Document prepared by:

Office of City Attorney

444 S.W. 2nd Avenue, Suite 945

Miami, FL 33130-1910

Return Recorded Copy to:

City of Miami

Office of Zoning, Attn.: Zoning Administrator

444 S.W. 2nd Avenue, 2nd Floor

Miami, FL 33130-1910

Folio Nos: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Space Above for Recorder's Use Only)

**RELEASE OF RESTRICTIVE COVENANT RUNNING WITH THE LAND**

WHEREAS, on \_\_\_\_[INSERT DATE]\_\_\_\_\_\_\_, \_\_\_[THEN OWNER/PARTY]\_, the then owner of the real property described below (“Property”) entered into a Restrictive Covenant Running With the Land (“Covenant”) in favor of the City of Miami (“City”) pertaining to use of said Property, which was recorded on \_\_\_[DATE COVENANT RECORDED]\_\_ in Official Records Book [BOOK NUMBER], Page [PAGE NUMBER] of the Public Records of Miami-Dade County, Florida;

WHEREAS, the Covenant [LANGUAGE FROM RESTRICTIVE COVENANT]; and

WHEREAS, [THE OWNER] (“Owner(s)”) owns the Property, which is legally described as:

[LEGAL DESCRIPTION]

[STREET ADDRESS]

[FOLIO NUMBER],

WHEREAS, the Owner of the Property has requested that the Covenant be canceled and released; and

WHEREAS, the need for the Covenant is no longer in existence, and the City is willing to cancel and release the Covenant; and

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner and City agree as follows:

* 1. Recitals. The above recitals are true and correct and incorporated herein by reference.
  2. Release. The Covenant is hereby canceled and released and shall have no further force or effect.
  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 will be e-recorded by the City of Miami, at the Owner's expense, in the public records of Miami-Dade County, Florida upon full execution.

*THIS SPACE INTENTIONALLY LEFT BLANK*

[SIGNATURES PAGESS TO FOLLOW]

In witness whereof the undersigned has caused his hand and seal to be affixed hereto on this \_\_\_\_\_ day of 20\_\_.

**OWNER**

[INSERT NAME OF OWNER; INCLUDE CHAIN OF OWNERSHIP IF APPLICABLE]

By: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

[insert name and title of signatory]

The foregoing instrument was acknowledged before me by means of \_\_\_\_ physical presence OR \_\_\_\_ online notarization, this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Personally Known \_\_\_\_\_ or Produced Identification \_\_\_\_\_\_\_\_.

Type of Identification Produced \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print or Stamp Name: \_\_\_\_\_\_\_\_\_\_\_

Notary Public, State of \_\_\_\_\_\_\_\_\_\_

Commission No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

My Commission Expires: \_\_\_\_\_\_\_\_

CITY OF MIAMI:

APPROVED:

OFFICE OF ZONING

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Daniel S. Goldberg, Esq.

Zoning Administrator

APPROVED AS TO FORM AND CORRECTNESS:

OFFICE OF THE CITY ATTORNEY

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Victoria Méndez, Esq.

City Attorney