

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, is entered into this 26th day of June, 1989, between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and SUMANT J. PANDYA and SNEHLATA S. PANDYA (hereinafter referred to as "Developer")

RECITALS

WHEREAS, Developer owns property (hereinafter referred to as the "Property") in Brevard County, Florida as more particularly described in Exhibit A attached hereto and incorporated herein by this reference; and

WHEREAS, Developer desires to develop the property as a professional office, or medical building pursuant to the Brevard County Code, Appendix C-Zoning; and

WHEREAS, as part of its plan for development of the property, Developer wished to mitigate negative impact on abutting land owners and affected facilitates or services; and

WHEREAS, the County is authorized to regulate development of the property;

NOW, THEREFORE, the parties agree as follows:

1. The Developer shall limit the use of the property to the following:

A. Professional offices and/or medical building (medical and dental offices or clinics and attendant uses, such as pharmacy or laboratory).

B. Any laboratory use shall be attendant to medical and dental office use and shall be limited to use only by on-site health care practitioners.

2. Developer shall provide a 25-foot vegetative buffer along the entire North boundary of the property. Buffer to be interrupted by entrance or exit roads only if same are required by Brevard County Traffic Engineering.

3. Vegetative buffer shall incorporate existing mature specimens in buffer area or mature specimens of equivalent size and type.

4. <sup>3</sup> Developer, upon execution of this Agreement, shall pay

4 PAGES <u>4</u>	# NAMES <u>3</u>	REC'D PAYMENT AS
TRUST FUND \$ <u>250</u>	INDICATED FOR CLASS	"C" IN ATTACHABLE & DOC.
REG. FEE \$ <u>17.00</u>	STAMP TAX'S INCLUDING	PENALTY & INTEREST
DOC. ST. \$ _____	<i>[Signature]</i>	
INT. TAX \$ _____	Clerk Circuit Court	
SER. TAX \$ _____	Brevard Co., Florida	
REFUND \$ _____		

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to the County the cost of recording this Agreement in Brevard County, Florida.

5. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject property and be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject property.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST:

[Signature]  
R. C. Winstead, Jr. Clerk

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

By: [Signature]  
Roger W. Dobson, Chairman  
(County)

(Seal)  
STATE OF FLORIDA  
COUNTY OF BREVARD  
This is to certify that the foregoing is a  
true & correct copy of [Signature]  
[Signature] Witness my hand  
and official seal this 17th day of  
July, 1989.  
R. C. WINSTEAD, JR.,  
Clerk - County Court  
BY [Signature] D.C.

[Signature]  
SUMANT J. PANDYA

[Signature]  
SNEHLATA S. PANDYA  
("Developer")

STATE OF FLORIDA  
COUNTY OF BREVARD

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared ROGER W. DOBSON to me well known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid, this 26th day of June 1989.

[Signature]  
Notary Public  
Florida at Large

(Seal)  
CLERIC

My Commission Expires: Notary Public, State of Florida  
My Commission Expires Nov. 6, 1992

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STATE OF FLORIDA  
COUNTY OF BREVARD

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared SUMANT J. PANDYA and SNEHLATA S. PANDYA to me well known to be the person(s) described in and who executed the foregoing instrument and they acknowledge before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid, this 26<sup>th</sup> day of June, 1989.



Notary Public  
Florida at Large

My Commission Expires: Oct 29, 1991

(Seal)



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Lots 1 through 7, together with Lots 11 through 14, together with a portion of vacated Merritt Circle, all as shown on the "Plat of SUNNYSIDE TERRACE", according to the Plat thereof recorded in Plat Book 11 at page 41 of the public records of Brevard County, Florida, the same being more particularly described as follows:

Begin at the Southeast corner of said Lot 11; thence run S 80-29-26 W, along the South line of Lots 11, 12 and 13; for 188.66 feet; thence continue along the South line of LOT 13 and 14 bearing N 89-59-27 W, for 145.31 feet to the Southwest corner of said Lot 14; thence run N 06-50-08 W, along the west line of Lot 14 for 100.00 feet to the Northwest corner of said Lot 14; thence run N 41-36-43 E, for 26.71 feet to a point on the center line of said Merritt Circle; thence run N 06-50-08 W along said centerline for 287.16 feet to a point on the south right of way line of Merritt Avenue; thence run S 89-58-49 E, along said South right of way line for 178.88 feet to the point of curvature of a circular curve to the right; thence run Southeasterly along the arc of said curve having a radius of 25.00 feet through a central angle of 66-04-53 for an arc distance of 28.83 feet to a point of tangency on the Westerly right of way line of North Tropical Trail thence run S 23-48-55 E, along said Westerly right of way line for 391.33 feet to the point of beginning, said parcel contains 2.391 acres more or less.

EXHIBIT "A"

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