

PREPARED BY:

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RELEASE OF DECLARATION OF RESTRICTIVE COVENANT

WHEREAS, Antonio and Eileen Garcia, (collectively, the “Owner”), are the fee simple owners of the following property situated and being in the City of Coral Gables:

Lots 12, 13, and 14, in Block 2, of Coral Gables Section “E” according to the Plat thereof, as recorded in Plat Book 8, Page 13, of the Public Records of Miami-Dade County, Florida (the “Property”); and

WHEREAS, on October 22, 1990 the Owner’s predecessor in interest, Gardenia Martinez, executed a Declaration of Restrictive Covenant (the “Unity of Title”) encumbering the Property; and

WHEREAS, said Unity of Title was recorded on November 5, 1990, in Official Records Book 14769, at Page 1929, of the Public Records of Miami-Dade County, Florida; and

WHEREAS, the Owner’s predecessor in interest, provided an affidavit dated January 23, 2021 (the “Affidavit”) stating that it was never her intent that Lot 14 be included in the legal description of said Unity of Title; and

WHEREAS, a building site determination dated May 10, 1988, by the then Zoning Administrator, confirms that Lots 12 and 13 are a single building site and Lot 14 is a separate building site (the “Building Site Determination”); and

WHEREAS, microfilm records from the Building Department, also indicate that Lots 12 and 13 were to be treated as a single building site, while Lot 14 was to be treated as a separate building site; and

WHEREAS, the City Commission approved the release of the Unity of Title on _____ pursuant to Resolution No. _____;

WHEREAS, in consideration of the release of the Declaration, the Owner has proffered a new Unity of Title, which will encumber Lots 12 and 13, unify them as one building site, and declare that they will not be used in violation of any ordinance of the City of Coral Gables.

NOW, THEREFORE, in consideration of the premises contained herein, the Property is hereby released from said Unity of Title, and said Unity of Title is hereby released and declared to be of no further legal effect, and null and void, and the Clerk of the Circuit Court of Miami-Dade County, Florida, is hereby directed to note same upon the public records.

IN WITNESS WHEREOF, the undersigned has caused this Release of Declaration of Restrictive Covenant to be signed by its authorized officer this ___ day of _____, 2021.

WITNESSES:

CITY OF CORAL GABLES:

Name: _____

Peter J. Iglesias, City Manager

Name: _____

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this ___ day of _____ 2021, by Peter J. Iglesias, who executed the foregoing instrument, and he did acknowledge to me the execution thereof. He is personally known to me or has produced _____ as identification.

My commission expires:

Name: _____

Notary Public, State of Florida

For the City of Coral Gables:

Miriam Soler Ramos, City Attorney
Cristina M. Suárez, Deputy City Attorney
Stephanie Throckmorton, Assistant City Attorney
Gustavo J. Ceballos, Assistant City Attorney