



COLLIER COUNTY GOVERNMENT  
GROWTH MANAGEMENT DEPARTMENT  
[www.colliergov.net](http://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 Esperanza Place RPUD - See Exhibit 1

Esperanza Way, Immokalee Florida

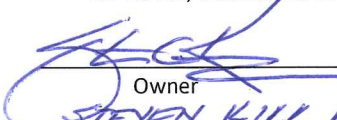
(Street address and City, State and Zip Code)

and legally described in *Exhibit A* attached hereto.

The property described herein is the subject of an application for Residential planned unit development (R        PUD) zoning. We hereby designate Q. Grady Minor and 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.

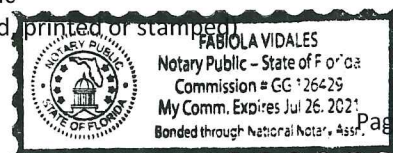
  
Owner  
STEVEN KILLE, PRESIDENT  
Printed Name

\_\_\_\_\_  
Owner  
\_\_\_\_\_  
Printed Name

STATE OF FLORIDA)  
COUNTY OF ~~COLLIER~~ MIAMI-DADE

Sworn to (or affirmed) and subscribed before me this 25th day of August, 2017 by Steven Kille  
who is personally known to me or has produced \_\_\_\_\_ as identification.

  
Notary Public  
(Name typed, printed or stamped)



2/21/2017

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**Exhibit "A"**

**(Property)**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA; THENCE RUN ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, NORTH 89°16'27" EAST, FOR A DISTANCE OF 531.34 FEET TO A POINT ON THE WEST LINE OF THOSE LANDS RECORDED IN OFFICIAL RECORDS BOOK 1596 AT PAGE 43 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE RUN ALONG SAID WEST LINE SOUTH 00°47'35" EAST, FOR A DISTANCE OF 145.19 FEET, TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE ALONG SAID WEST LINE SOUTH 00°47'35" EAST FOR A DISTANCE OF 571.24 FEET; THENCE RUN SOUTH 89°09'14" WEST, FOR A DISTANCE OF 95.98 FEET; THENCE RUN SOUTH 00°48'08" EAST, FOR A DISTANCE OF 83.43 FEET; THENCE RUN SOUTH 89°09'42" WEST, FOR A DISTANCE OF 212.53 FEET; THENCE RUN NORTH 00°48'42" WEST, FOR A DISTANCE OF 151.17 FEET; THENCE RUN NORTH 89°12'25" EAST, FOR A DISTANCE OF 27.69 FEET; THENCE RUN NORTH 00°48'08" WEST, FOR A DISTANCE OF 177.22 FEET; THENCE RUN NORTH 89°12'25" EAST, FOR A DISTANCE OF 107.29 FEET; THENCE RUN NORTH 00°48'08" WEST, FOR A DISTANCE OF 116.28 FEET; THENCE RUN SOUTH 89°12'25" WEST, FOR A DISTANCE OF 179.37 FEET; THENCE RUN NORTH 00°48'08" WEST, FOR A DISTANCE OF 120.42 FEET; THENCE RUN SOUTH 89°11'52" WEST, FOR A DISTANCE OF 10.51 FEET; THENCE RUN NORTH 00°48'08" WEST, FOR A DISTANCE OF 40.64 FEET; THENCE RUN NORTH 50°34'53" EAST, FOR A DISTANCE OF 30.49 FEET; THENCE RUN NORTH 90°00'00" EAST, FOR A DISTANCE OF 167.73 FEET; THENCE RUN SOUTH 27°40'23" EAST, FOR A DISTANCE OF 26.44 FEET; THENCE RUN NORTH 51°24'27" EAST, FOR A DISTANCE OF 91.84 FEET; THENCE RUN NORTH 89°21'34" EAST, FOR A DISTANCE OF 87.46 FEET TO THE POINT OF BEGINNING, CONTAINING 4.02 ACRES, MORE OR LESS.

**EXHIBIT A**

**Legal Description**

(Esperanza Place Apartments Phase II / PLP #2009-010P-07)

**LEGAL DESCRIPTION FOR ESPERANZA PLACE (B-3627-3)**  
**PHASE 2**

A PARCEL OF LAND LOCATED LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST COLLIER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 46 SOUTH, RANGE 29 EAST, COLLIER COUNTY, FLORIDA; THENCE RUN ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32, NORTH 89°16'27" EAST, FOR A DISTANCE OF 531.34 FEET TO A POINT ON THE WEST LINE OF THOSE LANDS RECORDED IN OFFICIAL RECORDS BOOK 1596 AT PAGE 43 OF THE PUBLIC RECORDS OF COLLIER COUNTY, FLORIDA; THENCE RUN ALONG SAID WEST LINE SOUTH 00°47'35" EAST, FOR A DISTANCE OF 145.19 FEET; THENCE RUN SOUTH 89°21'34" WEST, FOR A DISTANCE OF 87.46 FEET; THENCE RUN SOUTH 51°24'27" WEST, FOR A DISTANCE OF 91.84 FEET; THENCE RUN NORTH 27°40'23" WEST, FOR A DISTANCE OF 26.44 FEET; THENCE RUN SOUTH 90°00'00" WEST, FOR A DISTANCE OF 167.73 FEET; THENCE RUN SOUTH 50°34'53" WEST, FOR A DISTANCE OF 30.49 FEET; THENCE RUN SOUTH 00°48'08" EAST, FOR A DISTANCE OF 40.64 FEET; THENCE RUN NORTH 89°11'52" EAST, FOR A DISTANCE OF 10.51 FEET; THENCE RUN SOUTH 00°48'08" EAST, FOR A DISTANCE OF 120.42 FEET; THENCE RUN NORTH 89°12'25" EAST, FOR A DISTANCE OF 179.37 FEET; THENCE RUN SOUTH 00°48'48" EAST, FOR A DISTANCE OF 116.28 FEET; THENCE RUN SOUTH 89°12'25" WEST, FOR A DISTANCE OF 179.37 FEET; THENCE RUN SOUTH 00°48'48" EAST, FOR A DISTANCE OF 57.11 FEET; THENCE RUN SOUTH 89°12'25" WEST, FOR A DISTANCE OF 177.80 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE RUN ALONG SAID WEST LINE NORTH 00°51'21" WEST, FOR A DISTANCE OF 529.46 FEET TO THE POINT OF BEGINNING, CONTAINING 4.00 ACRES, MORE OR LESS.

## EXHIBIT A

Prepared By, Record and Return to:  
Robert Cheng, Esq.  
Shutts & Bowen LLP  
1500 Miami Center  
201 South Biscayne Boulevard  
Miami, FL 33131

Parcel Identification Numbers: 31345980029, 31345980100, 31345980045, 31345980126, 31345980207, 31345980223, 31345980249, 31345980265, 31345980281, 31345980304, 31345980320, 31345980346, 31345980362, 31345980388, 31345980401

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** is executed this **28** day of October, 2015, by **THE EMPOWERMENT ALLIANCE OF SOUTHWEST FLORIDA COMMUNITY DEVELOPMENT CORPORATION**, a Florida not for profit corporation, whose address is 750 South Fifth Street, Immokalee, Florida 34142 (hereinafter called the "Grantor"), in favor of **BROOKWOOD RESIDENTIAL, LLC**, a Florida limited liability company, its successors and/or assigns, whose address is 19308 SW 380<sup>th</sup> Street, Florida City, Florida 33034 (hereinafter called the "Grantee").

Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.

WITNESSETH, that the Grantor, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) and other valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, bargains, and sells unto the Grantee, and the Grantee's successors, and assigns forever, all that certain parcel of land in the County of Collier, State of Florida, to wit (the "Land"):

Tract A, Tract L-2, Tract FD-1, Lot 1 and Lots 5-15 of Esperanza Place, according to the plat thereof, recorded in Plat Book 52, Pages 3 and 4, of the Public Records of Collier County, Florida.

TOGETHER with all of the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of the Land in fee simple; that the Grantor has good right and lawful authority to sell and convey the Land; that the Grantor hereby specially warrants the title to the Land, and the Grantor will defend the same against the lawful claims of all persons claiming by, through, or under the Grantor, but against none other.

The Land does not constitute all or substantially all of the assets of Grantor.

## Esperanza Place RPUD

### Exhibit 1 Parcel ID List

Parcel ID: 31345980207  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2380 ESPERANZA WAY  
Build# / Unit#: / 5

Parcel ID: 31345980223  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2376 ESPERANZA WAY  
Build# / Unit#: / 6

Parcel ID: 31345980249  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2372 ESPERANZA WAY  
Build# / Unit#: / 7

Parcel ID: 31345980265  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2368 ESPERANZA WAY  
Build# / Unit#: / 8

Parcel ID: 31345980281  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2364 ESPERANZA WAY  
Build# / Unit#: / 9

Parcel ID: 31345980304  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2360 ESPERANZA WAY  
Build# / Unit#: / 10

Parcel ID: 31345980320  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2356 ESPERANZA WAY  
Build# / Unit#: / 11

Parcel ID: 31345980346  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2352 ESPERANZA WAY  
Build# / Unit#: / 12

Parcel ID: 31345980362  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2348 ESPERANZA WAY  
Build# / Unit#: / 13



# Esperanza Place RPUD

## Exhibit 1 Parcel ID List

Parcel ID: 31345980388  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2349 ESPERANZA WAY  
Build# / Unit#: / 14

Parcel ID: 31345980401  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2353 ESPERANZA WAY  
Build# / Unit#: / 15

Parcel ID: 00076200106  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2684 AMIGO WAY  
Build# / Unit#: 24 / 5

Parcel ID: 00082967006  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2677 MARIANNA WAY  
Build# / Unit#: 289 / 0

Parcel ID: 31345980029  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name:  
Build# / Unit#: A / 1

Parcel ID: 31345980045  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2350 AMIGO WAY  
Build# / Unit#: FD-1 / 1

Parcel ID: 31345980100  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name:  
Build# / Unit#: L-2 / 1

Parcel ID: 31345980126  
Name: BROOKWOOD RESIDENTIAL LLC  
Street# & Name: 2396 ESPERANZA WAY  
Build# / Unit#: / 1