



RECORDED IN OFFICIAL RECORDS

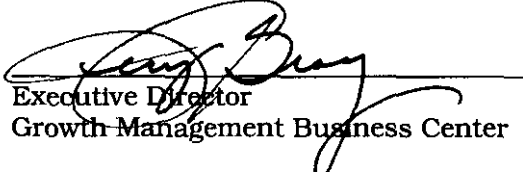
INSTRUMENT # 2000141351 5 PGS  
2000 NOV 06 02:42 PM  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
DCOURSEY Receipt#087505

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

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 Manuel S Hoffman, General Partner of Third Millenium Ltd , Partnership, Sheldon J. Sandman and Morris A. Levy, and described in Ordinance No. 2000-059 attached hereto, has been rezoned to a CG (Commercial, General) zone district pursuant to Rezone Petition No. 00-21 filed by Robert J Medred, Agent, and granted by Sarasota County on September 13, 2000, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

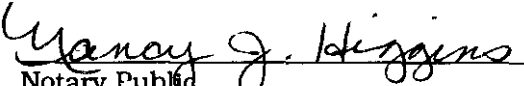
(Stipulations and limitations are those described in Section 3 of Ordinance No 2000-059, attached hereto)

  
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 3rd day of November, A.D 2000

  
Notary Public  
State of Florida at Large

This instrument prepared by:  
Nancy Higgins

  
Nancy J. Higgins  
Commission # CC 936530  
Expires May 15, 2004  
Bonded Thru  
Atlantic Bonding Co., Inc.

ORDINANCE NO 2000-059

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. 00-21, 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 any 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 6.21 acres ± from OUE-1 (Open Use, Estate, 1 unit/5 acres) to CG (Commercial, General) for the following described property located in Sarasota County, Florida

2000 SEP 25 11:37 AM  
FILED  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY FLORIDA

SARASOTA COUNTY FL  
CLERK OF CIRCUIT COURT

2000 SEP 20 PM 12:05

FILED FOR RECORD

Northeast corner of Clark Road and Honore Avenue, more particularly described as follows

That part of Fairlawn Subdivision, recorded in Plat Book 2, Page 32, and vacated by Resolution recorded in Official Records Book 235, Page 444, Public Records of Sarasota County, Florida, described as follows

Commence at a nail and disk stamped LS 1747 found at the Southwest corner of Section 12, Township 37 South, Range 18 East, Sarasota County, Florida; thence, along the West line of said Section 12, North 00°21'43" East, 458.91 feet to a nail with 2" aluminum disk stamped A M ENG INC LB 4334 PLS 4521 survey ref marker, thence, South 89°38'17" East, 37 50 feet to a 5/8" iron rod with plastic cap stamped A M ENG LB 4334 at the Southwest corner of Parcel 201 1, as recorded in Official Records Book 2634, Page 2601, Public Records of Sarasota County, Florida for a POINT OF BEGINNING of land being described, thence, along said South line of Parcel 201 1, South 89°38'17" East, 472 79 feet to a 5/8" iron rod with plastic cap stamped A M ENG LB 4334 found at the Southeast corner of said Parcel 201.1, thence, along the East line of said Parcel 201 1, North 00°22'58" East, 216.60 feet to a 5/8" iron rod with plastic cap stamped A M ENG LB 4334 found on the North line of the Southwest ¼ of the Southwest ¼ of the Southwest ¼ of said Section 12, thence, along said North line, South 89°29'54" East, 158 68 feet to the Northeast corner of the Southwest ¼ of the Southwest ¼ of the Southwest ¼ of said Section 12, thence, along the East line of said Southwest ¼ of Southwest ¼ of Southwest ¼, South 00°22'58" West, 590 65 feet to a 5/8" iron rod with plastic cap stamped A M ENG LB 4334 found on the North right of way line of State Road No 72, Section 17070-2527, said right of way line lying 79 00 feet North of and parallel with the survey base line of said State Road No 72, thence, along said right of way line, North 89°21'56" West, 248 06 feet to a 5/8" iron rod with plastic cap stamped A M ENG LB 4334, thence, continue along said right of way line, South 89°59'59" West, 371 76 feet to a 5/8" iron rod with plastic cap stamped A M ENG LB 4334 found on the Easterly line of Parcel 201, as recorded in Official Records Book 2634, Page 2601, Public Records of Sarasota County, Florida, also being the Easterly right of way line of Honore Avenue; thence, along said Easterly line, North 28°29'14" West, 23 89 feet to a 5/8" iron rod with plastic cap stamped A M ENG LB 4334 to a line that is 37.50 feet East of and parallel with the West line of said Section 12, thence, along said West line of Section 2 also being the East right of way line of said Honore Avenue, North 00°21'43" East, 354 68 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

- 1 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, and 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.
- 2 All development shall be consistent with the Clark Road Corridor Plan No. 91-02-SP, Ordinance No. 95-020 as amended.
- 3 Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
4. Refuse areas shall be visually screened in accordance with Section 11.6.f. of the Zoning Ordinance.
- 5 Prior to construction plan approval for development on the parcel that generates greater than 175 p.m. cumulative peak hour trips, the developer shall provide a traffic analysis that demonstrates that the roadway level of service is maintained on all significantly impacted road segments and intersections. The traffic analysis shall be prepared in accordance with Resolution No. 98-169.
- 6 Any access to Honore Avenue within 660 feet of the future southbound stop line at Clark Road shall be limited to right-in/right-out only. A raised concrete separator shall be constructed along Honore Avenue to preclude left turns at all access points consistent with this stipulation.
- 7 The developer shall be responsible for its fair share of the cost of design and construction of a traffic signal at the Clark Road/Honore Avenue intersection, and if required to front end all or more than its fair share of such costs in order to obtain a building permit, the developer will be entitled to reimbursement of such excess cost through capital contribution front-ending agreement between the developer and the County. The calculation of fair share for the subject development shall be based upon the proportionate share of the traffic on the minor street that triggers the signal warrant. The plans for the signalization of the Clark Road/Honore Avenue intersection shall be included with the development construction plans or be the subject of a binding executable contract for construction.
- 8 An analysis to determine the needed length of the southbound left-turn lane on Honore Avenue shall be completed concurrent with the construction plan review of the subject parcel. If it is determined that the turn lane needs to be lengthened, the improvement shall be included in the construction plans for the subject parcel.

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 13<sup>th</sup> day of September, 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

