



2000131884


✓ Please record and return to Leigh Riley
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2000131884 10 PGS
2000 OCT 17 01:56 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
RKRONENW Receipt#082131

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 Sarasota Gateway Associates, LTD, and described in Ordinance No 2000-050 attached hereto, has been rezoned to a PCD (Planned Commerce Development) zone district with amended stipulations and to a CHI (Commercial, Highway Interchange) zone district with amended stipulations pursuant to Rezone Petition No 00-13 filed by Bruce Franklin, Agent, and granted by Sarasota County on July 26, 2000, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code

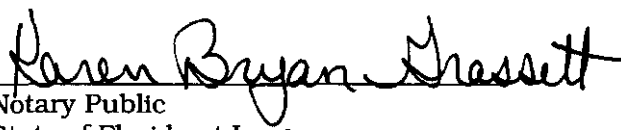
(Stipulations and limitations are those described in Section 3 of Ordinance No 2000-050, attached hereto)


Executive Director
Growth Management Business Center

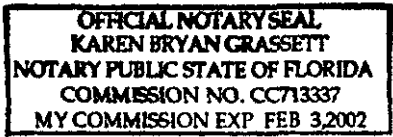
STATE OF FLORIDA
COUNTY OF SARASOTA

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 13th day of October A D 2000.


Notary Public
State of Florida at Large

This instrument prepared by:
Nancy Higgins



OFFICIAL RECORDS INSTRUMENT # 2000131884 10 PGS

ORDINANCE NO 2000-050

FILED
2000 AUG 15 PM 1:12
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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 00-13, 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.

BOOK FILED
2000 JUL 11 AM 10:55
CLERK OF THE COURT
SARASOTA COUNTY FL

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 99.74 acres \pm from PCD (Planned Commerce Development) with stipulations to PCD (Planned Commerce Development) with amended stipulations, from PCD (Planned Commerce Development) with stipulations to CHI (Commercial, Highway Interchange) with stipulations; and from CHI (Commercial, Highway Interchange) with stipulations to CHI (Commercial, Highway Interchange) with amended stipulations the following described property located in Sarasota County, Florida:

Northwest Quadrant of the I-75 and Fruitville Road Interchange, more particularly described as follows.

PARCEL A – PCD with stipulations to PCD with amended stipulations

A Tract of land lying in the Northeast quarter of Section 24, Township 36S, Range 18 east, Sarasota County, Florida, described as follows:

Commence at the Northwest corner of said Northeast quarter thence S88°42'07"E, along the Northerly line of said Section 24, a distance of 338.14 feet to intersect the Northerly extension of the West line of Lot 10, Palmer Farms First Unit per Plat thereof, recorded in Road Plat Book 2, at Page 216 of the Public Records of Sarasota County, Florida; thence S00°18'00"W, along the Northerly extension of said Lot 10, a distance of 101.42' to the Northwest corner of said Lot 10, also being a point on the Southerly Right-of-Way line of Richardson Road, (Old Myakka Road) recorded in Plat Book No. 2 at pages 38 E and F, of said Public Records for the Point of Beginning (the following 4 calls are along said Southerly Right-of-Way line); thence N89°38'47"E, a distance of 1,692.30 feet to the PC of a curve to the right having a radius of 731.49 feet and a central angle of 18°29'59", thence Easterly along the arc a distance of 236.18 feet; thence S71°51'13"E, a distance of 249.99 feet to the PC of a curve to the right having a radius of 785.40 feet and a central angle of 13°27'34", thence Easterly along the arc a distance of 184.50 feet to the Westerly limited access Right-of-Way line of Interstate 75 (State Road 93) (the following 5 calls are along said Westerly limited access Right-of-Way line); thence S00°11'46"W, a distance of 114.54 feet, thence S05°28'29"W, a distance of 194.88 feet; thence S11°47'44"W, a distance of 294.70 feet, thence S24°26'14"W, a distance of 294.70 feet; thence S30°45'29"W, a distance of 214.75 feet to the Northerly line of a parcel with a zoning classification of "CHI" as described in Sarasota County Ordinance No. 96-086, filed on December 12, 1996 at the office of the Clerk of Circuit Court, Sarasota County, Florida, (the following 4 calls are along said Northerly line), thence S88°31'43"W, a distance of 582.57 feet; thence S15°00'08"W, a distance of 236.64 feet to the PC of a curve to the right having a radius of 250.00 feet and a central angle of 18°41'24"; thence Southwesterly along the arc a distance of 81.55 feet; thence S88°31'43"W, a distance of 786.36 feet to the Westerly line of said parcel, (the following 5 calls are along said Westerly line), thence S01°28'17"E, a distance of 273.88 feet, thence S88°31'43"W, a distance of 9.11 feet; thence S01°28'17"E, a distance of 201.85 feet; thence S88°31'43"W, a distance of 23.84 feet; thence S01°28'17"E, a distance of 90 feet to the Northerly Right-of-Way line of Fruitville Road (State Road 780); thence S88°31'43"W, along said Northerly Right-of-Way line a distance of 561.24 feet to the Westerly line of Lot 22, aforesaid Palmer Farms First Unit, thence N00°18'00"E, along the Westerly lines of said Lot 22 and aforesaid Lot 10, a distance of 2,108.59 feet to the Point of Beginning.

LESS the following described parcel.

A Tract of land in Section 24, Township 36S, Range 18E, Sarasota County, Florida, being a part of Tract 1 of the Plat of Gateway to Sarasota Phase 1, as recorded in Plat Book 39 Page 12 and 12-A, Public Records of Sarasota County, Florida and being further described as follows:

Begin at the Southwest corner of said Tract 1, thence N00°18'00"E, along the West line of said Tract 1, 265.86'; thence N88°31'43"E, 541.56', thence S46°28'13"E, 49.93', to the West Right-of-Way line of North Cattlemen Road, thence S01°28'17"E, along said West Right-of-Way line, 230.43', to the South line of said

Tract 1, thence S88°31'43"W, along said South line, 585.07', to the Point of Beginning

PARCEL B – PCD with stipulations to CHI with stipulations

A Tract of land in Section 24, Township 36S, Range 18E, Sarasota County, Florida, being a part of Tract 1 of the Plat of Gateway to Sarasota Phase 1, as recorded in Plat Book 39 Page 12 and 12-A, Public Records of Sarasota County, Florida and being further described as follows:

Begin at the Southwest corner of said Tract 1; thence N00°18'00"E, along the West line of said Tract 1, 265.86'; thence N88°31'43"E, 541.56', thence S46°28'13"E, 49.93', to the West Right-of-Way line of North Cattlemen Road, thence S01°28'17"E, along said West Right-of-Way line, 230.43' to the South line of said Tract 1, thence S88°31'43"W, along said South line, 585.07', to the Point of Beginning.

PARCEL C – CHI with stipulations to CHI with amended stipulations

Northwest corner of Brown Road and Fruitville Road, more particularly described as follows.

A portion of a 52' wide drainage canal being the former Sarasota Fruitville Drainage District Right-of-Way described as parcel numbers 20 and 21 in Chancery Order Book 3 at Page 206-262 which was deeded to Sarasota County by the instrument recorded in official record book 315, Page 378, of the public records, Sarasota County, Florida, and a portion of a Platted 52' wide drainage canal Right-of-Way together with a portion of Blocks 13,14,15,16,23,24,25,26,27, Palmer Farms First Unit, recorded in Plat Book 2, Page 216, of the Public Records, Sarasota County, Florida, lying in Section 24, Township 36S, Range 28E, further described as follows:

Commence at the Northwest corner of the Northeast ¼ of said Section 24, Township 36S, Range 18E; thence S88°42'07"E, along the North line of said Section 24, a distance of 338.14 feet; thence S00°18'00"W, along the West line of Lots 10 and 22, Palmer Farms First Unit and Northerly extension thereof, a distance of 1644.07 feet to the Point of Beginning; thence N88°31'43"E, departing said West line, a distance of 1363.05 feet to a point on a curve to the left, having a radius of 250.00 feet, a central angle of 18°41'23", a tangent length of 41.14 feet, a chord bearing of N24°20'50"E, and a chord length of 81.19 feet; thence along the arc of said curve an arc length of 81.55 feet to the Point of Tangency of said curve, thence N15°00'08"E, a distance of 236.64 feet, thence N88°31'43"E, a distance of 582.57 feet to a point on the Westerly limited access Right-of-Way line of State Road No. 93 (Interstate 75); thence along the said Westerly limited access Right-of-Way line the following three courses

Thence S30°45'29"W, a distance of 897.17 feet to the point of curvature of a curve to the right, having: a radius of 336.00 feet, a central angle of 28°53'07", tangent length of 86.54 feet, a chord bearing of S45°12'02"W, and a chord length of 167.60 feet; thence along the arc of said curve, an arc length of 169.39 feet to the end of said curve; thence S64°17'38"W, a distance of 223.65 feet to a point on the Northerly Right-of-Way line of Fruitville Road (State Road #780); thence along the said Northerly Right-of-Way line the following five courses. thence S88°31'43"W, a

distance of 500 00 feet, thence $S01^{\circ}28'17''E$, a distance of 47 43 feet, thence $S88^{\circ}28'15''W$, a distance of 200 01 feet; thence $N01^{\circ}28'12''W$, a distance of 147.64 feet; thence $S88^{\circ}31'43''W$, a distance of 561 24 feet to a point on the West line of Block 22, thence $N00^{\circ}18'00''E$, along said West line, a distance of 566 00 feet to the Point of Beginning

Less the following described parcel.

Part of Lots 22 and 23, Palmer Farms First Unit, as recorded in Plat Book 2, Page 216 of the Public Records of Sarasota County, Florida, lying in Section 24, Township 36S, Range 18E, Sarasota County, Florida, more particularly described as follows.

Commence at the Northwest corner of the Northeast $\frac{1}{4}$ of Section 24, Township 36S, Range 18E, Sarasota County, Florida, thence $S88^{\circ}42'07''E$ along the North line of said Section 24, a distance of 338 14' to intersect the Northerly extension of the West line of Lots 10 and 22 of said Palmer Farms First Unit; thence $S00^{\circ}18'00''W$, along the Northerly extension of the West line of said Lots 10 and 22, and the West line of said Lots 10 and 22, a distance of 1644.01 feet to the Point of Beginning; thence $N88^{\circ}31'43''E$, a distance of 576 69 feet, thence $S01^{\circ}28'17''E$, a distance of 273.88 feet; thence $S88^{\circ}31'43''W$, a distance of 9.11 feet; thence $S01^{\circ}28'17''E$, a distance of 291.85 feet to a point on the Northerly Right-of-Way line of Fruitville Road (S R.780), thence $S88^{\circ}31'43''W$, along said Northerly Right-of-Way line, a distance of 585.08 feet to a point on the West line of said Lot 22; thence $N00^{\circ}18'00''E$, along the West line of said Lot 22 a distance of 566 00 feet 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:

CHI Parcel

- 1 A finding regarding the availability of adequate public facilities and services made at this stage in the concurrency review process does not guarantee that an adequate level of service for the facility or service will be available at subsequent stages in the concurrency review process. Approval of this development permit application is not defined as, nor should it be construed to be, a final development order as defined in Sarasota County Ordinance No. 89-103
- 2 All development on the subject parcel shall comply with the Development Order for the Gateway to Sarasota DRI, as may be amended.
- 3 All development shall be consistent with the Fruitville Road Corridor Plan and the I-75 Corridor Plan, as may be amended.

- 4 Fruitville Road shall be the street for purposes of defining and establishing front yards adjacent thereto which shall not contain loading, storage, or refuse areas, but may contain an on-site sign. Said sign(s) may be allowed within the landscape buffer and shall be limited to a monument sign with one or two faces not to exceed fifty (50) square feet per face and a height of eight feet measured from the crown of the road or finished grade of the land adjacent to the building, whichever is greater. Parcels displaying a monument sign shall be restricted to one wall sign not to exceed fifty (50) square feet.
- 5 The subject parcel shall provide a buffer per Section 13 14, buffer K, along the drainage right-of-way.
- 6 Landscape buffering for the CHI outparcels (Outparcels 1, 2, and Pond No 3), located west of North Cattlemen Road and north of Fruitville Road, shall be consistent with the General Landscape Plan, attached as Exhibit C. Additionally, should development commence on the adjacent 15.3 acre ± PCD (General Retail) parcel prior to the initiation of development on the CHI outparcels, the installation of the requisite landscaping shall be required concurrent with the development of the PCD parcel.

PCD Parcel

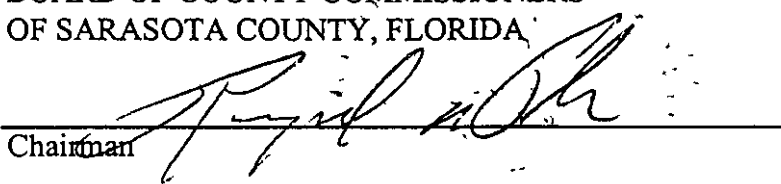
- 1 All development on the subject parcel (i.e. preliminary plans, site and development plans, final plats, and construction plans) shall comply with the Development Order for the Gateway to Sarasota DRI, as may be amended.
- 2 All development shall be consistent with the Fruitville Road Corridor Plan and the I-75 Corridor Plan, as may be amended.
- 3 Pursuant to the PCD schedule of district regulations, the Owner is hereby granted modifications to the 100' perimeter buffer requirement as depicted on the Perimeter Buffer Plan attached hereto as Exhibits A and B.
- 4 All preliminary plans and/or site and development shall be consistent with the Master Stormwater Management Plan for the Gateway to Sarasota DRI, the Fruitville Road Corridor Plan and the I-75 Corridor Plan, as may be amended.
- 5 Access shall be as depicted on the development concept plan adopted as part of the Gateway to Sarasota DRI Development Order. In the event modifications are requested due to parcel development requirements, modifications will be reviewed by, and subject to, the approval of the Public Works Business Center.
- 6 For the PCD Group 2 parcel along North Cattlemen Road, North Cattlemen Road shall be the street for purposes of defining and establishing front yards adjacent thereto which shall not contain loading, storage, or refuse areas, but may contain an on-site sign. Said sign may be allowed within the landscape buffer and shall be limited to a maximum height of eight feet and constructed on the ground with a continuous footing with base of the sign at grade.

- 7 Parcels along Cattlemen Road shall provide a buffer in accordance with Section 13 14 (Buffer K) of the Sarasota County Zoning Ordinance, unless otherwise noted on the General Landscape Plan (attached as Exhibit C)

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 26 day of July, A.D, 2000

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


Chairman

ATTEST:

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

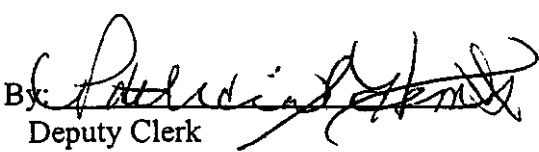
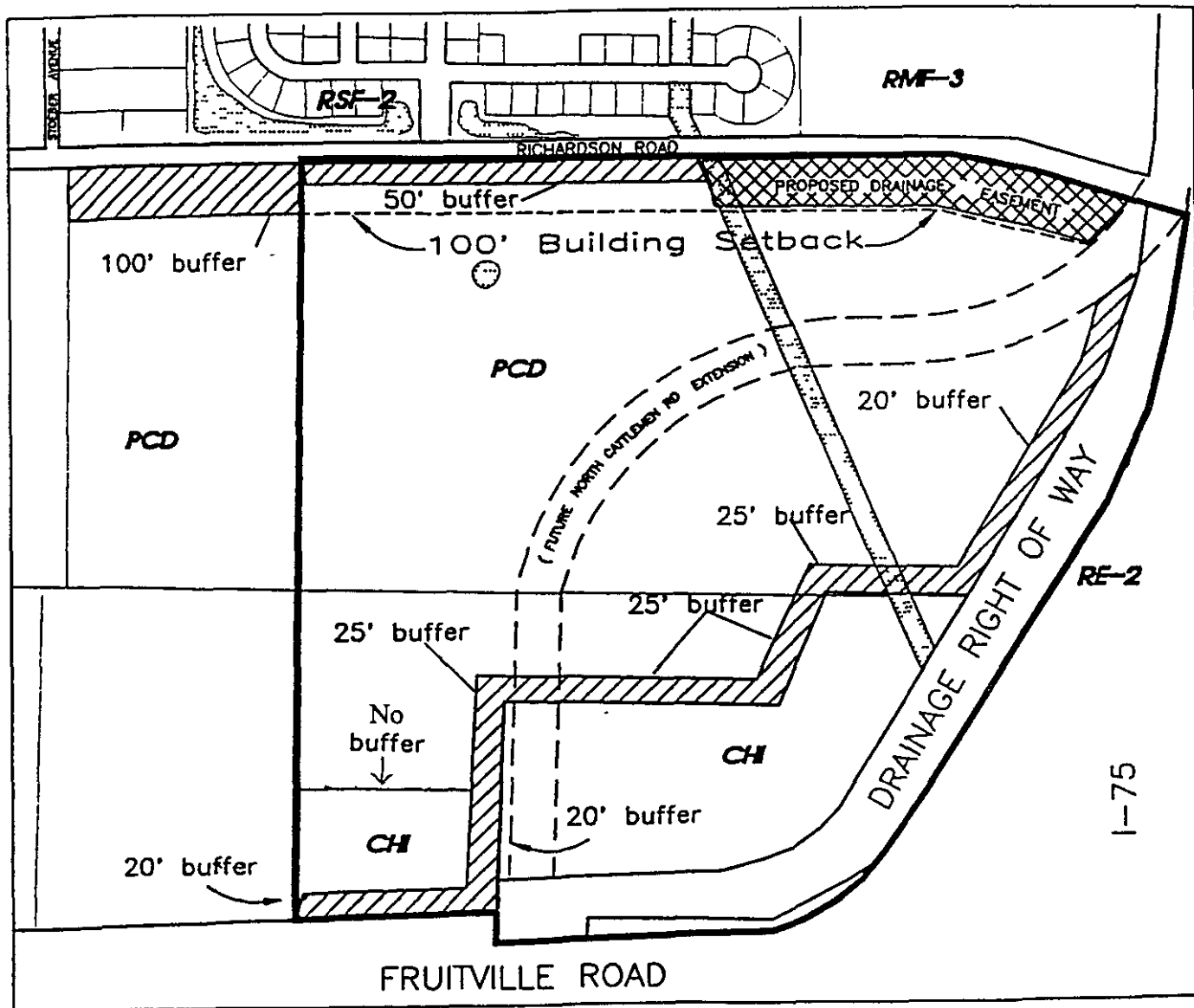
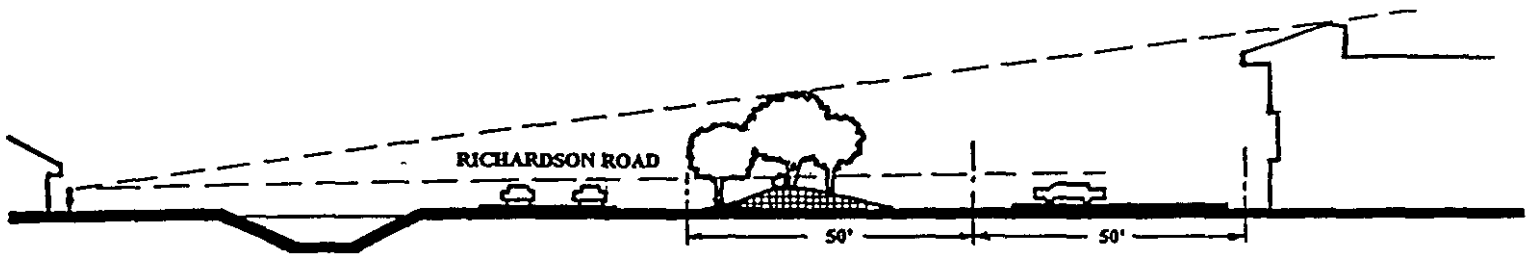
By: 
Deputy Clerk

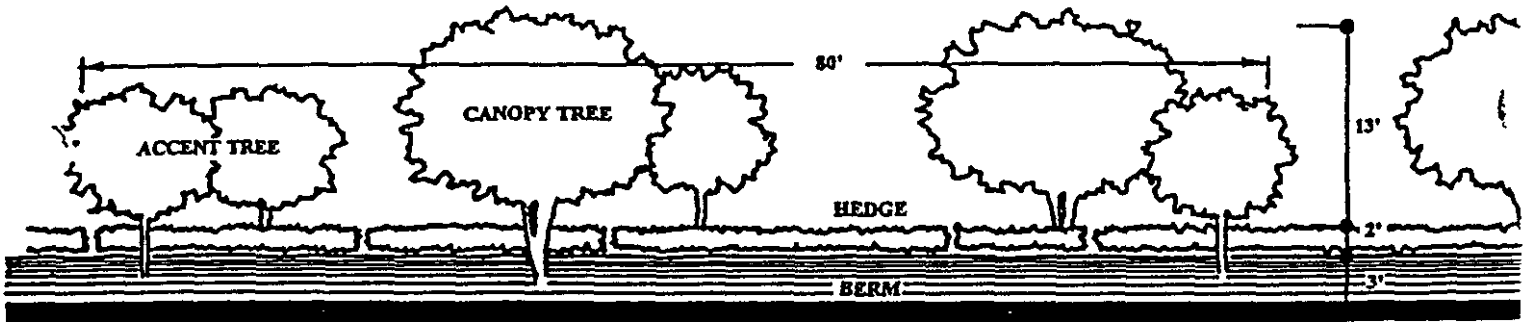
EXHIBIT A
PERIMETER BUFFER PLAN



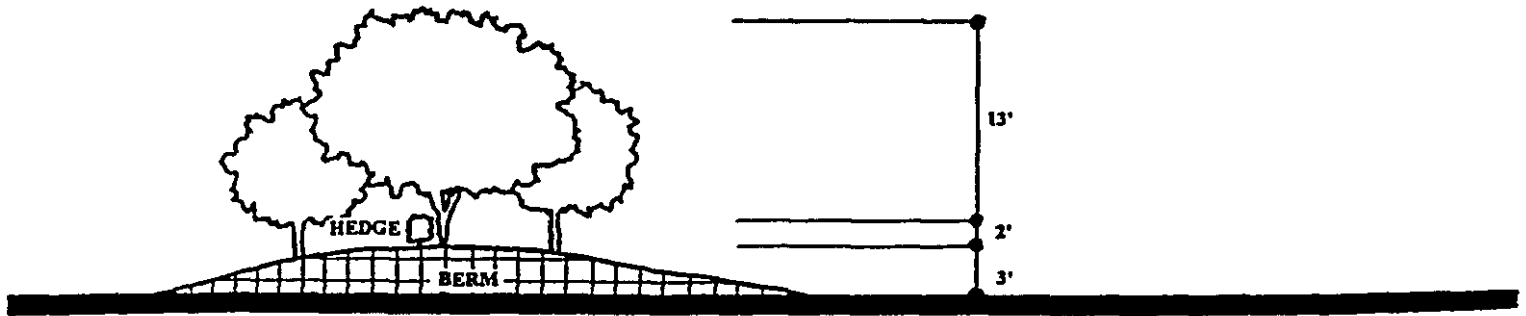
**EXHIBIT B
PERIMETER BUFFER PLAN**



OVERALL SECTION

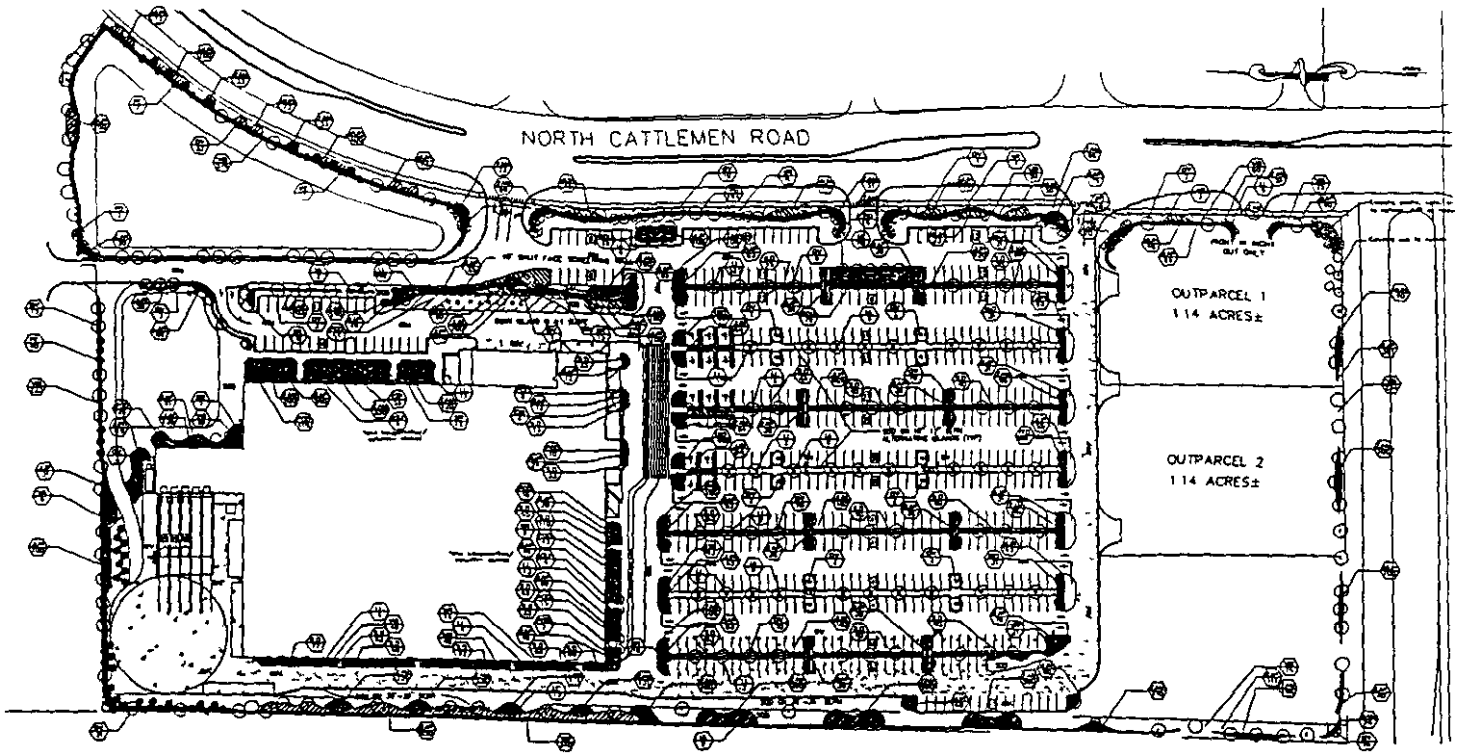


ELEVATION FROM RICHARDSON ROAD



DETAIL SECTION

EXHIBIT C - GENERAL LANDSCAPE PLAN FOR CHI OUTPARCELS NO. 1, NO. 2 AND POND NO. 3



Symbol	Qty	Botanical Name	Common Name	Specifications	Symbol	Qty	Botanical Name	Common Name	Specifications
○	172	Quercus agrifolia	Live Oak	14-16" x 8" C.M., F.C.I.	○	28	Cordia alliodora	Orange Lily	21" x 24" 2" o.c.
○	12	Laguncularia immitis	Crop Nettle	14-16" x 8" o.c., F.C.I.	○	1025	Platanus acerifolia	Platanus	21" x 24" 2" o.c.
○	84	Ligustrum lucidum	Ligustrum Tree	10-12" x 8-10" o.c., F.C.I., 3' round min.	○	48	More Trees (See schedule)	More Trees (See schedule)	21" x 24" 2" o.c.
○	15	Platanus acerifolia	London Plane Tree	8" x 8" Spacings	○	1157	See schedule	See schedule	21" x 18" 2" o.c.
○	32	See schedule	See schedule	12-14" x 8"	○	3362	See schedule	See schedule	21" x 18" 2" o.c.
○	121	Washingtonia robusta	Washington Palm	18-24" o.c., straight, heavy	○	645	Liriodendron tulipifera	"Gold Thread" Liriodendron	21" x 18" 2" o.c.
○	67	Prunella sp.	Prunella	18" x 2" o.c.	○	4966	See schedule	See schedule	21" x 18" 2" o.c.

STATE OF FLORIDA
 COUNTY OF SARASOTA

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL FILES IN THE HANDS OF WITNESS MY HAND AND OFFICIAL SEAL THIS DATE 5/10/2000

KAREN E. RICHING, CLERK OF THE CIRCUIT COURT
 BY OFFICIAL CLERK TO THE BOARD OF COUNTY COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY [Signature]
 DEPUTY CLERK

NOTES:

PLANT LIST QUANTITIES ARE PROVIDED FOR CONFORMANCE IN THE EVENT OF QUANTITY PREFERENCES. THE DRAWING SHALL TAKE PRECEDENCE.

ALL PLANTINGS SHALL INCLUDE 1" LAYER OF SANDWICH PLASTIC/MULCH OR EQUIVALENT WEIGH OF RECYCLED RUBBER PRODUCTS OR THE EQUIVALENT.

ALL LANDSCAPED AREAS SHALL BE FULLY IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM.

ALL LANDSCAPING SHALL BE INSTALLED ACCORDING TO SOUND HUSBANDRY PRACTICES AND SHALL BE FLORIDA NO. 1 OR BETTER AS GIVEN BY "GRADE AND STANDARDS FOR NURSERY PLANTS, PARTS I AND II" STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE.

NO SUBSTITUTIONS SHALL BE MADE WITHOUT WRITTEN AUTHORIZATION FROM THE L.A. OR OWNER.