

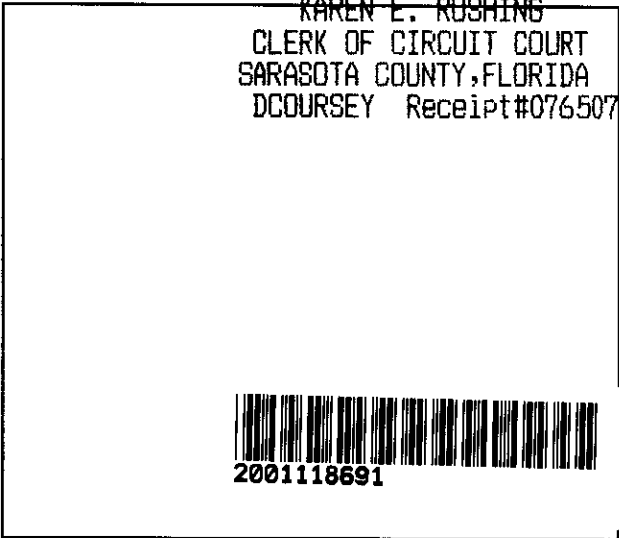
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RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2001118691 4 PGS

2001 AUG 17 03:44 PM

KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
DCOURSEY Receipt#076507

✓ Please record and return to Karen Grasset  
Growth Management Business Center  
1660 Ringling Boulevard, 5<sup>th</sup> 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 Michael McCullough, Esquire, and described in Ordinance No 2001-033 attached hereto, has been rezoned to a CG (Commercial, General) zone district pursuant to Rezone Petition No 01-13 filed by Bruce Franklin, Agent, and granted by Sarasota County on July 25, 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. 2001-033, 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

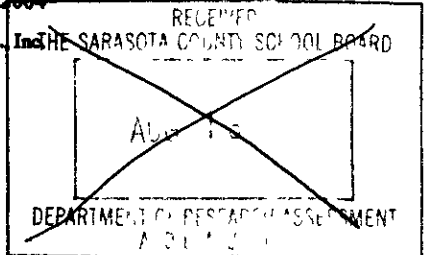
Witness my hand and official seal at Sarasota County, Florida, this 9<sup>th</sup> day of August, A.D. 2001.

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 2001-033

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

FILED  
2001 AUG. 1 AM 8:36  
CLERK OF COUNTY OF SARASOTA  
TALLAHASSEE, FLORIDA

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 01-13, 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, 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 1.4 acres from CG (Commercial, General) and RMF-1 (Residential, Multi-Family, 6 units/acre) to CG (Commercial, General) for the following described property located in Sarasota County, Florida

FILED  
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CLERK OF COUNTY OF SARASOTA  
TALLAHASSEE, FL

2001-033

West of U S 41 and 130 feet ± south of Upper Elmwood Avenue, more particularly described as follows

Lots 4, 7, and 8, Block 2, Pine Shores Estates, recorded in Plat Book 5, Pages 20 and 20-A, Public Records of Sarasota County, Florida, and Lot 3, Block 2 of a part of Pine Shores Estates, recorded in Plat Book 5, Page 57, 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 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 Outdoor refuse areas shall be visually screened in accordance with Section 11.6 of the Sarasota County Zoning Ordinance
- 3 Exterior lighting on the site shall be directed only toward the subject site and shielded from glare on adjacent properties and streets In an effort to reduce glare on neighboring properties the glass lens on all exterior light fixtures shall be flush with the light fixture and there shall be no glass globes hanging below the exterior light fixtures
- 4 All landscape buffers shall be in compliance with Section 13.14 of the Zoning Ordinance In addition to the requirements of Section 13.14, a continuous six foot high masonry wall shall be constructed as part of the landscape buffer along the entire property boundary abutting Brentwood Avenue All of the required plant material shall be installed on the Brentwood Avenue side of the wall The height of all walls shall be measured beginning at the highest elevation of the subject parcel.
- 5 No car wash, gas pumps, repair or service garage activities shall be located within 50' of the Brentwood Avenue property line
- 6 There shall be no vehicular access (ingress or egress) from the subject parcel to Brentwood Avenue

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 30 day of JULY, A D., 2001

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

*David R. Mulla*  
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 CASE WITH ALL ATTACHED AND ORIGINAL  
EXHIBITS DATE 7/27/2001  
KAREN E RUSHING, CLERK OF THE CIRCUIT COURT  
OF SARASOTA COUNTY, FLORIDA  
BY *[Signature]*  
DEPUTY CLERK