
MEMORANDUM

TO: JERRY A. BENTROTT, CITY MANAGER

FROM: PAM E. BOOKER HAKIM, SENIOR ASSISTANT CITY ATTORNEY 

DATE: SEPTEMBER 6, 2011

SUBJECT: DECLARATION OF RESTRICTIVE COVENANTS
JACK AND MARCIA WEHRELL (271 SW LAMA AVENUE)

Attached please find a request for Declaration of Restrictive Covenant by Jack S. Wehrell and Marcia L. Wehrell for Lot 10 of Block 2461, Port St. Lucie Section 36. This Declaration of Restrictive Covenant is placed on the property to add Lot 10 to Lots 7, 8 and 9 so that all four lots may be considered as one parcel of land. The property owners have paid the fees due.

Please place this item on the City Council agenda for Monday, September 12, 2011. Should you have any questions, or need any additional information, please do not hesitate to contact me at 873- 6525.

PBH/liw

RECEIVED

SEP 06 2011

City Manager's Office

City of Port St. Lucie
City Attorney's Office
121 SW Port St. Lucie Boulevard
Port St. Lucie, Florida 34984

DECLARATION OF RESTRICTIVE COVENANTS

THIS Declaration of Restrictive Covenants made this _____ day of _____, 2011, by Jack S. Wehrell and Marcia L. Wehrell, as husband and wife, (hereinafter referred to as the "Owners"), the Owner/s of the following: LOTS 7, 8, 9 and 10 , BLOCK 2461, PORT ST. LUCIE SECTION 36, according to the plat thereof recorded in Plat Book 15, Pages 11 through 11A, of the public records of St. Lucie County, Florida (hereinafter referred to as the "Property").

WITNESSETH

The Owners are the owners of the Property and intend by this declaration to impose upon the Property evidence of restrictions, which would benefit the Owners of the Property and the City of Port St. Lucie.

The Owners desire to subject the Property to certain restrictions and covenants for the protection and benefit of the present and future owners of the Property or any part thereof and the City of Port St. Lucie.

The Owners combined Lots 7, 8 and 9 of Block 2461, Port St. Lucie Section 36, St. Lucie County on or about September 20, 2004 through a Declaration of Restrictive Covenant. Said Restrictive Covenant is recorded in the Public Records of St. Lucie County at OR Book 2094, Page 447.

The Owners which to add Lot 10 to Lots 7, 8 and 9 of Block 2461, Port St. Lucie Section 36, so that all four lots may be considered as one parcel of land.

ARTICLE I

Property Subject to this Declaration

The Owners hereby declare that the property shall be held, sold, and conveyed subject to the following restrictions and covenants which are for the purpose of protecting the value, desirability and the benefit of and shall run with the real property subject to this Declaration which shall be binding on all parties having any right, title, or interest in the Property or any part thereof, their heirs, successors, and assigns and shall ensue to the benefit of each owner thereof and the City of Port St. Lucie.

ARTICLE II

Restrictions and Covenants

The Property shall be considered one lot. Any future development of the Property shall be restricted to one single family residential unit and permitted accessory usages as allowed under the Code of the City of Port St. Lucie for a single lot.

ARTICLE III

Duration and Remedies for Violation

The covenants and restrictions of this Declaration shall run with and bind the Property and shall insure to benefit of any Owner(s) of the Property, their respective representatives, heirs, successors and assigns and the City of Port St. Lucie for a term of fifty years from the date this Declaration is recorded, after which time, said covenants and restrictions shall automatically be extended for successive periods of ten years unless an instrument signed by the current owner(s) of the Property and the City of Port St. Lucie is recorded terminating the covenants and restrictions of this Declaration.

ARTICLE IV

Effective Date

This Declaration shall become effective upon its recordation in the Public Record of St. Lucie County, Florida.

DECLARATION OF RESTRICTIVE COVENANTS

IN WITNESS WHEREOF the Owners have caused this Declaration to be executed as required by law on the above date.

Witness Signature

Owner Signature

Printed Name

Printed Name

Witness Signature

Street Address

Printed Name

City, State, Zip

If more than one name on deed:

Witness Signature

Owner Signature

Printed Name

Printed Name

Witness Signature

Street Address

Printed Name

City, State, Zip

**STATE OF FLORIDA
COUNTY OF ST. LUCIE**

I HEREBY CERTIFY that in this day, before an officer duly authorized to take acknowledgements, personally appeared and , known to me to be the person(s) described in and who executed the foregoing instruments, who acknowledged before me that they executed the same, that I relied upon the following form of identification of the above named person(s):

WITNESS my hand in official seal in the County and State last aforesaid this _____ day of _____, 2011.

Notary Public Signature

My Commission Expires (Stamp Above)

Printed Notary Public Name