## Attachment 12: Sample Subordination of Encumbrance to Declaration of Restrictive Covenant

**SUBORDINATION OF {{TYPE OF ENCUMBRANCE, E.G., EASEMENT}} TO**

**DECLARATION OF RESTRICTIVE COVENANT**

*{{If Subordination of Encumbrance is used, attach it to the Declaration of RC and change the title to read “Declaration of Restrictive Covenant and Subordination of {{type of encumbrance}} to Declaration of Restrictive Covenant”}}*

*{{ENCUMBRANCE HOLDER}}*, as the holder of the following described instrument:

{{NAME OF ENCUMBRANCE INSTRUMENT}} by and between {{INSERT PARTY NAMES}} dated {{INSERT DATE}} andrecorded *{{DATE RECORDED}}*, in Official Records Book *{{BOOK NUMBER}}*, at page *{{NUMBER}}*, in the Public Records of *{{COUNTY}}* County, Florida,

the “encumbrance”, hereby subordinates its encumbrance to the foregoing *{{If attached to covenant and to be recorded with covenant}}* Declaration of Restrictive Covenant by and between *{{PROPERTY OWNER}}* and the Florida Department of Environmental Protection {{*OR if RC was previously recorded, insert:* dated INSERT DATE and recorded *{{DATE RECORDED}}*, in Official Records Book *{{BOOK NUMBER}}*, at page *{{NUMBER}}*, in the Public Records of *{{COUNTY}}* County, Florida}}.

.

 IN WITNESS WHEREOF, the undersigned has executed and delivered this Subordination of {{NAME OF ENCUMBRANCE INSTRUMENT}} to the Declaration of Restrictive Covenant this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_.

*{{ENCUMBRANCE HOLDER, STATE OF INCORPORATION}}*

WITNESSES:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (CORPORATE SEAL, IF ANY)

Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

STATE OF FLORIDA

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

 The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_ by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of *{{ENCUMBRANCE HOLDER}}*, {{if a corporation include a *{{STATE}**}* corporation *on behalf of the corporation}*}, who is personally known to me or who produced \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as identification.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public, State of *{{STATE}}*

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Printed Notary Name

 Commission No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

My Commission Expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_