

AN ORDINANCE OF THE CITY OF HOMESTEAD ISSUING A DEVELOPMENT ORDER SUBJECT TO CHAPTER 380 OF THE FLORIDA STATUTES (1972) TO ROSE PARK ST. JAMES INVESTMENTS LIMITED; ROSE PARK BLEEKER INVESTMENTS LIMITED; THE MERIDIAN BUILDERS GROUP LIMITED; AND MARKBOROUGH PROPERTIES, LIMITED, D/B/A HOMESTEAD PROPERTIES, HEREINAFTER REFERRED TO AS APPLICANT; DESCRIBING THE PROPERTY SUBJECT TO THE DEVELOPMENT ORDER; SETTING FORTH THE REASONS FOR THE CONSIDERATION OF SAID PROCEDURE FOR ISSUING DEVELOPMENT ORDER; SETTING FORTH CONDITIONS TO WHICH SAID DEVELOPMENT ORDER SHALL BE SUBJECT; PROVIDING FOR THE TRANSMISSION OF THIS ORDINANCE WHEN ADOPTED TO THE APPROPRIATE LOCAL, COUNTY, STATE AND OTHER GOVERNMENTAL AGENCIES; PROVIDING FOR TRANSMISSION TO THE DEVELOPER AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, ROSE PARK ST. JAMES INVESTMENTS LIMITED; ROSE PARK BLEEKER INVESTMENTS LIMITED; THE MERIDIAN BUILDERS GROUP LIMITED; AND MARKBOROUGH PROPERTIES, LIMITED, d/b/a HOMESTEAD PROPERTIES, hereinafter referred to as "Applicant", is the owner and record title holder of a tract of land consisting of approximately 3,174.85 acres, located in Homestead, Florida, more particularly described in Exhibit "A" attached hereto and made a part hereof as though fully set forth; and,

WHEREAS, the Applicant has filed an application for rezoning to a Planned Unit Development district for its property, pursuant to Ordinance No. 75-03-17 of the City of Homestead, Florida; and,

WHEREAS, Applicant has applied for the issuance of a Development Order to permit a Development of Regional Impact, pursuant to Chapter 380, Florida Statutes (1972); and,

WHEREAS, the South Florida Regional Planning Council, as the Regional Planning Agency under Chapter 380, Florida Statutes, has held a hearing upon appropriate notice, all in accordance with Chapter 380, Florida Statutes, and has submitted its Report and Recommendations on the Regional Impact of

proposed development to the City of Homestead; and,

WHEREAS, the City Council of the City of Homestead, pursuant to its City Charter and Ordinances, has held hearings on the application for rezoning to Planned Unit Development and upon the application for Development Order; and,

WHEREAS, pursuant to Section 380.06(11), Florida Statutes (1972), the City of Homestead, by and through its City Council, has considered whether, and the extent to which the development is consistent with local land development regulations and the Report and Recommendations of the South Florida Regional Planning Council submitted pursuant to Section 380.06(8), Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA:

Section 1. That the City of Homestead has made certain findings of fact concerning the Report and Recommendations of the South Florida Regional Planning Council, and the responses thereto of the applicant, and has considered the balance of detriments and benefits of the project of the applicant, and herein sets forth its findings:

A. Pursuant to Section 380.06(11), Florida Statutes, the City of Homestead, in considering whether the proposed Homestead P.U.D. Development shall be approved, denied or approved subject to conditions, restrictions, or limitations, is required to consider, among other criteria, whether the development is consistent with the Report and Recommendations of the Regional Planning Agency (South Florida Regional Planning Council) submitted pursuant to Section 380.06(8), Florida Statutes. The Applicant has argued that the Report and Recommendations of the South Florida Regional Planning Council, which was submitted to the City of Homestead by letter dated October 7, 1975, is not fully in accord with the Regional Council's official action approving the Homestead P.U.D. subject to

conditions. It has been argued that the motion for approval did not include as conditions the four issues which were originally set forth in the Staff Report of the South Florida Regional Planning Council, as the bases for denial of the Homestead P.U.D. Development of Regional Impact. The City of Homestead, in the issuance of this Development Order, does not in any manner decide this issue, but leaves the matter for the South Florida Regional Planning Council to resolve upon review of the Development Order, following transmittal thereof, in accordance with Section 380.07(2), Florida Statutes. Rather, the City Council has evaluated and considered whether, and the extent to which, the Homestead P.U.D. Development is consistent with the Report and Recommendations of the Regional Planning Agency that was officially transmitted to it by letter dated October 7, 1975.

B. The City Council of the City of Homestead, Florida, in considering this matter, has had the benefit of extensive expert testimony, has reviewed the numerous exhibits presented both to it and to the South Florida Regional Planning Council, and, further, has had the benefit of the transcript of testimony of the October 6th, 1975, meeting before the South Florida Regional Planning Council. The City Council has considered in substantial detail both the Report of the South Florida Regional Planning Council, as officially transmitted, and the technical response to that report which was prepared by Post, Buckley, Schuh and Jernigan, Inc., Consulting Engineers for the Applicant.

C. Based upon the review of the matters presented, and considering all the testimony and evidence, the City Council for the City of Homestead, Florida, does hereby find and declare that approval of the proposed development would neither substantially nor unreasonably interfere, or be inconsistent with the regional concerns expressed in the

Report and Recommendations of the South Florida Regional Planning Council, and, to the contrary, would be compatible with the objectives of both applicable local development regulations and the Comprehensive Development Master Plan for Metropolitan Dade County, Florida, as adopted by Ordinance 75-22 of the Board of County Commissioners, for Metropolitan Dade County, Florida.

D. In making this determination, the City of Homestead has balanced both the detriments and benefits of the proposed development and finds that the probable net benefits from the development far exceed the probable net detriments.

E. In evaluating detriments and benefits, the City of Homestead finds that approval of such development, with the conditions contained in this Development Order, will enable a substantial segment of the anticipated population of the region to obtain reasonable access to housing, employment, educational and recreational opportunities and will not deny adequate facilities to the surrounding areas in respect to employment opportunities, housing, utilities services, religious facilities or other amenities related to the general welfare; that the development at the proposed location in Southern Dade County is especially appropriate in view of the available alternatives within and without the region and represents a fair and equitable share of the development of that type needed in the region; that development in the manner proposed will have a favorable impact on the environment and will not unduly burden water, sewer, solid waste disposal or other necessary public facilities; that the development will favorably affect other persons or property in the region and because of circumstances peculiar to the location, the effect is likely to be more beneficial than is ordinarily associated with the development of the type proposed; that the development will have a favorable impact on the economy of the region

and will not adversely affect the provision of municipal or county services or unfavorably burden taxpayers in making provision therefor, and that the development will efficiently use and not unduly burden public or public-aided transportation or other facilities which have been developed or are to be developed within reasonably measurable planning periods.

Section 2. Approval of Development Order Subject To Conditions

Based upon the foregoing, the City Council of the City of Homestead does hereby approve the Homestead P.U.D. Development and, in conjunction with Ordinance No. 75-11-69 (Rezoning Ordinance to P.U.D.), does render its Development Order thereon subject to the following conditions, restrictions and limitations:

A. The applicant shall revise the project plan to provide a barrier around the entire perimeter of the site and along both sides of the canals within the site to elevations of not less than eight feet east of the five-foot inundation contour identified in the Dade County Environmental Protection Guide and to elevations of not less than six feet west of the five-foot inundation contour.

B. The applicant shall submit an acceptable agreement in writing to design the project water system as an integral part of the City of Homestead water system and shall phase the construction of such water system in accordance with the availability of water from the City of Homestead, as finally allocated by the Central and Southern Florida Flood Control District.

C. The applicant shall submit an acceptable agreement in writing that the project water and sewer services will remain an integral part of the City of Homestead water and sewer systems when the City becomes a participant in the regional water and sewer systems.

D. It is recognized that the City of Homestead has the right and authority to consider and evaluate the sufficiency of levels of transportation services and facilities prior to approving site or plot use plans for each phase or sequence of the development. To assist the City of Homestead in this endeavor, the applicant shall provide to the City and to the Dade County Metropolitan Transportation Planning Organization, a summary of the development proposed as well as estimates of both total and external trips to be generated. The City of Homestead, by and through its City Council, shall, in its consideration of site plans for phases of the development, consider whether, and the extent to which, the development of such phase would unduly burden the transportation facilities and/or services for the region. Further, in accordance with the commitment contained in the July 29, 1975 Addendum to the ADA, the applicant, in cooperation with the City of Homestead, shall consider providing lands on an exploratory basis for park and ride bus facility within the development. The exact site or sites would be determined in cooperation with the Metropolitan Dade County Transit Authority or equivalent agency.

* E. The applicant and the City shall enter into an acceptable agreement, in writing, as to the dedication for all lands to be used for public purposes, and for the time of the dedication of these lands to the City of Homestead. The applicant understands and agrees that the method in which dedications are to be made for public uses and the location of said dedications have not been determined, but that determinations of these considerations shall be made prior to the approval of the submission of any plat for the development of the proposed project, or any portion thereof, in a form acceptable to the City of Homestead, and that the

form of dedication shall be set forth in a separate agreement in writing, executed by the applicant and the City of Homestead.

F. Prior to any permission to develop those parts of the proposed project adjacent to or affecting any of the remaining outparcels, the applicant shall provide the City of Homestead with written procedures and commitments that assure adequate drainage for those properties not owned by the applicant.

G. The applicant shall consult with the City of Homestead to incorporate the height and obstruction criteria as defined in Appendix "C" of the Homestead Air Force Base AICUZ Program into the City's zoning ordinance and any other applicable development regulations. The applicant shall not request building permits of the City of Homestead as to those structures affected until the recommended standards for design and construction defined in Appendix "D" of the Homestead Air Force Base AICUZ Program (March 1975, amended) have been implemented by the applicant to the maximum extent possible and practicable.

H. The applicant shall submit an acceptable agreement in writing to the City of Homestead establishing an overall goal of thirty percent reduction in residential electrical energy consumption.

I. As agreed to by the applicant, ten percent of the total number of residential units approved for the Homestead Properties' project shall ultimately be offered to provide housing for low and moderate income families. The manner and method by which this shall be accomplished shall be established by covenant filed of record prior to approval of any phase of development by the City of Homestead.

J. The City of Homestead and the applicant shall explore the creation of a new communities district, under

Chapter 75-204, Florida Statutes (1975), or other acceptable alternatives, in order to operate and finance the cost, delivery and maintenance of necessary pre-development Improvement of Water, Sewer, Road and Drainage Systems and community facilities consistent with existing local facilities.. The City of Homestead and the applicant shall periodically consider whether and the extent to which, the Homestead P.U.D. Development is having a favorable or unfavorable fiscal impact on the region and shall consider and evaluate the use of such new communities districts as a means of offsetting unfavorable fiscal impact, if any.

Section 3. Pursuant to Section 380.07, Florida Statutes, a copy of this Development Order permitting and approving a Development of Regional Impact, subject to conditions, shall be transmitted to the State Land Planning Agency, the South Florida Regional Planning Council and the Developer of the property affected by this Order. This Order, however, shall not be considered "rendered", within the ^{AN} meaning of Chapter 380.07, Florida Statutes, until such time as it is effective as an ordinance under the Charter for the City of Homestead, Florida.

PASSED AND ADOPTED this 1st day of December, 1975.

Fred Rhoads, Jr.
Mayor-Councilman

ATTEST:

Edna B. Pinder
City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

Michael P. Hodson
City Attorney

EXHIBIT A

A TRACT OF LAND DESCRIBED AS PORTIONS OF SECTIONS 16, 17, 19, 20, 21, 22, 23, 26, 27, 28 AND 29, IN TOWNSHIP 57 SOUTH, RANGE 39 EAST, DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF THE N.E. ¼ OF SAID SECTION 19; THENCE N88°35'50"E ALONG THE NORTH LINE OF SAID SECTION 19 FOR 2715.72 FEET TO THE NORTHEAST CORNER OF SAID SECTION 19; THENCE N88°26'49"E ALONG THE NORTH LINE OF THE NW ¼ OF SAID SECTION 20 FOR 2720.41 FEET TO THE NORTHEAST CORNER OF SAID NW ¼, THE SAME BEING THE SOUTHWEST CORNER OF THE SE ¼ OF SAID SECTION 17; THENCE N0°22'40"W ALONG THE WEST LINE OF SAID SE ¼ FOR 998.09 FEET; THENCE N89°41'28"E ALONG THE NORTH LINES OF LOTS 15 THROUGH 20 INCLUSIVE, OF BLOCK 4, OF SAID SECTION 17 OF THE PLAT, MIAMI LAND AND DEVELOPMENT COMPANY SUBDIVISION, AS RECORDED IN PLAT BOOK 5 AT PAGE 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA AND THE WESTERLY EXTENSION OF SAID LINES, FOR 1357.39 FEET TO THE NORTHEAST CORNER OF SAID LOT 20, THE SAME BEING THE SOUTHWEST CORNER OF LOT 27 OF SAID BLOCK 4; THENCE N0°21'49"W ALONG THE WEST LINE OF SAID LOT 27 FOR 333.10 FEET TO THE NORTHWEST CORNER OF SAID LOT 27; THENCE N89°40'28"E ALONG THE NORTH LINE OF SAID LOT 27 AND ITS EASTERLY EXTENSION FOR 1356.89 FEET TO A POINT ON THE WEST LINE OF SECTION 16; THENCE N89°37'26"E ALONG THE NORTH LINES OF LOTS 14 AND 27 OF BLOCK 3, SECTION 16, OF SAID PLAT OF, MIAMI LAND DEVELOPMENT COMPANY AND THE EAST AND WEST EXTENSION OF SAID LINES, FOR 2667.41 FEET TO A POINT ON THE EAST LINE OF THE SW ¼ OF SAID SECTION 16; THENCE N89°34'06"E ALONG THE NORTH LINE OF LOT 14 OF BLOCK 4 OF SAID SECTION 16, OF THE SAID PLAT, MIAMI LAND DEVELOPMENT COMPANY AND ITS WESTERLY EXTENSION, FOR 1334.34 FEET TO THE NORTHEAST CORNER OF SAID LOT 14; THENCE S0°22'18"E ALONG THE EAST LINES OF LOTS 14 AND 20 OF SAID BLOCK 4 OF SECTION 16, AND THEIR SOUTHERLY EXTENSION FOR 1332.79 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 16; THENCE N89°31'49"E ALONG THE SAID SOUTH LINE OF SECTION 16 FOR 444.42 FEET; THENCE S0°28'57"E ALONG THE EAST LINE OF LOT 5 OF BLOCK 1 OF SAID SECTION 21 OF THE PLAT, MIAMI LAND DEVELOPMENT COMPANY AND ITS NORTHERLY EXTENSION FOR 1002.15 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE N29°31'58"E ALONG THE NORTH LINE OF LOT 23 OF BLOCK 1 OF SAID SECTION 21, OF THE PLAT, MIAMI LAND DEVELOPMENT COMPANY AND ITS EASTERLY EXTENSION FOR 839.02 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 21;

THENCE S0°29'34"E ALONG SAID EAST LINE OF SECTION 21
 FOR 668.13 FEET; THENCE N89°34'52"E ALONG THE NORTH
 LINES OF LOTS 15 THROUGH 26 INCLUSIVE OF BLOCK 2
 OF SAID SECTION 22, OF THE PLAT, MIAMI LAND DEVELOPMENT
 COMPANY AND THE EAST AND WEST EXTENSION OF
 SAID LINES FOR 2677.70 FEET TO A POINT ON THE EAST
 LINE OF THE NW¼ OF SAID SECTION 22; THENCE S0°26'43"
 E ALONG THE SAID EAST LINE OF THE NW¼ FOR 1002.52
 FEET TO THE SOUTHEAST CORNER OF SAID NW¼; THENCE N89°
 35'06"E ALONG THE NORTH LINE OF THE SE¼ OF SAID SECTION
 22 FOR 2671.97 FEET TO THE NORTHEAST CORNER OF THE
 SAID SE¼ OF SECTION 22; THENCE N89°31'07"E ALONG THE
 NORTH LINE OF THE SW¼ OF SAID SECTION 23 FOR 2680.97
 FEET TO THE NORTHEAST CORNER OF SAID SW¼; THENCE
 S0°19'11"E ALONG THE EAST LINE OF SAID SW¼ OF SECTION
 23 FOR 2708.00 FEET TO THE SOUTHEAST CORNER OF SAID
 SW¼; THENCE S0°02'12"W ALONG THE EAST LINE OF THE
 NW¼ OF SAID SECTION 26, FOR 2668.75 FEET TO THE
 SOUTHEAST CORNER OF THE SAID NW¼; THENCE S89°23'23"
 W ALONG THE SOUTH LINE OF THE SAID NW¼ FOR 2678.34 FEET
 TO THE SOUTHWEST CORNER OF SAID NW¼; THENCE S89°39'32"
 W ALONG THE SOUTH LINE OF THE NE¼ OF SAID SECTION 27,
 FOR 2657.97 FEET TO THE SOUTHWEST CORNER OF THE SAID
 NE¼; THENCE S89°39'37"W ALONG THE SOUTH LINE OF THE
 NW¼ OF SAID SECTION 27 FOR 2657.98 FEET TO THE SOUTH-
 WEST CORNER OF SAID NW¼; THENCE S89°34'33"W ALONG
 THE SOUTH LINE OF THE NE¼ OF SAID SECTION 28, FOR
 2668.66 FEET TO THE SOUTHWEST CORNER OF SAID NE¼;
 THENCE S89°34'41"W ALONG THE SOUTH LINE OF THE NW¼
 OF SAID SECTION 28, FOR 2668.57 FEET TO THE SOUTHWEST
 CORNER OF SAID NW¼; THENCE S89°26'43"W ALONG THE
 SOUTH LINE OF THE NE¼ OF SAID SECTION 29, FOR 2709.24
 FEET TO THE SOUTHWEST CORNER OF SAID NE¼; THENCE S89°
 26'35"W ALONG THE SOUTH LINE OF THE NW¼ OF SAID
 SECTION 29, FOR 2712.39 FEET TO THE SOUTHWEST CORNER
 OF SAID NW¼; THENCE N0°23'47"W ALONG THE WEST LINE
 OF THE SAID NW¼ OF SECTION 29, FOR 2673.04 FEET TO
 THE NORTHWEST CORNER OF SAID SECTION 29; THENCE
 S89°30'40"W ALONG THE SOUTH LINE OF SAID SECTION
 19 FOR 2042.06 FEET; THENCE N0°31'42"W ALONG THE
 CENTERLINE OF CONNECTICUT STREET, AS SHOWN ON THE
 REVISED PLAT, FLORIDA CITY PARK AS RECORDED IN PLAT
 BOOK 33, AT PAGE 48 OF THE PUBLIC RECORDS OF DADE
 COUNTY, FLORIDA AND THE WEST LINE OF LOT 5, BLOCK 4,
 SECTION 19, OF SAID PLAT, MIAMI LAND AND DEVELOPMENT
 COMPANY AND THE NORTH AND SOUTH EXTENSION OF SAID LINE,
 FOR 2684.59 FEET TO A POINT ON THE SOUTH LINE OF THE
 NE¼ OF SECTION 19; THENCE S89°12'01"W ALONG THE SAID
 SOUTH LINE OF THE NE¼ OF SECTION 19 FOR 679.17 FEET
 TO THE SOUTHWEST CORNER OF SAID NE¼; THENCE N0°36'48"
 W ALONG THE WEST LINE OF SAID NE¼ OF SECTION 19 FOR
 2617.64 FEET TO THE POINT OF BEGINNING. LESS THE
 FOLLOWING DESCRIBED LOTS LYING IN THE SAID PLAT;
 MIAMI LAND DEVELOPMENT COMPANY: LOTS 15, 16 AND
 THAT PORTION OF LOT 17, BLOCK 4, SECTION 17, LYING
 WEST OF A LINE THAT IS 527.00 FEET EAST AND PARALLEL
 TO THE WEST LINE OF THE SE¼ OF SAID SECTION 17; THAT
 PORTION OF LOTS 1, 2 AND 3, BLOCK 1, SECTION 19,
 LYING SOUTHERLY OF THE RIGHT-OF-WAY OF THE HOMESTEAD
 EXTENSION OF THE FLORIDA TURNPIKE; THAT PORTION OF
 LOTS 2 AND 3, BLOCK 1, SECTION 19 LYING NORTHERLY OF
 SAID RIGHT-OF-WAY OF THE TURNPIKE; THAT PORTION OF
 LOT 4, BLOCK 1, SECTION 19, LYING NORTHERLY OF SAID
 RIGHT-OF-WAY OF THE TURNPIKE; LOT 5, BLOCK 1, SECTION
 19, LESS THE SAID RIGHT-OF-WAY OF THE TURNPIKE; LOT 6,

9, 14 AND 16, BLOCK 1, SECTION 19; THAT PORTION OF LOT 7, BLOCK 1, SECTION 19, LYING NORTHERLY OF SAID RIGHT-OF-WAY OF THE TURNPIKE; LOT 8, BLOCK 1, SECTION 19, LESS SAID RIGHT-OF-WAY OF THE TURNPIKE; THAT PORTION OF LOT 10, BLOCK 1, SECTION 19, LYING SOUTHERLY OF SAID RIGHT-OF-WAY OF THE TURNPIKE; LOTS 4 AND 5, BLOCK 4, SECTION 19; THE WEST $\frac{1}{2}$ OF LOT 6, BLOCK 2; SECTION 20; LOT 7, BLOCK 2, SECTION 20; LOT 1, THE NORTH $\frac{1}{2}$ OF LOT 2, THE SOUTH $\frac{1}{2}$ OF LOT 2 AND LOT 16, BLOCK 4, SECTION 20; LOT 14, BLOCK 3, SECTION 21; LOTS 7 AND 8, BLOCK 1, SECTION 27; LOT 4, BLOCK 1, SECTION 29; THE NORTH 450 FEET OF THE WEST 330 FEET OF LOT 6, BLOCK 1, SECTION 29, LESS DEDICATED RIGHT-OF-WAY; THE SAME BEING THE NORTH 495 FEET OF THE WEST 360 FEET OF THE N.E. $\frac{1}{2}$ OF SAID SECTION 29 LESS DEDICATED RIGHT-OF-WAY; THE WEST $\frac{1}{2}$, LOT 1, BLOCK 2, SECTION 29; THE EAST $\frac{1}{2}$ OF LOT 1 AND THE NORTH 220 FEET OF THE EAST $\frac{1}{2}$ OF LOT 16, BLOCK 2, SECTION 29; LOT 16, LESS THE NORTH 220 FEET OF THE EAST $\frac{1}{2}$, OF BLOCK 2, SECTION 29; AND LESS THE FOLLOWING DESCRIBED LOTS, LYING IN THE PLAT, FLORIDA CITY PARK, AS RECORDED IN PLAT BOOK 16 AT PAGE 53 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA: LOTS 6 AND 7, BLOCK 1; LOTS 29 AND 30, BLOCK 5; LOTS 2, 3, 4, 8, 11, 12 AND 13, BLOCK 9; LOTS 8, 9, 10, 13 AND 14, BLOCK 10; LOTS 1, 2, 7, 8 AND 9, BLOCK 11; LOTS 6 TO 11 INCLUSIVE AND LOTS 13 AND 14, BLOCK 12; AND LESS THE FOLLOWING DESCRIBED TRACTS, LYING IN THE REVISED PLAT, FLORIDA CITY PARK AS RECORDED IN PLAT BOOK 33, AT PAGE 48 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA: TRACTS 1 THROUGH 8 INCLUSIVE, TRACTS 9A AND 9B, TRACTS 10 THROUGH 16 INCLUSIVE, AND LESS ALL ROADS, STREETS, AVENUES AND CANAL SHOWN ON SAID PLATS FLORIDA CITY PARK AND REVISED PLAT FLORIDA CITY PARK; AND LESS THAT PORTION OF THE RIGHT-OF-WAY OF THE HOMESTEAD EXTENSION OF THE FLORIDA TURNPIKE LYING IN THE NE $\frac{1}{2}$ OF SAID SECTION 19.

STATE OF FLORIDA)
COUNTY OF DADE) SS.
CITY OF HOMESTEAD)

I, Elsie R. Lee, Deputy City Clerk of the City of Homestead, Florida, do hereby certify that the foregoing Ordinance 75-11-70 was duly passed and adopted by the City Council of the City of Homestead on the 1st day of December, 1975.

In witness whereof I hereunto set my hand and affix the seal of the City of Homestead, Florida this 9th day of December, 1975.

Elsie R. Lee
Deputy City Clerk

DECLARATION OF COVENANTS
AND RESTRICTIONS

DEC 11 1975

EEPRC

This Declaration made this 27th day of November

1975, by ROSE PARK ST. JAMES INVESTMENTS LIMITED; ROSE PARK BLEEKER INVESTMENTS LIMITED; THE MERIDIAN BUILDERS GROUP LIMITED; and MARKBOROUGH PROPERTIES LIMITED, d/b/a HOMESTEAD PROPERTIES, hereinafter referred to as "HOMESTEAD PROPERTIES", who are the owners and record title holders of a tract of land consisting of approximately 3,174.85 acres, located in Homestead, Florida, more particularly described in Exhibit "A" attached hereto and made a part hereof as though fully set forth; and

WHEREAS, the applicant has filed an application for rezoning to a Planned Unit Development District (PUD) for its property, pursuant to Ordinance No. 75-03-17 of the City of Homestead, Florida; and

WHEREAS, the applicant has applied for the issuance of a Development Order to permit a development of regional impact, pursuant to Chapter 380, Florida Statutes (1972); and

WHEREAS, the City Council of the City of Homestead, pursuant to its City Charter and ordinances, has held hearings on the application for rezoning to a Planned Unit Development and upon the application for Development Order; and

WHEREAS, the City of Homestead, by and through its City Council, has requested that HOMESTEAD PROPERTIES create a land bank of public lands, as is specified in this Covenant, as a condition to the approval of the PUD Ordinance and the Development Order; and

WHEREAS, this Covenant is tendered in order to comply with the request of the City of Homestead.

NOW, THEREFORE, HOMESTEAD PROPERTIES delivers this Declaration of Covenants and Restrictions to the City of Homestead, by and through its City Council, and agrees that the real property herein described shall be held, transferred, sold and conveyed subject to the following Covenants which are intended and shall be deemed to be Covenants running with the land binding upon all parties having any right, title or interest therein, or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of the City of Homestead, Florida. For the purposes of this Covenant, the name "HOMESTEAD PROPERTIES" shall also mean and refer to its successors, heirs and assigns.

Section 1. The lands legally described in Exhibit "B" hereto, which exhibit is attached and made a part of this Covenant as though set forth in full, shall hereinafter be referred to as the "land bank". These said lands, comprising 311.97± acres are hereby reserved in the land bank by HOMESTEAD PROPERTIES for and on behalf of the City of Homestead, in accordance with the terms of the Covenant. The City shall not have the right to the use or possession of such lands except as otherwise agreed to in writing by HOMESTEAD PROPERTIES or as otherwise specified by Section 3 of this Covenant. The said lands, comprising the land bank, are further identified as the last area or phase of the Planned Unit Development which is to be improved in accordance with the Master Plan and the PUD Ordinance No. 75-03-17 of the City of Homestead. Provided, however, HOMESTEAD PROPERTIES reserves the right to substitute all or part of the lands described in Exhibit "B" (land bank) with other lands described in Exhibit "A", subject to the approval of the City of Homestead, which approval shall not be unreasonably withheld. ~~Provided further, HOMESTEAD PROPERTIES also reserves the right to all or part of the lands in the land bank to use the property for excavation purposes, or for other uses~~

RMH
 AL
 MPA

MSW
RMT
AK

~~permitted under the Planned Unit Development Ordinance, as amended.~~
~~_____~~ For purposes of this Covenant, the term "Master Plan" shall be defined as set forth in Ordinance No. 75-03-17, Chapter II, Subsection (c), as adopted on April 7, 1975.

Section 2. Credit Against Land Bank. By acceptance of this Covenant, the City does hereby agree that as phases of the Planned Unit Development are platted in accordance with Ordinance No. 75-03-17 of the City of Homestead, and lands for public purposes are dedicated to the City of Homestead in accordance with Ordinance No. 75-03-17, an equal amount of land shall be credited against that reserved for the City of Homestead in the land bank. For purposes of this Covenant, the phrase "lands for public purposes" shall include ~~_____~~

MSW
RMT
AK

~~_____~~ other ^{properties} ~~properties~~ designated for public use by Ordinance No. 75-03-17 or by the Master Plan for HOMESTEAD PROPERTIES. The phrase "lands for public purposes", shall not mean or include school and church sites which shall otherwise be designated on site plans and plats pursuant to Ordinance No. 75-03-17.

Upon the dedication of lands for public purposes by plat, the City of Homestead, by and through its City Council, shall approve and issue a written release which specifies, by legal description, those lands which are credited in the land bank. Specific lands to be credited shall be at the option of HOMESTEAD PROPERTIES. All releases shall be filed for public record.

Section 3. Final Release of Land Bank and Default.

HOMESTEAD PROPERTIES does hereby covenant, and the City of Homestead, by and through the acceptance of this Covenant, does hereby agree, that if the total lands platted for public purposes, after the platting of all phases of the Planned Unit Development

for HOMESTEAD PROPERTIES, are less than the lands reserved to the City in the land bank, the City of Homestead shall execute an unconditional release as to those said remaining lands and also, an unconditional release as to this Covenant.

Default under the Covenant shall only be with regard to the remaining lands described in the land bank. Default shall occur if such remaining lands are not platted in accordance with Ordinance No. 75-03-17 of the City of Homestead, or as amended, within thirty (30) years following the rendition of the final Development Order under Chapter 380, Florida Statutes (1972). Such thirty-year time period, however, shall be stayed and held in abeyance upon reasonable cause, which shall include, but not be limited to, any actions of the City of Homestead, Metropolitan Dade County, Florida, the State of Florida, or the United States of America, by and through its agencies, which ^{RE MEU} may ^{RE MFW RHT} directly or indirectly delay the development of HOMESTEAD PROPERTIES. For purposes of this Covenant, development shall be defined as set forth in Chapter 380, Florida Statutes (1972). Default shall also occur upon entry of a Final Judgment of Foreclosure by a Court of competent jurisdiction against the remaining lands described in Exhibit "B". For purposes of this Covenant, the said foreclosure judgment shall only be deemed final upon the exhaustion of all appellate remedies by HOMESTEAD PROPERTIES. Except as provided by this Section, no other event or occurrence shall constitute a default under this Covenant.

In the event of default, as defined by this Covenant, HOMESTEAD PROPERTIES shall forthwith convey to the City of Homestead by quit claim deed, the remaining lands in the land bank. All rights to conveyance shall be specifically enforceable.

Section 4. Nothing contained in this Covenant is meant in any way to constitute a sale of the lands described in Exhibit "B" to the City of Homestead or a request by implication or otherwise, by HOMESTEAD PROPERTIES of its mortgagees for release of lands described in favor of the City and further, the City of Homestead, by acceptance of this Covenant, does agree to take no action with regard to the lands described in Exhibit "B", that will in any way impair any right of HOMESTEAD PROPERTIES under any existing or future mortgage. HOMESTEAD PROPERTIES reserves all rights to encumber all the land in the Planned Unit Development, as described in Exhibit "A", or such lands as are subsequently acquired therein, including the property in the land bank, with mortgages for the development of all or part of its said property *after reasonable notice with full disclosure to the City - RM* The City of Homestead by acceptance of the Covenant, does agree to subordinate any of its interest as to the lands in the land bank to such mortgages if required by said mortgagees for the purposes of development loans and does further agree to prepare and forthwith approve any appropriate documentation to that effect required by such mortgagees.

Section 5. Finality. The Covenant, upon execution, shall be placed into escrow pending further proceedings under Chapter 380, Florida Statutes (1972), and will not be released from escrow and recorded for public record until such time as the Development Order, as rendered by the City of Homestead, becomes final.

Section 6. This Covenant shall only be modified, amended, released or extended as to any time period specified herein upon the prior approval of the Homestead City Council.

Section 7. This Covenant shall be filed for record among the public records of Dade County, Florida, at the cost of the

Developer, as specified above, for the purpose of subjecting the lands herein described to the restrictions, conditions and limitations herein set forth.

WHEREFORE, this Declaration of Covenants is made by Declarant, HOMESTEAD PROPERTIES, by and through its authorized officials and agents on the day and year first hereinabove written.

Executed in Toronto, Ontario, Canada, this 27th day of November, 1975.

Signed, sealed and delivered in the presence of:

[Signature]

ROSE PARK ST. JAMES INVESTMENTS LIMITED, Per

[Signature]

[Signature]

ROSE PARK BLEEKER INVESTMENTS LIMITED, Per

[Signature]

William Deuly

THE MERIDIAN BUILDING GROUP LIMITED, Per

[Signature]

William Deuly

[Signature]

James C.F. Highland

MARKBOROUGH PROPERTIES LIMITED, Per

A. A. Gauer
EXECUTIVE VICE-PRESIDENT

James C.F. Highland

[Signature]
EXECUTIVE VICE-PRESIDENT

PROVINCE OF ONTARIO
CANADA

The foregoing was acknowledged before me this 20th day
of November, 1975, by A.E. Grossman and _____
as President and _____ of Rose Park
St. James Investments Limited, on behalf of said corporation.

My commission expires:
is unlimited as to time.

[Signature]
Notary Public

PROVINCE OF ONTARIO
CANADA

The foregoing was acknowledged before me this 20th day
of November, 1975, by A. Bleeman and _____
as President and _____ of Rose Park Bleeker
Investments Limited, on behalf of said corporation.

My commission expires:
is unlimited as to time.

[Signature]
Notary Public

PROVINCE OF ONTARIO
CANADA

The foregoing was acknowledged before me this 20th day
of November, 1975, by M. Meekun and P. Roth
as President and Executive V Pres of The Meridian
Building Group Limited, on behalf of said corporation.

My commission expires:
is unlimited as to time.

[Signature]
Notary Public

PROVINCE OF ONTARIO
CANADA

The foregoing was acknowledged before me this 27th day
of November, 1975, by H. P. Lange and D. F. Prowse
as Exec. Vice President and Exec. Vice President of Markborough
Properties Limited, on behalf of said corporation.

My commission expires:
is unlimited as to time.

[Signature]
Notary Public

EXHIBIT "A"

A TRACT OF LAND
 DESCRIBED AS PORTIONS OF SECTIONS 16, 17, 19, 20,
 21, 22, 23, 26, 27, 28 AND 29, IN TOWNSHIP 57
 SOUTH, RANGE 39 EAST, DADE COUNTY, FLORIDA, MORE
 PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE
 NORTHWEST CORNER OF THE N.E.¼ OF SAID SECTION 19;
 THENCE N88°35'50"B ALONG THE NORTH LINE OF SAID
 SECTION 19 FOR 2715.72 FEET TO THE NORTHEAST CORNER
 OF SAID SECTION 19; THENCE N88°26'49"E ALONG THE
 NORTH LINE OF THE NW¼ OF SAID SECTION 20 FOR
 2720.41 FEET TO THE NORTHEAST CORNER OF SAID NW¼,
 THE SAME BEING THE SOUTHWEST CORNER OF THE SE¼
 OF SAID SECTION 17; THENCE N0°22'40"W ALONG THE
 WEST LINE OF SAID SE¼ FOR 998.09 FEET; THENCE
 N89°41'28"E ALONG THE NORTH LINES OF LOTS 15
 THROUGH 20 INCLUSIVE, OF BLOCK 4, OF SAID SECTION
 17 OF THE PLAT, MIAMI LAND AND DEVELOPMENT COMPANY
 SUBDIVISION, AS RECORDED IN PLAT BOOK 5 AT PAGE
 10 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA AND
 THE WESTERLY EXTENSION OF SAID LINES, FOR 1357.39
 FEET TO THE NORTHEAST CORNER OF SAID LOT 20, THE
 SAME BEING THE SOUTHWEST CORNER OF LOT 27 OF SAID
 BLOCK 4; THENCE N0°21'49"W ALONG THE WEST LINE OF
 SAID LOT 27 FOR 333.10 FEET TO THE NORTHWEST CORNER
 OF SAID LOT 27; THENCE N89°40'28"E ALONG THE NORTH
 LINE OF SAID LOT 27 AND ITS EASTERLY EXTENSION FOR
 1356.89 FEET TO A POINT ON THE WEST LINE OF SAID
 SECTION 16; THENCE N89°37'26"E ALONG THE NORTH
 LINES OF LOTS 14 AND 27 OF BLOCK 3, SECTION 16,
 OF SAID PLAT OF MIAMI LAND DEVELOPMENT COMPANY
 AND THE EAST AND WEST EXTENSION OF SAID LINES, FOR
 2667.41 FEET TO A POINT ON THE EAST LINE OF THE SW¼
 OF SAID SECTION 16; THENCE N89°34'06"E ALONG THE
 NORTH LINE OF LOT 14 OF BLOCK 4 OF SAID SECTION 16,
 OF THE SAID PLAT, MIAMI LAND DEVELOPMENT COMPANY
 AND ITS WESTERLY EXTENSION, FOR 1324.34 FEET TO THE
 NORTHEAST CORNER OF SAID LOT 14; THENCE S0°22'18"E
 ALONG THE EAST LINES OF LOTS 14 AND 20 OF SAID
 BLOCK 4 OF SECTION 16, AND THEIR SOUTHERLY EXTENSION
 FOR 1332.79 FEET TO A POINT ON THE SOUTH LINE OF
 SAID SECTION 16; THENCE N89°31'49"E ALONG THE SAID
 SOUTH LINE OF SECTION 16 FOR 444.42 FEET; THENCE
 S0°28'57"E ALONG THE EAST LINE OF LOT 5 OF BLOCK 1
 OF SAID SECTION 21 OF THE PLAT; MIAMI LAND DEVELOP-
 MENT COMPANY AND ITS NORTHERLY EXTENSION FOR 1002.15
 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE
 N89°31'58"E ALONG THE NORTH LINE OF LOT 28 OF BLOCK
 1 OF SAID SECTION 21, OF THE PLAT, MIAMI LAND DEVEL-
 OPMENT COMPANY AND ITS EASTERLY EXTENSION FOR 889.02
 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 21;

EXHIBIT "A"

THENCE S0°29'34"E ALONG SAID EAST LINE OF SECTION 21
 FOR 668.13 FEET; THENCE N89°34'52"E ALONG THE NORTH
 LINES OF LOTS 15 THROUGH 26 INCLUSIVE OF BLOCK 2
 OF SAID SECTION 22, OF THE PLAT, MIAMI LAND DEVELOPMENT
 COMPANY AND THE EAST AND WEST EXTENSION OF
 SAID LINES FOR 2677.70 FEET TO A POINT ON THE EAST
 LINE OF THE NW¼ OF SAID SECTION 22; THENCE S0°26'43"
 E ALONG THE SAID EAST LINE OF THE NW¼ FOR 1002.52
 FEET TO THE SOUTHEAST CORNER OF SAID NW¼; THENCE N89°
 35'06"E ALONG THE NORTH LINE OF THE SE¼ OF SAID SECTION
 22 FOR 2671.97 FEET TO THE NORTHEAST CORNER OF THE
 SAID SE¼ OF SECTION 22; THENCE N89°31'07"E ALONG THE
 NORTH LINE OF THE SW¼ OF SAID SECTION 23 FOR 2680.97
 FEET TO THE NORTHEAST CORNER OF SAID SW¼; THENCE
 S0°19'11"E ALONG THE EAST LINE OF SAID SW¼ OF SECTION
 23 FOR 2708.00 FEET TO THE SOUTHEAST CORNER OF SAID
 SW¼; THENCE S0°02'12"W ALONG THE EAST LINE OF THE
 NW¼ OF SAID SECTION 26, FOR 2668.75 FEET TO THE
 SOUTHEAST CORNER OF THE SAID NW¼; THENCE S89°23'23"
 W ALONG THE SOUTH LINE OF THE SAID NW¼ FOR 2678.34 FEET
 TO THE SOUTHWEST CORNER OF SAID NW¼; THENCE S89°39'32"
 W ALONG THE SOUTH LINE OF THE NE¼ OF SAID SECTION 27,
 FOR 2657.97 FEET TO THE SOUTHWEST CORNER OF THE SAID
 NE¼; THENCE S89°39'37"W ALONG THE SOUTH LINE OF THE
 NW¼ OF SAID SECTION 27 FOR 2657.98 FEET TO THE SOUTH-
 WEST CORNER OF SAID NW¼; THENCE S89°34'33"W ALONG
 THE SOUTH LINE OF THE NE¼ OF SAID SECTION 28, FOR
 2668.66 FEET TO THE SOUTHWEST CORNER OF SAID NE¼;
 THENCE S89°34'41"W ALONG THE SOUTH LINE OF THE NW¼
 OF SAID SECTION 28, FOR 2668.57 FEET TO THE SOUTHWEST
 CORNER OF SAID NW¼; THENCE S89°26'43"W ALONG THE
 SOUTH LINE OF THE NE¼ OF SAID SECTION 29, FOR 2709.24
 FEET TO THE SOUTHWEST CORNER OF SAID NE¼; THENCE S89°
 26'35"W ALONG THE SOUTH LINE OF THE NW¼ OF SAID
 SECTION 29, FOR 2712.39 FEET TO THE SOUTHWEST CORNER
 OF SAID NW¼; THENCE N0°23'41"W ALONG THE WEST LINE
 OF THE SAID NW¼ OF SECTION 29, FOR 2673.04 FEET TO
 THE NORTHWEST CORNER OF SAID SECTION 29; THENCE
 S89°30'40"W ALONG THE SOUTH LINE OF SAID SECTION
 19 FOR 2042.06 FEET; THENCE N0°31'42"W ALONG THE
 CENTERLINE OF CONNECTICUT STREET, AS SHOWN ON THE
 REVISED PLAT, FLORIDA CITY PARK AS RECORDED IN PLAT
 BOOK 33, AT PAGE 48 OF THE PUBLIC RECORDS OF DADE
 COUNTY, FLORIDA AND THE WEST LINE OF LOT 5, BLOCK 4,
 SECTION 19, OF SAID PLAT, MIAMI LAND AND DEVELOPMENT
 COMPANY AND THE NORTH AND SOUTH EXTENSION OF SAID LINE,
 FOR 2684.59 FEET TO A POINT ON THE SOUTH LINE OF THE
 NE¼ OF SECTION 19; THENCE S89°12'01"W ALONG THE SAID
 SOUTH LINE OF THE NE¼ OF SECTION 19 FOR 679.17 FEET
 TO THE SOUTHWEST CORNER OF SAID NE¼; THENCE N0°36'48"
 W ALONG THE WEST LINE OF SAID NE¼ OF SECTION 19 FOR
 2617.64 FEET TO THE POINT OF BEGINNING. LESS THE
 FOLLOWING DESCRIBED LOTS LYING IN THE SAID PLAT;
 MIAMI LAND DEVELOPMENT COMPANY: LOTS 15, 16 AND
 THAT PORTION OF LOT 17, BLOCK 4, SECTION 17, LYING
 WEST OF A LINE THAT IS 527.00 FEET EAST AND PARALLEL
 TO THE WEST LINE OF THE SE¼ OF SAID SECTION 17; THAT
 PORTION OF LOTS 1, 2 AND 3, BLOCK 1, SECTION 19,
 LYING SOUTHERLY OF THE RIGHT-OF-WAY OF THE HOMESTEAD
 EXTENSION OF THE FLORIDA TURNPIKE; THAT PORTION OF
 LOTS 2 AND 3, BLOCK 1, SECTION 19 LYING NORTHERLY OF
 SAID RIGHT-OF-WAY OF THE TURNPIKE; THAT PORTION OF
 LOT 4, BLOCK 1, SECTION 19, LYING NORTHERLY OF SAID
 RIGHT-OF-WAY OF THE TURNPIKE; LOT 5, BLOCK 1, SECTION
 19, LESS THE SAID RIGHT-OF-WAY OF THE TURNPIKE; LOT 6.

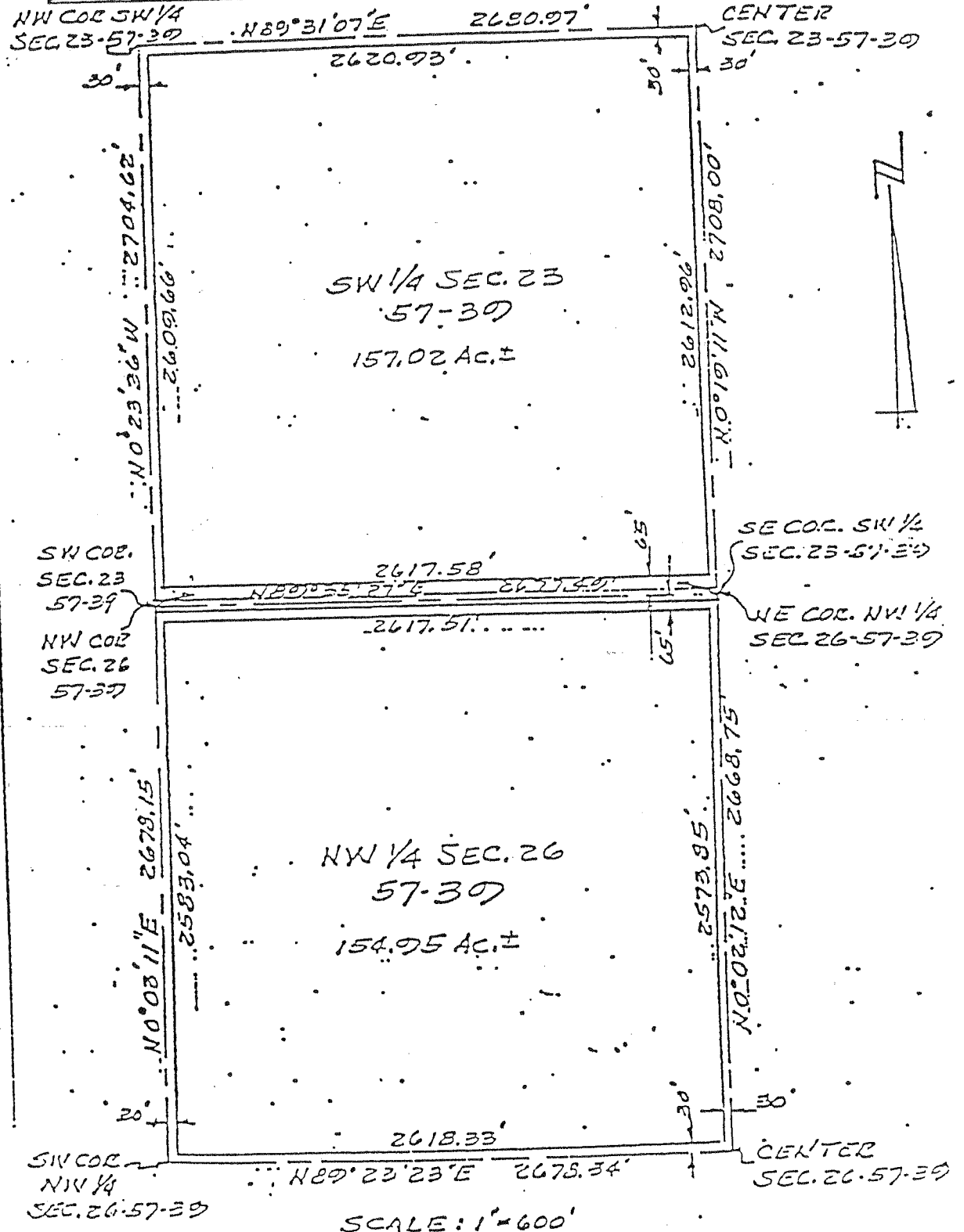
9, 14 AND 16, BLOCK 1, SECTION 19; THAT PORTION OF LOT 7; BLOCK 1, SECTION 19, LYING NORTHERLY OF SAID RIGHT-OF-WAY OF THE TURNPIKE; LOT 8, BLOCK 1, SECTION 19, LESS SAID RIGHT-OF-WAY OF THE TURNPIKE; THAT PORTION OF LOT 10, BLOCK 1, SECTION 19, LYING SOUTHERLY OF SAID RIGHT-OF-WAY OF THE TURNPIKE; LOTS 4 AND 5, BLOCK 4, SECTION 19; THE WEST $\frac{1}{2}$ OF LOT 6, BLOCK 2, SECTION 20; LOT 7, BLOCK 2, SECTION 20; LOT 1, THE NORTH $\frac{1}{2}$ OF LOT 2, THE SOUTH $\frac{1}{2}$ OF LOT 2 AND LOT 16, BLOCK 4, SECTION 20; LOT 14, BLOCK 3, SECTION 21; LOTS 7 AND 8, BLOCK 1, SECTION 27; LOT 4, BLOCK 1, SECTION 29; THE NORTH 450 FEET OF THE WEST 330 FEET OF LOT 6, BLOCK 1, SECTION 29, LESS DEDICATED RIGHT-OF-WAY; THE SAME BEING THE NORTH 495 FEET OF THE WEST 360 FEET OF THE N.E. $\frac{1}{2}$ OF SAID SECTION 29 LESS DEDICATED RIGHT-OF-WAY; THE WEST $\frac{1}{2}$, LOT 1, BLOCK 2, SECTION 29; THE EAST $\frac{1}{2}$ OF LOT 1 AND THE NORTH 220 FEET OF THE EAST $\frac{1}{2}$ OF LOT 16, BLOCK 2, SECTION 29; LOT 16, LESS THE NORTH 220 FEET OF THE EAST $\frac{1}{2}$, OF BLOCK 2, SECTION 29; AND LESS THE FOLLOWING DESCRIBED LOTS, LYING IN THE PLAT, FLORIDA CITY PARK, AS RECORDED IN PLAT BOOK 16 AT PAGE 53 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA: LOTS 6 AND 7, BLOCK 1; LOTS 29 AND 30, BLOCK 5; LOTS 2, 3, 4, 8, 11, 12 AND 13, BLOCK 9; LOTS 8, 9, 10, 13 AND 14, BLOCK 10; LOTS 1, 2, 7, 8 AND 9, BLOCK 11; LOTS 6 TO 11 INCLUSIVE AND LOTS 13 AND 14, BLOCK 12; AND LESS THE FOLLOWING DESCRIBED TRACTS, LYING IN THE REVISED PLAT, FLORIDA CITY PARK AS RECORDED IN PLAT BOOK 33, AT PAGE 48 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA: TRACTS 1 THROUGH 8 INCLUSIVE, TRACTS 9A AND 9B, TRACTS 10 THROUGH 16 INCLUSIVE, AND LESS ALL ROADS, STREETS, AVENUES AND CANAL SHOWN ON SAID PLATS FLORIDA CITY PARK AND REVISED PLAT FLORIDA CITY PARK; AND LESS THAT PORTION OF THE RIGHT-OF-WAY OF THE HOMESTEAD EXTENSION OF THE FLORIDA TURNPIKE LYING IN THE NE $\frac{1}{4}$ OF SAID SECTION 19.

P B POST. BUCKLEY, SCHUH & JERNICAN, INC.
S J CONSULTING ENGINEERS / SURVEYORS / PLANNERS

MIAMI • HOLLYWOOD • HOMESTEAD • ISLANDHADA • DUNEDIN • ATLANTA

COMP. BY SKJ
DRWN. BY _____
CHK. BY _____
DATE APR 21, 1975
SHEET No. 1
JOB No. _____
F.D. 050-444.05

SUBJECT BOUNDARY MAP
FOR
HOMESTEAD PROPERTIES.

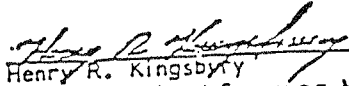


LEGAL DESCRIPTION

All of the S.W. 1/4 of Section 23, Township 57 South, Range 39 East, according to the plat, MIAMI LAND DEVELOPMENT COMPANY Subdivision, as recorded in Plat Book 5 at Page 10, of the Public Records of Dade County, Florida. LESS the North, East and West 30.00 feet for road right of way and less the South 65.00 feet for road and canal right of way, as recorded in Deed Book 1683 at Page 307 of the Public Records of Dade County, Florida, AND all of the N.W. 1/4 of Section 26, Township 57 South, Range 39 East, according to said plat, MIAMI LAND DEVELOPMENT COMPANY. LESS the East, South and West 30.00 feet for road right of way and the North 65.00 feet for road and canal right of way, as recorded in said Deed Book 1683 at Page 207. The total acreage of the above described parcels is 311.97 Acres more or less.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY: That the attached Boundary Map is a true and correct representation of the lands as described hereon, as recently surveyed under my direction.


Henry R. Kingsby
Registered Land Surveyor No. 2159
State of Florida
November 21, 1975

State of Florida)
County of Dade)SS
City of Homestead)

I, Edna B. Pinder, City Clerk of the City of Homestead, Florida, do hereby certify that the foregoing is a true and correct copy of the Declaration of Covenants and Restrictions, the original of which is on file in the office of the City Attorney.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Homestead, Florida this 8th day of December, A. D., 1975.

SIGNED Edna B. Pinder
City Clerk

AN ORDINANCE OF THE CITY OF HOMESTEAD AMENDING ORDINANCE NO. 75-11-70, SAID ORDINANCE ISSUING A DEVELOPMENT ORDER SUBJECT TO CHAPTER 380 OF THE FLORIDA STATUTES (1972) TO ROSE PARK ST. JAMES INVESTMENTS LIMITED; ROSE PARK BLEEKER INVESTMENTS LIMITED; THE MERIDIAN BUILDERS GROUP LIMITED; AND MARKBOROUGH PROPERTIES, LIMITED, D/B/A HOMESTEAD PROPERTIES, HEREINAFTER REFERRED TO AS APPLICANT; DESCRIBING THE PROPERTY SUBJECT TO THE DEVELOPMENT ORDER; SETTING FORTH THE REASONS FOR THE CONSIDERATION OF SAID PROCEDURE FOR ISSUING DEVELOPMENT ORDER; SETTING FORTH CONDITIONS TO WHICH SAID DEVELOPMENT ORDER SHALL BE SUBJECT; PROVIDING FOR THE TRANSMISSION OF THIS ORDINANCE WHEN ADOPTED TO THE APPROPRIATE LOCAL, COUNTY, STATE AND OTHER GOVERNMENTAL AGENCIES; PROVIDING FOR TRANSMISSION TO THE DEVELOPER AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Homestead has previously issued a Development Order to ROSE PARK ST. JAMES INVESTMENTS LIMITED; ROSE PARK BLEEKER INVESTMENTS LIMITED; THE MERIDIAN BUILDERS GROUP LIMITED; AND MARKBOROUGH PROPERTIES, LIMITED, d/b/a HOMESTEAD PROPERTIES, under Ordinance No. 75-11-70; and, ~~Ordinance No. 75-11-70~~ *Development Order*

WHEREAS, certain of the provisions contained in Ordinance No. 75-11-70 have been the subject of disagreement between the South Florida Regional Planning Council, "Applicant" and the City of Homestead; and,

WHEREAS, pursuant to conference between staff of the South Florida Regional Planning Council, the "Applicant" and the City of Homestead, a certain stipulation of agreement to condition Development Order and dismiss appeal has been approved for execution by all parties attending Section 2 of Ordinance No. 75-11-70.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA:

Section 1. That Section 2 of Ordinance No. 75-11-70 be, and the same is hereby amended in its entirety to read as follows:

Section 2. Approval of Development Order Subject To Conditions

Based upon the foregoing, the City Council of the City of Homestead does hereby approve the Homestead P.U.D. Development and, in conjunction with Ordinance No. 75-11-69 (Rezoning Ordinance to F.U.D.), does render its Development Order thereon subject to the following conditions, restrictions and limitations:

A. REVIEW OF DEVELOPMENT

1. The Master Plan for Homestead Properties is consistent with the Dade County Comprehensive Development Master Plan and the City of Homestead has approved the Master Plan for Planned Unit Development (PUD) zoning. The Master Plan establishes an overall gross residential density of 4.5 units per acre and permits the construction of no more than 14,283 dwelling units at final build-out.

2. It is necessary to assure that the development of Homestead Properties and the construction of the 14,283 units does not adversely impact on the Region's environment, natural resources, economy and housing supply or inefficiently use or unduly burden public facilities and transportation in the Region. This is best accomplished by coordinating the applicant's programmed sequence of development of the project and phased construction of the units with the timely provision of supporting public facilities and services.

B. SURFACE WATER
#19 D.E.P. Letter.

*see #15 - SF.W.M.D. Conceptual Hydrological Study
H.S. Army Permits
SF.W.M.D. Modification Permits.*

The applicant shall revise the project plan to provide appropriate measures to prevent entrapment of tidal flood waters resulting from a 100 year storm event in the project lake system. Prior to approval of any project phase or sequence for the development site by the City of Homestead, the Governing Board of the Central and Southern Florida Flood Control District must have granted:

(1) an Order granting conceptual approval of the surface water management system for the entire project, and

(2) a Surface Water Management Permit, pursuant to Chapter 373, Part IV, Florida Statutes, for the particular project phase in which the plat is located.

Construction Permit

C. WATER USE

The applicant shall design the project water system as an integral part of the City of Homestead water system. Prior to issuance of development permits by the City of Homestead for all portions of the project water system, subsequent to the first phase of development, the City of Homestead must receive a Water Use Permit, pursuant to Chapter 373, Part II, Florida Statutes, from the Governing Board of the Central and Southern Florida Flood Control District (C&SFFCD). Approval by the City of Homestead of each phase of the water system, subsequent to the first phase of development, will be given only upon conformance with the allocation of water granted to the City by the C&SFFCD.

Any development approval for the project subsequent to the first phase of development must tie the development phasing of the project to the availability of water from the City of Homestead as allocated by the C&SFFCD; provided that prior approval of each phase, including the first phase of development, the applicant must provide the Homestead City Council, the C&SFFCD and the South Florida Regional Planning Council with a summary of the total amount of development proposed within that particular phase and an estimate of the water demand to be generated. After analysis by the City of Homestead and the C&SFFCD, should a determination be made that the projected water demand of the proposed phase, together with the projected water demand of the remaining portion of

the City's system, exceed the allocation received at that time by the City from the C&SFFCD, the City shall withhold issuance of building permits until an additional allocation has been received by the City from the C&SFFCD.

D. SEWER

The applicant shall design the project sewer service as an integral part of the City of Homestead sewer system. Development approval for each project phase must tie to the availability of sewer service capacity on a local or regional basis. Prior to City approval of each phase of the project, the applicant must provide the Homestead City Council, Dade County and the South Florida Regional Planning Council with a summary of the total amount of development proposed within that particular phase, an estimate of the sewer demand to be generated, and of the available excess sewerage works capacity available or programmed. Approval by the City of Homestead of each phase shall be given only if sewer capacity as aforesaid is available and allocated for such phase or is planned and programmed.

E. TRANSPORTATION

1. It is recognized that the City of Homestead has the right and authority to consider and evaluate the sufficiency of levels of transportation services and facilities prior to approving site or plot use plans for each phase or sequence of the project. To assist the City of Homestead in this endeavor, the applicant shall provide to the City, the South Florida Regional Planning Council and to the Dade County Metropolitan Transportation Planning Organization (MPO) (except for Phase I of the development which contains 2,597 dwelling units), a summary of the development proposed as well as estimates of both total and external trips to be generated. Prior to approval of the second phase and each phase thereafter, the MPO shall submit reports and recommendations to the

City of Homestead and the South Florida Regional Planning Council on whether the future phased construction of dwelling units in subsequent planning sequences will unduly burden the transportation facilities and/or services of the Region. The City of Homestead, by and through its City Council, shall, in its consideration of each planning sequence (Detailed Site Plan Review), take into consideration the recommendation of the MPO, in addition to all other evidence of record pertaining to transportation services and facilities.

2. After review, should the impact of the proposed future phased construction of dwelling units be shown to deteriorate transportation service below level of service "C" on the regional and other principal roads within five (5) miles of the project -- including the Homestead Extension of Florida's Turnpike, U.S. 1, Krome Avenue, North Canal Drive, Palm Avenue, Kingman Road and Newton Road (when built), and Tallahassee Road -- the City of Homestead shall not issue building permits for dwelling units until roadway improvements, which would ameliorate deficiencies, have been committed. For purposes of this section, any voluntary reduction or limitation on building permits for dwelling units imposed by the applicant shall be taken into account in determining the impact of "proposed future phased construction of dwelling units".

3. Further, in accordance with the commitment contained in the July 29, 1975 Addendum to the ADA, the applicant, in cooperation with the City of Homestead, shall consider providing lands on an exploratory basis for park and ride bus facility within the development. The exact site or sites would be determined in cooperation with the Metropolitan Dade County Transit Authority or equivalent agency.

4. The applicant shall design and construct Kingman Road to two lanes, from the north boundary of the

development to Campbell Drive, in accordance with uniform and current Dade County specifications and standards; said above described portion of Kingman Road to be constructed prior to the issuance of Certificate of Occupancy in Phase II of the development.

F. DEDICATIONS

The applicant shall dedicate to the appropriate governmental agencies those lands to be used for public purposes, including school sites, as are specified in the ADA and in the Master Plan for Development, as approved by the Homestead City Council in accordance with Ordinance 75-03-12 of the City of Homestead. The applicant understands and agrees that the method in which dedications are to be made for public uses and the exact size and location of said dedications have not been determined, but that determination of these considerations shall be made prior to the approval of the submission of any plat for the development of the proposed project, or any portion thereof, in a manner acceptable to the City of Homestead or other appropriate governmental agency. All lands to be dedicated to the School Board shall be filled to flood criteria elevations and provided with water and sewer facilities.

G. OUTPARCELS

Prior to approval by the City of Homestead of plats for any phase of the development in which an outparcel is located, the applicant must receive a Surface Water Management Permit for that phase, pursuant to Chapter 373, Part IV, Florida Statutes, from the Governing Board of the Central and Southern Florida Flood Control District.

H. AICUZ COMPLIANCE

The City of Homestead shall incorporate the height and obstruction criteria as defined in Appendix "C" of the Homestead Air Force Base AICUZ Program into the City's zoning

ordinance and any other applicable development regulations. The applicant shall not request building permits of the City of Homestead as to those structures affected until the recommended standards for design and construction defined in Appendix "D" of the Homestead Air Force Base AICUZ Program (March 1975, amended) have been implemented by the applicant and the City.

I. ENERGY

The applicant shall incorporate construction improvements to the maximum extent practicable to achieve an overall goal of thirty percent reduction in residential electrical energy consumption. An annual report of achievements, designs and programs shall be submitted by the applicant to the City of Homestead and the South Florida Regional Planning Council.

J. LOW AND MODERATE INCOME HOUSING

As agreed to by the applicant, ten percent of the total number of residential units approved for the Homestead Properties' project shall ultimately be offered to provide housing for low and moderate income families. The manner and method by which the applicant shall meet this condition shall be established by covenant filed of record prior to approval of any phase of development by the City of Homestead. A copy of such covenant shall be delivered to the South Florida Regional Planning Council prior to recordation thereof.

The terms "low and moderate income housing" shall mean residential units which are available for rent, lease or sale and purchase at a rental, lease or sale price meeting the minimum standards for low and moderate income housing as established by the then current standards for Dade County, Florida published by the Department of Housing and Urban Development of the Federal Government in the Federal Register.

K. FISCAL IMPACT

The City of Homestead and the applicant shall explore

within six (6) months following the final adoption of the Development Order the creation of a new communities district, under Chapter 75-204, Florida Statutes (1975), or other acceptable alternative, in order to operate and finance the cost, delivery and maintenance of necessary pre-development improvement of water, sewer, road and drainage systems and other necessary community facilities and services. The City of Homestead and the applicant shall biannually consider (triannually after the first six years) whether and the extent to which, the Homestead P.U.D. Development is having a favorable or unfavorable fiscal impact on the Region and shall consider and evaluate the use of such new communities' districts as a means of offsetting unfavorable fiscal impact, if any. In making its determination, the City of Homestead shall apply, in addition to other criteria, any uniform standard related thereto as may be adopted by the South Florida Regional Planning Council in accordance with Chapter 120, Florida Statutes.

L. OTHER CONDITIONS

1. Any substantial deviation from the terms of the Application for Development Approval, the Development Order or the Stipulation previously executed by the City, Applicant, and South Florida Regional Planning Council on February 9, 1976, shall require the filing, review and approval of a separate Application For Development Approval in accordance with Section 380.06(6), Florida Statutes.

2. The Development Order and Stipulation of Agreement to Condition Development Order shall remain in effect for a minimum period of two years from and after the date of its rendition. In the event the developer has not commenced physical development of a portion of the lands encompassed herein, then this Development Order and Stipulation of Agreement to Condition Development Order will expire two (2) years from the date of its rendition.

PASSED AND ADOPTED this 22nd day of February.

1976.

C. Marshall Lane
MAYOR-COUNCILMAN

ATTEST:

APPROVED AS TO FORM AND CORRECTION

Edna B. Pinder
City Clerk

Michael E. Collins
City Attorney

CERTIFICATE OF CLERK

I HEREBY CERTIFY that the above and foregoing Ordinance No. 76-02-9 was duly passed and adopted by the City Council of the City of Homestead, Dade County, Florida, on the 23rd day of February, 1976.

Edna B. Pinder
City Clerk

A Tract of land described as portions of Sections 16, 17, 19, 20, 21, 22, 23, 24, 27, 28 and 29, in Township 57 South, Range 25 East, Dade County, Florida, more particularly described as follows: Begin at the Northwest corner of the N.E. 1/4 of said Section 19; thence N88°25'50"E along the North line of said Section 19 for 2715.72 feet to the Northeast corner of said Section 19; thence N82°26'49"E along the North line of the N.W. 1/4 of said Section 20 for 2720.41 feet to the Northeast corner of said N.W. 1/4, the same being the Southwest corner of the S.E. 1/4 of said Section 17; thence N0°22'40"W along the West line of said S.E. 1/4 for 992.05 feet; thence N29°41'23"E along the North lines of Lots 15 through 20 inclusive, of Block 4, of said Section 17 of the plat, MIAMI LAND AND DEVELOPMENT COMPANY subdivision, as recorded in Plat Book 5 at Page 10. of the Public Records of Dade County, Florida and the Westerly extension of said lines, for 1257.29 feet to the Northeast corner of said Lot 20, the same being the Southwest corner of Lot 27 of said Block 4; thence N0°27'49"W along the West line of said Lot 27 for 333.10 feet to the Northwest corner of said Lot 27; thence N89°40'28"E along the North line of said Lot 27 and its Easterly extension for 1356.89 feet to a point on the West line of said Section 16; thence N89°37'26"E along the North lines of Lots 14 and 27 of Block 3, Section 16, of said plat of, MIAMI LAND DEVELOPMENT COMPANY and the East and West extension of said lines, for 2667.41 feet to a point on the East line of the S.W. 1/4 of said Section 16; thence N28°34'06"E along the North line of Lot 14 of Block 4 of said Section 16, of the said plat, MIAMI LAND DEVELOPMENT COMPANY and its Westerly extension, for 1334.34 feet to the Northeast corner of said Lot 14; thence S0°22'18"E along the East lines of Lots 14 and 20 of said Block 4 of Section 16, and their Southerly extension for 1332.79 feet to a point on the South line of said Section 16; thence N28°31'49"E along the said South line of Section 16 for 444.42 feet; thence S0°28'57"E along the East line of Lot 5 of Block 1 of said Section 21 of the plat, MIAMI LAND DEVELOPMENT COMPANY and its Northerly extension for 1002.15 feet to the Southeast corner of said Lot 5; thence N89°31'58"E along the North line of Lot 28 of Block 1 of said Section 21, of the plat, MIAMI LAND DEVELOPMENT COMPANY and its Easterly extension for 689.02 feet to a point on the East line of said Section 21; thence S0°29'34"E along said East line of Section 21 for 668.13 feet; thence N89°34'52"E along the North lines of Lots 15 through 26 inclusive of Block 2 of said Section 22, of the plat, MIAMI LAND DEVELOPMENT COMPANY and the East and West extension of said lines for 2677.70 feet to a point on the East line of the N.W. 1/4 of said Section 22; thence S0°26'43"E along the said East line of the N.W. 1/4 for 1002.52 feet to the Southeast corner of said N.W. 1/4; thence N89°35'06"E along the North line of the S.E. 1/4 of said Section 22 for 2671.97 feet to the Northeast corner of the said S.E. 1/4 of Section 22; thence N89°31'07"E along the North line of the S.W. 1/4 of said Section 23 for 2680.97 feet to the Northeast corner of said S.W. 1/4; thence S0°19'11"E along the East line of said S.W. 1/4 of Section 23 for 2700.00 feet to the Southeast corner of said S.W. 1/4; thence S0°02'12"W along the East line of the N.W. 1/4 of said Section 26, for 2668.75 feet to the Southeast corner of the said N.W. 1/4; thence S29°23'23"W along the South line of the said N.W. 1/4 for 2672.34 feet to the Southwest corner of said N.W. 1/4; thence S29°29'32"W along the South line of the N.E. 1/4 of said Section 27, for 2657.97 feet to the Southwest corner of the said N.E. 1/4; thence S29°29'37"W along the South line of the N.W. 1/4 of said Section 27 for 2657.98 feet to the Southwest corner of said N.W. 1/4; thence S29°24'23"W along the South line of the N.E. 1/4 of said Section 28, for 2652.65 feet to the Southwest corner of said N.E. 1/4; thence S29°34'41"W along the South line of the N.W. 1/4 of said Section 22, for 2622.57 feet to the Southwest corner of said N.W. 1/4; thence S29°26'43"W along the South line of the N.E. 1/4 of said Section 29, for 2709.24 feet to the Southwest corner of said N.E. 1/4; thence S29°25'23"W along the South line of the N.W. 1/4 of said Section 29, for 2712.29 feet to the Southwest corner of said N.W. 1/4; thence N0°28'47"W along the West line of the said N.W. 1/4 of Section 29, for 2673.04 feet to the Northwest corner of said Section 29; thence S29°30'40"W along the South line of said Section 19 for 2642.06 feet; thence N0°31'42"W along the center line of Connecticut Street, as shown on the REVISED PLAT, FLORIDA CITY PARK as recorded in Plat Book 33, at Page 48 of the Public Records of Dade County, Florida and the West line of Lot 5, Block 4, Section 19, of said plat, MIAMI LAND AND DEVELOPMENT COMPANY and the North and South extension of said line, for 2634.59 feet to a point on the South line of the N.E. 1/4 of Section 19; thence S29°12'01"W along the said South line of the N.E. 1/4 of Section 19 for 279.17 feet to the Southwest corner of said N.E. 1/4; thence N0°36'49"W along the West line of said N.E. 1/4 of Section 19 for 2617.04 feet to the Point of

Beginning, less the following described lots lying in the said plat, LAND DEVELOPMENT COMPANY: Lots 15, 16 and that portion of Lot 17, Block 4, Section 17, lying west of a line that is 527.00 feet East and parallel to the West line of the S.E. 1/4 of said Section 17; that portion of Lots 1, 2 and 3, Block 1, Section 19, lying Southerly of the right-of-way of the Homestead Extension of the Florida Turnpike; that portion of Lots 2 and 3, Block 1, Section 19 lying Northerly of said right-of-way of the Turnpike; that portion of Lot 4, Block 1, Section 19, lying Northerly of said right-of-way of the Turnpike; Lot 5, Block 1, Section 19; less the said right-of-way of the Turnpike; Lot 6, 9, 14 and 18, Block 1, Section 19; that portion of Lot 7, Block 1, Section 19, lying Northerly of said right-of-way of the Turnpike; Lot 2, Block 1, Section 19, less said right-of-way of the Turnpike; that portion of Lot 10, Block 1, Section 19, lying Southerly of said right-of-way of the Turnpike; Lots 4 and 5, Block 4, Section 19; the West 1/2 of Lot 6, Block 2, Section 20; Lot 7, Block 2, Section 20; the North 1/2 of Lot 2, Block 4, Section 20; Lot 14, Block 3, Section 21; Lot 4, Block 1, Section 29; the North 450 feet of the West 230 feet of Lot 6, Block 1, Section 29, less dedicated right-of-way; the same being the North 495 feet of the West 360 feet of the N.E. 1/4 of said Section 29 less dedicated right-of-way; the West 1/2, Lot 1, Block 2, Section 29; the East 1/2 of Lot 1 and the North 220 feet of the East 1/2 of Lot 16, Block 2, Section 29; Lot 16, less the North 220 feet of the East 1/2, of Block 2, Section 29; and less the following described lots, lying in the plat, FLORIDA CITY PARK, as recorded in Plat Book 16 at Page 53 of the Public Records of Dade County, Florida: Lots 6 and 7, Block 1; Lots 29 and 30, Block 1; Lots 2, 3, 4, 6, 11, 12 and 13, Block 9; Lots 8, 9, 10, 13 and 14, Block 10; Lots 1, 2, 7, 8 and 9, Block 11; Lots 6 to 11 inclusive and Lots 13 and 14, Block 12; and less the following described tracts, lying in the REVISED PLAT, FLORIDA CITY PARK as recorded in Plat Book 23, at Page 48 of the Public Records of Dade County, Florida: Tracts 1 through 8 inclusive, Tracts 5A and 5B, Tracts 10 through 16 inclusive, and less all roads, streets, avenues and canal, shown on said plats, FLORIDA CITY PARK and the REVISED PLAT, FLORIDA CITY PARK: and less that portion of the right-of-way of the Homestead Extension of the Florida Turnpike, lying in the N.E. 1/4 of said Section 19, and less the West 1/2 of Lot 14, Block 3, Section 20;

RESOLUTION NO. 75-10-72

A RESOLUTION OF THE CITY OF HOMESTEAD
ADOPTING CERTAIN CHANGES IN THE
MASTER PLAN FOR THE DEVELOPMENT OF
VILLAGES OF HOMESTEAD AND DECLARING
SAID CHANGES NOT TO BE A MATERIAL OR
SIGNIFICANT DEVIATION IN THE OVERALL
MASTER PLAN.

WHEREAS, Villages of Homestead has petitioned the Planning and Zoning Board of the City of Homestead and the City Council of the City of Homestead for certain changes in the Master Plan for the development of the Villages of Homestead, and

WHEREAS, the Planning and Zoning Board has recommended same to the City of Homestead, and

WHEREAS, the City Council of the City of Homestead hereby finds and declares that the proposed changes to the Master Plan of Homestead Properties, Inc., contained herein and being the subject hereof, do not constitute a substantial deviation from the terms of the original approval and development order issued by the City Council to Homestead Properties, Inc., pursuant to Section 380.06 (7) (g) (h), Florida Statutes; and

WHEREAS, the City Council of the City of Homestead does hereby find and declare that the changes proposed by Homestead Properties, Inc. in their Master Plan do not constitute a significant change in the approval heretofore given by the City Council under and pursuant to Section 31A-100 of the Code of the City of Homestead.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, DADE COUNTY, FLORIDA:

Section 1. That the changes as submitted in the Master Plan heard before the Planning and Zoning Board on May 24, 1979, bearing Public Hearing No. 79-35, be and the same are hereby approved as follows:

A. A change in the location of the golf course on the overall Master Plan.

B. The elimination of S.W. 147th Avenue as it runs on the east side of the new location of the golf course in said project.

C. A re-balancing of the density of the total project consistent with the policy previously approved by the Planning and Zoning Board and the City Council of the City of Homestead with the overall density not to exceed two hundred (200) additional units for the total project area.

D. A relocation of certain recreational areas including the formation of a large approximately one hundred (100) acre lake on the northeast side of the newly located golf course.

E. Relocation of the industrial area.

Section 2. That the above changes in the Master Plan be and the same are hereby approved by the City Council of the City of Homestead with the understanding and belief of the City Council of the City of Homestead that these changes do not constitute a significant change in the overall Master Plan for the development as previously submitted by the developer.

PASSED AND ADOPTED this 1st day of October, 1979.

[Signature]
Mayor-Councilman

ATTEST:

APPROVED AS TO FORM & CORRECTNESS:

[Signature]
City Clerk

[Signature]
City Attorney

CERTIFICATE OF CLERK

I HEREBY CERTIFY that the above and foregoing Resolution No. 79-16-37 was duly passed and adopted by the City Council of the City of Homestead the 1st day of October, 1979.

[Signature]
City Clerk