

PREPARED BY/RETURN TO:

Scott B. Cantor, P.E., Director  
Engineering & Public Works Department  
Land Development Division  
P O Box 21229  
West Palm Beach, FL 33416-1229

**OWNER'S AFFIDAVIT AND COVENANT**

ss:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR PLAT WAIVER:**

The undersigned, being first duly sworn, deposes and says that:

1. We are the owners of the real property described in:

\_\_\_\_\_ the deed recorded in Official Records Book \_\_\_\_\_, Pages \_\_\_\_\_, hereinafter called the "Property." [\*OR\*]

\_\_\_\_\_ Exhibit A, attached hereto and made a part hereof, hereinafter called the "Property."

2. This Affidavit and Covenant is part of an application for plat waiver for the Property (hereafter, "application") made pursuant to the requirements of the Subdivision, Platting and Required Improvements Regulations, Article 11, Palm Beach County Land Development Code (hereafter, "the Regulations").

3. We will furnish the County Engineer of Palm Beach County, Florida with any and all additional information requested by him for his consideration of the application.

4. We understand and agree that an action of the County Engineer of Palm Beach County, Florida approving the application shall not be effective until an Affidavit of Waiver has been recorded in the Public Records, and that such Affidavit shall not be recorded until we have complied with certain prerequisites, particularly the recordation of any required documents and our execution of the Affidavit.

5. We hereby agree and consent to the recording of this Owner's Affidavit and Covenant concurrently with an Affidavit of Waiver in the event of approval of the application.

**COVENANT:**

The undersigned, as the makers of the foregoing Affidavit in Support of Application for Plat Waiver and owners of the Property described therein, hereby covenant for ourselves, our successors and assigns, that upon recordation of an Affidavit of Waiver for the Property above-described, the Property shall be subject to, and we and all future owners shall be bound by, the following restrictions:

1. The subdivision and future transfer of ownership of the Property will be in accordance with recorded Affidavit of Waiver and Certified Survey attached thereto (collectively the "recorded Affidavit").

2. Any and all conditions set forth in the recorded Affidavit shall become a covenant running with the land and such desire and intent shall be further evidenced by our signatures on the Affidavit.

3. In all instruments to be recorded in the Public Records affecting the Property, the descriptions of all or any portion of the Property shall be in accordance with the recorded Affidavit and no portion of the Property shall be sold which does not conform to the lot identification(s) set forth in the recorded Affidavit.

4. A copy of the recorded Affidavit shall be given to each purchaser, lender and other parties having or to have an interest in any portion of the Property.

IN WITNESS WHEREOF, we have executed this Owner's Affidavit and Covenant this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

WITNESSES:

OWNERS:

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Witness Printed Name

\_\_\_\_\_  
Owner Printed Name

\_\_\_\_\_  
Witness Address

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Witness Printed Name

\_\_\_\_\_  
Owner Printed Name

\_\_\_\_\_  
Witness Address

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_ and \_\_\_\_\_, who are  personally known to me or who have produced \_\_\_\_\_ as identification.

Signed \_\_\_\_\_  
Notary Public in and for the County and State aforementioned

\_\_\_\_\_  
Typed or printed name of Notary Public

My commission expires: