CFN: 20170160031 BOOK 30465 PAGE 4278 DATE:03/22/2017 01:49:20 PM HARVEY RUVIN, CLERK OF COURT, MIA-DADE CTY

This instrument was prepared by:

Name: Daniel A. Espino, Esq.
Address: Welss Serote Holfman
City Attorney
2525 Ponce de Lasa Dlvd.
Suite 200
Coral Gebles, FL 33134

(Space reserved for Clerk)

COVENANT RUNNING WITH THE LAND IN FAVOR OF MIAMI-DADE COUNTY, FLORIDA BY CITY OF DORAL, A FLORIDA MUNICIPAL CORPORATION, PROVIDING FOR THE PROTECTION AND MANAGEMENT OF 3.916 ACRES OF WETLANDS AND UPLAND BUFFERS BETWEEN N.W. 97TH AND 102ND AVENUES AND BETWEEN N.W. 74TH AND 78TH STREETS LOCATED IN MIAMI-DADE COUNTY, FLORIDA.

Whereas, the Undersigned, the City of Doral, a Florida municipal corporation, ("Owner") holds the fee simple title to the land in Miami-Dade County, Florida, described in Composite Exhibit A, attached hereto and incorporated herein by reference and hereinafter called the "Property," and

In order to assure the County that representations made by the Owner during consideration of its permit application CLIV20160107 will be abided by the Owner freely, voluntarily and without duress, makes the following Restrictive Covenant covering and running with the Property:

- 1. The Owner shall preserve and maintain the Property for the duration of this Covenant in accordance with the mitigation plan dated February 22, 2017 and prepared by Miller Legg attached as Exhibit B.
- 2. The Owner shall notify Miami-Dade County in writing at least thirty (30) days prior to any conveyance, sale, grant or transfer of the Property or any portion thereof, to any heirs, successors, assigns or grantees. The Owner shall also notify the heirs, successors, assigns or grantees in writing of this covenant and its requirement and provide the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (hereinafter referred to as "DERM"), or its successor, with a copy of this written notification.
- 3. The Owner shall prohibit and use commercially reasonable efforts to prevent public access to the Property with the exception of the boardwalk and viewing platform as shown on the site plan entitled "Doral Glades Park Wetland Boardwalk Mitigation" and attached as Exhibit C. In the event that the Property is being degraded (i.e., the Property is being destroyed or damaged, plants removed or trampled upon or trash and debris are accumulating on the Property), DERM may require the Owner to install protective barriers around any area within the Property which has been degraded.
- 4. This Covenant running with the Land shall be recorded in the public records of Miami-Dade County by Miami-Dade County at the expense of the Owners, its heirs, successors, assigns and grantees.

- Approval of this Restrictive Covenant neither authorizes nor constitutes a permit of any kind for work in wetlands at the Property.
- 6. DERM shall have the right to inspect the Property at reasonable times to determine whether the Property is being used and maintained in the manner promised by the Owner in this Covenant. If the Director of DERM or his designee determines after such an inspection that some curative action(s) on the Property is necessary in order to preserve the terms of this Covenant, DERM shall notify the Owner in writing by certified mail, return receipt requested, at the address provided to DERM by the Owner of the particular curative action(s) to be taken by the Owner of the Property and the reasons therefore. The Owner shall take such curative action(s) within a reasonable time, provided however, the Owner shall have the right to appeal such proposed curative action(s) to the Miami-Dade County Environmental Quality Control Board by filing a written appeal within fifteen (15) days after receipt of written notification of said proposed curative action and the reasons therefore.
- 7. The Owner shall manage the Property so that it is free from exotic vegetation as listed below immediately following maintenance treatments and does not exceed 5% coverage of those species between maintenance treatments. The target plants include those species listed in the Florida Exotic Pest Plant Council (FLEPPC) as Category I or II, and comprise the following species:
 - Albizia lebbeck (woman's tongue)
 - Neyraudia reynaudiana (cane grass)
 - Schinus terebinthifolius (Brazilian Pepper)
 - Ricinus communis (Castor Bean)
 - Casuarina spp. (Australian Pines)
 - Cupaniopsis anacardioides (Carrotwood)
 - Melaleuca quinquenervia (Punk Tree)
 - Merremia tuberosa (wood rose)
 - Bischofia javanica (Bishopwood)
 - Pennisetum purpureum (Napier grass)
 - Ardisia elliptica (Shoebutton Ardisia)
 - Calophyllum antillanum (mast wood)
 - Cestrum diurnum (Day Jasmine)
 - Hibiscus tiliaceus (mahoe)
 - Dioscorea bulbifera (air-potato)
 - Acacia auriculiformis (earleaf acacia)
 - Adenanthera pavonina (red sandlewood)
 - Jasminum fluminense (jasmine)
 - Jasminum dichotomum (gold coast jasmine)
 - Ficus altissima (lofty fig)
 - Ficus bengalensis (banyan fig)
 - Ficus elastica (Indian rubber tree)
 - Ficus microcarpa (laurel fig)
 - Lygodium microphyllum (Old World climbing fern)

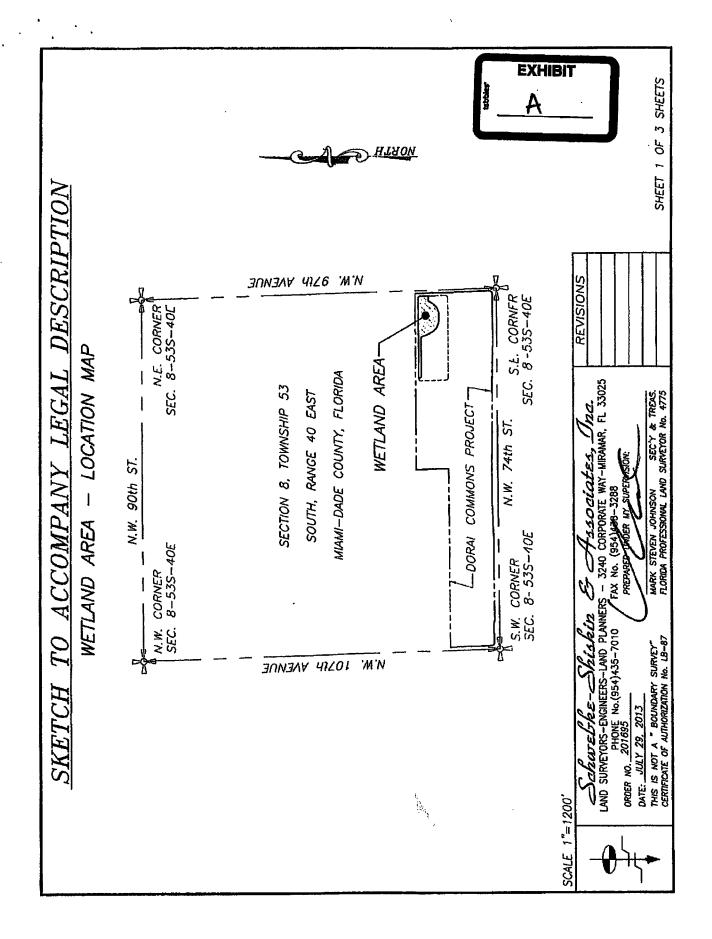
- Flacourtia indica (governor's plum)
- Dalbergia sisoo (Indian rosewood)
- Colubrina asiatica (lather leaf)
- Leucaena leucocephala (lead tree)
- Melia azedarach (Chinaberry)
- Mimosa pigra (catclaw mimosa)
- Sapium sebiferum (Chinese tallow)
- Schefflera actinophylla (Queensland umbrella)
- Solanum viarum (tropical soda apple)
- Thespesia populnea (seaside mahoe)

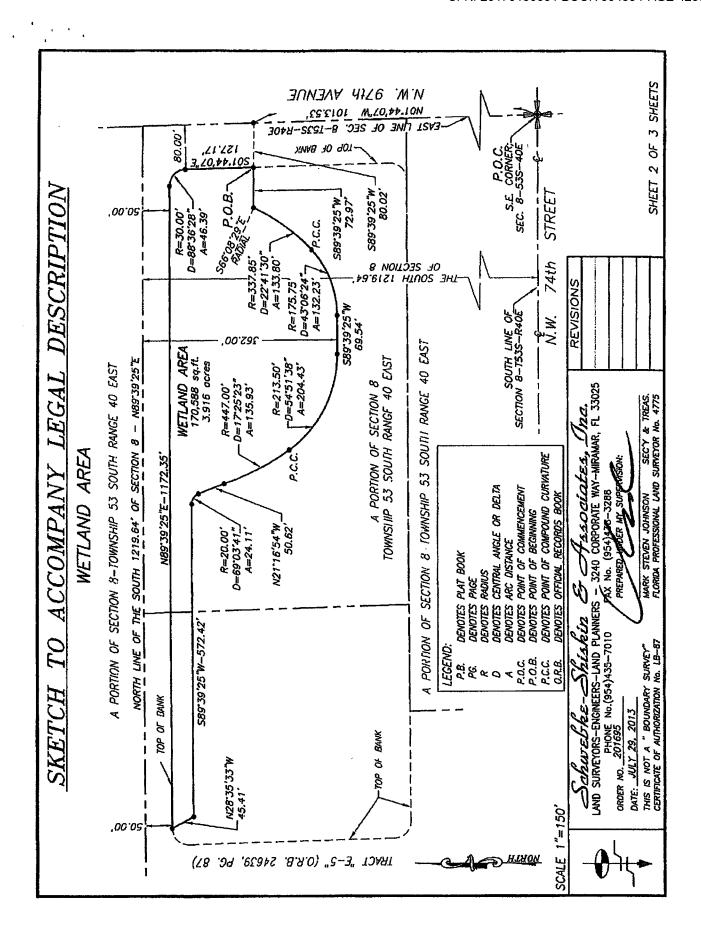
In addition, none of the following species shall exceed 10% of the cover on the Property:

- Typha spp. (cattails)
- Panicum repens (torpedo grass)
- Ludwigia octovalvis (water primrose)
- Trismeria trifoliate
- 8. The control techniques to be used for removal and control of exotic vegetation shall be approved by the Director of the DERM or the Director's designee.
- 9. This Restrictive Covenant and the provisions contained herein prohibit the Owner from permitting, allowing, letting, causing or suffering any violation of the terms of this Restrictive Covenant, and this Restrictive Covenant may be enforced by DERM or its successor, by temporary, permanent, prohibitory, and mandatory injunctive relief as well as otherwise provided by law or ordinance and also may include an action for and to recover civil penalties, damages, costs and expenses, and reasonable attorney's fees in favor of Miami-Dade County against said person(s) as authorized by law or ordinance. All of the remedies provided herein shall be deemed to be independent and cumulative and shall be deemed to be supplemental to any remedies provided by law or ordinance.
- 10. No cancellation, revision, alteration or amendment of the Covenant shall be effective without prior approval from Miami-Dade County pursuant to the provisions of Section 24-48.2 of the Code of Miami-Dade County.
- 11. This Covenant is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years after the date this Covenant is recorded, after which time it shall be extended automatically for successive periods of ten (10) years each, unless the Covenant is modified or released by Miami-Dade County.
- 12. The term Owner shall include the Owner, and its heirs, successors and assigns.
- 13. This Restrictive Covenant supersedes the Restrictive Covenant previously recorded in Official Record Book 29026, Page 2933-2951, in the Public Records of Miami-Dade County, Florida.

State of Florida, County of Miami-Dade	
IN WITNESS WHEREOF, the undersigned have cause	sed this Covenant Running with the Land to be
Executed this 31d day of March	_, 20 <u>1</u>
Print: Barbara Hernandez P Sign:	Print: EDUAZDA. ROJAS Title: E401 NW 53rd Tewace Address: Doral, FL 33166
The foregoing instrument was acknowledge MGPCM, 2017, by Edicard who has produceda	who is personally known to me or
	NOTARY PUBLIC: Sign Print McCapan Gaeca
	State of Florida at Large (Seal) My Commission Expires: () 2020
as to form and legal sufficiency sole use of the City of Doral.	Expires 6/1/2020 Expires 6/1/2020 Expires 6/1/2020 Expires 6/1/2020 Expires 6/1/2020 Expires 6/1/2020

Approved for the





LEGAL DESCRIPTION TO ACCOMPANY SKETCH

WETLAND AREA

A PORTION OF TRACT "E—5" AS RECORDED ON OFFICIAL RECORDS BOOK 24639 AT PAGE 87 AND A PORTION OF SECTION 8, TOWNSHIP 53 SOUTH, RANGE 40 EAST, CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 8: THENCE NORTH 0144'07" WEST, ALONG THE EAST LINE OF SAID SECTION

8. FOR 1013.53 FEET: THENCE SOUTH 893'9'25" WEST FOR 80.02 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED

WETLAND AREA; THENCE CONTINUE SOUTH 893'9'25" WEST FROM THE RADIUS FOR THE POINT ON A CURRE CONCAVE TO THE NORTHWEST

HAWING A BARL BEARING OF SOUTH 893'9'25" WEST FROM THE RADIUS OF 33.38 FEET THROUGH A CENTRAL ANGLE OF ZZ'41'30'

THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT HAWING A RADIUS OF 33.38 FEET THROUGH A CENTRAL ANGLE OF ZZ'41'30'

THE RIGHT HAWING A RADIUS OF THE SOUTH 1219.64 FEET OF SAID SECTION THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAWING A RADIUS OF SAID SECTION B. FOR AN ARC DISTANCE

CURVATURE; THENCE SOUTH 893'9'25" WEST, ALONG A LINE PARALLEL WITH AND 362.00 FEET THROUGH A CENTRAL ANGLE

OF SAID CURVE TO THE RIGHT HAWING A RADIUS OF EATT TO A POINT OF COMPOUND CURVATURE; THENCE ALONG THE ARC OF A

CORPOLAR CURVE TO THE RIGHT HAWING A RADIUS OF EATT TO A POINT OF CURVATURE; THENCE ALONG THE ARC

OF SAID CURVE TO THE RIGHT HAWING A RADIUS OF EET THROUGH A CENTRAL ANGLE OF 1725'23" FOR AN ARC DISTANCE

OF SAID CURVE TO THE LEFT HAMING A RADIUS OF EET THROUGH A CENTRAL ANGLE OF SO'34.1" FOR AN ARC DISTANCE

OF SAID CURVE TO THE LEFT HAMING A RADIUS OF PEET THROUGH A CENTRAL ANGLE OF SO'34.1" FOR AN ARC DISTANCE

OF SAID CURVE TO THE LEFT HAMING A RADIUS OF SO GE FEET THROUGH A CENTRAL ANGLE OF SO'34.1" FOR AN ARC DISTANCE

OF SAID CURVE TO THE LEFT HAMING A RADIUS OF SO GE FEET THROUGH A CENTRAL ANGLE OF SO'34.1" FOR AN ARC DISTANCE

OF THENCE NORTH LINE OF THE SIGHT HAWING A RADIUS OF SO GE FEET THROUGH A CENTRAL ANGLE OF SO'34.1" FOR AN ARC DISTANCE

ALONG THE ARC OF SAID CURVE TO THE RIGHT HAWING A RADIUS OF SO'05 FEET THROUGH A CENTRAL WILLE OF BRALLEL WITH AND 80.00

THE NORTH LINE OF THE RIGHT HAWING A RADIUS OF SO'OF SO'OTH A CENTRAL WILLE OF BRALLEL WITH AND 80.00

THE NORTH LINE OF THE RIGHT HAWING A RADIUS OF SO'OTH SO'OTH A CENTRAL AND SO'OTH SO'OT BEGINNING. SAID WETLAND AREA CONTAINING 170,588 SQUARE FEET (3.916 ACRES) MORE OR LESS.

- 1) BEARINGS SHOWN HEREON REFER TO AN ASSUMED BEARING OF SOUTH 89'39'25" WEST, ALONG THE SOUTH LINE OF SECTION B TOWNSHIP 53 SOUTH, RANGE 40 EAST, CITY OF DORAL, MIAMI-DADE COUNTY, FLORIDA
 - 2) ORDERED BY: TERRA GROUP 3) AUTHENTIC COPIES OF THIS SKETCH AND LEGAL DESCRIPTION MUST BEAR THE EMBOSSED SEAL OF THE ATTESTING PROFESSIONAL LAND SURVEYOR.



→ churetres-Indiabir & Hasociates, Ura. Land surveyors-engineers-Land Planners - 3240 corporate way-mirawar, Fl. 33025 PAREMRED LINGER MY SUPERMISION: W Schwebke-Shishin PHONE No. (954)435-7010 201695 DATE: JULY 29, 2013

MARK STEVEN JOHNSON SEC'Y & TREAS. FLORIDA PROFESSIONAL LAND SURVEYOR NO. 4775

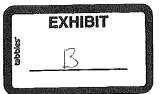
SHEET 3 OF 3 SHEETS

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FEB 2 2 2017

Department of Regulatory and Economic Resources Natural Resources Division





DORAL GLADES PARK

THE RECREATION DEVELOPMENT PROJECT IS APPROXIMATELY 24.25. CURRENTLY A 3.91 ACRE NATURAL PRESERVE INCLUDING 3.6 ACRES OF WETLANDS AND 0.31 ACRES OF DENSELY PLANTED UPLAND BUFFER AND A PERIMETER ROAD/ PATH TO PROVIDE EMERGENCY ACCESS VIA THE PARK TO NW 97TH AVENUE AS WELL AS A RECREATIONAL PATH ADJACENT TO THE PRESERVE AREA IS FOUND ONSITE. THE FOLLOWING HABITATS ARE OBSERVED:

- 1. LONG HYDROPERIOD MARSH (BIRD FORAGING AREA) 3.35 ACRES
- 2. RESTORED FRESHWATER MARSH (CURRENTLY MELALEUCA/ AUSTRALIAN PINE) 0.25 ACRES
- 3. FORESTED UPLAND BUFFER (0.31 ACRES/ 1,300 LINEAR FEET)
- 4. LAKE/ FISH HABITAT

CITY IS NOW LOOKING TO DEVELOP THE UPLAND PORTION OF THE PARK PROJECT THAT WAS PERMITTED AND DEEDED TO CITY FROM TERRA DORAL. THE CITY WOULD LIKE TO HAVE AN EMPHASIS ON ENVIRONMENTAL EDUCATION FOR THE PARK AND WOULD LIKE TO INCLUDE A PASSIVE BOARDWALK THROUGH THE WETLANDS FOUND ON SITE. THE FINAL SITE PLAN ACCOMMODATED THE MINIMUM DEVELOPMENT REQUIREMENTS AND PROPOSED TO IMPACT 0.10 ACRE OF LOW QUALITY WETLANDS FOR THE CONSTRUCTION OF A BOARDWALK AND TO USE THE SIDEWALK AT THE TOP OF THE BANK TO ACCESS THE AREA.

AVOIDANCE TO IMPACTS TO WETLANDS WAS CONSIDERED, BUT THE ENTIRE THEME OF THE EDUCATIONAL EMPHASIS FOR THIS SITE SHOULD ALLOW STUDENTS AND RESIDENTS TO BECOME MORE FAMILIAR WITH THE WETLAND AREAS AND BE ABLE TO GET CLOSER TO THE AREA THUS BY ENTERING THE WETLAND AREA ON TOP OF A RAISED BOARDWALK.

PROPOSED PLAN

- ONSITE IMPROVEMENTS INCLUDES THE CONSTRUCTION OF A PASSIVE USE ELEVATED BOARDWALK.
- ELEVATED BOARDWALK WILL REDUCE ANY HYDROLOGIC IMPACTS TO WETLAND SYSTEM AND CAUSE SHADING OF WETLAND ONLY BY BOARDWALK.
- TO MITIGATE FOR UNAVOIDABLE IMPACTS ONSITE ENHANCEMENT IS PROPOSED WITH THE INSTALLATION OF NATIVE GROUNDCOVER, SHRUBS AND TREES.

PROJECT BENEFITS

- THE PROPOSED PROJECT WILL NOT IMPACT WILDLIFE USAGE BUT INSTEAD ENHANCE THE AREA TO CREATE BETTER OPPORTUNITY
- PUBLIC EDUCATION
- EDUCATIONAL SIGNAGE
- WILDLIFE UTILIZATION OF SHADED AREAS EQ. FISH, SNAILS
- INCREASED DIVERSITY OF PLANTS REQUIRING LESS DIRECT SUNLIGHT CAN BE USED
- PROVIDE PUBLIC USE OF THE SITE THAT ALLOWS FOR RESOURCE BASED PASSIVE RECREATIONAL USE, ENVIRONMENTAL EDUCATION THAT DOES NOT HAVE A DETRIMENTAL EFFECT ON THE NATURAL RESOURCES OF THE PROPERTY.
- PROVIDE OPEN SPACE, FUNCTIONING NATURAL HABITATS AND PROTECTION FOR WILDLIFE SPECIES FOUND IN THE AREA

MAINTENANCE AND MONITORING PLAN

THE PERMITTEE SHALL MONITOR AND MAINTAIN THE ON-SITE PRESERVATION AREA TO ENSURE THE AREA CONTAINS LESS THAN FIVE PERCENT (5%) EXOTIC PLANT SPECIES AND NUISANCE PLANT SPECIES BY VEGETATIVE COVER BETWEEN MAINTENANCE EVENTS. FOR THE PURPOSES OF THIS CONDITION, "EXOTIC PLANT SPECIES" SHALL BE THOSE SPECIES LISTED ON FLORIDA EXOTIC PEST PLANT COUNCIL'S (FLEPPC) CATEGORY 1 AND CATEGORY 2 LIST OF INVASIVE EXOTIC PLANTS.

MAINTENANCE WILL BE CONDUCTED AND WILL USE APPROPRIATE METHODS OF CONTROL WHICH INCLUDE BUT ARE NOT LIMITED TO CUTTING, MOWING, CHEMICAL TREATMENT, HAND REMOVAL, OR ANY COMBINATION THEREOF.

REGARDING THE FLORATAM GRASS FOUND ON THE BUFFER AREA, THIS GRASS WILL ACT ONLY AS A TEMPORARY STABILIZER. THEREFORE, ANY FLORATAM GRASS REMAINING ON THE PROTECTIVE BUFFERS SHALL BE REMOVED WITHIN 5 YEARS OF PERMIT ISSUANCE. ADDITIONALLY, IF THE FLORATAM GRASS ENCROACHES INTO THE ADJACENT PRESERVE, IT SHALL BE REMOVED IMMEDIATELY.

MONITORING WILL BE CONDUCTED ANNUALLY AND WILL INCLUDE VISUAL DETERMINATION OF EXOTIC COVERAGE, INSPECTIONS OF SOILS TO VERIFY NO CHANGE OR ALTERATION AND PHOTOGRAPHS OF WETLAND AREAS INCLUDING SOILS, VEGETATION AND WILDLIFE UTILIZATION.

A MINIMUM OF 80 PERCENT SURVIVORSHIP OF INSTALLED PLANT MATERIAL IS REQUIRED FOR THE DURATION OF THE MONITORING PHASE. ALL PLANTINGS SHALL MAINTAIN AN 80% SURVIVAL RATE FOR A MINIMUM OF FIVE (5) YEARS. IF AT ANY TIME DURING THE (5) YEAR MONITORING PERIOD, 80% SURVIVORSHIP IS NOT BEING MET OR MAINTAINED, THE PERMITTEE SHALL CONDUCT SUPPLEMENTAL PLANTING USING THE APPROVED PLANT SPECIES LISTS TO ACHIEVE THE MINIMUM 80% SURVIVORSHIP RATE. ONLY THOSE PLANTS EXHIBITING A HEALTHY, NON-CHLOROTIC, VIGOROUS CONDITION SHALL BE COUNTED TOWARD SURVIVAL. PLANTING QUANTITIES CAN BE FOUND IN TABLE ATTACHED- "CITY OF DORAL - DORAL GLADES PARK PLANTING QUANTITIES CLIV20130001 AND CLIV20160107"

2/13/2017 Doral Glades Park Monitoring Sch	edule			
CLIV 20160107	7			
PROJECT ACTIVITY	DUE DATE			
Construction Complete/Baseline Report	January 1, 2020			
Semiannual Monitoring Report	June 1st, 2020			
Submit First Annual Monitoring Report	January 1, 2021			
Submit Second Annual Monitoring Report	January 1, 2022			
Submit Third Annual Monitoring Report	January 1, 2023			
Submit Fourth Annual Monitoring Report	January 1, 2024			
Submit Fifth Annual Monitoring Report	January 1, 2025			

City of Doral - Doral Glades Park Planting Quantities CLIV20130001 and CLIV20160107		2/10/2017				
Common Name	Species	SIZE	Quantity for Initial Planting CLIV20130001	Doral Glades Project Replacement Quantity	Quantity for Enhancment CLIV 20160107	Total Onsite Planting for Survivorship (Buffer, Ridge Wetland)
Green Buttonwood	Conocarpus erectus	25 gal	0	0	10	
Bald Cypress	Taxodium distichum	25 gal	0	0	10	1
Wax Myrtle	Myrica cerifera	25 gal	0	0	5	
Pond apple	Annona glabra	25 gal	0			
Cocoplum	Chrysobalanus icaco	25 ga!	0			
Dahoon Holly	ilex cassine	25 gal	0			
Dahoon Holly	ilex cassine	7 gal	10	5		10
Paurotis Palm	Acoelorrhaphae wrightii	7 gal	10	5		
Live Oak	Quercus virginiana	7 gal	10	3	0	
Orange Geiger	Cordia sebestena	7 gal	10	5		
Mahogany	Swietenia mahogoni	7 gal	10	3		
Pond apple	Annona glabra	7 gai	12	. 0		
Green Buttonwood	Conocarpus erectus	7 gai	15		0	
Silver Buttonwood	Conocarpus erectus var sericeus	7 gal	10	5	0	
Wax Myrtle	Myrica cerifera	7 gal	0	0		
Leather fern	Acrostichum danaeifolium	7 gal	0	0		
Red Maple	Acer rubrum	8 gal	0	2	0	
Salt Bush	Baccharis halimifolia	3 gal	0	3		(
Leather fern	Acrostichum danaeifolium	3 gal	10	. 0		10
Cocoplum	Chrysobalanus icaco	3 gal	10	3	0	10
Wax Myrtle	Myrica cerifera	3 gal	10	5	0	10
Wild Coffee	Psychotria nervosa	3 gal	10	5		60
American Beautyberry	Calicarpa americana	3 gai	10	0	25	35
Firebush	Hamella patens	3 gal	10	0	0	10
Simpson Stopper	Myrcianthes fragrans	3 gai	10	3	0	10
Spanish Stopper	Eugenia foetida	3 gal	0	5	0	
Jamaica Caper	Capparis cynophallophora	3 gai	10	0	0	10
Satinleaf	Chrysophyllum oliviforme	3 gal	10	2	0	10
Jamaica Dogwood	Piscidia piscipula	3 gal	10	3	0	10
Alligator Flag	Thalia geniculata	3 gal	0	0	10	10
Muhly Grass	Muhlenbergia capillaris	1 gal	40	25	0	40
Sand Cordgrass	Spartina bakeri	1 gal	40	25	50	90
Fakahatchee Grass	Tripsacyn dactyloides	1 gal	40	25	50	90
Sawgrass	Cladium jamaicense	1 gal	50	25	0	50
Leather fern	Acrostichum danaelfolium	bare root	0	0		5
Duck Potato	Saggitaria spp.	bare root	40	25	5	45
Pickerel Weed	Pontederia cordata	bare root	40	20	0	40
Golden Canna	Canna flaccida	bare root	40	30	0	40
Sawgrass	Cladium jamaicense	bare root	40	20	0	40
Alligator Flag	Thalla geniculata	bare root	40	20	0	4(
Swamp Lily	Crinum americanum	bare root	40	40	0	40
Green Arum	Peltandra virginica	bare root	40	20	0	40
Giant Bulrush	Scirpus californicus	bare root	40	40	O	40

