Broward County to amend the Future Land Use Map of the Broward County Comprehensive Plan to change the land use designation of the Property from Community to Medium (16) Residential under Application No. PC 25-7 (“County Application”); and

WHEREAS, Declarant made application to the County Housing and Urban Planning Division requesting to change the Future Land Use Map of the Broward Municipal Services District (“BMSD”) Comprehensive Plan for the Property from Utilities to Medium (16) Residential under Application No. 25-M1 (“BMSD Application”), collectively the County Application and the BMSD Application are referred to as the “Applications”; and

WHEREAS, in order to induce the Broward County Board of County Commissioners to favorably consider the Applications, the Declarant voluntarily agrees to place certain restrictions on the development of the Property as set forth herein;

NOW, THEREFORE, in consideration of the foregoing premises and the promises and covenants herein contained, Declarant hereby declares that the Property shall be subject to the covenants, restrictions, and regulations hereinafter set forth, all of which shall run with the land and which shall be binding upon all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns.

1. Recitations. The recitals set forth above are true and correct and are incorporated into this Declaration by this reference.

2. Restrictions.

a. Uses. The Property is hereby restricted to 34 single family dwelling units to be located on the portion of the Property shown on **Exhibit B** attached hereto and made a part hereof (“Single”

Family Project”) and 474 multifamily dwelling units to be located on the portion of the Property shown on Exhibit C attached hereto and made a part hereof (“Multifamily Project”).

b. Unit mix. The Single Family Project will be a for-sale product to be sold as a market rate product. The Multifamily Project will be restricted to affordable housing as defined by the County Comprehensive Plan.

c. Access and Traffic Circulation. The Project shall include multiple access points to ensure vehicular circulation is sufficiently dispersed and minimize impacts on the surrounding community.

i. Vehicular access to the Multifamily Project will be from two access points on the east side of the Property. In addition, Declarant shall use its best efforts to secure an additional access at the north side of the Property to Peters Road.

ii. Vehicular access to the Single Family Project will be along SW 46th Avenue.

d. Amenities. The Multifamily Project shall include a suite of amenities for its residents, which includes a clubroom, catering kitchen, fitness center, business center, bike storage, dog park and walking trail.

e. Site layout. The multifamily units will be situated within the area located on Exhibit C in various structures providing adequate building separation. The structures within the Multifamily Project will not exceed a maximum height of three (3) stories or thirty-five (35) feet.

3. Recordation and Effective Date. This Declaration shall not become effective ("Effective Date") until the later of (i) Final Approval and (ii) recordation amongst the Official Records of Broward County, Florida. As used herein, "Final Approval" shall mean final approval and adoption of the Applications, and the expiration of any appeal periods applicable thereto without an appeal having been taken or, if taken, when finally dismissed with no further appeal permitted.

4. Severability. If any court of competent jurisdiction shall declare any section, paragraph or part of this Declaration invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph or part hereof, and the same shall remain in full force and effect.

5. Captions, Headings and Titles. Articles and paragraph captions, headings and titles inserted throughout this Declaration are intended as a matter of convenience only and in no way shall such captions, headings or titles define, limit or in any way affect the subject matter or any of the terms and provisions thereunder or the terms and provisions of this Declaration.

6. Amendments, Termination or Release. This Declaration may not be modified, amended or released as to the any portion of the Property except by written instrument, executed by the then owner or owners of the portion of the Property affected by such modification, amendment, or release and approved in writing by the Broward County Board of County Commissioners. The appropriate governmental authority of the County shall execute a written instrument effectuating and acknowledging such modification, amendment or release. Any amendment, modification or release of this Declaration shall be recorded in the Official Records of Broward County, Florida.

7. Remedies for Violation. In the event the Declarant, its successors or assigns, violates any of the covenants and restrictions contained herein, Declarant hereby acknowledges and agrees that the County may withhold further permits and approvals with respect to the Property, provided the County first provides Declarant with written notice and a thirty (30) day opportunity to cure the violation. The County is the beneficiary of these covenants and restrictions and, as such, the County may enforce these covenants and

restrictions by action at law or in equity, including, without limitation, a decree of specific performance or mandatory or prohibitory injunction, against any person or persons, entity or entities, violating or attempting to violate the terms of these covenants and restrictions.

8. Waiver. Any failure of the County to enforce these restrictive covenants shall not be deemed a waiver of the right to do so thereafter. This document shall be construed in accordance with the laws of Florida and venue shall be Broward County, Florida.

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SIGNATURES ON FOLLOWING PAGE

IN WITNESS WHEREOF, Declarant has executed this Declaration on the day first above written.

WITNESSES:

By: _____
Print Name: _____

By: _____
Print Name: _____

DECLARANT:

**HOUSING AUTHORITY OF THE CITY OF
FORT LAUDERDALE, a Florida
governmental entity created under
Chapter 421, Part I of the Florida Statutes**

By: _____
Print Name: _____
Title: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me, by means of (check one): ___ physical presence or ___ online notarization, this ___ day of _____, 20___, by _____, who is the _____ of the Housing Authority of the City of Fort Lauderdale, who is personally known to me or who has produced _____ as identification.

Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires:

EXHIBIT A
Property

LEGAL DESCRIPTION

ALL OF TRACTS 4, 5 & 6, TIER 16, AND PORTIONS OF TRACTS 7 & 8, TIER 16, NEWMAN'S SUBDIVISION ONE AND TWO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF ROCK HILL SECTION "D", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 39, PAGE 7, OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA; THENCE NORTH 75°10'47" WEST, A DISTANCE OF 585.00 FEET; THENCE NORTH 14°49'13" EAST, A DISTANCE OF 3,249.04 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 73°50'20", A DISTANCE OF 32.22 FEET TO A POINT OF TANGENCY; THENCE NORTH 88°39'33" EAST, A DISTANCE OF 94.95 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTH; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 753.40 FEET AND A CENTRAL ANGLE OF 14°08'59", A DISTANCE OF 186.06 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 14°49'13" WEST, A DISTANCE OF 1,096.81 FEET; THENCE SOUTH 75°10'47" EAST, A DISTANCE OF 292.50 FEET; THENCE SOUTH 14°49'13" WEST, A DISTANCE OF 2,231.98 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND CONTAINING 1,619,552 SQUARE FEET (37.180 ACRES, MORE OR LESS).

SEE ATTACHED SKETCH AND LEGAL DESCRIPTION

EXHIBIT B

SINGLE FAMILY PROJECT

DESCRIPTION OF PROPERTY (NOT A SURVEY)

LEGAL DESCRIPTION

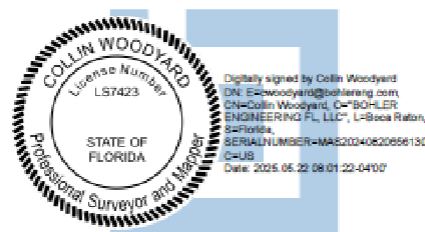
A PORTION OF TRACTS 4, 5, 6 AND THE WEST 1/2 OF TRACT 7, TIER 16, OF SECTION 13, TOWNSHIP 50 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT OF NEWMAN'S SURVEY, RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; SAID LANDS SITUATE LYING AND BEING IN BROWARD COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION THEREOF LYING WITHIN THE RIGHT OF WAY OF WEST DAVIE BOULEVARD.

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 4, TIER 16; THENCE ALONG THE WEST LINE OF SAID TRACT 4 AND THE WEST LINE OF TRACTS 5, 6 AND 7, ALSO BEING THE EAST RIGHT-OF-WAY LINE OF SW. 46TH AVENUE, NORTH 14°49'13" EAST, A DISTANCE OF 3,249.04 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 73°50'20", A DISTANCE OF 32.22 FEET TO A POINT OF TANGENCY; THENCE NORTH 86°39'33" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF DAVIE ROAD EXTENSION, A DISTANCE OF 85.33 FEET; THENCE DEPARTING SAID SOUTH LINE SOUTH 14°49'13" WEST, A DISTANCE OF 3296.80 FEET TO THE SOUTH LINE OF SAID TRACT 4; THENCE WITH SAID SOUTH LINE NORTH 75°10'47" WEST, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 020,104 SQUARE FEET OR 7.504 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF SW 46TH AVENUE, HAVING A GRID BEARING OF N14°49'13"E, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM 1983/1990 ADJUSTMENT (N.A.D. 83/90)
2. ALL MEASUREMENTS SHOWN HEREON ARE IN U.S. SURVEY FEET.
3. AN ABSTRACT OF TITLE WAS NOT PERFORMED BY OR FURNISHED TO BOHLER. ANY EASEMENTS OR ENCUMBRANCES THAT MAY APPEAR AS A RESULT OF SAID ABSTRACT ARE NOT WARRANTED BY THIS SKETCH.
4. THIS IS NOT A "BOUNDARY SURVEY" BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.
5. THE PURPOSE OF THIS DOCUMENT IS TO SKETCH AND DESCRIBE A PORTION OF AN EXISTING PROPERTY.
6. THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-052, FLORIDA ADMINISTRATIVE CODE. NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE RAISED SEAL OR THE ELECTRONIC SIGNATURE AND COMPUTER GENERATED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



COLLIN WOODYARD
LS. 7423
MAY 20, 2025

SHEET 1 OF 2

SCALE: N/A	DATE 05/20/2025	DRAWN CRW	PROJECT FLB240180	SEC. 13 TWP. 50 S. RNG. 41 E.	1900 NW CORPORATE BLVD., SUITE 101E BOCA RATON, FL 33431 561.571.0280 CERT. OF AUTHORIZATION: LBR8085	BOHLER <small>INC.</small>
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EXHIBIT C

MULTIFAMILY PROJECT

DESCRIPTION OF PROPERTY (NOT A SURVEY)

LEGAL DESCRIPTION

A PORTION OF TRACTS 4, 5, 6 AND THE WEST 1/2 OF TRACT 7, TIER 16, OF SECTION 13, TOWNSHIP 50 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT OF NEWMAN'S SURVEY, RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; SAID LANDS SITUATE LYING AND BEING IN BROWARD COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION THEREOF LYING WITHIN THE RIGHT OF WAY OF WEST DAVIE BOULEVARD.

ALSO LESS AND EXCEPT:

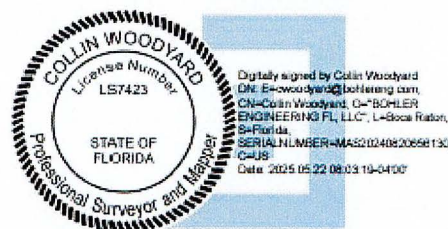
THAT PORTION OF THE WEST ONE-HALF (W1/2) OF TRACT 7, TIER 16 OF SECTION 13, TOWNSHIP 50 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT OF NEWMAN'S SURVEY, AS RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER SAID TRACT 4, TIER 16; THENCE NORTH 75°10'47" WEST, ALONG THE SOUTH LINE OF SAID TRACT 4, A DISTANCE OF 485.00 FEET; THENCE DEPARTING THE SAID SOUTH LINE NORTH 14°49'13" EAST, A DISTANCE OF 3296.80 TO A POINT ON THE SOUTH RIGHT-OF-WAY OF DAVIE BOULEVARD EXTENSION; THENCE ALONG SAID SOUTH LINE NORTH 86°39'33" EAST, A DISTANCE OF 9.02 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTH; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 723.94 FEET AND A CENTRAL ANGLE OF 14°43'02", A DISTANCE OF 185.95 FEET TO A POINT ON THE EAST LINE OF THE SAID WEST ONE-HALF OF TRACT 7; THENCE SOUTH 14°49'13" WEST, ALONG THE SAID EAST LINE, A DISTANCE OF 1,095.86 FEET TO THE SOUTH LINE OF SAID TRACT 7, AND THE NORTH LINE OF SAID TRACT 6; THENCE SOUTH 75°10'47" EAST, ALONG THE SOUTH LINE OF SAID TRACT 7, A DISTANCE OF 292.50 FEET; THENCE SOUTH 14°49'13" WEST, ALONG THE EAST LINE OF SAID TRACTS 6, 5 AND 4, A DISTANCE OF 2,232.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,291,387 SQUARE FEET OR 29.646 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. THE BEARINGS SHOWN HEREON ARE BASED ON THE EAST RIGHT-OF-WAY LINE OF SW 46TH AVENUE, HAVING A GRID BEARING OF N14°49'13"E, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM 1983/1990 ADJUSTMENT (N.A.D. 83/90)
2. ALL MEASUREMENTS SHOWN HEREON ARE IN U.S. SURVEY FEET.
3. AN ABSTRACT OF TITLE WAS NOT PERFORMED BY OR FURNISHED TO BOHLER. ANY EASEMENTS OR ENCUMBRANCES THAT MAY APPEAR AS A RESULT OF SAID ABSTRACT ARE NOT WARRANTED BY THIS SKETCH.
4. THIS IS NOT A "BOUNDARY SURVEY" BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.
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6. THIS SKETCH MEETS THE APPLICABLE "STANDARDS OF PRACTICE" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-052, FLORIDA ADMINISTRATIVE CODE, NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE RAISED SEAL OR THE ELECTRONIC SIGNATURE AND COMPUTER GENERATED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



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