

RESTRICTIVE COVENANT

RCD Apr 15 2002 03:18PM
DANNY L KOLHAGE, CLERK

Whereas, Evagelia Samaha, Trustee
NAME(S) **(ENTITY)**
hereinafter "OWNER" is (are) the owner(s) of real property situated at
829 Simonton Street, Apt. #2 legally described as follows:
ADDRESS

See Enclosed

RE# 00016430-000000 and

Whereas, the City of Key West, hereinafter "CITY" distributes building permits for housing units which are allocated to it by the State of Florida; and

WHEREAS, the OWNER desires to build 1 housing unit(s) on the above described property; and

WHEREAS, the building permits available from CITY are for housing units designated as "affordable" and "affordable, low income" by the CITY under its Affordable Housing Regulations;

NOW, THEREFORE, the OWNER agrees to the following:

1. The permits for the units will be awarded from the CITY'S
1 AFFORDABLE
 AFFORDABLE, LOW INCOME
permit allocation.
2. The housing built as a result of this award shall be restricted in its rental and sale prices, as well as by the income limitations on tenants and ownership, by the restrictions in the CITY'S Affordable Housing Regulations as defined in the Land Development Regulations of the City of Key West, including but not limited to Section 2-7.4 as it is currently written or as it is amended or codified.
3. The execution and filing of this document in the public records of Monroe County creates no rights in the OWNER to the permits and units herein described. All other codes, ordinances, and regulations of the CITY must be adhered to within the required time frames to obtain a Certificate of Occupancy for the above units(s).

Prepared By: FELDMAN & KOENIG

The above restrictions shall be a restrictive covenant which shall run with the land and remain in full force and effect for a period of 50 years from the date of this deed of restrictions unless renewed or rescinded by the CITY. In the event of a violation or breach of these restrictions, CITY and any person aggrieved by a violation or breach shall have the right to proceed at law or in equity to compel compliance with the terms hereof or to prevent the violation or breach of any of them. The failure to enforce any right, reservation, restriction or condition contained herein, however long continued, shall not be deemed a waiver of the right to do so thereafter as to the same breach.

Made and executed on the 15th day of April, 2002.

[Signature]
Witness
[Signature]
Witness
[Signature]
Owner

Witness

Owner

Witness

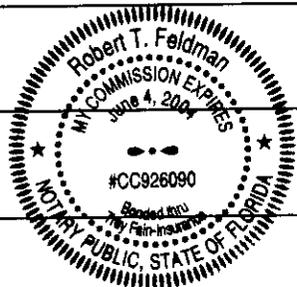
Subscribed and sworn to (or affirmed) before me on 15 April, 02 (date) by Evangelia Samaha (name). He/She is personally known to me or has presented _____ as identification.

[Signature]
Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Title or Rank

Commission Number, if any



On the Island of Key West and designated on the map thereof as Part of Lot Two (2) in Square Four (4) in Tract Four (4) of Simonton and Wall's Addition: Commencing at the corner of Simonton and Olivia Streets and running thence along Olivia Street in a Northeasterly direction 106 feet; thence in a Northwesterly direction 50 feet; thence in a southwesterly direction 106 feet out to Simonton Street, thence along Simonton Street in a Southeasterly direction 50 feet to the Point of Beginning.

ALSO

On the Island of Key West, and known as a Part of Lot Two (2) in Square Four (4) of Tract Four of SIMONTON AND WALL'S ADDITION to Key West as recorded in Deed Book "E" at Page 245 of the Public Records of Monroe County, Florida, said parcel being described by metes and bounds as follows: COMMENCE at the intersection of the Northwesterly right of way boundary line of Olivia Street with the Northeasterly right of way boundary line of Simonton Street and running thence in a Northwesterly direction along the Northeasterly right of way line of the said Simonton Street for a distance of 50.0 feet to the Point of Beginning; thence at right angles in a Northeasterly direction for a distance of 106.0 feet; thence at right angles in a Northwesterly direction 0.50 feet; thence at right angles in a Southwesterly direction for a distance of 106.0 feet to a point on the Northeasterly right of way line of the said Simonton Street; thence at right angles in a Southeasterly direction along said Simonton Street for a distance of 0.50 feet back to the Point of Beginning.

Hereinafter the "Property".

MONROE COUNTY
OFFICIAL RECORDS

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MONROE COUNTY
OFFICIAL RECORDS

4 April
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Shula Fredrick

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FILE #1294362
BK#1776 PG#1377