

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

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2001083599 5 PGS  
2001 JUN 14 12:44 PM  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
FMILLER Receipt#055143

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 Joan G Tatum & William E. Tatum, Henri Johan C. Rijlaarsdam, Florida Cape Management, Inc. and J. Douglas Kennedy, President, Marjon Sarasota, Inc. and described in Ordinance No. 2001-029 attached hereto, has been rezoned to a ILW (Industrial, Light and Warehousing) zone district with amended stipulations pursuant to Rezone Petition No. 01-08 filed by Robert Medred, Agent, and granted by Sarasota County on May 9, 2001, 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. 2001-029, 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 12<sup>th</sup> day of June, A D. 2001.

  
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 2001-029

2001 MAY 21 AM 10:57

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 01-08, 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 [redacted] ± from ILW (Industrial, Light and Warehousing) with stipulations to ILW (Industrial, Light and Warehousing) with amended stipulations, for the following described property located in Sarasota County, Florida

North of Ashton Road and 620 feet ± east of McIntosh Road, more particularly described as follows

The north 1/2 of Lot 8, and the south 1/2 of Lot 9, Block 2, Bee Ridge Farms Subdivision of Section 11, Township 37 South, Range 18 East as per the Plat thereof recorded in Plat book A Page 40 of the Public Records of Sarasota County, Florida

FILED  
MAY 24 PM 4:30  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

**LESS: Right-of-Way for Ashton Road and McIntosh Road**

**ALSO LESS: The south 25 feet of the east 245 feet of the north ½ of Lot 8, Block 2, Bee Ridge Farms Subdivision of Section 11, Township 37 South, Range 18 East as per the plat thereof recorded in Plat Book A, Page 40, Public Records of Sarasota County, Florida**

**ALSO LESS: Lands conveyed to Sarasota County as described in Official Records Book 2968, Page 668, Public Records of Sarasota County, Florida**

**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:

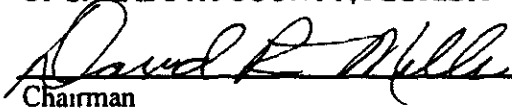
- 1 A 20 foot wide landscape buffer area containing a continuous row of 4 foot high plantings and a 6 foot high wall or fence shall be established along the north and east property lines. The buffer area shall be landscaped with three canopy trees and twenty four accent/understory trees per 100 feet. All other landscape buffers shall be in accordance with Section 13 14 of the Sarasota County Zoning Ordinance.
- 2 The subject parcel shall have only two access points to Ashton Road and only one access point to McIntosh Road. Access to McIntosh Road shall be consistent with Alternate 1 or Alternate 2 as depicted on the Development Concept Plan date stamped October 30, 2000 and attached hereto as Exhibit "A". The developer shall provide left-turn lanes with appropriate storage and transition areas at the access points to McIntosh Road and Ashton Road, if and when the turn-lanes(s) are warranted.
- 3 Access to the subject parcel on McIntosh Road shall be limited to right-in/right out once McIntosh Road is widened to a four-lane divided roadway.
- 4 All structures shall maintain a seventy-five (75) foot setback from the north and east property lines.
- 5 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, in accordance with applicable federal, state or local regulations. At the time of recording a plat or prior to final construction plan approval, the Owner shall be required to record in public records a Notice To Purchaser, approved by Sarasota County, putting purchasers on notice that maintenance of drainage facilities is a private responsibility.
- 6 Refuse areas shall be setback at least 50-feet from the north and east property lines and visually screened in accordance Section 11 6 f of the Sarasota County Zoning Ordinance.
- 7 Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.

8 . Development on the subject parcel shall comply with the Clark Road Corridor Plan (Ordinance No 2000-16) as may be amended

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 9th day of May, A D , 2001

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

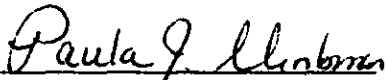
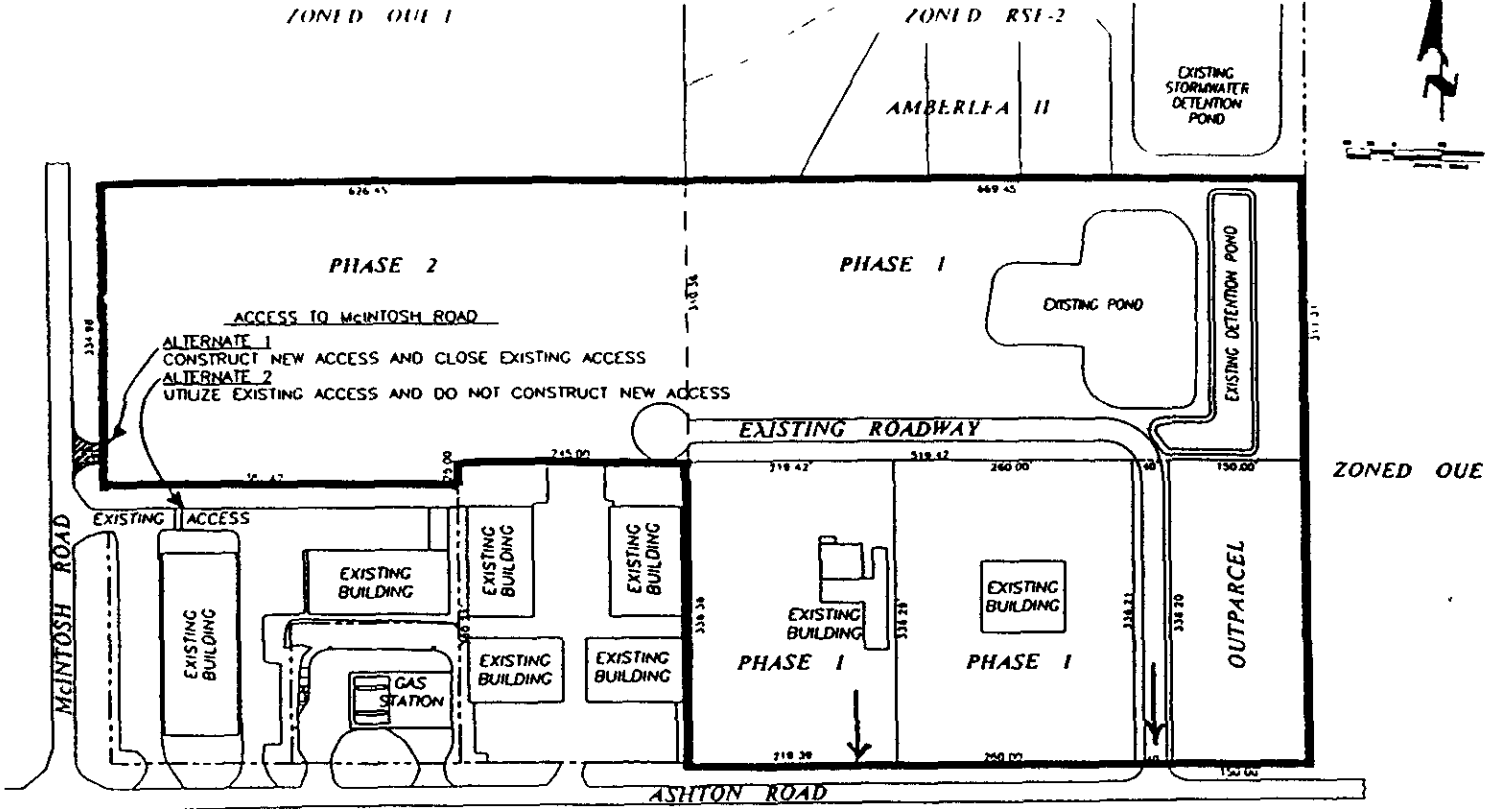
By   
Deputy Clerk

EXHIBIT "A"

MAP SERIES/CONCEPT PLAN



Date received: October 30, 2000

JUN - 4 2001