

Return recorded copy to:  
Billing, Cochran, Heath, Lyles et al.  
888 SE 3<sup>rd</sup> Ave., Suite 301  
Fort Lauderdale, FL 33316

Document prepared by:  
Gerald L. Knight, Esq.  
Billing, Cochran, Heath, Lyles et al.  
888 SE 3<sup>rd</sup> Ave., Suite 301  
Fort Lauderdale, FL 33316

#### DECLARATION OF RESTRICTIVE COVENANTS

This Declaration of Restrictive Covenants is entered into as of this 30 day of July, 2007, by **PRESTIGE HOMES OF TAMARAC, INC.**, a Florida corporation ("Declarant"), whose address is 11784 W. Sample Road, Suite 101, Coral Springs, Florida 33065, its successors and assigns.

WHEREAS, Declarant is the fee title owner of that certain parcel of land located in the City of Tamarac, Florida, and described in Exhibit "A," attached hereto ("Property"); and

WHEREAS, Declarant has submitted a Land Use Plan Amendment Application ("Application") PC 06-30 to change the Property's Land Use Plan designation from Commercial Recreation to Low (5 Dwelling Units Per Acre) Residential; and

WHEREAS, Declarant has offered to enter into this Declaration to restrict the utilization of the Property; and

WHEREAS, the Board of County Commissioners of Broward County, Florida ("County"), at its meeting on December 12, 2006, agreed to adopt the Land Use Plan Amendment ("Land Use Plan Amendment") subject to Declarant voluntarily agreeing to restrict the utilization of the Property and to not seek further development of the Property through the utilization of flexibility units; to abide by the terms of certain agreements previously made to the City of Tamarac ("City") and neighboring homeowners associations; and to the installation of certain improvements;

NOW, THEREFORE, Declarant agrees, as inducement for the County to adopt an ordinance amending the Broward County Comprehensive Land Use Plan as set forth above, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge and confirmed, that the Property shall be owned, held, used, transferred, sold, conveyed, demised, and occupied subject to the covenants, restrictions and regulations hereinafter set forth, all of which run with the Property 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, their heirs, successors, and assigns:

1. Recitals. The above recitals are true and correct and are incorporated into this

Declaration by reference.

2. Property Development. Declarant hereby restricts development of the Property to not more than four hundred ninety six (496) residential dwelling units, consisting of two hundred eight (208) single family units and two hundred eighty eight (288) townhouse units. Declarant agrees that this restriction constitutes a limitation on the number of units which Declarant has agreed to construction on the Property and that it shall not seek to increase the number of allowable units set forth herein through an application for flexibility units.
  3. Affordability. Declarant hereby agrees to construct fifteen percent (15%) of the units on the Property as "Workforce Housing." Prior to the issuance of the first building permit for the construction or erection of the first residential unit on the Property, Declarant shall enter into a Declaration of Restrictive Covenants (Workforce Housing) in substantially the form attached hereto as Exhibit "B."
  4. Prior to the issuance of the first building permit by City for the construction or erection of the first residential unit on Property, Declarant shall:
    - (a) convey to City, on the Plat of the Property, that property described in Exhibit "C" attached hereto and incorporated herein ("Park Property"), to be used as public park and recreation land;
    - (b) convey to City, on the Plat of the Property, that property described in Exhibit "D," attached hereto and incorporated herein ("Fire Station Property"), to be used by City for a fire station;
    - (c) provide to the City the amount of Five Hundred Thousand Dollars (\$500,000.00) to be used by the City for improvements to the Park Property and the Fire Station Property;
    - (d) pay off the remainder of the homeowners association recreational lease for Mainlands Section 6;
    - (e) provide to each of the homeowners association for Mainlands Sections 6 and 7 the amount of Two Hundred Thousand Dollars (\$200,000.00) to be utilized by the individual associations for those purposes established by each association's membership; and
- Declarant shall obtain and provide City, as part of its building permit application, proof that the foregoing provisions have been satisfied.
5. Prior to environmental review approval of construction plans as set forth within Chapter 27, Broward County Code of Ordinances, by the Development Management Division for the first building permit for construction or erection of the first residential unit on the Property, Declarant shall:
    - (a) provide to County the amount of not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00) towards the purchase of Advanced Transportation Management Systems software to mitigate the net trips generated by the Land Use Plan

- Amendment; and
- (b) conduct an archaeological survey of the Property.

Declarant shall obtain and provide County as part of its environmental review application, with proof that the foregoing provisions have been satisfied.

6. Prior to submission of a site plan of the Property to City for review, Declarant shall:

- (a) submit to City proposals for the installation of traffic calming devices within the Property and the adjacent neighborhood streets adjacent to the Property and, upon approval of the traffic calming devices by City, install such traffic calming devices at Declarant's expense up to One Hundred Twenty Five Thousand Dollars (\$125,000.00) in connection with the development of the Property;
- (b) submit to City proposals for access to the Property for project construction purposes. Upon approval of the construction access Points by City, Declarant agrees that all construction traffic to and from the Property shall be limited to the designated construction access points; and
- (c) incorporate into the site plan a twenty eight foot (28') buffer space with a landscaped berm between the existing residential lots within Mainlands Section 6A located adjacent to NW 51<sup>st</sup> Avenue and the new residential lots on the Property.

7. Prior to the issuance of the first certificate of occupancy for a residential unit within the Property, Declarant shall upgrade the City's water and sewer system in the vicinity of the Property at Declarant's expense up to One Hundred Twenty Five Thousand Dollars (\$125,000.00).

8. Declarant agrees to comply with all state, County, City, and local rules, regulations, and ordinances, including the Broward County Tree Preservation Code, Chapter 27 of the Broward County Code of Ordinances. Declarant shall minimize the number of trees to be removed by incorporating existing trees into its site plan. If the trees cannot be incorporated into the site plan in the current location and the trees are capable of being relocated, the Declaration shall relocate the trees, especially those of specimen size and quality. Further, if burrowing owls are present on the Property upon the commencement of development, Declarant shall apply to the Florida Fish & Wildlife Conservation Commission for a permit to relocate the owls.

9. Declarant shall only conduct construction activities on the Property on weekdays from 8:00 a.m. to 6:00 p.m., and on Saturdays from 8:00 a.m. to 1:00 p.m. Absolutely no construction activities shall occur on the Property on Sundays. Declarant shall, at its sole expense, repair any roads which are damaged as a result of the construction traffic to the Property. Declarant further agrees that its plans for development of the Property shall include, and Declarant shall install and pay for sound walls along the Florida Turnpike in any area(s) abutting the Property where sound walls are not constructed by the Florida Department of Transportation. Declarant agrees that the sound walls it constructs shall be of the same height as those constructed by the Florida Department of Transportation immediately to the north and south of those constructed by Declarant. Declarant also

agrees that, with respect to the portion of the Property located south of Commercial Boulevard (adjacent to Mainlands Section 6), the development of the Property will be designed so that it will not be necessary for vehicular traffic between Commercial Boulevard or Rock Island Road and new residential units to be constructed on the Property to utilize those segments of existing residential streets where residential units are currently located adjacent to the street; provided that the portion of NW 50<sup>th</sup> Street located west of NW 51<sup>st</sup> Avenue may be utilized for common access to the new and existing residential units.

10. County and City are the beneficiaries of these covenants and restrictions, and as such, the County or the City, alone or collectively, 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. In addition, County and/or City may refuse to issue building permits, certificates of occupancy or other required governmental approvals until Declarant, its successors or assigns come into compliance with the terms of this Declaration.

11. Any failure of County and/or City to enforce these restrictive covenants shall not be deemed a waiver of the right to do so thereafter. Any waiver shall only be applicable to the specific instance to which it relates and shall not be deemed to be a continuing or future waiver.

12. Applicable Law/Venue. This document shall be construed in accordance with the laws of Florida and venue shall be Broward County, Florida.

13. Amendment. This Declaration shall not be modified, waived, amended or released as to 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 County and City. Declarant shall provide notice of any proposed amendment, modification, waiver or release of this Declaration that would have the effect of increasing the allowable density on the Property to the Mainlands Section 6 homeowners association prior to submittal of the amendment, modification, waiver or release to County or City. Any amendment, modification, waiver or release of this Declaration shall be recorded in the public records of Broward County, Florida.

14. Recordation and Effective Date. This Declaration of Restrictive Covenants shall not be recorded in the Public Records of Broward County, Florida, and shall not become effective until following the expiration of all appeal periods or, if an appeal is filed, the conclusion of such appeal for the Land Use Plan Amendment changing the Land Use Plan designation on the Property from Commercial Recreation to Low Medium (10 Dwelling Units Per Acre). Once recorded, this Declaration shall run with the Property for the benefit of County and City and shall bind all successors and assigns to title of the Property.

15. Mortgages. If there is a mortgage against the property described in Exhibit "A," Mortgagee hereby agrees that the Mortgage it holds from Declarant recorded in Official

Records Book \_\_\_\_\_, Page \_\_\_\_\_, of the Public Records of Broward County, Florida, all of which encumber the Property described herein shall be and are subordinate to the Restrictive Covenants set forth above.

16. Severability. If any court of competent jurisdiction shall declare any section, paragraph or part thereof 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.

IN WITNESS WHEREOF, Declarant and Mortgagee have executed this Declaration of Restrictive Covenants and Subordination as follows:

Declarant

Witnesses (if partnership):

THIS IS NOT AN OFFICIAL COPY

(Signature) _____	Prestige Homes of Tamarac, Inc.
Print name: _____	By <u>Bruce Chart</u>
(Signature) _____	(Signature) _____
Print name: _____	Print name: <u>Bruce Chart</u>
	Title: <u>President</u>
	Address: <u>111784 West Sample Road</u>
	<u>Coral Springs FL 33065</u>
	<u>30<sup>th</sup></u> day of <u>July</u> , 20 <u>07</u>

ATTEST:

\_\_\_\_\_  
(Secretary Signature)

Print Name of Secretary: \_\_\_\_\_

(CORPORATE SEAL)

**ACKNOWLEDGMENT**

STATE OF )  
 ) SS.  
COUNTY OF )

The foregoing Instrument was acknowledged before me this 30<sup>th</sup> day of July, 2007, by Bruce Chait, as President of Prestige Homes of Tamarac, a Florida corporation, on behalf of the corporation. He or she is:  
☒ personally known to me, or  
☐ produced identification. Type of identification produced \_\_\_\_\_

(Seal)

NOTARY PUBLIC:

My commission expires:

Kim I. Loss  
Print name: Kim I. Loss

 THIS IS NOT AN  
OFFICIAL COPY

EXHIBIT "A"

LEGAL DESCRIPTION OF THE PROPERTY

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OFFICIAL COPY

(PARCEL A)

A PORTION OF TRACTS 4 AND 5 OF "FORT LAUDERDALE TRUCK FARMS SUBDIVISION" OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA. AS RECORDED IN PLAT BOOK 4, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE SOUTH  $89^{\circ}09'25''$  EAST, ALONG THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 375.06 FEET; THENCE SOUTH  $00^{\circ}13'00''$  EAST, A DISTANCE OF 67.01 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH  $00^{\circ}13'00''$  EAST, A DISTANCE OF 1345.52 FEET; THENCE SOUTH  $89^{\circ}47'00''$  WEST, A DISTANCE OF 325.00 FEET; THENCE SOUTH  $00^{\circ}13'00''$  EAST, ALONG A LINE 50.00 FEET EAST OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 960.00 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.W. 50TH STREET, AS SHOWN ON THE PLAT "THE MAINLANDS OF TAMARAC LAKES 6TH SECTION", AS RECORDED IN PLAT BOOK 65, PAGE 46, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, (SAID POINT BEING FURTHER DESCRIBED AS BEING ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH  $89^{\circ}47'00''$  EAST, FROM THE LAST DESCRIBED POINT); THENCE SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF  $90^{\circ}00'00''$  AND AN ARC LENGTH OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE NORTH  $89^{\circ}47'00''$  EAST, A DISTANCE OF 175.00 FEET, THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH SAID NORTH RIGHT-OF-WAY LINE OF N.W. 50TH STREET; THENCE NORTH  $00^{\circ}13'00''$  WEST, A DISTANCE OF 505.00 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 135.00 FEET, A CENTRAL ANGLE OF  $90^{\circ}00'00''$  AND AN ARC LENGTH OF 212.06 FEET, TO THE POINT OF TANGENCY; THENCE NORTH  $89^{\circ}47'00''$  EAST, A DISTANCE OF 265.00 FEET, THE LAST THREE DESCRIBED COURSES BEING COINCIDENT WITH THE WESTERLY AND NORTHERLY BOUNDARY LINES OF BLOCK 118, OF SAID PLAT OF "THE MAINLANDS OF TAMARAC LAKE 6TH SECTION"; THENCE NORTH  $00^{\circ}13'00''$  WEST, ALONG THE WESTERLY LINE OF LOT 1, BLOCK 118, OF SAID PLAT "THE MAINLANDS OF TAMARAC LAKES 6TH SECTION", AND THE NORTHERLY PROJECTION OF THE WESTERLY BOUNDARY LINE OF BLOCK 107 OF SAID PLAT "THE MAINLANDS OF TAMARAC LAKES 6TH SECTION", A DISTANCE OF 1549.41 FEET; THENCE NORTH  $89^{\circ}47'00''$  EAST, A DISTANCE OF 90.00 FEET; THENCE NORTH  $00^{\circ}13'00''$  WEST, A



DISTANCE OF 116.82 FEET; THENCE NORTH 44°41'13" WEST, A DISTANCE OF 25.03 FEET; THENCE NORTH 89°09'25" WEST, ALONG A LINE 67.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 347.52 FEET, TO THE POINT OF BEGINNING. CONTAINING 16.5314 ACRES, MORE OR LESS.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

(PARCEL B)

A PORTION OF TRACTS 2, 3, 4, 5, 6 AND 12, OF "FORT LAUDERDALE TRUCK FARMS SUBDIVISION" OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 4, PAGE 31 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE SOUTH 89°09'25" EAST, ALONG THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 784.12 FEET; THENCE SOUTH 00°13'00" EAST, A DISTANCE OF 85.48 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 00°13'00" EAST, A DISTANCE OF 242.58 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 967.55 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 626.93 FEET, A CENTRAL ANGLE OF 50°36'05" AND AN ARC LENGTH OF 553.68 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 38°33'14" EAST, A DISTANCE OF 101.04 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE EASTERLY AND SOUTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 145.00 FEET, A CENTRAL ANGLE OF 76°50'37" AND AN ARC LENGTH OF 194.47 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 38°17'30" WEST, A DISTANCE OF 2596.07 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 950.00 FEET, A CENTRAL ANGLE OF 35°56'40" AND AN ARC LENGTH OF 595.98 FEET, TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS SOUTH 36°15'32" WEST, FROM THE LAST DESCRIBED POINT; THENCE SOUTHEASTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 230°17'12" AND AN ARC LENGTH OF 502.40 FEET, TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 37°06'41" AND AN ARC LENGTH OF 744.87 FEET; THENCE NORTH 51°42'30" WEST, A DISTANCE

OF 25.36 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 520.00 FEET, A CENTRAL ANGLE OF 48°03'10" AND AN ARC LENGTH OF 436.11 FEET, THE LAST SIX DESCRIBED COURSES BEING COINCIDENT WITH THE BOUNDARY OF "THE MAINLANDS OF TAMARAC LAKES 6TH SECTION", AS RECORDED IN PLAT BOOK 65, PAGE 46, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°47'00" WEST, A DISTANCE OF 175.94 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 39.27 FEET, TO THE POINT OF TANGENCY, THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH THE SOUTHERLY BOUNDARY OF N.W. 50TH STREET, AS SHOWN ON SAID PLAT "THE MAINLANDS OF TAMARAC LAKES 6TH SECTION"; THENCE SOUTH 00°13'00" EAST, ALONG A LINE 50.00 FEET EAST OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 174.48 FEET, TO A POINT ON THE NORTH LINE OF SAID TRACT 12; THENCE NORTH 89°15'42" WEST, ALONG THE NORTH LINE OF SAID TRACT 12, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00°13'00" EAST, ALONG A LINE 40.00 FEET EAST OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 1320.00 FEET, TO A POINT ON THE SOUTH LINE OF SAID TRACT 12; THENCE SOUTH 89°15'42" EAST, ALONG THE SOUTH LINE OF SAID TRACT 12, A DISTANCE OF 384.22 FEET, TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS SOUTH 64°47'25" EAST, FROM THE LAST DESCRIBED POINT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 7789.44 FEET, A CENTRAL ANGLE OF 13°04'55" AND AN ARC LENGTH OF 1778.52 FEET TO THE POINT OF TANGENCY; THENCE NORTH 38°17'30" EAST, A DISTANCE OF 2088.09 FEET, THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH THE WESTERLY RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY; THENCE NORTH 33°56'43" WEST, A DISTANCE OF 601.27 FEET; THENCE NORTH 41°54'19" EAST, A DISTANCE OF 8.00 FEET, TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 41°54'19" WEST, FROM THE LAST DESCRIBED POINT; THENCE WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 887.93 FEET, A CENTRAL ANGLE OF 41°03'44" AND AN ARC LENGTH OF 636.35 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 89°09'25" WEST, ALONG A LINE 67.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 953.91 FEET; THENCE SOUTH 45°18'48" WEST, A DISTANCE OF 25.87 FEET TO THE POINT OF BEGINNING. CONTAINING 44.3913 ACRES, MORE OR LESS.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

(PARCEL C)

A PORTION OF TRACTS 13, 14 AND 15 OF SECTION 12, TOWNSHIP 49 SOUTH, RANGE 41 EAST, AND A PORTION OF TRACTS 2 AND 3 OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, AND THE RIGHT-OF-WAY ADJACENT THERETO, ACCORDING TO THE PLAT THEREOF, OF "FORT LAUDERDALE TRUCK FARMS SUBDIVISION", AS RECORDED IN PLAT BOOK 4, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(PARCEL C SOUTH)

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE SOUTH 89°09'25" EAST, ALONG THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 653.01 FEET; THENCE NORTH 00°13'45" WEST, ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 60.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°13'45" WEST, A DISTANCE OF 805.38 FEET TO A POINT OF THE ARC OF A CIRCULAR CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 61°05'52" EAST FROM THE LAST DESCRIBED POINT; THENCE ALONG THE BOUNDARY OF THE MAINLANDS OF TAMARAC LAKES SEVENTH SECTION, AS RECORDED IN PLAT BOOK 68, PAGE 4, OF SAID PUBLIC RECORDS, THE FOLLOWING EIGHT (8) COURSES: SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF 114°34'09", AN ARC DISTANCE OF 239.95 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 775.53 FEET; THENCE SOUTH 00°50'35" WEST, A DISTANCE OF 276.77 FEET; THENCE NORTH 89°09'25" WEST, A DISTANCE OF 509.88 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 51°49'54" AND AN ARC LENGTH OF 140.22 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 39°00'41" WEST, A DISTANCE OF 162.33 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 38°10'06" AND AN ARC LENGTH OF 103.26 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 00°50'35" WEST, A DISTANCE OF 235.38 FEET; THENCE NORTH 89°09'25" WEST, ALONG A LINE 60.00 FEET NORTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, SAID SOUTH LINE OF SECTION 12, A DISTANCE OF 197.12 FEET TO THE POINT OF BEGINNING.

(PARCEL C NORTH)

COMMENCING AT THE AFOREMENTIONED POINT OF BEGINNING; THENCE NORTH 00°13'45" WEST, ALONG SAID LINE PARALLEL TO THE WEST LINE OF SECTION 12, A DISTANCE OF 920.53 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 00°13'45" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 334.47 FEET; THENCE SOUTH 89°09'25" EAST, ALONG A LINE 5.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID TRACTS 13, 14 AND 15, A DISTANCE OF 3308.21 FEET, TO THE EAST LINE OF SAID TRACT 15; THENCE SOUTH 00°12'55" EAST, ALONG THE EAST LINE OF SAID TRACT 15, A DISTANCE OF 381.98 FEET; THENCE SOUTH 44°01'43" WEST, A DISTANCE OF 197.50 FEET; THENCE SOUTH 77°27'33" WEST, A DISTANCE OF 174.15 FEET; THENCE NORTH 78°34'08" WEST, A DISTANCE OF 369.90 FEET; THENCE SOUTH 52°55'08" WEST, A DISTANCE OF 276.97 FEET; THENCE SOUTH 27°01'40" WEST, A DISTANCE OF 358.82 FEET; THENCE SOUTH 39°57'13" NORTH, A DISTANCE OF 684.60 FEET; THENCE NORTH 47°52'28" WEST, A DISTANCE OF 43.27 FEET; THENCE SOUTH 41°54'19" WEST, A DISTANCE OF 15.00 FEET TO AN INTERSECTION WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 41°54'19" WEST, FROM THE LAST DESCRIBED POINT; THENCE NORTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1014.93 FEET, A CENTRAL ANGLE OF 41°03'44" AND AN ARC LENGTH OF 727.37 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 89°09'25" WEST, A DISTANCE OF 9.75 FEET; THENCE ALONG THE BOUNDARY OF SAID "THE MAINLANDS OF TAMARAC LAKES SEVENTH SECTION", THE FOLLOWING THIRTEEN (13) COURSES: NORTH 00°50'35" EAST, A DISTANCE OF 603.00 FEET; THENCE NORTH 89°09'25" WEST, A DISTANCE OF 90.00 FEET; THENCE NORTH 00°50'35" EAST, A DISTANCE OF 191.77 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 353.00 FEET; THENCE SOUTH 00°50'35" WEST, A DISTANCE OF 323.00 FEET, TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 310.00 FEET, A CENTRAL ANGLE OF 60°00'00" AND AN ARC LENGTH OF 324.63 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 59°09'25" EAST, A DISTANCE OF 293.00 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHEASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 135.00 FEET, A CENTRAL ANGLE OF 116°26'13" AND AN ARC LENGTH OF 274.35 FEET, TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 720.00 FEET, A CENTRAL ANGLE OF 43°33'39" AND AN ARC LENGTH OF 547.40 FEET, TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE EASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 220.00 FEET, A CENTRAL ANGLE OF 31°41'55" AND AN ARC LENGTH OF 121.71 FEET, TO A POINT ON THE ARC

OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 19°16'00" EAST, FROM THE LAST DESCRIBED POINT; THENCE EASTERLY, NORTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 198°25'25" AND AN ARC LENGTH OF 415.58 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 89°09'25" WEST, ALONG A LINE 275.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID TRACTS 13, 14 AND 15, A DISTANCE OF 2210.00 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY, SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 82°23'57", AN ARC LENGTH OF 130.69 FEET TO THE POINT OF BEGINNING. CONTAINING 48.109 ACRES, MORE OR LESS.

SAID LANDS SITUATE IN THE CITY OF TAMARAC, BROWARD COUNTY, FLORIDA, AND CONTAIN 109.031 ACRES, MORE OR LESS.

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OFFICIAL COPY

**EXHIBIT "B"**

**WORKFORCE HOUSING RESTRICTIVE COVENANTS**

THIS IS NOT AN  
OFFICIAL COPY

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Return recorded copy to (enclose  
self-addressed stamped envelope):

Name:

Address:

This Instrument Prepared by:

**DECLARATION OF RESTRICTIVE COVENANTS  
(WORKFORCE HOUSING)**

This Declaration of Restrictive Covenants ("Declaration") is executed this 15 day of October, 2007 by Prestige Homes of Tamarac, Inc., its successors and assigns ("Declarant"), whose address is 11784 West Sample Road, Suite 101, Coral Springs, FL 33065, and shall be for the benefit of the CITY OF TAMARAC, a municipal corporation existing under the laws of the State of Florida, with a post office address of 7525 N.W. 88<sup>th</sup> Avenue, Tamarac, Florida 33321-2401 ("City").

WHEREAS, Declarant is the fee simple owner of certain lands located in Broward County, Florida, more particularly described in Exhibit "A," attached hereto and made a part hereof ("Property"), said Property being located within the City; and

WHEREAS, Declarant applied for approval from the County and City of amendments to the County Land Use Plan, PC 06-30, and the City Land Use Plan, I-LUA-06, respectively, to change the Property's land use designation from Commercial Recreation to Low (5) Residential;

WHEREAS, Declarant proposes to construct up to 496 residential units on the Property; and

WHEREAS, in connection with such approval, Declarant voluntarily agreed to enter into this Declaration regarding the provision of Workforce Housing Units (as hereinafter defined) on the Property; and

NOW, THEREFORE, Declarant agrees and covenants to the following:

1. RECITALS. The above recitals are true and correct and are incorporated herein.



2. OBLIGATION OF DECLARANT. Declarant shall offer for sale to the public a minimum of seventy four (74) Workforce Housing Units (as hereinafter defined) to be constructed on the Property consisting of two-bedroom townhouse units selected by the Declarant. Prior to the issuance of the first building permit for the Property, the Declarant shall provide to the City, and record in the Public Records of Broward County, Florida, a document which designates the specific residential units, consisting of two-bedroom townhouse units selected by the Declarant, to be constructed on the Property as Workforce Housing Units. The Workforce Housing Units shall be evenly dispersed throughout the townhouse portion of the Property and such Workforce Housing Units shall be proportionate in size to the market rate townhouse units.

3. QUALIFICATION OF WORKFORCE UNIT AND PURCHASER. For the purpose of satisfying this Declaration, a Workforce Housing Unit shall mean that each such residential unit so designated shall be offered for sale by the Declarant for a purchase price ("Base Purchase Price") that does not exceed the greater of: (i) \$229,000.00 per residential unit; or (ii) the applicable maximum sales price for Workforce Housing Units as determined for Broward County for Qualified Persons as described herein. Qualified Person shall mean a natural person who has a total annual gross household income that does not exceed 120% of the median annual income adjusted for family size for households within Broward County, Florida, and as approved by the City of Tamarac.

4. DESIGN OF WORKFORCE UNIT FOR VISITABILITY. Each Workforce Housing Unit constructed pursuant to this Declaration shall include the following features: (a) at least one level, no-step entrance; (b) accessible doorways on the entry-level floor with a clear width of at least thirty-two (32) inches; (c) washroom on the entry-level floor; (d) hallways at least thirty-six (36) inches wide on the entry-level floor; (e) reinforcements in the bathroom walls for the future installation of grab bars; (f) accessible climate controls (between fifteen (15) and forty-eight (48) inches above the floor); and (g) lever handles on doorways.

5. LIMITATION ON SALE OF WORKFORCE UNIT. Any person who purchases a Workforce Housing Unit must occupy such Workforce Housing Unit as a principal residence. Any owner of a Workforce Housing Unit who sells such unit within fifteen (15) years after the first purchase of such Workforce Housing Unit by a Qualified Person shall sell such Workforce Housing Unit for a price not in excess of the sum of: (a) the purchase price paid by such seller for purchase of the Workforce Housing Unit; (b) ordinary and reasonable closing costs paid by the seller; and (c) an amount equal to the greater of (i) 2% of the Base Purchase Price per annum for the period the seller owned the Workforce Housing Unit; or (ii) the increase in the All Items Consumer Price Index, All Urban Consumers, Miami-Fort Lauderdale MSA, as published by the U.S. Department of Labor for such period.

6. NOTICE OF SALE TO BE PROVIDED TO CITY. At such time as an owner of a Workforce Housing Unit determines to sell such unit within the fifteen (15) year period described in Section 5 hereof, the owner shall provide written notice to the City's Director of Community Development by certified mail, return receipt requested, and request that the City present a Qualified Person or Persons to purchase the Workforce Housing Unit for the selling price provided in Section 5 hereof. If within forty-five (45) days, the City is unable to procure



the execution of a purchase and sale contract by a Qualified Person or Persons under the terms of Section 5 hereof, then the seller may sell the Workforce Housing Unit to any person subject to the purchase price limitations set forth in Section 5 hereof. In such event, prior to conveyance of the Workforce Housing Unit, the seller shall provide to the City a copy of the executed purchase and sale contract demonstrating compliance with the purchase price limitations set forth in Section 5 hereof.

7. 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.

8. ENFORCEMENT OF RESTRICTIVE COVENANTS BY CITY. The City of Tamarac is the beneficiary of these restrictive covenants and as such, may enforce these restrictive covenants by action at law or in equity against any person or persons, entity or entities, violating or attempting to violate the terms of these restrictive covenants. Any failure of the City to enforce these restrictive covenants shall not be deemed a waiver of the right to do so thereafter.

9. RECORDATION. This Declaration shall be recorded in the Public Records of Broward County, Florida, and the provisions hereof shall constitute a covenant running with the land and shall remain in full force and effect and binding upon the undersigned, its heirs, legal representatives, estate successors, grantees and assigns until released as provided for herein. In no event shall the restrictive covenants set forth herein encumber, restrict or affect, in any way whatsoever, any of the other residential units constructed on the Property, other than the Workforce Housing Units.

10. ENTIRE AGREEMENT. This Declaration constitutes the entire agreement, with regard to the subject matter contained herein, and may only be amended, modified or released with the consent of the parties.

11. AUTHORITY OF DECLARANT. The undersigned hereto expressly covenants

and represents that he/she has the authority to enter into this Agreement and so bind the Declarant.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed this \_\_\_\_ day of \_\_\_\_\_, 2007.

**DECLARANT**

Witnesses: Prestige Homes of Tamarac, Inc.

\_\_\_\_\_  
(Signature)  
Print name: \_\_\_\_\_

By \_\_\_\_\_  
(Signature)  
Print name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_

\_\_\_\_\_  
(Signature)  
Print name: \_\_\_\_\_ day of \_\_\_\_\_, 2007

ATTEST:

\_\_\_\_\_  
(Secretary Signature)  
Print Name of Secretary: \_\_\_\_\_

(CORPORATE SEAL)

**ACKNOWLEDGMENT: CORPORATION/PARTNERSHIP**

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2007, by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ corporation/partnership, on behalf of the corporation/partnership. He or she is:  
[ ] personally known to me, or  
[ ] produced identification. Type of identification produced \_\_\_\_\_.

NOTARY PUBLIC:

(Seal)

My commission expires:

\_\_\_\_\_  
Print name:

EXHIBIT "A"

LEGAL DESCRIPTION

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OFFICIAL COPY

(PARCEL A)

A PORTION OF TRACTS 4 AND 5 OF "FORT LAUDERDALE TRUCK FARMS SUBDIVISION" OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA. AS RECORDED IN PLAT BOOK 4, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE SOUTH  $89^{\circ}09'25''$  EAST. ALONG THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 375.06 FEET; THENCE SOUTH  $00^{\circ}13'00''$  EAST, A DISTANCE OF 67.01 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH  $00^{\circ}13'00''$  EAST, A DISTANCE OF 1345.52 FEET; THENCE SOUTH  $89^{\circ}47'00''$  WEST. A DISTANCE OF 325.00 FEET; THENCE SOUTH  $00^{\circ}13'00''$  EAST, ALONG A LINE 50.00 FEET EAST OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 13. A DISTANCE OF 960.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.W. 50TH STREET, AS SHOWN ON THE PLAT "THE MAINLANDS OF TAMARAC LAKES 6TH SECTION", AS RECORDED IN PLAT BOOK 65, PAGE 46, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, (SAID POINT BEING FURTHER DESCRIBED AS BEING ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH  $89^{\circ}47'00''$  EAST, FROM THE LAST DESCRIBED POINT); THENCE SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF  $90^{\circ}00'00''$  AND AN ARC LENGTH OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE NORTH  $89^{\circ}47'00''$  EAST, A DISTANCE OF 175.00 FEET, THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH SAID NORTH RIGHT-OF-WAY LINE OF N.W. 50TH STREET; THENCE NORTH  $00^{\circ}13'00''$  WEST, A DISTANCE OF 505.00 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 135.00 FEET, A CENTRAL ANGLE OF  $90^{\circ}00'00''$  AND AN ARC LENGTH OF 212.06 FEET, TO THE POINT OF TANGENCY; THENCE NORTH  $89^{\circ}47'00''$  EAST, A DISTANCE OF 265.00 FEET, THE LAST THREE DESCRIBED COURSES BEING COINCIDENT WITH THE WESTERLY AND NORTHERLY BOUNDARY LINES OF BLOCK 118, OF SAID PLAT OF "THE MAINLANDS OF TAMARAC LAKE 6TH SECTION"; THENCE NORTH  $00^{\circ}13'00''$  WEST, ALONG THE WESTERLY LINE OF LOT 1, BLOCK 118, OF SAID PLAT "THE MAINLANDS OF TAMARAC LAKES 6TH SECTION", AND THE NORTHERLY PROJECTION OF THE WESTERLY BOUNDARY LINE OF BLOCK 107 OF SAID PLAT "THE MAINLANDS OF TAMARAC LAKES 6TH SECTION", A DISTANCE OF 1549.41 FEET; THENCE NORTH  $89^{\circ}47'00''$  EAST, A DISTANCE OF 90.00 FEET; THENCE NORTH  $00^{\circ}13'00''$  WEST, A DISTANCE OF 116.82 FEET; THENCE NORTH  $44^{\circ}41'13''$  WEST, A DISTANCE OF 25.03 FEET; THENCE NORTH  $89^{\circ}09'25''$  WEST, ALONG A LINE 67.00

FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 347.52 FEET, TO THE POINT OF BEGINNING. CONTAINING 16.5314 ACRES, MORE OR LESS.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

(PARCEL B)

A PORTION OF TRACTS 2, 3, 4, 5, 6 AND 12, OF "FORT LAUDERDALE TRUCK FARMS SUBDIVISION" OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 4, PAGE 31 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE SOUTH 89°09'25" EAST, ALONG THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 784.12 FEET; THENCE SOUTH 00°13'00" EAST, A DISTANCE OF 85.48 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 00°13'00" EAST, A DISTANCE OF 242.58 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 967.55 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 626.93 FEET, A CENTRAL ANGLE OF 50°36'05" AND AN ARC LENGTH OF 553.68 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 38°33'14" EAST, A DISTANCE OF 101.04 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE EASTERLY AND SOUTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 145.00 FEET, A CENTRAL ANGLE OF 76°50'37" AND AN ARC LENGTH OF 194.47 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 38°17'30" WEST, A DISTANCE OF 2596.07 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 950.00 FEET, A CENTRAL ANGLE OF 35°56'40" AND AN ARC LENGTH OF 595.98 FEET, TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS SOUTH 36°15'32" WEST, FROM THE LAST DESCRIBED POINT; THENCE SOUTHEASTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 230°17'12" AND AN ARC LENGTH OF 502.40 FEET, TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1150.00 FEET, A CENTRAL ANGLE OF 37°06'41" AND AN ARC LENGTH OF 744.87 FEET; THENCE NORTH 51°42'30" WEST, A DISTANCE OF 25.36 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID

CURVE HAVING A RADIUS OF 520.00 FEET, A CENTRAL ANGLE OF 48°03'10" AND AN ARC LENGTH OF 436.11 FEET, THE LAST SIX DESCRIBED COURSES BEING COINCIDENT WITH THE BOUNDARY OF "THE MAINLANDS OF TAMARAC LAKES 6TH SECTION", AS RECORDED IN PLAT BOOK 65, PAGE 46, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°47'00" WEST, A DISTANCE OF 175.94 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 39.27 FEET, TO THE POINT OF TANGENCY, THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH THE SOUTHERLY BOUNDARY OF N.W. 50TH STREET, AS SHOWN ON SAID PLAT "THE MAINLANDS OF TAMARAC LAKES 6TH SECTION"; THENCE SOUTH 00°13' 00" EAST, ALONG A LINE 50.00 FEET EAST OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 174.48 FEET, TO A POINT ON THE NORTH LINE OF SAID TRACT 12; THENCE NORTH 89°15'42" WEST, ALONG THE NORTH LINE OF SAID TRACT 12, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00°13'00" EAST, ALONG A LINE 40.00 FEET EAST OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 1820.00 FEET, TO A POINT ON THE SOUTH LINE OF SAID TRACT 12; THENCE SOUTH 89°15'42" EAST, ALONG THE SOUTH LINE OF SAID TRACT 12, A DISTANCE OF 384.22 FEET, TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS SOUTH 64°47'25" EAST, FROM THE LAST DESCRIBED POINT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 7789.44 FEET, A CENTRAL ANGLE OF 13°04'55" AND AN ARC LENGTH OF 1778.52 FEET TO THE POINT OF TANGENCY; THENCE NORTH 38°17'30" EAST, A DISTANCE OF 2088.09 FEET, THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH THE WESTERLY RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY; THENCE NORTH 33°56'43" WEST, A DISTANCE OF 601.27 FEET; THENCE NORTH 41°54'19" EAST, A DISTANCE OF 8.00 FEET, TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 41°54'19" WEST, FROM THE LAST DESCRIBED POINT; THENCE WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 887.93 FEET, A CENTRAL ANGLE OF 41°03'44" AND AN ARC LENGTH OF 636.35 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 89°09'25" WEST, ALONG A LINE 67.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 953.91 FEET; THENCE SOUTH 45°18'48" WEST, A DISTANCE OF 25.87 FEET TO THE POINT OF BEGINNING. CONTAINING 44.3913 ACRES, MORE OR LESS.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

(PARCEL C)

A PORTION OF TRACTS 13, 14 AND 15 OF SECTION 12, TOWNSHIP 49 SOUTH, RANGE 41 EAST, AND A PORTION OF TRACTS 2 AND 3 OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, AND THE RIGHT-OF-WAY ADJACENT THERETO, ACCORDING TO THE PLAT THEREOF, OF "FORT LAUDERDALE TRUCK FARMS SUBDIVISION", AS RECORDED IN PLAT BOOK 4, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(PARCEL C SOUTH)

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE SOUTH 89°09'25" EAST, ALONG THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 653.01 FEET; THENCE NORTH 00°13'45" WEST, ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 60.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°13'45" WEST, A DISTANCE OF 805.38 FEET TO A POINT OF THE ARC OF A CIRCULAR CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 61°05'52" EAST FROM THE LAST DESCRIBED POINT; THENCE ALONG THE BOUNDARY OF "THE MAINLANDS OF TAMARAC LAKES SEVENTH SECTION", AS RECORDED IN PLAT BOOK 68, PAGE 4, OF SAID PUBLIC RECORDS, THE FOLLOWING EIGHT (8) COURSES: SOUTHEASTERLY, EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF 114°34'09", AN ARC DISTANCE OF 239.95 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 775.53 FEET; THENCE SOUTH 00°50'35" WEST, A DISTANCE OF 276.77 FEET; THENCE NORTH 89°09'25" WEST, A DISTANCE OF 509.68 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 51°49'54" AND AN ARC LENGTH OF 140.22 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 39°00'41" WEST, A DISTANCE OF 162.33 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 38°10'06" AND AN ARC LENGTH OF 103.26 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 00°50'35" WEST, A DISTANCE OF 235.38 FEET; THENCE NORTH 89°09'25" WEST, ALONG A LINE 60.00 FEET NORTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, SAID SOUTH LINE OF SECTION 12, A DISTANCE OF 197.12 FEET TO THE POINT OF BEGINNING.

(PARCEL C NORTH)



COMMENCING AT THE AFOREMENTIONED POINT OF BEGINNING; THENCE NORTH 00°13'45" WEST, ALONG SAID LINE PARALLEL TO THE WEST LINE OF SECTION 12, A DISTANCE OF 920.53 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 00°13'45" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 334.47 FEET; THENCE SOUTH 89°09'25" EAST, ALONG A LINE 5.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID TRACTS 13, 14 AND 15, A DISTANCE OF 3308.21 FEET, TO THE EAST LINE OF SAID TRACT 15; THENCE SOUTH 00°12'55" EAST, ALONG THE EAST LINE OF SAID TRACT 15, A DISTANCE OF 381.98 FEET; THENCE SOUTH 44°01'43" WEST, A DISTANCE OF 197.50 FEET; THENCE SOUTH 77°27'33" WEST, A DISTANCE OF 174.15 FEET; THENCE NORTH 78°34'08" WEST, A DISTANCE OF 369.90 FEET; THENCE SOUTH 52°55'08" WEST, A DISTANCE OF 276.97 FEET; THENCE SOUTH 27°01'40" WEST, A DISTANCE OF 358.82 FEET; THENCE SOUTH 39°57'13" NORTH, A DISTANCE OF 684.60 FEET; THENCE NORTH 47°52'28" WEST, A DISTANCE OF 43.27 FEET; THENCE SOUTH 41°54'19" WEST, A DISTANCE OF 15.00 FEET TO AN INTERSECTION WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 41°54'19" WEST, FROM THE LAST DESCRIBED POINT; THENCE NORTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1014.93 FEET, A CENTRAL ANGLE OF 41°03'44" AND AN ARC LENGTH OF 727.37 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 89°09'25" WEST, A DISTANCE OF 9.75 FEET; THENCE ALONG THE BOUNDARY OF SAID "THE MAINLANDS OF TAMARAC LAKES SEVENTH SECTION", THE FOLLOWING THIRTEEN (13) COURSES: NORTH 00°50'35" EAST, A DISTANCE OF 603.00 FEET; THENCE NORTH 89°09'25" WEST, A DISTANCE OF 90.00 FEET; THENCE NORTH 00°50'35" EAST, A DISTANCE OF 191.77 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 353.00 FEET; THENCE SOUTH 00°50'35" WEST, A DISTANCE OF 323.00 FEET, TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 310.00 FEET, A CENTRAL ANGLE OF 60°00'00" AND AN ARC LENGTH OF 324.63 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 59°09'25" EAST, A DISTANCE OF 293.00 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHEASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 135.00 FEET, A CENTRAL ANGLE OF 116°26'13" AND AN ARC LENGTH OF 274.35 FEET, TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 720.00 FEET, A CENTRAL ANGLE OF 43°33'39" AND AN ARC LENGTH OF 547.40 FEET, TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE EASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 220.00 FEET, A CENTRAL ANGLE OF 31°41'55" AND AN ARC LENGTH OF 121.71 FEET, TO A POINT ON THE ARC



OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 19°16'00" EAST, FROM THE LAST DESCRIBED POINT; THENCE EASTERLY, NORTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 198°25'25" AND AN ARC LENGTH OF 415.58 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 89°09'25" WEST, ALONG A LINE 275.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID TRACTS 13, 14 AND 15, A DISTANCE OF 2210.00 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY, SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 62°23'57", AN ARC LENGTH OF 130.69 FEET TO THE POINT OF BEGINNING. CONTAINING 48.109 ACRES, MORE OR LESS.

SAID LANDS SITUATE IN THE CITY OF TAMARAC, BROWARD COUNTY, FLORIDA, AND CONTAIN 109.031 ACRES, MORE OR LESS.

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**EXHIBIT "C"**

**LEGAL DESCRIPTION OF PARK PROPERTY**

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**LEGAL DESCRIPTION:**

A PORTION OF TRACT 15 OF SECTION 12, TOWNSHIP 49 SOUTH, RANGE 41 EAST, AND A PORTION OF TRACTS 2 AND 3 OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, AND THE RIGHT-OF-WAY ADJACENT THERETO, ACCORDING TO THE PLAT THEREOF, OF "FORT LAUDERDALE TRUCK FARMS SUBDIVISION", AS RECORDED IN PLAT BOOK 4, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHEAST CORNER OF BLOCK 139, "THE MAINLANDS OF TAMARAC LAKES SEVENTH SECTION", AS RECORDED IN PLAT BOOK 68, PAGE 4, OF SAID PUBLIC RECORDS; THENCE NORTH 00°50'35" EAST, ALONG THE EAST LINE OF SAID BLOCK 139, A DISTANCE OF 7.00 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 9.75 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE EASTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1014.93 FEET AND A CENTRAL ANGLE OF 41°03'44", A DISTANCE OF 727.37 FEET; THENCE NORTH 41°54'19" EAST, ALONG A LINE RADIAL TO THE LAST DESCRIBED CURVE, A DISTANCE OF 15.00 FEET; THENCE SOUTH 47°52'28" EAST, A DISTANCE OF 43.27 FEET TO THE POINT OF BEGINNING; THENCE NORTH 39°57'13" EAST, A DISTANCE OF 684.60 FEET; THENCE SOUTH 45°27'17" EAST, A DISTANCE OF 503.11 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE SUNSHINE STATE PARKWAY; THENCE SOUTH 38°17'30" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 692.52 FEET; THENCE NORTH 42°23'54" WEST, A DISTANCE OF 294.45 FEET; THENCE NORTH 47°52'28" WEST, A DISTANCE OF 229.92 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN THE CITY OF TAMARAC, BROWARD COUNTY, FLORIDA, AND CONTAIN 8.000 ACRES, MORE OR LESS.

EXHIBIT "D"

LEGAL DESCRIPTION OF FIRE STATION PROPERTY

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**LEGAL DESCRIPTION;**

A PORTION OF TRACT 13 OF SECTION 12, TOWNSHIP 49 SOUTH, RANGE 41 EAST ACCORDING TO THE PLAT THEREOF, OF "FORT LAUDERDALE TRUCK FARMS SUBDIVISION", AS RECORDED IN PLAT BOOK 4, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

**COMMENCING** AT THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE NORTH  $00^{\circ}13'45''$  WEST, ALONG THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 60.01 FEET; THENCE SOUTH  $89^{\circ}09'25''$  EAST, A DISTANCE OF 87.36 FEET TO THE **POINT OF BEGINNING**; THENCE NORTH  $44^{\circ}41'35''$  WEST, A DISTANCE OF 49.03 FEET; THENCE NORTH  $00^{\circ}13'45''$  WEST, ALONG A LINE 53.00 FEET EAST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES TO) SAID WEST LINE OF SECTION 12, A DISTANCE OF 394.80 FEET; THENCE SOUTH  $89^{\circ}09'25''$  EAST, A DISTANCE OF 117.00 FEET; THENCE SOUTH  $00^{\circ}13'45''$  EAST, A DISTANCE OF 224.15 FEET; THENCE SOUTH  $89^{\circ}09'25''$  EAST, A DISTANCE OF 182.99 FEET; THENCE SOUTH  $00^{\circ}13'45''$  EAST, A DISTANCE OF 205.00 FEET; THENCE NORTH  $89^{\circ}09'25''$  WEST, ALONG A LINE 60.00 FEET NORTH OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES TO) THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 265.64 FEET TO THE **POINT OF BEGINNING**.

SAID LANDS SITUATE IN THE CITY OF TAMARAC, BROWARD COUNTY, FLORIDA, AND CONTAIN 2.000 ACRES, MORE OR LESS.