## 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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

The foregoing instrument was acknowledged before me by means of [ ]  physical presence or [ ]  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_,

by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ OR by\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Personally known\_\_\_\_\_\_\_\_ OR Produced Identification \_\_\_\_\_\_\_\_\_\_.

Type of Identification Produced \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

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

 Signature of Notary Public

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

 Printed Name Notary Public

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

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