



CFN:99124620

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Existing BDP
22Z00052
KanesPrepared by: Robertson and AssociatesAddress: 100 Parnell Street, Merritt Island, FL 32953**Sandy Crawford**

Clerk Of Courts, Brevard County

#Pgs: 4

#Names: 2

Trust: 2.50

Rec: 17.00

Serv: 0.00

Deed: 0.00

Excise: 0.00

Mtg: 0.00

Int Tax: 0.00

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this 18th day of June, 1999, between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and Kane Furniture Corporation, a Florida corporation (hereinafter referred to as "Developer/Owner").

RECITALS

WHEREAS, Developer/Owner 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/Owner desires to develop the property as commercial and pursuant to the Brevard County code, Section 62-1157 and

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

WHEREAS, THE County is authorized to regulate development of the property.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.
2. Developer/Owner will construct no buildings or parking on the southwest portion of the property described as lots 24 through 27 and 41 through 44 in June Park Addition #4 as recorded in Plat Book 4, Page 73, Public records of Brevard County. Only support

facilities, such as stormwater retention and septic drainfields, will be constructed in this area.

3. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's Owner's agreement to meet additional standards or restrictions in developing the property. This agreement provides no vested rights against changes to the comprehensive plan or land development regulations as they may apply to this property.
4. Developer/Owner, upon execution of this Agreement, shall pay 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 unless or until rezoned 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 WHEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.



Sandy Crayford, Clerk
(SEAL)

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA
2725 Judge Fran Jamieson Way
Viera, FL 32940

Chairman
As approved by the Board on 5/20/99

STATE OF FLORIDA §
COUNTY OF BREVARD §

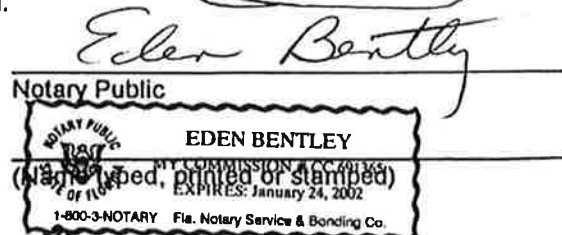
The foregoing instrument was acknowledged before me this 16th day of June, 1999, by Tilmon Scarborough, Chairman of the Board of County Commissioners of Brevard County, Florida, who is personally known to me or who has produced _____ as identification.

My commission expires

SEAL
Commission No.:



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WITNESSES:

OWNER

Kane Furniture Corporation

(Address): 5700 70th Avenue North
Pinellas Park, FL 33781

Lisa M. Falcon
Lisa M. Falcon
(Witness Name typed or printed)

Gretchen L. Georgia
Gretchen L. Georgia
(Witness Name typed or printed)

Irwin M. Novack
President
Irwin M. Novack
(Name typed, printed or stamped)

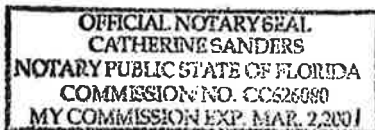
STATE OF Florida §

COUNTY OF Pinellas §

The foregoing instrument was acknowledged before me this 28th day of May, 1999, by Irwin Novack, President of Kane Furniture Corporation, who is personally known to me or who has produced _____ as identification.

My commission expires 3/2/01
SEAL
Commission No.:

Catherine Sanders
Notary Public
Catherine Sanders
(Name typed, printed or stamped)



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EXHIBIT A

LEGAL DESCRIPTION FOR KANE FURNITURE CORPORATION

June Park Addition #4 as recorded in Plat Book 4, Page 73, of the Public Records of Brevard County, Florida, and being described as Lots 18-27 and 35-44 in Block A, including vacated right-of-way, and the south 315 feet of the North 575 feet of Tax Parcel 751, included vacated right-of-way, all lying in Section 1, Township 28 South, Range 36 East, consisting of approximately 4 acres.



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