

# EXHIBIT "4"

## State of Florida

DEPARTMENT OF STATE • DIVISION OF CORPORATIONS

I certify that the following is a true and correct copy of Articles of Incorporation of NOVA VILLAGE HOMEOWNERS' ASSOCIATION, INC., a corporation not for profit organized under the Laws of the State of Florida, filed on May 18, 1978, as shown by the records of this office.

The charter number for this corporation is 742918.

GIVEN under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the 19th day of May, 1978.

*Gene A. Smathers*  
SECRETARY OF STATE



FILE 8046 PAGE 607

CONSENT AND JOINDER

The undersigned, being the owner and holder of a Mortgage dated October 19, 1978, filed October 23, 1978, under Clerk's File No. 78-275043 of the Public Records of Broward County, Florida and a Mortgage dated January 30, 1979, filed February 2, 1979, under Clerk's File No. 79-036480 of the Public Records of Broward County, Florida, does, by these presents, consent to and join in the foregoing Declaration of Covenants and Restrictions to which this Consent and Joinder is attached.

IN WITNESS WHEREOF, the undersigned has caused this Consent and Joinder to be executed this 1st day of February, 1979.

WITNESSES:

Edward A. Kalish  
Stephen S. Shuman

INTERCONTINENTAL BANK, a  
Florida banking corporation

BY:

Joseph Zambruski  
Vice President

STATE OF FLORIDA )  
                          ) SS:  
COUNTY OF DADE )

The foregoing Consent and Joinder was acknowledged before me this 1st day of February, 1979, by JOSEPH ZAMBRUSKI, as Vice President of Intercontinental Bank, a Florida banking corporation, on behalf of the said corporation.

My Commission Expires:  
April 22, 1981

Edward A. Kalish  
Notary Public, State of  
Florida at Large

OFF 8046 mg590

CONSENT AND JOINDER

The undersigned, being the owner and holder of a Mortgage dated November 20, 1978, filed November 22, 1978, under Clerk's File No. 78-307045 of the Public Records of Broward County, Florida, does, by these presents, consent to and join in the foregoing Declaration of Covenants and Restrictions to which this Consent and Joinder is attached.

IN WITNESS WHEREOF, the undersigned has caused this Consent and Joinder to be executed this 12th day of February, 1979.

WITNESSES:

FLORIDA NATIONAL BANK OF MIAMI, a National Banking Association

[Handwritten Signature]  
[Handwritten Signature]

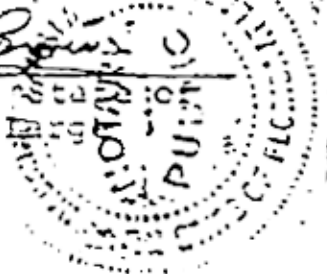
By: [Handwritten Signature]  
Roger R. Mourant, Senior Vice President

STATE OF FLORIDA )  
                          ) SS:  
COUNTY OF DADE )

The foregoing Consent and Joinder was acknowledged before me this 12th day of February, 1979, by Roger R. Mourant \_\_\_\_\_ as Sr. Vice President of Florida National Bank of Miami, a National Banking Association, on behalf of the said association.

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES MAR 31 1982  
BONDED THROUGH GENERAL INS. UNDERWRITERS

[Handwritten Signature]  
Notary Public, State of Florida at [Handwritten Location]  


REF 8046 MAR591

EXHIBIT "A"

A portion of Tracts 2, 3 and 4, Tier 49 and a portion of Tracts 2, 3 and 4, Tier 47, according to the Plat of Newman's Survey, as recorded in Plat Book 2 at Page 26, of the Public Records of Dade County, Florida in Sections 15 and 22, Township 50 South, Range 41 East, more particularly described as follows:

Commencing at the Northwest corner of Tract 1, Tier 49 of said Newman's Survey in Section 15, Township 50 South, Range 41 East, thence Southwesterly along the West line of Tier 49, 1200.50 feet to the Point of Beginning; thence continuing Southwesterly along the West line of said Tier 49, 1750.40 feet to the North Right-of Way line of Nova Drive; thence Southeasterly along the North Right-of-Way line of Nova Drive, 700.00 feet; thence Northeasterly, parallel to the West line of Tier 49, 1750.305 feet; thence Northwesterly 700.00 feet to the Point of Beginning. Said lands lying and being situate in Broward County, Florida.

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REC 601

# EXHIBIT "B"

## DESCRIPTION OF INTERIOR ROADS AND LAKES AND RECREATIONAL PARCEL

A PORTION OF TRACTS 2, 3 AND 4, TIER 49, AND TRACTS 2, 3 AND 4, TIER 47, JOHN W. NEWMAN'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT 4, TIER 49; THENCE NORTH  $09^{\circ} 59' 41''$  EAST ALONG THE WEST BOUNDARY OF SAID TRACT 4, TIER 49, A DISTANCE OF 55.00 FEET; THENCE SOUTH  $80^{\circ} 00' 00''$  EAST ALONG A LINE PARALLEL WITH AND 55.00 FEET NORTH OF THE SOUTH BOUNDARY OF SAID TRACT 4, TIER 49, A DISTANCE OF 310.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH  $10^{\circ} 00' 00''$  EAST, 103.00 FEET; THENCE NORTH  $80^{\circ} 00' 00''$  WEST, 184.01 FEET; THENCE WESTERLY, NORTHERLY, EASTERLY AND SOUTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 40.00 FEET, A DELTA OF  $263^{\circ} 49' 04''$ , AN ARC DISTANCE OF 184.18 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 25.00 FEET, A DELTA OF  $36^{\circ} 39' 41''$ , AN ARC DISTANCE OF 16.00 FEET; THENCE SOUTH  $80^{\circ} 00' 00''$  EAST, 147.71 FEET; THENCE NORTH  $09^{\circ} 59' 41''$  EAST, 71.90 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS NORTH  $43^{\circ} 03' 01''$  EAST); THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 55.00 FEET, A DELTA OF  $18^{\circ} 47' 45''$ , AN ARC DISTANCE OF 18.04 FEET; THENCE TANGENT TO SAID CURVE NORTH  $29^{\circ} 09' 14''$  WEST, 58.13 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 218.00 FEET, A DELTA OF  $25^{\circ} 11' 33''$ , AN ARC DISTANCE OF 107.27 FEET; THENCE NORTH  $81^{\circ} 31' 14''$  WEST, 50.36 FEET; THENCE SOUTH  $08^{\circ} 28' 46''$  WEST, 46.00 FEET; THENCE NORTH  $81^{\circ} 31' 14''$  WEST, 64.00 FEET; THENCE NORTH  $08^{\circ} 28' 46''$  EAST, 156.00 FEET; THENCE SOUTH  $81^{\circ} 31' 14''$  EAST, 64.00 FEET; THENCE SOUTH  $08^{\circ} 28' 46''$  WEST, 46.00 FEET; THENCE SOUTH  $81^{\circ} 31' 14''$  EAST, 50.36 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS SOUTH  $73^{\circ} 04' 47''$  EAST); THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 218.00 FEET, A DELTA OF  $20^{\circ} 55' 33''$ , AN ARC DISTANCE OF 79.62 FEET; THENCE TANGENT TO SAID CURVE NORTH  $37^{\circ} 50' 40''$  EAST, 82.00 FEET; THENCE NORTH  $52^{\circ} 09' 14''$  WEST, 86.52 FEET; THENCE NORTH  $31^{\circ} 11' 04''$  WEST, 60.57 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS SOUTH  $11^{\circ} 39' 33''$  WEST); THENCE WESTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE SOUTH, HAVING A RADIUS OF 25.00 FEET, A DELTA OF  $09^{\circ} 12' 45''$ , AN ARC DISTANCE OF 4.02 FEET TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY, NORTHERLY, EASTERLY AND SOUTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 40.00 FEET, A DELTA OF  $292^{\circ} 44' 15''$ , AN ARC DISTANCE OF 204.37 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 25.00 FEET, A DELTA OF  $56^{\circ} 22' 07''$ ,

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AN ARC DISTANCE OF 24.60 FEET; THENCE TANGENT TO SAID CURVE SOUTH 31° 11' 04" EAST, 36.64 FEET; THENCE SOUTH 52° 09' 14" EAST, 80.96 FEET; THENCE NORTH 37° 50' 46" EAST, 14.00 FEET; THENCE EASTERLY ALONG THE ARC OF A TANGENT CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 75.00 FEET, A DELTA OF 93° 00' 40", AN ARC DISTANCE OF 115.21 FEET; THENCE ALONG A RADIALLY EXTENDED LINE NORTH 35° 51' 25" EAST, 108.95 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 145.00 FEET, A DELTA OF 05° 40' 54", AN ARC DISTANCE OF 14.38 FEET; THENCE ALONG A RADIAL LINE NORTH 59° 49' 29" WEST, 50.00 FEET; THENCE NORTH 08° 31' 31" EAST, 70.10 FEET; THENCE NORTH 13° 07' 29" WEST, 100.00 FEET; THENCE NORTH 76° 52' 31" EAST, 50.00 FEET; THENCE NORTH 13° 07' 29" WEST, 23.95 FEET TO A POINT ON THE ARC OF A RADIALLY TANGENT CURVE; THENCE WESTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE NORTH, HAVING A RADIUS OF 75.00 FEET, A DELTA OF 69° 48' 03", AN ARC DISTANCE OF 91.37 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 360.00 FEET, A DELTA OF 10° 07' 41", AN ARC DISTANCE OF 63.64 FEET; THENCE SOUTH 68° 33' 19" WEST, 68.75 FEET; THENCE SOUTH 53° 53' 38" WEST, 30.40 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25.00 FEET, A DELTA OF 56° 22' 07", AN ARC DISTANCE OF 24.60 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY, WESTERLY, NORTHERLY AND EASTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 40.00 FEET, A DELTA OF 292° 44' 15", AN ARC DISTANCE OF 204.37 FEET TO A POINT OF REVERSE CURVATURE; THENCE EASTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 25.00 FEET, A DELTA OF 02° 12' 45", AN ARC DISTANCE OF 4.02 FEET; THENCE NORTH 53° 53' 38" EAST, 52.59 FEET; THENCE NORTH 68° 33' 19" EAST, 72.95 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS NORTH 71° 34' 50" EAST); THENCE NORTHERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 360.00 FEET, A DELTA OF 24° 27' 57", AN ARC DISTANCE OF 153.72 FEET; THENCE NORTH 78° 51' 14" WEST, 54.95 FEET; THENCE SOUTH 11° 08' 46" WEST, 46.00 FEET; THENCE NORTH 78° 51' 14" WEST, 64.00 FEET; THENCE NORTH 11° 08' 46" EAST, 156.00 FEET; THENCE SOUTH 78° 51' 14" EAST, 64.00 FEET; THENCE SOUTH 11° 08' 46" WEST, 46.00 FEET; THENCE SOUTH 78° 51' 14" EAST, 54.95 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS SOUTH 73° 45' 15" EAST); THENCE NORTHERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 360.00 FEET, A DELTA OF 04° 25' 49", AN ARC DISTANCE OF 27.84 FEET; THENCE TANGENT TO SAID CURVE NORTH 20° 40' 34" EAST, 127.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 79.25 FEET, A DELTA OF 05° 29' 58", AN ARC DISTANCE OF 7.61 FEET; THENCE NORTH 33° 52' 36" WEST, 94.46 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25.00 FEET, A DELTA OF 56° 22' 07", AN ARC DISTANCE OF 24.60 FEET TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY, NORTHERLY, EASTERLY AND SOUTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 40.00 FEET, A DELTA OF 292° 44' 15", AN

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DISTANCE OF 204.37 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 25.00 FEET, A DELTA OF  $09^{\circ} 12' 45''$ , AN ARC DISTANCE OF 4.02 FEET; THENCE SOUTH  $33^{\circ} 52' 30''$  EAST, 102.79 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS SOUTH  $40^{\circ} 48' 19''$  WEST); THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 79.25 FEET, A DELTA OF  $36^{\circ} 46' 38''$ , AN ARC DISTANCE OF 50.87 FEET; THENCE ALONG A RADIALLY EXTENDED LINE NORTH  $04^{\circ} 01' 42''$  WEST, 103.39 FEET; THENCE SOUTH  $82^{\circ} 14' 47''$  EAST, 184.02 FEET; THENCE SOUTH  $47^{\circ} 06' 45''$  WEST, 143.69 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS SOUTH  $28^{\circ} 03''$  WEST); THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 195.04 FEET, A DELTA OF  $24^{\circ} 49' 16''$ , AN ARC DISTANCE OF 84.49 FEET; THENCE NORTH  $56^{\circ} 04' 19''$  WEST, 116.47 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 25.00 FEET, A DELTA OF  $56^{\circ} 22' 07''$ , AN ARC DISTANCE OF 24.60 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHERLY, EASTERLY, SOUTHERLY AND WESTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 40.00 FEET, A DELTA OF  $292^{\circ} 44' 15''$ , AN ARC DISTANCE OF 204.37 FEET TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 25.00 FEET, A DELTA OF  $09^{\circ} 12' 45''$ , AN ARC DISTANCE OF 4.02 FEET; THENCE SOUTH  $56^{\circ} 04' 19''$  WEST, 135.42 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS SOUTH  $61^{\circ} 39' 44''$  WEST); THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 195.04 FEET, A DELTA OF  $17^{\circ} 00' 00''$ , AN ARC DISTANCE OF 57.92 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 360.00 FEET, A DELTA OF  $15^{\circ} 47' 19''$ , AN ARC DISTANCE OF 99.20 FEET; THENCE SOUTH  $80^{\circ} 00' 19''$  EAST, 41.78 FEET; THENCE NORTH  $09^{\circ} 59' 41''$  WEST, 46.00 FEET; THENCE SOUTH  $80^{\circ} 00' 19''$  EAST, 100.00 FEET; THENCE SOUTH  $09^{\circ} 59' 41''$  WEST, 156.00 FEET; THENCE NORTH  $80^{\circ} 00' 19''$  WEST, 64.00 FEET; THENCE NORTH  $09^{\circ} 59' 41''$  EAST, 45.00 FEET; THENCE NORTH  $80^{\circ} 00' 19''$  WEST, 41.30 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS NORTH  $75^{\circ} 20' 08''$  WEST); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 360.00 FEET, A DELTA OF  $24^{\circ} 39' 46''$ , AN ARC DISTANCE OF 4.96 FEET; THENCE SOUTH  $47^{\circ} 38' 51''$  EAST, 30.01 FEET; THENCE SOUTH  $32^{\circ} 37' 29''$  EAST, 93.16 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS NORTH  $10^{\circ} 13' 08''$  EAST); THENCE EASTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE NORTH, HAVING A RADIUS OF 25.00 FEET, A DELTA OF  $09^{\circ} 12' 45''$ , AN ARC DISTANCE OF 4.02 FEET TO A POINT OF REVERSE CURVATURE; THENCE EASTERLY, SOUTHERLY, WESTERLY AND NORTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 40.00 FEET, A DELTA OF  $292^{\circ} 44' 15''$ , AN ARC DISTANCE OF 204.37 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 25.00 FEET, A DELTA OF  $56^{\circ} 22' 07''$ , AN ARC DISTANCE OF 24.60 FEET; THENCE TANGENT TO SAID CURVE NORTH  $32^{\circ} 37' 29''$  WEST, 70.87 FEET; THENCE

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NORTH 47° 38' 51" WEST, 25.72 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS NORTH 45° 53' 47" WEST); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 360.00 FEET, A DELTA OF 09° 29' 30", AN ARC DISTANCE OF 59.65 FEET; THENCE SOUTH 13° 07' 29" EAST, 130.21 FEET; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 175.00 FEET, A DELTA OF 48° 58' 54", AN ARC DISTANCE OF 149.51 FEET; THENCE TANGENT TO SAID CURVE SOUTH 35° 51' 25" WEST, 115.21 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS SOUTH 59° 26' 06" WEST); THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 75.00 FEET, A DELTA OF 11° 24' 39", AN ARC DISTANCE OF 14.94 FEET; THENCE TANGENT TO SAID CURVE SOUTH 19° 09' 14" EAST, 37.00 FEET; THENCE NORTH 70° 50' 46" EAST, 55.06 FEET; THENCE NORTH 50° 50' 46" EAST, 62.94 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 25.00 FEET, A DELTA OF 56° 22' 07", AN ARC DISTANCE OF 24.60 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHERLY, EASTERLY, SOUTHERLY AND WESTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 40.00 FEET, A DELTA OF 292° 44' 15", AN ARC DISTANCE OF 204.37 FEET TO A POINT OF REVERSE CURVATURE; THENCE WESTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 25.00 FEET, A DELTA OF 09° 12' 45", AN ARC DISTANCE OF 4.02 FEET; THENCE SOUTH 50° 50' 46" WEST, 86.56 FEET; THENCE SOUTH 70° 50' 46" WEST, 60.35 FEET; THENCE SOUTH 19° 09' 14" EAST, 52.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 218.00 FEET, A DELTA OF 23° 40' 37", AN ARC DISTANCE OF 90.09 FEET; THENCE SOUTH 80° 00' 19" EAST, 50.92 FEET; THENCE NORTH 09° 59' 41" EAST, 46.00 FEET; THENCE SOUTH 80° 00' 19" EAST, 61.00 FEET; THENCE SOUTH 09° 59' 41" WEST, 156.00 FEET; THENCE NORTH 80° 00' 19" WEST, 64.00 FEET; THENCE NORTH 09° 59' 41" EAST, 46.00 FEET; THENCE NORTH 80° 00' 19" WEST, 54.25 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS NORTH 68° 34' 20" WEST); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 218.00 FEET, A DELTA OF 25° 25' 06", AN ARC DISTANCE OF 96.71 FEET; THENCE TANGENT TO SAID CURVE SOUTH 46° 50' 46" WEST, 105.88 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 55.00 FEET, A DELTA OF 20° 05' 35", AN ARC DISTANCE OF 19.29 FEET; THENCE SOUTH 09° 59' 41" WEST, 70.91 FEET; THENCE SOUTH 80° 00' 00" EAST, 147.71 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE (RADIAL LINE THRU SAID POINT BEARS NORTH 37° 09' 23" WEST); THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 25.00 FEET, A DELTA OF 36° 39' 41", AN ARC DISTANCE OF 16.00 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHERLY, EASTERLY, SOUTHERLY AND WESTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 40.00 FEET, A DELTA OF 263° 49' 04", AN ARC DISTANCE OF 184.18 FEET; THENCE TANGENT TO SAID



CURVE NORTH 60° 00' 00" WEST, 194.00 FEET; THENCE SOUTH 09° 59' 41" WEST, 96.00 FEET; THENCE NORTH 80° 00' 00" WEST, 80.00 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE SOUTHWEST CORNER OF AFORESAID TRACT 4, TIER 49; THENCE NORTH 09° 59' 41" EAST, ALONG THE WEST BOUNDARY OF SAID TRACT 4, TIER 49, A DISTANCE OF 367.70 FEET; THENCE SOUTH 80° 00' 19" EAST, 269.73 FEET TO THE POINT OF BEGINNING (SAID POINT BEING ON THE ARC OF A NON-TANGENT CURVE, RADIAL LINE THRU SAID POINT BEARS NORTH 61° 50' 46" EAST); THENCE NORTHERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE EAST AND HAVING A RADIUS OF 188.00 FEET, A DELTA OF 66° 00' 00", AN ARC DISTANCE OF 216.56 FEET; THENCE TANGENT TO SAID CURVE, NORTH 37° 50' 46" EAST, 125.00 FEET; THENCE EASTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 45.00 FEET, A DELTA OF 123° 00' 00", AN ARC DISTANCE OF 96.61 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 19° 09' 14" EAST, 119.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 188.00 FEET, A DELTA OF 66° 00' 00", AN ARC DISTANCE OF 216.56 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 46° 50' 46" WEST, 103.66 FEET; THENCE WESTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 25.00 FEET, A DELTA OF 105° 00' 00", AN ARC DISTANCE OF 45.82 FEET; THENCE TANGENT TO SAID CURVE, NORTH 28° 09' 14" WEST, 98.13 FEET TO THE POINT OF BEGINNING;

ALSO LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE SOUTHWEST CORNER OF AFORESAID TRACT 4, TIER 49; THENCE NORTH 09° 59' 41" EAST, ALONG THE WEST BOUNDARY OF SAID TRACT 4 AND ITS NORTHERLY EXTENSION THEREOF, 1512.20 FEET; THENCE SOUTH 80° 00' 19" EAST, 261.61 FEET TO THE POINT OF BEGINNING; (SAID POINT BEING ON THE ARC OF A NON-TANGENT CURVE, RADIAL LINE THRU SAID POINT BEARS SOUTH 69° 19' 26" EAST); THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 49.24 FEET, A DELTA OF 83° 00' 00", AN ARC DISTANCE OF 71.34 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 165.04 FEET, A DELTA OF 65° 00' 00", AN ARC DISTANCE OF 107.23 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 330.00 FEET, A DELTA OF 65° 00' 00", AN ARC DISTANCE OF 374.37 FEET TO A POINT OF COMPOUND CURVATURE; THENCE WESTERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 45.00 FEET, A DELTA OF 93° 00' 00", AN ARC DISTANCE OF 73.04 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHERLY ALONG THE ARC OF A TANGENT CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 330.00 FEET, A DELTA OF 54° 00' 00", AN ARC DISTANCE OF 311.02 FEET; THENCE TANGENT TO SAID CURVE, NORTH 20° 40' 34" EAST, 127.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS ALL LYING IN THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA.

This Easement made and entered into this 30th day of January, 1979, by and between Nova Village, Inc., a Florida corporation, whose address is 7401 Nova Drive, Davie, Florida 33328 (the "Grantor"), Nova Village Homeowners' Association, Inc., a Florida non-profit corporation, Intercontinental Bank, a Florida banking corporation ("Intercontinental") and Florida National Bank of Miami, a National Banking Association ("Florida").

Grantor is lawfully seized in fee simple and is in possession of the real property lying and being situate in Broward County, Florida, being more particularly described on Exhibits "A" and "B", attached hereto and made a part hereof; and

Intercontinental is the owner and holder of those certain mortgages encumbering the real property described on Exhibits "A" and "B", which mortgages are dated October 19, 1978 and January 30, 1979, filed October 23, 1978 and February 2, 1979, under Clerk's File Nos. 78-275043 and 79-036480, respectively, of the Public Records of Broward County, Florida; and

Florida is the owner and holder of that certain mortgage encumbering a portion of the real property described on Exhibit "A", which mortgage is dated November 20, 1978, filed November 22, 1978 under Clerk's File No. 78-307045 of the Public Records of Broward County, Florida.

Now, Therefore, in consideration of the covenants hereinafter contained, the parties hereto agree as follows:

1. Grantor does hereby grant and declare a non-exclusive easement, license, and privilege for the installation and maintenance of public utilities (including, but not necessarily limited to, for electricity, water, sewerage, telephone, gas, CATV and drainage), and of ingress and egress for pedestrian and vehicular traffic, over, under, through, across and upon the real property described on Exhibit "B" unto the Grantor and all subsequent owners of any portion of the real property described on Exhibit "A", as they may exist from time to time, including but not limited to their respective mortgagees, pledgees, heirs, personal representatives, successors, guests, lessees, invitees, employees, servants and assigns and all others likely situated and their respective mortgagees, pledgees, heirs, personal representatives, successors, guests, lessees, invitees, employees, servants and assigns. The real property described on Exhibit "B" lies wholly within the real property described on Exhibit "A", and, therefore, this Easement is granted for the use and benefit of the real property described on Exhibit "A", and is, therefore, appurtenant thereto.

2. The easements herein granted shall be perpetual and shall be construed and considered to be covenants running with the land and the parties hereto covenant, warrant, promise and agree never to construct, erect or reconstruct any fence, barrier, wall, structure, impediment or any other object which would or could constitute an impediment to the free use of the real property described on Exhibit "B" for the purposes herein expressed.

3. It is understood that the non-exclusive easement, license and privilege granted herein is given upon the express understanding and condition that it may be used by Grantor, its mortgagees, pledges, heirs, personal representatives, successors, guests, lessees, invitees, employees, servants and assigns, and all others likely situated and their respective mortgagees, pledgees, heirs, personal representatives, successors, guests, lessees, invitees, employees, servants and assigns.

4. It is further understood and agreed that Nova Village Homeowners' Association, Inc., a Florida non-profit corporation, its successors and assigns, shall be responsible for the maintenance and repair of the roadway constructed by Grantor upon the real property described on Exhibit "B" and Grantor, its mortgagees, pledgees, personal representatives, successors, guests, lessees, invitees, employees, servants and assigns shall not and does not assume any liability,

obligation, or responsibility to any person, firm or corporation using the real property described on Exhibit "B" or any improvements constructed or placed thereupon by, or under the supervision and control of, Grantor.

5. This Easement shall not be modified, extinguished, or amended except by a written modification or amendment executed by the parties hereto or their successors in interest, and recorded amongst the Public Records of Broward County, Florida.

6. This Easement shall be binding upon and inure to the benefit of the personal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals to this Easement on the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

NOVA VILLAGE, INC.,  
a Florida corporation.

Edward A. Kalish

By: Wallace R. Brady  
Wallace R. Brady, President

Phyllis Sturman

NOVA VILLAGE HOMEOWNERS'  
ASSOCIATION, INC., a Florida  
non-profit corporation

Edward A. Kalish

By: Wallace R. Brady  
Wallace R. Brady, President

Phyllis Sturman

INTERCONTINENTAL BANK, a Florida  
banking corporation

Edward A. Kalish

By: Joseph Zamburski  
Joseph Zamburski, Vice President

Phyllis Sturman

FLORIDA NATIONAL BANK OF MIAMI  
a national banking association

Edward A. Kalish

By: Roger R. Mourant  
Roger R. Mourant, Senior Vice  
President

Phyllis Sturman

State of Florida )  
                          ) SS:  
County of Dade )

The foregoing instrument was acknowledged before me this 30th day of January, 1979 by Wallace R. Brady, President, Nova Village, Inc., a Florida corporation, on behalf of said corporation.

Edward A. Kalish  
Notary Public, State of  
Florida at Large

My Commission Expires:  
April 20, 1981

REC 8046 REC 599

State of Florida )  
                  ) SS:  
County of Dade )

The foregoing instrument was acknowledged before me this 30th day of January, 1979 by Wallace R. Brady, President, Nova Village Homeowners' Association, Inc., a Florida non-profit corporation, on behalf of said corporation.

My Commission Expires:  
April 20, 1981

*Edward A. Walsh*  
Notary Public, State of  
Florida at Large

State of Florida )  
                  ) SS:  
County of Dade )

The foregoing instrument was acknowledged before me this 30th day of January, 1979, by Joseph Zambruski, Vice President, Intercontinental Bank, a Florida banking corporation, on behalf of said corporation.

My Commission Expires:  
April 20, 1981

*Edward A. Walsh*  
Notary Public, State of  
Florida at Large

State of Florida )  
                  ) SS:  
County of Dade )

The foregoing Instrument was acknowledged before me this 12th day of February, 1979, by Roger R. Mourant Sr. Vice President, Florida National Bank of Miami, a national banking association, on behalf of said association.

My Commission Expires:

*Roger R. Mourant*  
Notary Public, State of  
Florida at Large

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES DATE 12 1982  
NOTARY PUBLIC NUMBER 005 0000000000