

Prepared by and after
recording return to:
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600 Cleveland Street
Suite 800
Clearwater, FL 33755

**TERMINATION AND RELEASE OF DECLARATION OF RESTRICTIVE
COVENANTS**

THIS TERMINATION AND RELEASE OF DECLARATION OF RESTRICTIVE COVENANTS (the "Release") is made on _____, 2015, by 25 COUNTRYSIDE WEST, L.L.C. ("Current Owner"), successor-in-interest to EXECUTIVE CORPORATION OF CLEARWATER, INC. ("Previous Owner"), a Florida limited liability corporation and the CITY OF CLEARWATER, a municipal corporation ("City").

RECITALS

WHEREAS, as a condition of approval for the development of the real property described on Exhibit A attached hereto and incorporated by this reference (the "Property"), and pursuant to the requirements of that certain Second Amended and Restated Development Agreement between Previous Owner and City dated May 30, 2006, and recorded in Official Records Book 15155, Page 2700, of the Public Records of Pinellas County, Florida (the "Agreement"), Previous Owner executed and recorded that certain Declaration of Restrictive Covenants dated July 10, 2006 and recorded in Official Records Book 16239, Page 991, of the Public Records of Pinellas County, Florida (the "Restrictions");

WHEREAS, the Agreement and Restrictions run with the land, and are binding on successive owners; and

WHEREAS, the City has determined that the Property encumbered by the Restrictions has not been developed as required by the Agreement; and

WHEREAS, the Current Owner and City have determined the Restrictions are no longer necessary to protect the Property or the City and are no longer applicable to the future development of the Property; and

WHEREAS, paragraph 4 of the Restrictions requires written consent of the City Commission, for any alteration, amendment or termination; and

WHEREAS, the City Council held a public hearing on _____ and at such hearing passed Resolution _____ agreeing to terminate and release the Restrictions; and

NOW, THEREFORE, in consideration of the recitals set forth above, which are incorporated herein by this reference, Ten Dollars (\$10.00) in hand paid, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City hereby releases the Property described in Exhibit "A" attached hereto and made a part hereof (together with all buildings and improvements located thereon), from any and all terms, conditions, agreements and covenants contained in the Restrictions, including, without limitation, the use restrictions contained in Paragraph 2. The City hereby affirms and agrees that: (a) no provision, term, covenant or condition in said Restriction remains in effect as of the date hereof; and (b) the City claims no right, title or interest of any kind or nature in said Property or the improvements located thereon. This Release is executed in favor of the Current Owner and may be relied on by the Current Owner and any successor to the Current Owner in title to the Property.

THIS RELEASE has been executed as of the above-written date by the Current Owner and the City.

[Remainder of Page Intentionally Blank]

(SIGNATURE PAGE TO RELEASE AND TERMINATION OF RESTRICTION)

IN WITNESS WHEREOF, Holder has executed this Agreement on the day and year first above written.

CURRENT OWNER:

Witnesses:

25 COUNTRYSIDE WEST, L.L.C., a Florida limited liability corporation

Print Name: _____

By: _____
Print Name: _____
Title: _____

Print Name: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me on _____ 2015, by _____, as _____ of 25 COUNTRYSIDE WEST, L.L.C., a Florida limited liability corporation, on behalf of such entity. Such person is personally known to me or has produced a valid driver's license as identification.

NOTARY PUBLIC – STATE OF FLORIDA

My Commission Expires:

(SIGNATURE PAGE TO RELEASE AND TERMINATION OF RESTRICTION)

CITY OF CLEARWATER, FLORIDA

Countersigned:

George N. Cretekos
Mayor

By: _____
William B. Horne II
City Manager

Approved as to form:

Attest:

Camilo A. Soto
Assistant City Attorney

Rosemarie Call
City Clerk

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by GEORGE N. CRETEKOS, as Mayor of the City of Clearwater, Florida, who is [] personally known to me or has [] produced _____ as identification.

Notary Public
Print Name: _____
My Commission Expires:

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by WILLIAM B. HORNE, II, as City Manager of the City of Clearwater, Florida, who is [] personally known to me or who has [] produced _____ as identification.

Notary Public
Print Name: _____
My Commission Expires:

EXHIBIT A

Legal Description

LOTS 1 THROUGH 240, INCLUSIVE AND TRACT A, COSTA VERDE, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 132, PAGES 38 THROUGH 55, INCLUSIVE, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.