



155 F Road Loxahatchee Groves, FL 33470

**Agenda Item # 10**

**TO:** Town Council of Town of Loxahatchee Groves

**FROM:** Elizabeth Lenihan, Town Attorney

**VIA:** Francine L. Ramaglia, Town Manager

**DATE:** August 1, 2023

**SUBJECT:** Consideration of *Resolution No. 2023--53* approving Termination and Release of Declaration of Restrictive Covenant for Groves Town Center

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**Background:**

The Town holds a restrictive covenant over 3.1 acres within the Groves Town Center property for quality native vegetation. The restrictive covenant was originally granted by Sundar Heeraman, previous owner of the property, to Palm Beach County in 2005. The 2005 restrictive covenant provides, in pertinent part, that the sole use of the parcel described therein, which contains approximately 3.1 acres of real property (the “Restricted Parcel”), is to be limited to bona fide agricultural purposes, unless and until the owner of the Restricted Parcel agrees to make a cash payment for the value of 3.1 acres to the Palm Beach County Natural Areas Stewardship Endowment Fund, or agrees to set aside 3.1 acres of contiguous area as approved by ERM containing quality native vegetation prior to the conversion of the Restricted Parcel to a nonagricultural land use required by the Vegetation Preservation and Protection Ordinance.

Since that time, the Restricted Parcel under the 2005 restrictive covenant became part of the Groves Town Center development. The owners of Groves Town Center have recorded a Restrictive Covenant and Limited Access and Conservation Easement covering approximately 23.169 acres restricting the use to conservation and equestrian trail uses.

The owners of the property have requested the Town consider the 23.169 acres under the Restrictive Covenant and Limited Access and Conservation Easement a satisfaction of the requirements under the 2005 restricted covenant to set aside 3.1 acres of contiguous area containing quality native vegetation.

**Recommendation:**

Move Town Council adopt *Resolution No. 2023-53* approving Termination and Release of Declaration of Restrictive Covenant for Groves Town Center.