

Prepared by and Return to:

Samuel S. Goren, Esq.
Goren, Cherof, Doody & Ezrol, P.A.
3099 E. Commercial Blvd., Suite 200
Fort Lauderdale, Florida 33308
(954) 771-4500

Folio No. 503934010330

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS (the “Declaration”) made this _____ day of _____, 2024 by the City of Pembroke Pines, a Florida municipal corporation (the “City”), its successors or assigns, and for the benefit of the citizens and residents of the City and the general public.

WITNESSETH:

WHEREAS, the City is currently the owner of the parcel of real property generally located at 5400 SW 208th Lane, Southwest Ranches, FL 33332 and which is more particularly described on Exhibit “A” attached hereto and made a part hereof (“Property”); and

WHEREAS, the City seeks to ensure that the use of Property is restricted from being used as an incinerator or related uses as that term is defined herein; and

WHEREAS, it is the intent of the City that this Declaration, once recorded in the Public Records of Broward County, shall serve to impose restrictions on the Property, as set forth herein.

NOW, THEREFORE, in consideration of the promises and covenants herein contained, the City hereby declares that the Property referenced herein shall be owned, held, used, transferred, sold, conveyed, demised and occupied subject to the covenants, restrictions, and regulations hereinafter set forth, all of which shall run with the land and any part thereof and which shall be binding upon all parties having any right, title or interest in such Property or any part thereof, including their heirs, successors and assigns.

- 1. Recitations.** The recitations set forth above are true and correct and are incorporated into this Declaration by this reference.
- 2. Restrictions.** Incinerators or related uses shall be prohibited from being operated on the Property. “Incinerators or related uses” shall be defined as industrial facilities using sustained high-temperature combustion processes and intended to treat hazardous, clinical or municipal waste, so as to reduce its volume and hazardousness, as this definition is interpreted in the sole discretion of the City. All future uses of the Property shall be subject to the public review and approval of the City Commission of the City of Pembroke Pines.

- 3. Modification and Termination.** Unless the Property is sold to a third party in full compliance with the City's Code of Ordinances, no revisions, amendments, modifications or termination of this Declaration shall be permitted unless approved by a majority of the qualified electors of the City voting in a special referendum election.
- 4. Recordation and Effective Date.** This instrument shall become effective once recorded in the Public Records of Broward County, Florida. Once recorded, this Declaration shall run with the Property for the benefit of the citizens and residents of the City and the general public.
- 5. Severability.** If any court of competent jurisdiction shall declare any section, paragraph or part hereof 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.
- 6. 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.
- 7. Context.** Whenever the context requires or admits, any pronoun used herein may be deemed to mean the corresponding masculine, feminine or neutral form thereof, and the singular form of any nouns or pronouns herein may be deemed to mean the corresponding plural form thereof and vice versa.

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IN WITNESS WHEREOF, City has executed this Declaration of Restrictive Covenants on the date set forth below.

CITY:

Signed, sealed and delivered in the presence of:

City of Pembroke Pines, a Florida municipal corporation

By: _____

Angelo Castillo, Mayor

Print Name: _____

Address: _____

Print Name: _____

Address: _____

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged this day before me by means of ____ online notarization or ____ physical presence by Angelo Castillo, as Mayor of the City of Pembroke Pines, a Florida municipal corporation, on behalf of the City, and who ____ is personally known to me or ____ produced a Florida driver's license as identification.

Witness my hand and official seal, this ____ day of _____, 2024.

Notary: _____

Print Name: ____

Notary Public, State of Florida

My commission expires: _____

EXHIBIT “A”

DESCRIPTION OF THE PROPERTY