

RESOLUTION NO.: \_\_\_\_\_

(13-DPV-61a)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, TERMINATING THE COVENANT OF UNITY OF TITLE FOR VACANT PARCELS LOCATED AT 2327 AND 2331 LINCOLN STREET (KNOWN AS LINCOLN PARK WEST TOWNHOMES PROJECT); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 29, 2005, the developer recorded a Covenant of Unity of Title in Official Records Book 41176, Page 1213 of the Public Records of Broward County, Florida which is attached hereto and incorporated herein by reference as Exhibit "A", in order to unite Parcel A and Parcel B of Lot 10 as the subject parcels had been subdivided; and

WHEREAS, the proposed development for the subject parcels never occurred; and

WHEREAS, on January 16, 2014, the developer submitted a request to the Planning and Development Board for approval of a Variance, Design, and Site Plan for a 12 unit townhome development ("Lincoln Park West Townhomes"); and

WHEREAS, on January 16, 2014, the Planning and Development Board held a public hearing on the developer's request and passed and adopted Resolution No. 13-DPV-61 which approved a Variance, Design and Site Plan with a condition that the developer provide a Unity of Title to unify Lot 10 and a portion of Lot 11, Block 12; and

WHEREAS, in order to provide the required Unity of Title, and to avoid confusion, the original Covenant of Unity of Title recorded on December 29, 2005, must be terminated; and

WHEREAS, Paragraph 4 of the December 29, 2005, recorded Covenant of Unity of Title states that the Covenant shall not be terminated, amended or revoked without the express consent of the City which consent shall be evidenced by a document signed by the City Officials and recorded in the Public Records; and

WHEREAS, on May 17 2016, Lincoln West LLC (the "Applicant) submitted an application (File Number 13-DPV-31a) requesting the dissolution of the Covenant of Unity of Title;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: The Covenant of Unity of Title recorded in Official Records Book 41176, Page 1213 of the Public Records of Broward County is hereby terminated.

Section 2: That in accordance with the Planning and Development Board Resolution 13-DPV-61, the Applicant shall submit the required Unity of Title to the Department of Development Services, Planning Division, for review prior to recordation, in a form acceptable to the City Attorney, and the Planning Division shall record said Unity of Title.

Section 3: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
PETER BOBER, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM & LEGALITY  
For the use and reliance of the  
City of Hollywood, Florida only:

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JEFFREY P. SHEFFEL, CITY ATTORNEY