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2002 MAY 09 09:23 AM 4/06

KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
FMILLER Receipt#168654

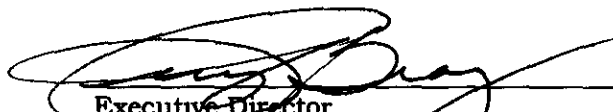
✓ Please record and return to Karen Grasset  
Growth Management Business Center  
1660 Ringling Boulevard, 5<sup>th</sup> Floor  
Sarasota, FL 34236

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 Thomas and June Fultz, and described in Ordinance No 2001-072 attached hereto, has been rezoned to an RE-2 (Residential, Estate, 1 unit/acre) zone district pursuant to Rezone Petition No. 01-27 filed by Thomas M Fultz, Agent/Owner, and granted by Sarasota County on October 24, 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 2001-072, 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 8<sup>th</sup> day of May, A.D. 2002.

  
Notary Public  
State of Florida at Large

This instrument prepared by  
Susan M Anderson



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

CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FL

ORDINANCE NO. 2001-072

2001 OCT 25 AM 11:08

CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FL

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA,  
AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF  
SARASOTA COUNTY ORDINANCE NO. 75-38, CODIFIED IN  
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. 01-27, 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 2.1 acres ±  
from OUE-1 (Open Use, Estate, 1 unit/5 acres) to RE-2 (Residential, Estate, 1 unit/acre) for the following  
described property located in Sarasota County, Florida:

Northwest corner of Proctor Road and Hackamore Road, more particularly described as follows:

Commence at the southeast corner of Section 6, Township 37 South, Range 19 East; thence south 89°55'02" west along the southerly line of said Section 6, a distance of 1290.0 feet to the westerly right-of-way line of Hand Road (now Hackamore Road) (50 feet wide) for a Point of Beginning; thence continue south 89°55'02" west, 227.00 feet, thence north 0°51'58" east, 430.0 feet; thence south 89°03'10" east, 217.8 feet to said west right-of-way line of Hand Road (now Hackamore Road); thence south 0°22'00" east along said west right-of-way line, 426.02 feet to the Point of Beginning. Lying and being in the south ½ of the south ½ of the southeast ¼ of Section 6, Township 37 South, Range 19 East, Sarasota County, Florida, containing 2 1851 acres.

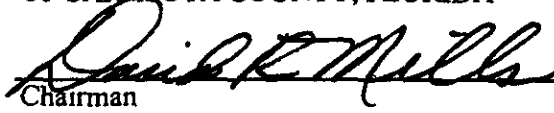
Section 3. Restrictions, Stipulations and Safeguards. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations 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. The subject parcel shall be connected to sewer within 90 days of availability.
3. The division of the 2 1 acre subject parcel into 2 lots shall occur in such a manner that setbacks are met for the existing structures on 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 24th day of October, 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