

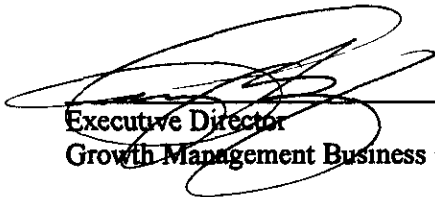
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**NOTICE OF STIPULATIONS AND LIMITATIONS ENCUMBERING  
REAL PROPERTY PURSUANT TO THE SARASOTA COUNTY ZONING CODE**

The following property located in Sarasota County, Florida, owned by Luther J and F Jane Young, and described in Ordinance No 2000-021 attached hereto, has been rezoned to a CG (Commercial, General) zone district pursuant to Rezone Petition No 00-03 filed by Bruce Franklin, Agent, and granted by Sarasota County on February 23, 2000, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code

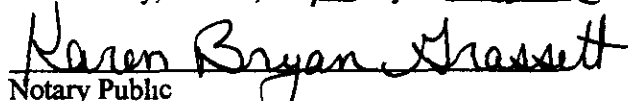
(Stipulations and limitations are those described in Section 3 of Ordinance No 2000-021, attached hereto)

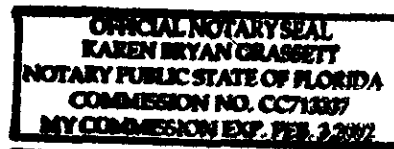
  
Executive Director  
Growth Management Business Center

STATE OF FLORIDA  
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Jerry Gray, Executive Director of the Growth Management Business Center, to me known to be the individual who executed the foregoing Notice of Stipulations and Limitations Encumbering Real Property pursuant to the Sarasota County Zoning Code, and he acknowledged before me that he executed the same

Witness my hand and official seal at Sarasota County, Florida, this 14<sup>th</sup> day of March A D 2000

  
Notary Public  
State of Florida at Large



This instrument prepared by  
Nancy Higgins  
Growth Management Business Center  
1660 Ringling Boulevard, 5<sup>th</sup> Floor  
Sarasota, FL 34236

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2000032749 5 PGS  
2000 MAR 16 02:06 PM  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
VBROTHER Receipt#020443

ORDINANCE NO 2000-021

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO 75-38, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF SARASOTA COUNTY, PROVIDING FINDINGS, PROVIDING FOR AMENDMENT OF THE ZONING ATLAS, PROVIDING RESTRICTIONS, STIPULATIONS AND SAFEGUARDS, AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA

Section 1 Findings. The Board of County Commissioners, hereinafter referred to as the "Board," hereby makes the following findings:

A The Board has received and considered the report of the Sarasota County Planning Commission concerning Rezoning Petition No 00-03, requesting rezoning of the property described herein

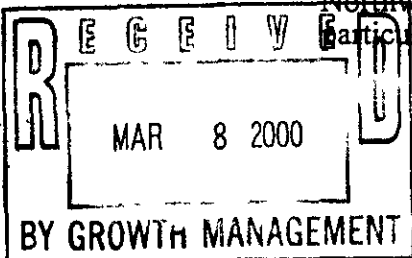
B The Board has held a public hearing on the proposed rezoning of the property described herein in accordance with the requirements of Sarasota County Ordinance No 75-38 and has considered the information received at said public hearing

C The rezoning herein granted is consistent with the Sarasota County Comprehensive Plan and meets the requirements of Sarasota County Ordinance No 75-38 and amendments thereto

D Pursuant to the provisions of Sarasota County Ordinance No 89-103, an evaluation has been completed of the impacts that the proposed rezoning of the property described herein will have on the levels of service for parks, drainage, solid waste, roads, mass transit and water and sewer systems With the exception of the provisions of Section 3 of this Ordinance, adequate levels of service are anticipated to be available

Section 2 Amendment of Ordinance No 75-38 The Official Zoning Atlas, as part of Sarasota County Ordinance No 75-38, is hereby amended by changing the zoning district classification for 1.64 acres ± from CG (Commercial, General) and OPI (Office, Professional and Institutional) to CG (Commercial, General) for the following described property located in Sarasota County, Florida

Northwest corner of McIntosh Road and Bee Ridge Road, more particularly described as follows



FILED 2000 MAR -1 PM 3:48 DEPARTMENT OF PUBLIC SAFETY TALLAHASSEE, FLORIDA 2000 FEB 28 PM 12:31

Lots 13, 14 and 15 less the South 20 feet for right-of-way, together with lots 16, 17 and 18, less right-of-way, together with lots 19, 20, 21, 22 and the Easterly 56.5 feet of lot 23, Sarasota Springs Unit No. 1 Subdivision, as recorded in Plat Book 8, Page 5, of the Public Records of Sarasota County, Florida, being more particularly described as follows

Commencing at the Southeast corner of Section 34, Township 36 South, Range 18 East, Sarasota County, Florida, thence N 89°54' 20" W along the centerline of Bee Ridge Road, also being the South boundary of said Section 34, 87 51 feet, thence N 00°05'40" E, 50 00 feet to the Point of Beginning, thence N 89°54'20" W along the North right-of-way of said Bee Ridge Road, 297 37 feet, thence N 00°06'11" E, 89.33 feet, thence N 89°57'26" W, 57 02 feet, thence N 00°01'02" E, 107.99 feet, thence N 89°58'04" E along the South right-of-way of McIntosh Lane, 391.85 feet, thence S 01° 38'43" W along the West right-of-way of McIntosh Road, 166 17 feet, thence continuing along said West right-of-way line being a curve to the right having a radius of 33 00 feet, arc of 50.93 feet, chord of 48.87 feet and chord bearing of S 45°48'07" W to the point of beginning.

Section 3. Restrictions, Stipulations and Safeguards As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations shall be covenants running with the land The use of the property described in Section 2 of this Ordinance, in addition to the applicable restrictions imposed by Sarasota County Ordinance No. 75-38 and any amendments thereto, is hereby further limited by and subject to the following restrictions, stipulations and safeguards:

1. There shall be no access from the subject parcel to McIntosh Lane.
2. A traffic study shall be submitted, in accordance with Resolution No 98-169, prior to development on the subject parcel which causes the cumulative trip generation for the entire parcel to exceed 70 PM peak hour trips The traffic impact study shall encompass an impact area based on the cumulative trip generation of development on the whole parcel Improvements determined to be necessary by the study, to support the traffic projected to be generated by the entire development, shall be constructed prior to or concurrent with the construction of the infrastructure (i e parking areas) on the parcel
3. Outdoor refuse and loading areas shall be screened in accordance with the standards in Section 11 6 f & k of the Zoning Ordinance
4. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets

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- 5 Any drive-through on the subject parcel shall be open only between the hours of 7 00 A M. to 10 00 PM
- 6 An average 10-foot wide landscape buffer in accordance Section 13 14 buffer "F" of the Zoning Ordinance containing a 6-foot high wall shall be provided along the north property line All required plant material shall be installed on the street side of the wall All other buffers shall be in accordance with Section 13 14 of the Zoning Ordinance
- 7 The Owner shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state or local regulations. At the time of recording a plat or prior to final construction approval, the Owner shall be required to record in the public records a Notice to Purchaser, approved by Sarasota County, putting purchasers on notice that the maintenance of drainage facilities is a private responsibility
- 8 Traffic will be prohibited access to the rear of the facility between the hours of 12 00 midnight and 6 00 A M
- 9 Lighting to the rear of the facility will be reduced fifty percent between the hours of 12 00 Midnight and 6 00 A M

Section 4 Effective Date This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Secretary of State of Florida that this Ordinance has been filed with said office.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 23rd day of February, A D., 2000

BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA

[Signature]  
Chairman

ATTEST.

KAREN E RUSHING, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Sarasota County, Florida

By [Signature]  
Deputy Clerk

STATE OF FLORIDA )  
COUNTY OF SARASOTA )  
I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL FILES IN THIS OFFICE. WITNESS MY HAND AND OFFICIAL SEAL THIS DATE February 23, 2000  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT EX-OFFICIO CLERK TO THE BOARD OF COUNTY COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
By [Signature]  
DEPUTY CLERK

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