

Prepared by and return recorded copy to:

Ethan B. Wasserman, Esq.
Greenberg Traurig, P.A.
333 SE 2nd Avenue, Suite 4100
Miami, Florida 33131

The Above Blank Space is for Recording Purposes

**RELEASE OF DECLARATION OF RESTRICTIONS, UNITY OF TITLE, AND
COVENANT TO SEEK ANNEXATION**

THIS RELEASE OF DECLARATION OF RESTRICTIONS, UNITY OF TITLE, AND COVENANT TO SEEK ANNEXATION (the “**Release**”) is made and entered this 13 day of November, 2024, by PINECREST LIMITED PARTNERSHIP, a Florida limited partnership (“**Pinecrest**”) and Delmas North LLC, a Florida limited liability company (“**Delmas**”).

WHEREAS, the Pinecrest is the fee simple owner of certain real property located at 13650 NE 3 Ct., North Miami, FL 33161 and legally described in **Exhibit “A”**, attached hereto and made a part hereof (hereinafter the “**City Property**”); and

WHEREAS, the City Property consists of an existing and operating healthcare facility; and

WHEREAS, Delmas is the owner of a vacant parcel of land identified by Miami Dade County Property Appraiser Folio Number 30-2219-000-0810, and legally described on **Exhibit “B”**, attached hereto and made a part hereof (the “**County Property**”); and

WHEREAS, in 1998, as part of a failed effort to incorporate the County Property into the City of North Miami (“**City**”), the then owner of the County Property and the City Property (collectively, the “**Property**”) obtained City Council approval to unify the Property intending for a new nursing home development in accordance with that certain Declaration of Restrictions, Unity of title, and Covenant to Seek Annexation (the “**Unity**”) recorded in Official Records Book 13627, Page 3013, of the public records of Miami Dade County, Florida, a copy of which is attached as **Exhibit “C”**; and

WHEREAS, the unified development and corresponding annexation never occurred and as a result the County Property currently remains vacant and subject to the jurisdiction of Miami Dade County; and

WHEREAS, Pinecrest and Delmas have requested that the Unity be canceled and released of record, such that the City Property and the County Property may be owned and operated as separate parcels of land; and

WHEREAS, as a result the City is willing to cancel and release the Unity and record this Release in the Public Records of Miami Dade County Florida; and

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

1. Recitals. The above recitals are true and correct and incorporated herein by reference.
2. Release. The Unity expressly required City Council approval for any release or termination

and the City Council has approved this Release at that certain City Council meeting of November 26, 2024, and as evidenced by the City's signature on this Release confirming the Unity is hereby cancelled and released and shall be of no further force or effect. Notwithstanding the foregoing, the parties hereto understand and agree that this Release shall have no impact on other instruments of record, including that certain Water & Sanitary Sewer Services Agreement recorded in Official Records Book 33555, Page 2000 and that certain Easement Agreement recorded in Official Records Book 33555, Page 2024 of the public records of Miami Dade County, Florida.

3. Counterparts/Electronic Signature. This Release may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute but one and the same instrument. The parties shall be entitled to sign and transmit an electronic signature of this instrument (whether by facsimile, PDF or other email transmission), which signature shall be binding on the party whose name is contained therein. Any party providing an electronic signature agrees to promptly execute and deliver to the other parties an original signed instrument upon request.

4. Recording. This Release shall be recorded at the Owner's expense, in the public records of Miami-Dade County, Florida upon full execution.

[Signature Pages to Follow]

IN WITNESS WHEREOF, the undersigned has/have cause _____ hand(s) and seal(s) to be affixed hereto on this 13 day of November 2024.

FIRST WITNESS:

Sign: H. Bonar-Kotarski
Print Name: H. BONAR-KOTARSKI
Address: 6265 SW 47th Manor,
Davie, FL 33314

SECOND WITNESS:

Sign: Therese Hardie
Print Name: THERESE HARDIE
Address: 541 Sumter Ave Davie FL
33325

PINECREST:

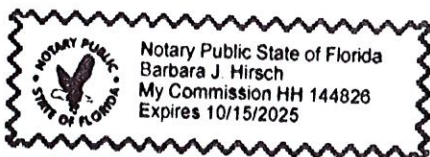
PINECREST LIMITED PARTNERSHIP,
a Florida limited partnership

By: [Signature]
Name Andrew S. Weisman
Title President, BDW Pinecrest, Inc., a
Florida Corporation, its General
Partner

STATE OF Florida
COUNTY OF Broward

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 13 day of November, 2024, by Andrew S. Weisman, as President of BDW Pinecrest Inc., a Florida Corporation, as General Partner of Pinecrest Limited partnership, a Florida limited partnership. He/she (☒) is personally known to me or who has produced or (☐) has produced driver's license as identification.

[Notary Seal]



Barbara J. Hirsch
Notary Public
Barbara J. Hirsch

Name typed, printed or stamped

My Commission Expires: 10/15/2025

FIRST WITNESS:

Sign: [Signature]
Print Name: Kelly Garcia
Address: 22585 SW 102 CT

SECOND WITNESS:

Sign: [Signature]
Print Name: Eliset Gonzalez
Address: 6412 NW 5 Ave

DELMAS:

DELMAS NORTH LLC, a Florida limited liability company

By: [Signature]
Name: Daniel Abreu
Title: Member

STATE OF Florida
COUNTY OF Miami Dade

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 13 day of November, 2024, by Daniel Abreu as Member of Delmas North LLC, a Florida limited liability company, on behalf of the company. He/she is personally known to me or who has produced _____ as identification.

[Notary Seal]



MAYTEE HERNANDEZ
Commission # HH 447647
Expires January 24, 2028

Maytee Hernandez
Notary Public


Maytee Hernandez
Name typed, printed or stamped

My Commission Expires: 01/24/2028

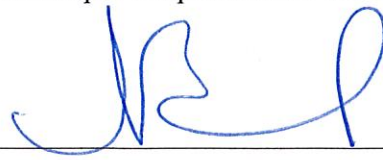
ATTEST:

CITY OF NORTH MIAMI,

a municipal Corporation of the State of Florida

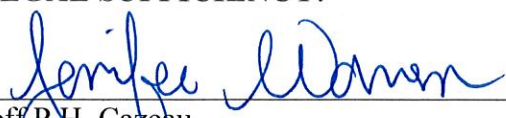


Vanessa Joseph, Esq.
City Clerk



Anna-Bo Emmanuel, Esq., FRA-RA
Interim City Manager

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**




For  Jeff P.H. Cazeau
City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION OF COUNTY PROPERTY

That portion of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 19, Township 52 South, Range 42 East lying Easterly of the Easterly right-of-way line of N.E. 2nd Court as recorded in Deed Book 1952 at Page 509 of the Public Records of Dade County, Florida.

All of the above lying and being in Dade County, Florida.

EXHIBIT ³"B"
LEGAL DESCRIPTION OF COUNTY PROPERTY

That portion of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 19, Township 52 South, Range 42 East lying Easterly of the Easterly right-of-way line of N.E. 2nd Court as recorded in Deed Book 1952 at Page 509 of the Public Records of Dade County, Florida.

All of the above lying and being in Dade County, Florida.

EXHIBIT "C"
UNITY