

CDBG-DR RESTRICTIVE COVENANT

THIS RESTRICTIVE COVENANT RUNNING WITH LAND is entered into by Sarasota County, a political subdivision of the State of Florida (the “County”).

RECITALS

WHEREAS, the County, through its Resilient SRQ program, administers a Voluntary Buyout Program (the “Buyout Program”) funded by the U.S. Department of Housing and Urban Development’s Community Development Block Grant – Disaster Recovery (“CDBG-DR”) award, which is intended to mitigate future flood risk by acquiring properties impacted by Hurricane Ian in flood-prone areas; and

WHEREAS, on July 9, 2025, the Sarasota County Board of County Commissioners approved selected applications for the Buyout Program, including an submitted by Sarasota County on behalf the owner of the property located at 148 Myakka Drive, Venice, Florida, as formally described by the legal description attached hereto as Exhibit “A” (the “Property”), for a conditional grant award in the total amount of \$338,300.00, (the “Buyout Funds”) consisting of \$247,771.00 for acquisition of the Property and \$90,529.00 for demolition and return-to-green-space costs; and

WHEREAS, on or about the ____ day of _____, 2026, the County purchased the Property with the Buyout Funds; and

WHEREAS, conditions of the Buyout Program, pursuant to 44 CFR 80.19 and 24 CFR 570.201(d), require that real property purchased with Buyout Program proceeds must be used as open space, recreational, or wetland management purposes in perpetuity (“Program Requirements”); and

WHEREAS, County desires to restrict the future use of the Property in accordance with the Buyout Program Requirements.

NOW THEREFORE, in consideration of financial assistance rendered by the U.S. Department of Housing and Urban Development in the form of the Buyout Funds and of other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and to assure that the benefits of the Buyout Program will accrue to the public and be used as intended by the CDBG-DR award, the County hereby covenants and agrees as follows:

1. The use of the Property shall be limited to uses that are compatible with the Program Requirements.
2. No new structures or improvements may be erected on the Property other than:
 - a. A public facility that is open on all sides and functionally related to a designated open space (e.g. a park, campground, or outdoor recreation area); or
 - b. A rest room; or
 - c. A flood control structure, provided that structure does not reduce valley storage, increase erosive velocities, or increase flood heights on the opposite bank, upstream or downstream and that the local floodplain manager approved, in writing, before the commencement of the construction of the structure.
3. If the Property is used for purposes inconsistent with the Program requirements or in violation of the restrictions set forth herein, following reasonable notice and opportunity to cure, the County or any successor in interest to title of the Property, covenants that it shall reimburse the U.S. Department of Housing and Urban Development for the full amount of the Buyout Funds.
4. The restrictions contained herein shall run with and burden the Property, shall bind all future owners of the Property, and shall be enforceable by the County and any successor in interest.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the County has caused these presents to be executed in its name by its Board of County Commissioners acting by and through its County Administrator or his designee on this ____ Day of _____ 2026.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY FLORIDA

By: _____

Jonathan Lewis, County Administrator
Executed by the County Administrator pursuant
to Resolution #2026-_____ of the Board of
County Commissioners of Sarasota County,
Florida

Witnesses

Printed Name: _____

Printed Name: _____

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this ____ day of _____ 2026, by Jonathan Lewis on behalf of Sarasota County, a political subdivision of the State of Florida, as the County Administrator, who is personally known to me or who has produced _____ as identification. If no type of identification is indicated, the above-named person is personally known to me.

Signature of Notary Public

(Notary Seal)

I am a Notary Public of the State of _____,

Print Name of Notary Public

EXHIBIT "A"

Legal Description

Lot 36 and 36A, Plamore subdivision, according to the map or plat thereof, as recorded in Plat Book 8, Page(s) 30 and 30A, of the public records of Sarasota County, Florida.

Property Commonly known as: 148 Myakka Dr Venice, FL 34293

Tax ID Numbers 0787150060 and 0787150038