

Document prepared by:  
Office of City Attorney  
444 S.W. 2nd Avenue, Suite 945  
Miami, FL 33130-1910

Return Recorded Copy to:  
City of Miami  
Office of Zoning, Attn.: Zoning Administrator  
444 S.W. 2nd Avenue, 2nd Floor  
Miami, FL 33130-1910

Folio No: [REDACTED]

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(Space Above for Recorder's Use Only)

**DECLARATION OF RESTRICTIVE COVENANTS  
(Single Family Use Restriction)**

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Declaration"), made this [REDACTED] day of [REDACTED], 20[REDACTED], by [REDACTED] ("Owner") in favor of the City of Miami, Florida ("City").

**W I T N E S S E T H:**

WHEREAS, the Owner hold fee simple title to that certain property in the City of Miami, Florida, located at [REDACTED], Miami, Florida, legally described in Exhibit "A" attached hereto and made a part hereof ("Property").

WHEREAS, the Owner is desirous of making a binding commitment to assure that the Property shall be maintained in accordance with the provisions of this Declaration.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner hereby agrees as follows: the Owner voluntarily covenants and agrees that the Property shall be subject to the following restrictions that are intended and shall be deemed to be covenants running with the land and binding upon the Owner(s), its successors in interest, heirs, vendees, and assigns, as follows:

1. Recitals. The recitals and findings set forth in the preamble of this Declaration are true and correct and are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

2. Use. Owner covenants that the Property shall be restricted and limited to use for a single-family residence as defined and as limited by Section 1.2, Article 1 of the Miami 21 Zoning Code, as amended, and by any successor Zoning Ordinance of the City, as applicable.

3. Covenant Running with the Land. This Declaration shall constitute a covenant running with the land and shall be made binding upon Owner(s), any successors in interest, heirs, vendees, and assigns. These restrictions shall be a limitation upon all present and future Owners of the Property.

4. Effective. This instrument shall become binding on the Property upon recordation in the Public Records of Miami-Dade County, Florida. The Owner shall promptly record this Declaration at their cost and provide a certified copy of the recorded instrument to the City of Miami Office of the Zoning Administrator, 444 SW 2<sup>nd</sup> Ave, 2nd Floor, Miami, Fl. 33130 within thirty (30) days of recordation.

4. Term of Covenant. This voluntary Declaration on the part of the Owner shall remain in full force and effect and shall be binding upon the Owner of the Property, any successors in interest, heirs, vendees, and assigns. It shall be binding upon them for an initial period of thirty (30) years from the date this Declaration is recorded in the public records and shall be

automatically extended for successive periods of ten (10) years, unless modified, amended or released as provided in this Declaration prior to the expiration thereof.

5. Inspections and Monitoring. It is understood and agreed that any official inspector of the City may have the right at any time during normal working hours to enter upon the Property for determining whether the Property is in compliance with the conditions of this Declaration and the requirements of the City's building and zoning regulations.

6. Enforcement. An action to enforce the terms and conditions of this Declaration, including failure to record the Declaration, may be brought by the City and may be by action at law or in equity against any party or person violating or attempting to violate any covenant of this Declaration or provisions of the City Code, building and zoning regulations, either to restrain violations or to recover damages. This enforcement provision shall be in addition to any other remedies available under the law. Each party shall bear their own attorney's fees.

7. Cumulative. All rights, remedies, and privileges gained herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges as may be available to it.

8. Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument, executed by the then owner(s) of the Property and the City Zoning Administrator, in recordable form and approved by the City Attorney as to legal form and correctness. Any

Declaration of Restrictive Covenants  
(Single Family Use Restriction)  
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modification, amendment or release shall include the signatories included in this section and be recorded in the Official Public Records of Miami-Dade County, Florida to be valid and effective.

9. Severability. Invalidation of any one of these covenants by judgment of Court shall not affect any of the other provisions of this Declaration, which shall remain in full force and effect.

10. Recording. This Declaration, and any modification, amendment, or release, shall be filed of record among the Public Records of Miami-Dade County, Florida, at the cost of the Owner, no later than thirty (30) days after approval.

11. Counterparts; Electronic Signatures. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same instrument. Facsimile, .pdf and other electronic signatures to this Agreement shall have the same effect as original signatures.

*[Signatures on the Following Page(s)]*



Declaration of Restrictive Covenants  
(Single Family Use Restriction)  
Folio No:

Approved:

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Tamara Allen Frost  
Zoning Administrator

Approved as to Legal Form and Correctness:

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George K. Wysong, Esq.  
City Attorney

Declaration of Restrictive Covenants  
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EXHIBIT "A"

LEGAL DESCRIPTION

[Legal description of the Property]