Prepared by:
City of Cape Coral
Department of Development Services
P.O. Box 150027
Cape Coral, Florida 33915

MODEL HOME
RESTORATION AGREEMENT (CASH DEPOSIT)

THIS AGREEMENT made and entered into this _____ day of _____, 20____, between the CITY OF CAPE CORAL, FLORIDA, a municipal corporation, herein after "CITY", and

_____ hereinafter "OWNER".

NOW, THEREFORE, in consideration of the mutual terms contained herein, and for other good and valuable consideration, the parties agree as follows:

OWNER or OWNER's lessee or sub-lessee is utilizing the real property described as:

Lots_____, Block _____, Unit_____, Plat Book _____, Page _____

STRAP#: _____

Legal Description (metes & bounds): _____

Address: _____ as a model home pursuant to law.

OWNER is required by Section 5.10.14. of the Cape Coral Land Development Code to deposit funds or other financial instruments payable to the City of Cape Coral to ensure that the property used as a model home site is restored to all requirements of the zoning district in which said property is located when said model home use terminates.

OWNER has deposited with the CITY a deposit in the amount of $_____ as surety to guarantee restoration of the site upon termination or abandonment of the model home special exception use. The CITY shall retain these funds during the entire term of the model home use.

OWNER and CITY agree that the CITY may use the aforesaid funds to fully restore the subject property to the requirement of the zoning district in which the property is located in the event that one or more of the following events shall occur: The structure has been abandoned as a model by OWNER, or any lessee or sub-lessee of the property for more than thirty (30) days; or the model home is sold as a residence; or the time limit for the special exception use as a model home has expired.

In the event the OWNER and/or lessee or sub-lessee of the OWNER fully restores the property at his or her own expense, or in the event any unused monies remain after the full restoration of the subject property by the CITY, any unused monies shall be refunded to the OWNER.

OWNER shall notify the CITY prior to any sale, lease or other transfer of ownership or possession of the model home.

This agreement shall be recorded in the real estate records of the office of Clerk of Circuit Court in Lee County, Florida for the purpose of providing prospective purchasers of this property with notice concerning the restoration and escrow requirement for model homes contained in Section 5.10.14. of the City of Cape Coral Land Development Code.

IN WITNESS WHERE OF, the parties hereto have hereunder set their hands and seals.

THE CITY OF CAPE CORAL
A Municipal Corporation

_____
Signature of Development Services Director or Designee

_____
Printed name of Development Services Director or Designee

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization,

on this _____, day of _____, 20____ by _____, who is personally known to

me and who did not take an oath.

_____
Signature of Notary Public

_____
Print Name of Notary Public

OWNER: _____
(Type or Print)

_____
Print Name

By: _____
(Signature and Title)

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me , by means of ☐ physical presence or ☐ online notarization, this_____, day of_____, 20____ on this _____ day of _____, 20____ by _____, who is personally known to me or who has produced _____ as identification.

_____
Signature of Notary Public

_____
Print Name of Notary Public

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Escrow Account: 140-00000-220051-00-00-000000-000-000