

Prepared by and return to:

Lloyd Granet, P.A.  
2295 NW Corporate Boulevard, Suite 235 Boca Raton, FL  
33431 561-999-9300

**AMENDMENT AND PARTIAL RELEASE OF  
DECLARATION OF RESTRICTIVE COVENANTS**

THIS AMENDMENT AND PARTIAL RELEASE (the "Amendment") is made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by SPL Holdings, LLC, a Colorado limited liability company (the "Declarant"), of that certain Declaration of Restrictive Covenants entered into by Prestige Homes of Tamarac, Inc., and recorded on August 10, 2007, in Official Records Book 44460, Page 1653 of the Public Records of Broward County, Florida (as amended from time to time, the "Declaration"). Unless the context otherwise requires, any capitalized term not defined but used herein shall have the meaning given to such word or words in the Declaration.

**RECITALS**

- A. Declarant is the successor-in-interest to Prestige Homes of Tamarac, Inc.
- B. Section 4(b) of the Declaration required the conveyance to the City of Tamarac, a municipal corporation of the State of Florida (the "City"), of the property described on Exhibit "D" to the Declaration, to be used by the City for a fire station.
- C. Pursuant to Section 4(b) of the Declaration, Declarant conveyed to the City the property reflected on Exhibit "D" to the Declaration, by virtue of that certain Quit Claim Deed recorded on August 14, 2018, Instrument #115263703, of the Public Records of Broward County, Florida ("Quit Claim Deed").
- D. The City is no longer desirous of utilizing the property reflected on Exhibit "D" to the Declaration for a fire station.
- E. Pursuant to Section 13 of the Declaration, the Declarant has the right to amend, modify, or release the Declaration, subject to the approval of Broward County, a political subdivision of the State of Florida (the "County"), and the City.
- F. In accordance with the foregoing, Declarant and the City now desire to amend and partially release the Declaration in the manner hereinafter set forth.

NOW, THEREFORE, in consideration of the premises and by virtue of the authority of Declarant as hereinabove set forth, the Declaration is hereby amended and partially released as follows:

1. The recitals as set forth above are true and correct and form a material part of this Amendment upon which the Declarant, the City and the County have relied.
2. Declarant's obligation under Section 4(b) is satisfied by virtue of the Quit Claim Deed.
3. The Declaration is amended to delete the requirement that the property reflected on Exhibit "D" be used for a fire station.
4. Accordingly, the property described in Exhibit "D" to the Declaration is released from the Declaration for all purposes, except if there are any applications to the City or County to add any residential density to Tract H and in such event the owner of Tract H shall provide notice to the applicable association for the Mainlands.

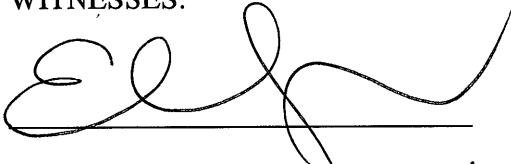
**IN WITNESS WHEREOF**, Declarant, the City, and the County have executed this Amendment and Partial Release as follows:

**Declarant**

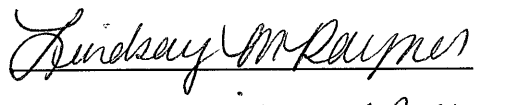
Signed, sealed and delivered  
In our presence:

**SPL Holdings, LLC**  
a Colorado limited liability company

WITNESSES:

  
 Print Name: ELISA SEGUIN

By: Florida Real Estate Value Fund LP,  
a Delaware limited partnership  
Its: Manager

  
 Print Name: Lindsay M. Rayner

By: Florida Real Estate Value Fund  
Manager LLC,  
a Florida limited liability company  
Its: General Partner

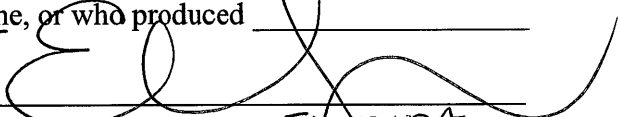
By:   
Arnaud Karsenti, Member

STATE OF FLORIDA                    )  
COUNTY OF ~~BROWARD~~            )  
  MIAMI-DADE

The foregoing instrument was acknowledged before me this 31 day of JANUARY, 2019 by Arnaud Karsenti, as Member of Florida Real Estate Value Fund Manger LLC, a Florida limited liability company, the General Partner of Florida Real Estate Value Fund LP, a Delaware limited partnership, the Manger of SPL Holdings, LLC, a Colorado limited liability company, on behalf of said Declarant, who is personally known to me, or who produced \_\_\_\_\_ as identification.



Elisa Seguin  
Commission # FF975191  
Expires: March 24, 2020  
Bonded thru Aaron Notary

  
Notary Public, State of FLORIDA  
Print Name: ELISA SEGUIN  
My Commission Expires: MARCH 24, 2020

Signed, sealed and delivered in our presence:

**CITY:**

City of Tamarac,  
a Municipal corporation of the State of Florida

WITNESSES:

Robyn Thalenfeld  
Print Name: Robyn Thalenfeld

Regina Skenandore  
Print Name: Regina Skenandore

By: [Signature]  
Name: Michael C. Cernock  
Title: City Manager

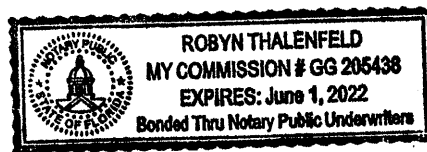
APPROVED AS TO LEGAL FORM

[Signature]  
OFFICE OF THE CITY ATTORNEY  
DATED: 2/5/19

STATE OF FLORIDA     )  
COUNTY OF BROWARD    )

The foregoing instrument was acknowledged before me this 5 day of FEBRUARY, 2019, by Michael C. Cernock, as City Manager of City of Tamarac, a Municipal corporation of the State of Florida, on behalf of the City, who is personally known to me, or who produced \_\_\_\_\_ as identification.

Robyn Thalenfeld  
Notary Public, State of FLORIDA  
Print Name: ROBYN THALENFELD  
My Commission Expires: \_\_\_\_\_



**Acknowledgment and approval of Amendment and Partial Release:**

**County**

Attest:

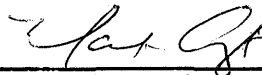
**Broward County, through its  
Board of County Commissioners**

\_\_\_\_\_  
County Administrator and  
Ex Officio Clerk of the  
Board of County Commissioners  
of Broward County, Florida

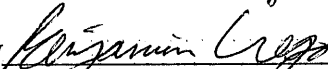
By \_\_\_\_\_  
Mayor

\_\_\_\_ day of \_\_\_\_\_, 2018

Approved as to form by  
Andrew J. Meyers  
Broward County Attorney  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-6968

By   
\_\_\_\_\_  
Maite Azcoitia  
Deputy County Attorney

11 day of February, 2018

By   
\_\_\_\_\_  
Benjamin D. Crego  
Assistant County Attorney

11 day of February, 2019