



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 Tree Farm MPUD

(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 (MPUD) zoning. We hereby designate Q. Grady Minor and Associates, P.A. and Coleman, Yovanovich & Koester, 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

William B. Yeomans, Jr. as Manager for TBC Tree Farm 1, LLC

Owner

William B. Yeomans, Jr. as Manager for TBC Tree Farm 2, LLC

STATE OF FLORIDA)

COUNTY OF Collier

Sworn to (or affirmed) and subscribed before me this 10<sup>th</sup> day of January, 2018, by William B. Yeomans, Jr. who is personally known to me or has produced his as identification.



Carol Ann Kennedy  
Notary Public  
(Name typed, printed or stamped)

July 30, 2018

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# EXHIBIT 'A'

## Tree Farm MPUD (PL20180002194)

### Legal Description

BEING PART OF SECTION 22, TOWNSHIP 48 SOUTH, RANGE 26 EAST, OF COLLIER COUNTY, FLORIDA.

**PARCEL 1:**

THE EAST HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SECTION 22, TOWNSHIP 48 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, EXCEPTING AND RESERVING THEREFROM THE EAST 30 FEET AND SOUTH 30 FEET THEREOF AS ACCESS EASEMENT FOR HIGHWAY RIGHT-OF-WAY.

**PARCEL 2:**

THE EAST HALF (1/2) OF THE NORTHEAST QUARTER (1/4) OF THE SOUTHEAST QUARTER (1/4) OF SECTION 22, TOWNSHIP 48 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, EXCEPTING AND RESERVING THEREFROM THE EAST 30 FEET AND THE NORTH 30 FEET THEREOF AS AN ACCESS EASEMENT FOR HIGHWAY RIGHT-OF-WAY.

**PARCEL 3:**

THE EAST HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF THE SOUTHEAST QUARTER (1/4) OF SECTION 22, TOWNSHIP 48 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA, SUBJECT TO AN EASEMENT FOR PUBLIC RIGHT- OF-WAY OVER AND ACROSS THE EAST 30 FEET THEREOF; AND EXCEPTING THE SOUTH 100 FEET THEREOF FOR CANAL RIGHT-OF-WAY.

COMMENCING AT THE NORTHEAST CORNER OF SECTION 22, TOWNSHIP 48 SOUTH, RANGE 26 EAST; THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER (1/4) OF SAID SECTION 22, S. 00°51'06" E., A DISTANCE OF 1334.40 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE CONTINUE ALONG THE SAID EAST LINE, S. 00°51'06" E., A DISTANCE OF 1334.40 FEET TO THE EAST QUARTER (1/4) CORNER OF SAID SECTION 22; THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION 22,

S. 00°50'18" E., A DISTANCE OF 2569.47 FEET TO A POINT ON THE NORTH LINE OF A 100 FEET WIDE CANAL RIGHT-OF-WAY;

THENCE LEAVING THE SAID EAST LINE, N. 89°57'31" W., A DISTANCE OF 660.13 FEET ALONG THE SAID NORTH LINE;

THENCE LEAVING THE SAID NORTH LINE, N. 00°44'25" W., A DISTANCE OF 2568.56 FEET TO A POINT ON THE EAST-WEST QUARTER (1/4) LINE OF SAID

SECTION 22;

THENCE LEAVING THE SAID EAST-WEST QUARTER (1/4) LINE N. 00°45'01" W., A DISTANCE OF 1334.03 FEET;

THENCE N. 89°56'17" E., A DISTANCE OF 653.36 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN.

CONTAINING 2,563,283.4 SQUARE FEET OR 58.84 ACRES MORE OR LESS. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.