

Prepared by:  
Daniel W. Langley  
Fishback Dominick  
1947 Lee Road  
Winter Park, Florida 32789

After recording return to:  
City of Belle Isle  
Attn: City Clerk  
1600 Nela Avenue  
Belle Isle, Florida 32809

### DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT (“DRC”) is made this 17th day of August 2021, by CITY OF BELLE ISLE, a municipal corporation of the State of Florida, whose mailing address is 1600 Nela Avenue, Belle Isle, Florida 32809 (“Declarant”).

#### WITNESSETH:

WHEREAS, Declarant is the fee simple owner of that certain approximately 2.41 acre real property known as Wallace Field located in Belle Isle, Orange County, Florida, having Orange County Tax Parcel Identification #24-23-29-8977-00-021 and legally described (herein “Wallace Field Property”) as:

A Portion of Lot 2, WALLER SUBDIVISION, according to the plat thereof as recorded in Plat Book 26, Page 105, Public Records of Orange County, Florida, being more particularly described as follows: Begin at the Southwest corner of said Lot 2, WALLER SUBDIVISION, according to the plat thereof as recorded in Plat Book 26, Page 105, Public Records of Orange County, Florida, thence run North 00 degrees, 07 minutes, 50 seconds East 300 feet to the North line of said Lot 2, thence South 89 degrees, 55 minutes, 55 seconds East 359.92 feet, thence South 04 degrees, 13 minutes, 30 seconds West 300.39 feet, to the South line of said Lot 2, thence South 90 degrees, 00 minutes, 00 seconds West 338.47 feet to the Point of Beginning.

WHEREAS, Declarant desires to place a restrictive covenant upon the Wallace Field Property to prohibit the installation and operation of lighting for the purposes of illuminating athletic fields for play between dusk and dawn hours.

NOW THEREFORE, Declarant hereby creates, establishes, and imposes the following restrictions, in perpetuity, upon the Property:

1. It shall be prohibited to install and operate elevated lighting that is intended to

illuminate any athletic field upon the Property for purposes of facilitating play upon such athletic field between the hours of dusk to dawn any day of the week.

2. The covenants and restrictions contained in this DRC shall run with the title to the Property in perpetuity and be binding upon Declarant and all tenants and successive owners of the Property. This DRC is to be recorded in the public records of Orange County, Florida.

3. This DRC shall be construed in accordance with the laws of Florida. Venue for enforcement actions regarding this DRC shall be in a court of proper jurisdiction in and for Orange County, Florida.

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

Signed, sealed and delivered  
in the presence of:

CITY OF BELLE ISLE, a Florida  
municipal corporation

\_\_\_\_\_  
(Witness Signature)

By: \_\_\_\_\_  
Mayor Nicholas Fouraker

\_\_\_\_\_  
(Witness Print Name)

\_\_\_\_\_  
(Witness Signature)

\_\_\_\_\_  
(Witness Print Name)

STATE OF FLORIDA:  
COUNTY OF ORANGE:

The foregoing instrument was acknowledged before me by means of physical presence this \_\_\_\_ day of August, 2021, by Nicholas Fouraker, as Mayor of the City of Belle Isle, a Florida municipal corporation who is personally known by me.

\_\_\_\_\_  
(Notary Public Signature)

\_\_\_\_\_  
(Notary Public Print Name)

My Commission Expires: