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2000161813

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

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2000161813 9 PGS
2000 DEC 21 10:38 AM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
HARMSTRONG Receipt#099578

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 Michael D Rosen Vice President, DiVosta and Company, and described in Ordinance No. 2000-075 attached hereto, has been rezoned to a RSF-2/PUD (Residential, Single Family, 3.5 units/acre, Planned Unit Development Overlay District) zone district pursuant to Rezone Petition No. 00-24 filed by Betsy Benac, Agent, and granted by Sarasota County on October 25th, 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. 2000-075, 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 18th day of December, A.D. 2000.

 Nancy J. Higgins
Commission # CC 936530
Expires May 15, 2004
Notary Public
Bonds Thru
State of Florida at Large Atlantic Bonding Co., Inc.

This instrument prepared by
Nancy Higgins

CLERK OF COUNTY RECORDS

2000 OCT 27 AM 9:47

CLERK OF COUNTY RECORDS
SARASOTA COUNTY FL

ORDINANCE NO 2000- 075

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO 75-38, APPENDIX A TO THE SARASOTA COUNTY CODE, 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 00-24, 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, codified in Appendix A of the Sarasota County Code (hereinafter "the Zoning Ordinance"), 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 the Zoning Ordinance.
- D. Pursuant to the provisions of Article VII of Chapter 94 of the Sarasota County Code, 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 the Zoning Ordinance. The Official Zoning Atlas, adopted under Section 2 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 542.07 acres ± from OUE-1 (Open Use, Estate, 1 unit/5 acres) to RSF-2 /PUD (Residential, Single Family, 3.5 units/acre, Planned Unit Development Overlay District) for the following described property located in Sarasota County, Florida

A tract of land lying in Sections 24, 25 and 36, Township 37 South, Range 18 East, Sarasota County, Florida and more particularly described as follows:

Commencing at the northwest corner of the Southwest ¼ of said Section 24; thence N 89°51'06"E , along the northerly line of said Southwest ¼ of

Section 24, a distance of 45 75 feet to a point on the east right-of-way line of Honore Avenue (103 50-foot wide public right-of-way) as recorded in Official Record Book 3053, Page 2675 of the Public Records of Sarasota County, Florida, thence S 00°24'18"E , along said east right-of-way line, a distance of 355 30 feet to a point on the south line of said recorded right-of-way for Honore Avenue, thence continue S.00°24'18"E along said line, a distance of 51 00 feet; thence N 89°35'42"E., a distance of 12.00 feet, thence N.46°13'53"E , a distance of 23.73 feet to the POINT OF BEGINNING, thence N 46°13'53"E , a distance of 50 55 feet; thence N 89°35'42"E , a distance of 1,574 09 feet to a point of curvature of a curve to the left having a radius of 1,525 00 feet and a central angle of 40°48'28", thence easterly along the arc of said curve, a distance of 1,086 15 to the end of said curve, thence N 48°55'33"E , a distance of 230.00 feet, thence S.40°33'48"E., a distance of 2,108.80 feet to a point on the westerly right-of-way line of Interstate 75 (State Road 93); thence along said westerly right-of-way line for the following three (3) calls; thence S.11°58'37"W , a distance of 1,828.44 feet to a point of a curvature of a curve to the left having a radius of 9,176.70 feet and a central angle of 30°11'42"; thence southerly along the arc of said curve, a distance of 4,836.14 feet to the end of said curve; thence S.43°36'01"W., a distance of 125 08 feet to the point of curvature of a non tangent curve to the left, of which the radius point lies S 56°04'39"W., a radial distance of 85 00 feet; thence northwesterly along the arc of said curve, through a central angle of 55°28'57", a distance of 82.31 feet to the point of tangency of said curve; thence N.89°24'18"W., a distance of 29.01 feet to a point of curvature of a curve to the right having a radius of 55.00 feet and a central angle of 22°19'18", thence westerly along the arc of said curve, a distance of 21 43 feet to a point of reverse curvature of a curve to the left having a radius of 70.00 feet and a central angle of 18°51'16", thence westerly along the arc of said curve, a distance of 23 04 feet to a point of compound curvature of a curve to the left having a radius of 35.00 feet and a central angle of 34°53'59"; thence westerly along the arc of said curve, a distance of 21 32 feet to the end of said curve, thence S 59°09'44"W., a distance of 23.16 feet to a point of curvature of a curve to the left having a radius of 50 00 feet and a central angle of 48°27'57"; thence southwesterly along the arc of said curve, a distance of 42 29 feet to the point of curvature of a non tangent curve to the left, of which the radius point lies S 42°12'17"W., a radial distance of 110 00 feet; thence northwesterly along the arc of said curve, through a central angle of 25°52'33", a distance of 49 68 feet to a point of reverse curvature of a curve to the right having a radius of 45.00 feet and a central angle of 36°22'56", thence northwesterly along the arc of said curve, a distance of 28 57 feet, thence N 37°17'20"W., a distance of 40 16 feet, thence N.57°48'35"W., a distance of 32.91 feet; thence N 63°24'23"W , a distance of 21.57 feet to a point of curvature of a curve to the left having a radius of 75 00 feet and a central angle of 80°15'14"; thence westerly along the arc of said curve, a distance of 105.05 feet to a point of reverse curvature of a curve to the right having a radius of 300 00 feet and a central angle of

24°45'15", thence southwesterly along the arc of said curve, a distance of 129.61 feet to the point of curvature of a non tangent curve to the left, of which the radius point lies S 28°46'31"E., a radial distance of 50 00 feet, thence southerly along the arc, through a central angle of 160°21'48", a distance of 139 94 feet to the point of tangency of said curve, thence N 80°51'41"E., a distance of 55.00 feet to a point of curvature of a curve to the right having a radius of 100 00 feet and a central angle of 132°12'41", thence southeasterly along the arc of said curve, a distance of 230 75 feet to the point of tangency of said curve, thence S 33°04'22"W , a distance of 113 49 feet to a point of curvature of a curve to the left having a radius of 150 00 feet and central angle of 66°29'56", thence southerly along the arc of said curve, a distance of 174 09 feet to a point of reverse curvature of a curve to the right having a radius of 50.00 feet and a central angle of 102°09'13"; thence southerly along the arc of said curve, a distance of 89.15 feet; thence S.68°43'38"W., a distance of 1,274.17 feet, thence N 07°00'53"W., a distance of 600.69 feet; to a point of curvature of a curve to the right having a radius of 475.00 feet and a central angle of 63°58'50", thence northeasterly along the arc of said curve, a distance of 530 42 feet to the point of curvature of a non tangent curve to the left, of which the radius point lies N.33°02'08"W , a radial distance of 350 00 feet; thence northeasterly along the arc of said curve, through a central angle of 52°29'34", a distance of 320.66 feet to the point of curvature of a non tangent curve to the left, of which the radius point lies N.85°31'46"W , a radial distance of 210 00 feet; thence northwesterly along the arc of said curve, through a central angle of 98°28'47", a distance of 360.95 feet, thence S.85°59'27"W , a distance of 201.64 feet to a point of curvature of a curve to the left having a radius of 500.00 feet and a central angle of 30°51'36"; thence westerly along the arc of said curve, a distance of 269.30 feet to the point of curvature of a non tangent curve to the left, of which the radius point lies N 37°12'40"W , a radial distance of 115.00 feet; thence northeasterly along the arc of said curve, through a central angle of 37°17'07", a distance of 74 84 feet to a point of compound curvature of a curve to the left having a radius of 25.00 feet and a central angle of 74°32'12"; thence northerly along the arc of said curve, a distance of 32.52 feet to a point of compound curvature of a curve to the left having a radius of 45 00 feet and a central angle of 56°25'08", thence westerly along the arc of said curve, a distance of 44 31 feet to a point of compound curvature of a curve to the left having a radius of 230.00 feet and a central angle of 15°39'00", thence southwesterly along the arc of said curve, a distance of 62 82 feet to a point of reverse curvature of a curve to the right having a radius of 250.00 feet and a central angle of 27°22'29"; thence southwesterly along the arc of said curve, a distance of 119.44 feet to a point of compound curvature of a curve to the right having a radius of 100 00 feet and a central angle of 52°50'19"; thence westerly along the arc of said curve, a distance of 92.22 feet; thence N.50°53'20"W., a distance of 51 13 feet to a point of curvature of a curve to the right having a radius of 385 00 feet and a central angle of 05°07'07" , thence northwesterly along the arc of

said curve, a distance of 34 39 feet to a point of compound curvature of a curve to the right having a radius of 335.00 feet and a central angle of 34°36'51"; thence northwesterly along the arc, a distance of 202 38 feet to a point of reverse curvature of a curve to the left having a radius of 100 00 feet and a central angle of 30°54'28", thence northwesterly along the arc of said curve, a distance of 53 94 feet to a point of compound curvature of a curve to the left having a radius of 50 00 feet and a central angle of 89°28'50"; thence westerly along the arc of said curve, a distance of 78 09 feet to a point of compound curve to the left having a radius of 10 00 feet and a central angle of 63°17'00", thence southerly along the arc of said curve, a distance of 11.05 feet; thence S.14°49'39"E , a distance of 87 23 feet, thence S 14°19'40"E , a distance of 36 11 feet to a point of curvature of a curve to the right having a radius of 100 00 feet and a central angle of 18°33'44"; thence southerly along the arc of said curve, a distance of 32 40 feet to a point of reverse curvature of a curve to the left having a radius of 100.00 feet and a central angle of 18°45'48"; thence southerly along the arc, a distance of 32 75 feet; thence S.14°31'44"E , a distance of 31 41 feet, thence N.65°46'13"W , a distance of 214.25 feet to a point on the proposed easterly right-of-way line of Honore Avenue; thence along said proposed easterly right-of-way line for the following five (5) calls; thence N 01°15'15"E , a distance of 2,855.95 feet to a point of curvature of a curve to the left having a radius of 1,100 00 feet and a central angle of 45°00'00", thence northerly along the arc of said curve, a distance of 863 94 feet; thence N 43°44'42"W., a distance of 1,098 42 feet to a point of curvature of a curve to the right having a radius of 950 00 feet and a central angle of 43°20'24", thence northerly along the arc of said curve, a distance of 718.60 feet, thence N.00°24'18"W., a distance of 2,031.94 feet to the POINT OF BEGINNING.

Containing 23,612,643.04 square feet or 542,0717 acres, more or less

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 the Zoning Ordinance, is hereby further limited by and subject to the following restrictions, stipulations and safeguards:

- 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 Increment XV of the Palmer Ranch Development of Regional Impact (DRI) and the Palmer Ranch Master Development Order (MDO).
2. All development shall occur in substantial accordance with the Development Concept Plan, date stamped September 27, 2000, attached hereto as Exhibit A. Development shall not exceed a maximum of 1240 total dwelling units. This does not imply or confer any deviations from applicable zoning or land development regulations, unless expressly granted on said Development Concept Plan.

- 3 The development of the town center shall occur in substantial accordance with the Conceptual Town Center Plan, attached hereto as Exhibit B
- 4 Community tennis courts and swimming pool areas shall not be illuminated after 10 00 P.M.
- 5 Parking lot lighting in the Town Center area shall be shielded pursuant to Sarasota County Zoning requirements, and after customer and/or civic meeting hours, lighting shall be reduced to the minimum necessary for security
- 6 All parking lot, driveway, and security lights located within fifty (50) feet of the subject parcel boundary shall not exceed six (6) feet in height
- 7 Prior to approval of any site and development or construction plans that contain the 101st dwelling unit, a second access to the subject development, not including an emergency access, shall be provided.
- 8 All mechanical equipment located in the Town Center area, including, but not limited to heating, ventilating, and air conditioning machinery; public utility service fixtures such as potable water and sewer facilities; telephone and electrical switching equipment, and natural or propane gas tanks, shall be screened from public view. Such screening may include any combination of landscaping and building materials. Any building materials used for screening shall be consistent with the architectural design of the principal structure. Screening shall extend at least one foot above the object to be screened
- 9 All outdoor refuse collection, storage areas, and mechanical equipment shall be screened in accordance with Section 11 6.f of the Zoning Ordinance. All loading areas shall be screened in accordance with Section 11 6 k of the Zoning Ordinance.
- 10 The final total of the Town Center commercial acreage will be determined at the time of site and development plan approval. Said acreage total will then be subtracted from the Palmer Ranch DRI's internal commercial acreage allotment of 99 acres

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 25th day of October, 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

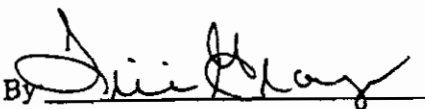
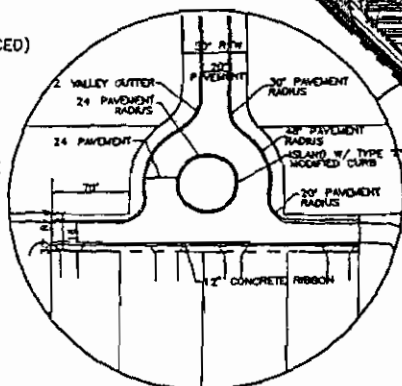
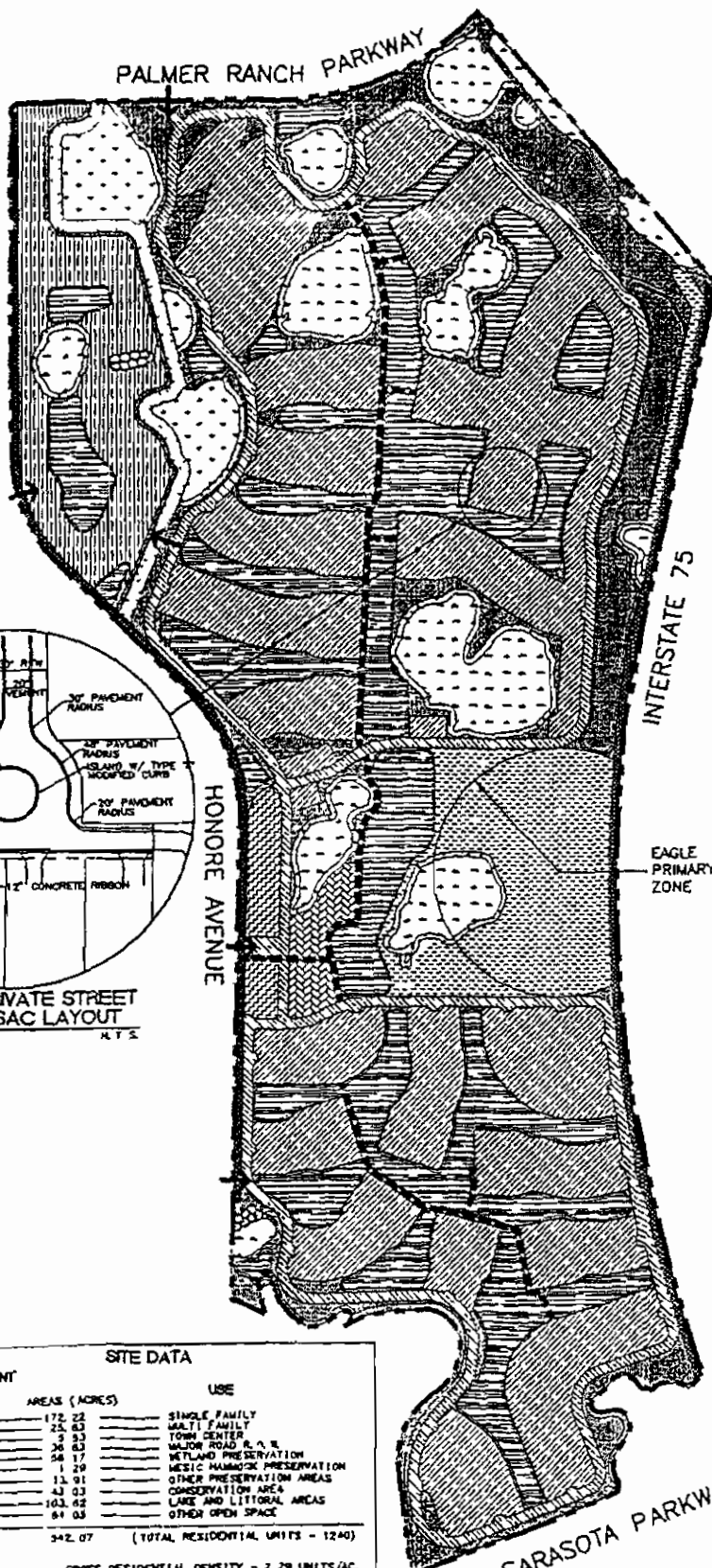
By 
Deputy Clerk

EXHIBIT A - DEVELOPMENT CONCEPT PLAN

GRAPHIC LEGEND

- INTERNAL ROAD ROW
- WETLAND
- DEVELOPMENT POD (SINGLE FAMILY)
- DEVELOPMENT POD (MULTI-FAMILY)
- DEVELOPMENT POD (TOWN CENTER)
- DEVELOPMENT POD (MODEL HOME/SALES CENTER)
- WETLAND PRESERVATION WITH 30' BUFFER
- MESIC HAMMOCK PRESERVATION WITH 50' BUFFER
- OTHER PRESERVATION AREAS
- LAKE & LITTORAL AREAS
- HABITAT (RESTORED/ENHANCED)
- DREDGED CANAL ENHANCED
- CONSERVATION OPEN SPACE
- OTHER OPEN SPACE
- 50' LANDSCAPE BUFFER
- PEDESTRIAN CIRCULATION



TYPICAL PRIVATE STREET CUL-DE-SAC LAYOUT N.T.S.

NOTES

1. FINAL ACREAGE WILL VARY BASED ON DETAILED SITE PLANNING (LAKES, DEVELOPMENT PODS - OTHER OPEN SPACE, ETC.)
2. LAKES MAY ENCRoACH INTO WETLAND BUFFERS AND OTHER OPEN SPACE AREAS AS REQUIRED TO PROVIDE HYDRAULIC CONNECTION
3. WETLAND BUFFERS MAY BE ADJUSTED SUBJECT TO FINAL LAND PLAN AND AS APPROVED THROUGH THE PRELIMINARY PLAN PROCESS AND SUBSEQUENT PERMITTING
4. PRIOR TO SITE DEVELOPMENT OR SUBDIVISION PLAN APPROVAL INFORMATION ON OUTDOOR REFUGE AREAS, STORAGE AREAS, LOT LAYOUT, OFF-STREET PARKING AND LOADING LOCATIONS, RECREATIONAL AREAS, AND INTERNAL DENSITIES FOR EACH TYPE SHALL BE PROVIDED TO THE COUNTY
5. TOTAL NUMBER OF MODEL HOMES/SALES CENTERS WILL NOT EXCEED 12 AND WILL BE LOCATED AS SHOWN ON THE PLAN
6. LANDSCAPE BERMS SHALL NOT EXCEED 3:1 SLOPES. ALL BERMS SHALL BE ADEQUATELY STABILIZED TO PREVENT EROSION

DEVELOPMENT CRITERIA

- 1) SINGLE FAMILY UNITS SHALL BE ±1000
- 2) MULTI FAMILY UNITS SHALL BE ±240
- 3) THE TOWN CENTER WILL INCLUDE COMMUNITY USES (POST OFFICE AND MEETING ROOMS) RECREATIONAL FACILITIES AND UP TO 4,000 SF OF NEIGHBORHOOD COMMERCIAL, RETAIL AND/OR SERVICE USES
- 4) OPEN SPACE USE SHALL BE 86% (+/- 5%) OF 302.07 ACRES

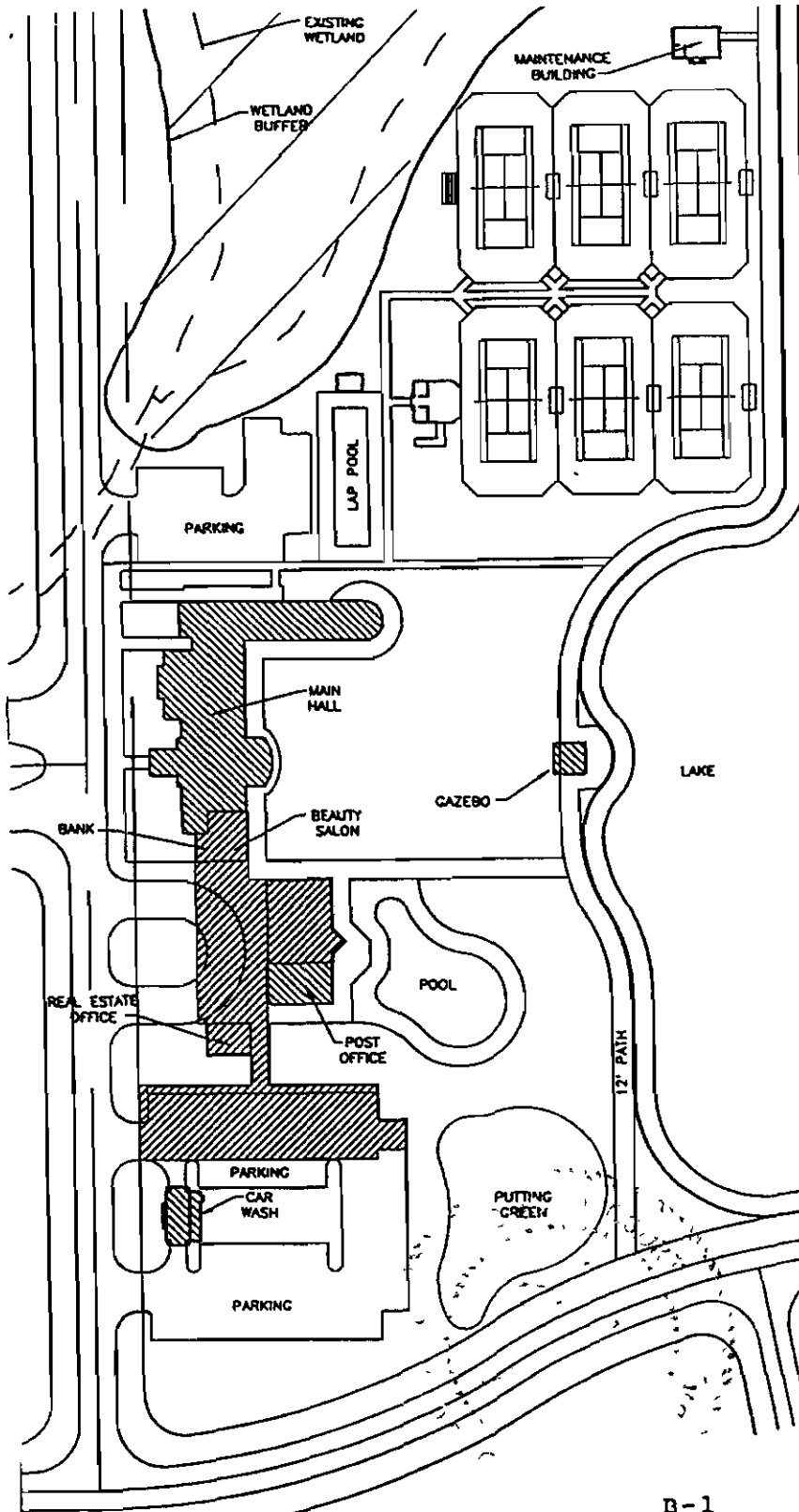
VARIABLE DEVELOPMENT CRITERIA

- 1) NUMBER OF SPECIFIC SINGLE FAMILY UNITS WITHIN DEVELOPMENT PODS
- 2) TYPES OF SINGLE FAMILY UNITS (1 = ATTACHED/DETACHED ETC.)
- 3) DEVELOPMENT POD BOUNDARIES
- 4) PEDESTRIAN CIRCULATION

DEVELOPMENT POD		SITE DATA	
	AREAS (ACRES)		USE
P	172.22		SINGLE FAMILY
PS	25.83		MULTI FAMILY
PT	3.33		TOWN CENTER
ROADWAY	36.83		MAJOR ROAD R.A.R.
OPEN SPACE	58.17		WETLAND PRESERVATION
OPEN SPACE	1.29		MESIC HAMMOCK PRESERVATION
OPEN SPACE	13.91		OTHER PRESERVATION AREAS
OPEN SPACE	43.03		CONSERVATION AREA
OPEN SPACE	103.62		LAKE AND LITTORAL AREAS
OPEN SPACE	84.03		OTHER OPEN SPACE
TOTAL AREA	342.07	(TOTAL RESIDENTIAL UNITS - 1240)	
GROSS RESIDENTIAL DENSITY - 2.29 UNITS/AC.			

CENTRAL SARASOTA PARKWAY

EXHIBIT B - CONCEPTUAL TOWN CENTER PLAN




NOTES

- 1 TOWN CENTER COMMERCIAL USES TO BE LIMITED TO THOSE FOUND IN THE CN ZONING DISTRICT
- 2 COMMERCIAL DEVELOPMENT TO BE FOR THE SOLE USE OF VILLAGE WALK RESIDENTS

LEGEND

-  - COMMUNITY AREA
-  - COMMERCIAL AREA
-  - RECREATIONAL AREA

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 10-27-00
 KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
 EX OFFICIO CLERK TO THE BOARD OF COUNTY
 COMMISSIONERS SARASOTA COUNTY FLORIDA
 BY 
 DEPUTY CLERK