

EXHIBIT

B

Ord 97-18

97-626114 T#002
12-01-97 03:14PM

DOCUMENT COVER PAGE

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DOCUMENT TITLE: Declaration of Restrictions

EXECUTED BY: Ida E. Bamford, President of I.E.B., Inc.

TO:

BRIEF LEGAL DESCRIPTION:

See attached

(if applicable)

THIS INSTRUMENT PREPARED BY:
RICHARD T. DONATO, ESQUIRE
ENGLAND & DONATO
7700 Davie Road Extension
Hollywood, FL 33024

RETURN RECORDED DOCUMENT TO:
Town Clerk
Town of Davie
6591 SW 45th Street
Davie, FL 33314

DEFERRED ITEM
Return Document To
Business Operations

BK27343PG0240

(2)

DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS that the undersigned IDA E. BAMFORD, President of I.E.B., INC., a Florida corporation, being the owner of that certain real property located in the Town of Davie, Broward County, Florida, and described on Exhibit "A" attached hereto and made a part hereof, voluntarily makes the following Declaration of Restrictions covering the above described property, specifying that this Declaration of Restrictions shall constitute a covenant running with the land and that this declaration shall constitute a covenant running with the land and that this declaration shall be binding upon the undersigned and upon all persons deriving or taking title through the undersigned. These restrictions, during their lifetime, shall be for the benefit for the Town of Davie, Florida.

1. The above described property shall not be used for the following uses:

Hotels and Motels
Service Stations
Vehicle Repair
Vehicle, Boat, Trailer and Truck Sales
Vehicle, Boat, Trailer and Truck Rental
Warehouse, Storage
Adult Facilities
Mobile Home sales
Residential uses

2. These restrictions shall not be construed to grant a use not allowable under the applicable zoning category of the subject property.
3. Development of the described property shall be in conformance with the approved conceptual master land use plan, attached hereto and made a part hereof as Exhibit "B", or any amendment thereto approved by the Town of Davie.
4. These covenants are to run with the land and shall be binding upon all parties and persons deriving or taking title through the undersigned from the date these covenants are recorded in the Public Records of Broward County, Florida. This Declaration of Restrictions may be amended or removed only by the Town of Davie, Florida, by a written document of equal

formality and dignity and with the approval of the undersigned or their successors in title or assigns. Any amendment to this Declaration of Restrictions or termination hereof shall be recorded in the Public Records of Broward County, Florida. Nothing herein shall prevent the declarants or their successors in title or assigns from applying to the Town of Davie, Florida, for modification of this Declaration of Restrictions or termination hereof.

5. Invalidation of any one portion of this Declaration of Restrictions or any portion of this document by judgment or court order shall in no way affect any other provisions, which shall remain in full force and effect.
6. This Declaration of Restrictions is executed for the purpose of protecting the health, safety and welfare of the citizens of the Town of Davie, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 20 day of August, 1997.

Signed, sealed and delivered in the presence of:

Beverly K. Hicks
Signature of Witness
Beverly K. Hicks
Printed Name of Witness
[Signature]
Signature of Witness
Richard T. Denato
Printed Name of Witness

I.E.B., INC.

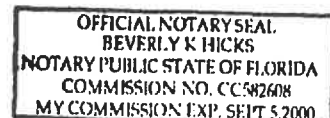
By: IDA E. Bamford
IDA E. BAMFORD, President

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 20 day of August, 1997, by IDA E. BAMFORD, President of I.E.B., INC., who is personally known to me or produced as identification.

Beverly K. Hicks
NOTARY PUBLIC, STATE OF FLORIDA
SEAL:
Commission number: CC 582608
My commission expires:

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EXHIBIT 'A'

LEGAL DESCRIPTION

The East 35 feet of Lots 33, 34, 35 and 36, and the East 35 feet of the North 15 feet of Lot 32, all in Block 5, of FIRST ADDITION TO DAVIE, a Subdivision, according to the Plat thereof, recorded in Plat Book 6, page 39, of the Public Records of Broward County, Florida; also known as a portion of Parcel "A" of AMENDED PLAT OF BLOCKS 5 and 6 of FIRST ADDITION TO DAVIE, a Subdivision, according to the Plat thereof, recorded in Plat Book 15, page 6, of the Public Records of Broward County, Florida.

AND

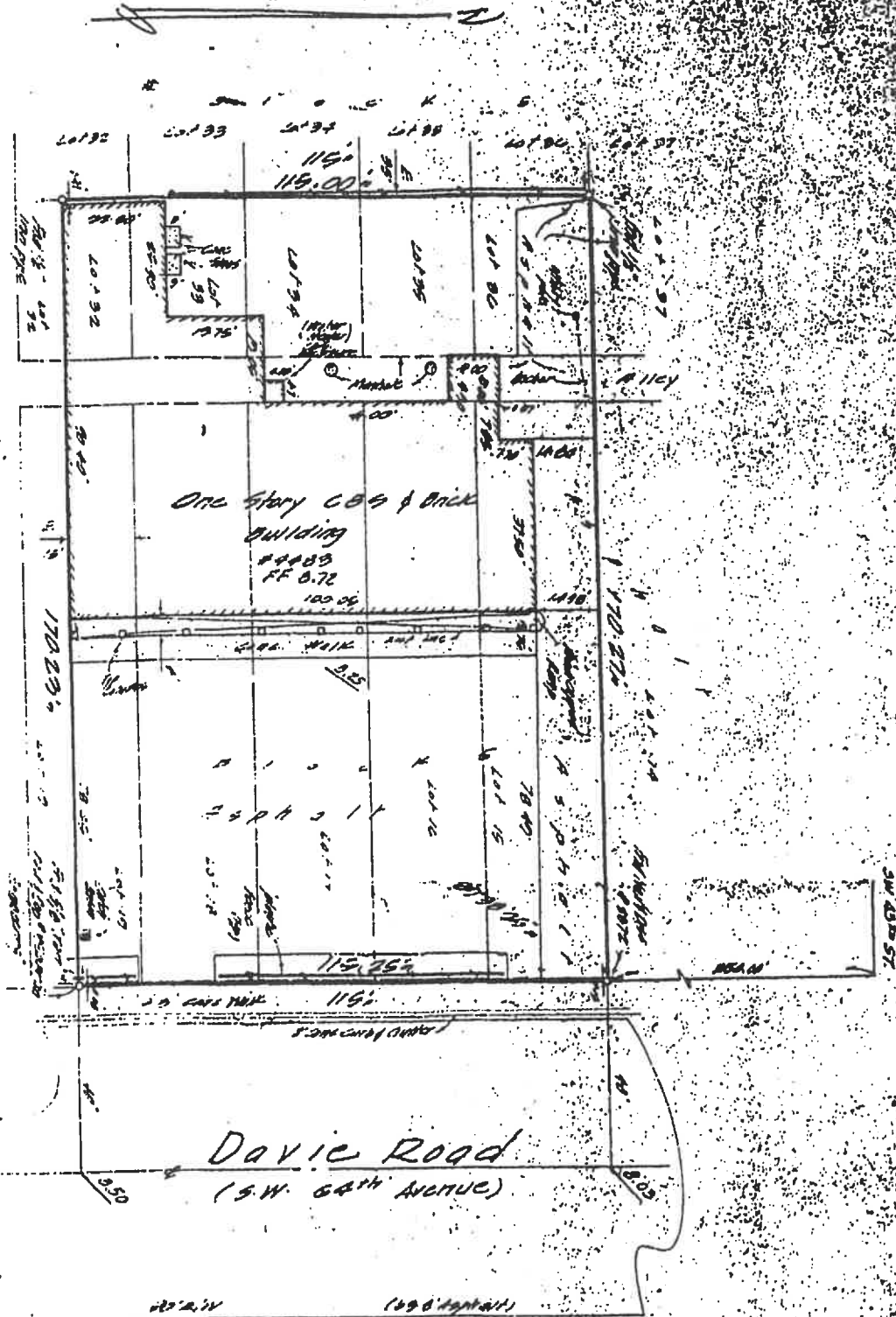
Lots 15, 16, 17, 18 and the North 15 feet of Lot 19, in Block 5, of FIRST ADDITION TO DAVIE, a Subdivision, according to the Plat thereof, recorded in Plat Book 6, page 39, of the Public Records of Broward County, Florida.

BK27343PG0243

I HEREBY CERTIFY That the attached sketch of Survey of the above described property is

LEGAL DESCRIPTION:

The last 35 feet of lots 33, 34, 35 and 36, and the East 35 ft



ORDINANCE 97-48

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM B-2 TO B-3; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, that the classification of certain lands within the Town be changed from B-2 to B-3; and,

WHEREAS, said notice was given and publication made as required by law on June 18, 1997, and a public hearing thereunder was held on August 6, 1997.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE FLORIDA:

SECTION 1. That the property herein after described be and the same is hereby rezoned and changed from B-2 to B-3:

a. The subject property is described in Exhibit "A", which is attached hereto and made a part hereof.

b. Development of the property which is the subject of this Ordinance shall proceed only in conformity with the terms and conditions of the officially approved master land use plan of the development which is attached hereto and made a part hereof as Exhibit "B".

c. The applicant has agreed to record Deed Restrictions in a form which is attached hereto and made a part hereof as Exhibit "C", which said undertaking shall be binding upon the applicant and its successors in title.

SECTION 2. That the zoning map heretofore adopted by the Town Council be and the same is hereby amended to show the property described in Section 1, herein, as B-3.

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS 6th DAY OF AUGUST, 1997.

PASSED ON SECOND READING THIS 20th DAY OF AUGUST, 1997.


MAYOR/COUNCILMEMBER

ATTEST:


TOWN CLERK

APPROVED THIS 20th DAY OF AUGUST, 1997.

RECORDED IN THE OFFICIAL RECORDS BOOK
OF BROWARD COUNTY, FLORIDA
COUNTY ADMINISTRATOR

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