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INSTRUMENT # 2002005861 6 PGS

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KAREN E. RUSHING

CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
DCOURSEY Receipt#124764



✓ Please record and return to Karen Grasset
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 HCA Realty Incorporated, and described in Ordinance No 2001-089 attached hereto, has been rezoned to a RMF-2/PUD (Residential, Multi-Family, 9 units/acre/Planned Unit Development) zone district pursuant to Rezone Petition No 01-44 filed by Darin Smouse, Agent, and granted by Sarasota County on November 19, 2001, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code

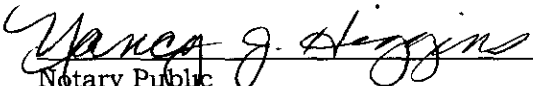
(Stipulations and limitations are those described in Section 3 of Ordinance No 2001-089, attached hereto)


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 8th day of January, A D 2002


Notary Public
State of Florida at Large

This instrument prepared by
Susan M Draganov



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

FILED IN RECORDS

ORDINANCE NO 2001-089

2001 DEC -7 AM 9:35

CLERK OF THE 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 01-44, 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 14 acres ± from OPI (Office, Professional and Institutional) to RMF-2/PUD (Residential, Multi-Family, 9 units/acre/Planned Unit Development) for the following described property located in Sarasota County, Florida

West of Sawyer Road and 900 feet ± south of Bee Ridge Road, more particularly described as follows

A tract of land lying in Section 3, Township 37 South, Range 18 East, Sarasota County, Florida and described as follows

Commence at the northwest corner of said Section 3, being the centerline of Bee Ridge Road per Road Plat Book 3, Page 41 of the Public Records of Sarasota County, Florida, thence south 89°43'04" east, along the north line of said Section 3, a distance of 1347 98 feet to its intersection with the west line of Tract 3, Block 2, Bee Ridge Farms Subdivision as recorded in Plat Book A, Page 40 of the Public Records of Sarasota County, Florida, thence south 00°06'02" west, along said west line of Tract 3, a distance of 648.05 feet to the POINT OF BEGINNING, being the southwest corner of Lake Forest, Phase I, a condominium recorded in Condominium Book 24, Page 43 of the Public Records of Sarasota County, Florida, (the following five (5) calls are along the south line of said Lake Forest, Phase I), thence south 89°52'41" east, a distance of 183 91 feet, thence south 30°10'17" east, a distance of 56.23 feet; thence north 59°26'51" east, a distance of 25 01 feet, thence south 30°07'07" east, a distance of 203 31 feet; thence south 89°49'38" east, a distance of 337 12 feet to the southeast corner of said Lake Forest, Phase I, also being on the east line of the above mentioned Tract 3, Block 2, Bee Ridge Farms Subdivision and also being on the west line of Bee Ridge Medical Center as recorded in Condominium Book 26, Page 10 of the Public Records of Sarasota County, Florida, thence south 00°13'58" west, along the said east line of Tract 3, Block 2, Bee Ridge Farms and said west line of Bee Ridge Medical Center, a distance of 83 68 feet; thence south 89°51'01" east, along the line dividing Phases I and II from Phases III, IV and V of said Bee Ridge Medical Center, a distance of 633 18 feet to the west right-of-way line of Sawyer Road, being the east line of said Bee Ridge Medical Center, (the following seven (7) calls are along the east line of said Bee Ridge Medical Center); thence south 00°11'54" west, along said right-of-way line of Sawyer Road, a distance of 296 96 feet, thence north 88°51'42" west, a distance of 30.19 feet, thence south 00°15'19" west, a distance of 15 03 feet, thence south 88°54'33" east, a distance of 30.11 feet to said west right-of-way line of Sawyer Road, thence south 00°07'42" west, along said west right-of-way line of Sawyer Road, a distance of 29 08 feet; thence north 89°52'42" west, a distance of 29 95 feet, thence south 00°11'38" west, a distance of 40 01 feet to the southeast corner of said Bee Ridge Medical Center, also being on the north line of Forest Lakes South, as recorded in Plat Book 27, Page 1 of the Public Records of Sarasota County, Florida, thence north 89°50'27" west, along the south line of said Bee Ridge Medical Center and the north line of said Forest Lakes South, a distance of 1275 55 feet to the northwest corner of said Forest Lakes South, also being the northeast corner of South Gate Ridge, Unit 2 as recorded in Plat Book 10, Page 74 of the Public Records of Sarasota County, Florida, and also being the southeast corner of Lot 20-S, Hyde Park Citrus Subdivision as recorded in Plat Book 3, Page 86 of the Public Records of Sarasota County, Florida, also being the southwest corner of the above mentioned Tract 3, Block 2, Bee Ridge Farms Subdivision, thence north 00°06'02" east,

along the west line of said Tract 3, Block 2, Bee Ridge Farms and the east line of said Lot 20-S, Hyde Park Citrus Subdivision, a distance of 351 31 feet to the southeast corner of Tregate East, as recorded in Condominium Book 11, Page 45 of the Public Records of Sarasota County, Florida, thence continue north 00°06'02" east, along the east line of said Tregate East, a distance of 310 51 feet to the northeast corner of said Tregate East; thence continue north 00°06'02" east, a distance of 14 13 feet to the POINT OF BEGINNING

Said tract contains 609,024 square feet or 13 9813 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) Development shall take place in substantial compliance with the Development Concept Plan date-stamped August 17, 2001 attached hereto as Exhibit "A" This does not imply or confer any variances from applicable zoning or land development regulations except modified as necessary to comply with the stipulations contained herein
- 2) The Property 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, or 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
- 3) Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets
- 4) All structures shall be limited to 35 feet in height (including in-structure parking).
- 5) The Applicant shall demonstrate the post-development discharge rate does not exceed the pre-development discharge rate In addition, if changes are made to the existing drainage patterns and conditions as established in the Phillippi Creek Basin Model, the Model shall be used as a basis of review
- 6) Nuisance and invasive vegetation shall be removed from the property and properly disposed of in an approved landfill or other method approved by Resource Protection Services
- 7) Pursuant to the PUD schedule of district regulations, Subsection G, the Applicant is hereby granted a modification to Section 13(b)(2) regarding fencing material Fencing may be of vinyl material as depicted on the Development Concept Plan date stamped on August 17, 2001 The use of chain link fencing within the buffer areas is prohibited

- 8) Pursuant to Division D(2) of the Land Development Regulations, the Applicant is hereby granted a modification to allow a 40' right-of-way with an inverted crown and to allow on-street parking as shown on the Development Concept Plan date stamped August 17, 2001
- 9) The Applicant agrees to pay road impact fees at the time of construction plan approval
- 10) The Applicant agrees not to oppose any traffic calming measures proposed for Helene Street

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

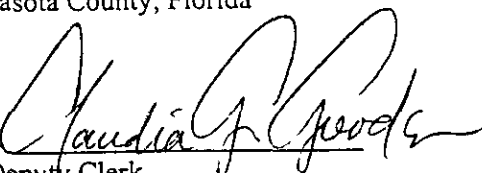
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 19th day of NOVEMBER, A.D., 2001

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


Chairman

ATTEST

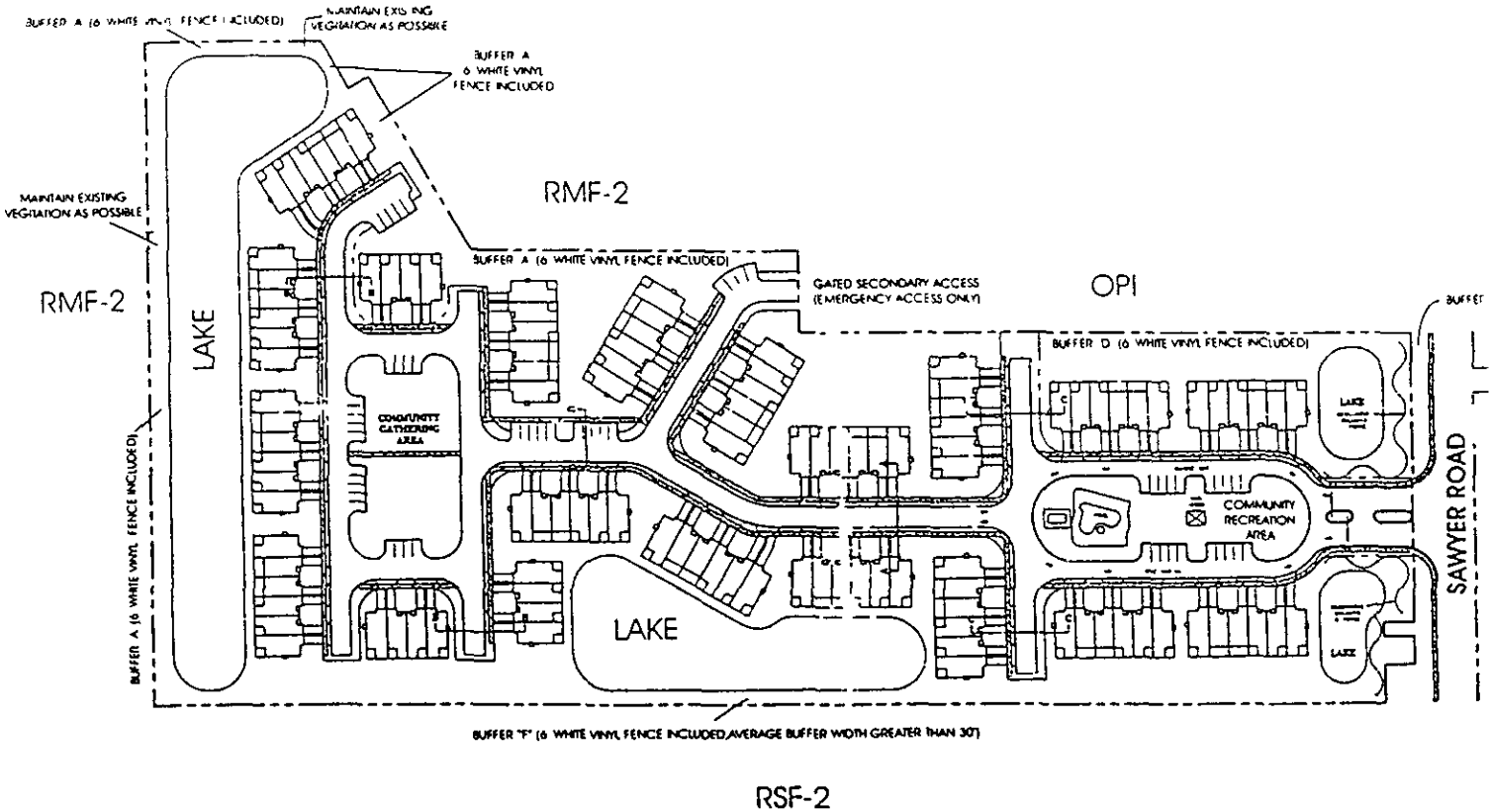
KAREN E RUSHING, Clerk of
the Circuit Court and Ex-
Officio Clerk of the Board of
County Commissioners of
Sarasota County, Florida

By 
Deputy Clerk

MAP SERIES/CONCEPT PLAN

EXHIBIT "A"

OFFICIAL RECORDS INSTRUMENT # 2002005861 6 PGS



THIS DOCUMENT RECEIVED BY
GROWTH MANAGEMENT ON AUGUST 17, 2001

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 12/7/01
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY [Signature]
DEPUTY CLERK