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Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0697 - 700; (4pgs)

RETURN TO:

 **LEWIS, LONGMAN & WALKER, P.A.**
ATTORNEYS AT LAW
1700 Palm Beach Lakes Boulevard
Suite 1000
West Palm Beach, Florida 33401

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANTS (hereinafter "Declaration") is made this 23 day of November, 2005, by Sundar Heeraman, with an address of P.O. Box 1408 Loxahatchee, FL 33407-1408 ("Owner") and Palm Beach County, a political subdivision of the State of Florida, through its Department of Environmental Resources Management, whose address is 3323 Belvedere Road, Building 502, West Palm Beach, FL 33406 ("County").

RECITALS

WHEREAS, Owner is the sole fee simple owner of that certain real property situated in the County of Palm Beach, State of Florida, more particularly described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, Owner and the Palm Beach County Department of Environmental Resources Management (ERM) have entered into that certain Settlement Agreement dated November 22, 2005 relating to the above-referenced property.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each of the undersigned parties, Owner agrees as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. Owner hereby imposes the following use restrictions:

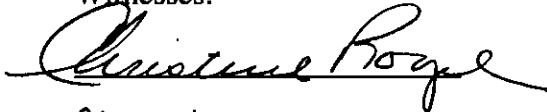
The sole use of the parcel more particularly described in Exhibit "A" shall be limited to bona fide agricultural purposes as determined by the Property Appraiser pursuant to § 193.461, Florida Statutes, unless and until Owner agrees to make the cash payment for the value of 3.1 acre(s) to the Palm Beach County Natural Areas Stewardship Endowment Fund, or to set aside 3.1 acres of contiguous area as approved by ERM containing quality native vegetation prior to the conversion of the parcel to a nonagricultural land use required by the Vegetation Preservation and Protection Ordinance described in Unified Land Development Code Article 14.C.11.C.2.b.1 as written and in effect on the date this document is executed by the parties.

3. It is the intention of Owner that the restriction contained in this Declaration shall touch and concern the Property, run with the land and with the title to the Property, and shall apply to and be binding upon and inure to the benefit of the Owner, and to Palm Beach County, its successors and assigns, and to any and all parties hereafter having any right, title or interest in the Property

or any part thereof. These restrictions may be enforced in a court of competent jurisdiction by County or its designated agency.

4. The Declaration of Restrictive Covenant must be recorded in the public records of Palm Beach County by Owner.
5. Owner shall provide a copy of the recorded Declaration of Restricted Covenants to ERM.
6. This agreement is binding until a release of covenant is executed by the Palm Beach County Board of County Commissioners (BCC) and is recorded in the public records of Palm Beach County, Florida, which release shall be granted by the BCC. This Declaration may be modified in writing only. Any subsequent amendment must be executed by both Owner and ERM or their respective successors and assigns and be recorded by the owner as an amendment hereto.
7. If any provision of this Declaration is held to be invalid by any court of competent jurisdiction, the invalidity of such provision shall not affect the validity of any other provisions thereof. All such other provisions shall continue unimpaired in full force and effect.

Witnesses:



Christine Royce
(printed name of witness)




MARILYN Ayala
(printed name of witness)



SUNDAR HEERAMAN

STATE OF FLORIDA)
) SS
COUNTY OF PALM BEACH)

BEFORE ME, the undersigned authority, duly authorized to take oaths, appeared
SUNDAR HEERAMAN , who is personally known to me or who has produced FL
DRIVERS LICENSE as identification and has signed the foregoing instrument.

SWORN TO AND SUBSCRIBED BEFORE ME this 23 day of NOVEMBER
2005.

 Bernice Torres
My Commission DD337811
Expires September 01 2008



NOTARY PUBLIC
STATE OF FLORIDA AT LARGE

My commission expires: 9/1/2008

NOT A CERTIFIED COPY

EXHIBIT "A"

LOT 5, BLOCK "I", LOXAHATCHEE GROVES, LYING NORTH OF STATE ROAD 80, ACCORDING TO THE PLAT THEREOF, ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 12, PAGE 29; SAID LANDS LYING, SITUATE, AND BEING IN PALM BEACH COUNTY, FLORIDA

LESS AND EXCEPT THAT PROTION FOR STATE ROAD 80, AS DESCRIBED IN THE ORDER OF TAKING IN OFFICIAL RECORD BOOK 5463, PAGE 1126, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

NOT A CERTIFIED COPY