



COLLIER COUNTY GOVERNMENT
GROWTH MANAGEMENT DEPARTMENT
www.colliergov.net

2800 NORTH HORSESHOE DRIVE
NAPLES, FLORIDA 34104
(239) 252-2400 FAX: (239) 252-6358

COVENANT OF UNIFIED CONTROL

The undersigned do hereby swear or affirm that we are the fee simple titleholders and owners of record of property commonly known as Parcel Number 47790008537 and 47790038426

Livingston Road

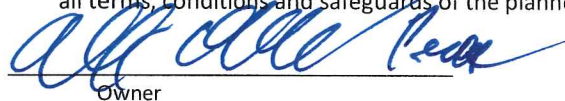
(Street address and City, State and Zip Code)

and legally described in *Exhibit A* attached hereto.

The property described herein is the subject of an application for Mixed-Use planned unit development (MU PUD) zoning. We hereby designate Q. Grady Minor & Assoc., P.A., legal representative thereof, as the legal representatives of the property and as such, these individuals are authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes, but is not limited to, the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning approval on the site. These representatives will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Collier County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned unit development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Collier County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned unit development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned unit development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned unit development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Collier County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned unit development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned unit development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned unit development.


Owner

Albert O'Donnell, as President of O'Donnell Landscapes, Inc.

Printed Name


Owner
PATRICIA O'DONNELL, SECY
Printed Name

STATE OF FLORIDA)
COUNTY OF ~~COLLIER~~ LEE

Sworn to (or affirmed) and subscribed before me this 24th day of July, 2017 by Albert O'Donnell, Pres
who is personally known to me or has produced _____ as identification.



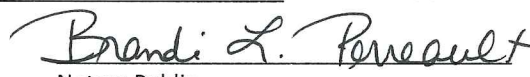

Notary Public
(Name typed, printed or stamped)

EXHIBIT "A"

Legal Description of Property

That part of Tract "E", according to the plat of Grey Oaks Unit Three, Plat Book 20, pages 30-37, of the public records of Collier County, Florida, and all of Tract "E", according to the plat of Grey Oaks Unit Fourteen, Plat Book 33, pages 59-64, of the public records of Collier County, Florida, being more particularly described as follows;

BEGINNING at the Southeast corner of said Tract "E", Grey Oaks Unit Fourteen;

Thence along the boundary of said Tract "E", in the following three (3) described courses:

1. North 89°41'57" West 390.00 feet;
2. North 00°31'16" East 2,063.03 feet;
3. North 00°38'02" East 48.23 feet to the southwest corner of said Tract "E", Grey Oaks Unit Three;

Thence along the west boundary of said Tract "E", North 00°38'02" East 1,442.72 feet;

Thence leaving said boundary South 89°21'58" East 220.00 feet;

Thence North 00°38'02" East 430.50 feet to the south line of Tract "R", Grey Oaks Drive, according to the plat of Grey Oaks Unit Eighteen, Plat Book 47, pages 1-4, of the public records of Collier County, Florida;

Thence along said boundary 123.02 feet along the arc of a non-tangential circular curve concave south having a radius of 253.00 feet through a central angle of 27°51'32" and being subtended by a chord which bears North 67°51'33" East 121.81 feet to a point of compound curve;

Thence continue along said boundary 86.26 feet along the arc of a circular curve concave southwest having a radius of 50.00 feet through a central angle of 98°50'43" and being subtended by a chord which bears South 48°47'20" East 75.95 feet to a point on the west line of Livingston Road as recorded in Official Records Book 2749, pages 697-701, of the public records of Collier County, Florida;

Thence along said west line South 00°38'02" West 1,869.16 feet to the south line of said Tract "E", Grey Oaks Unit Three;

Thence along said south line of said Tract "E", North 89°37'55" West 0.10 feet to the northeast corner of said Tract "E", Grey Oaks Unit Fourteen;

Thence along the east line of said Tract "E", South 00°31'16" West 2,110.81 feet to the POINT OF BEGINNING.