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RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2002033897 5 PGS

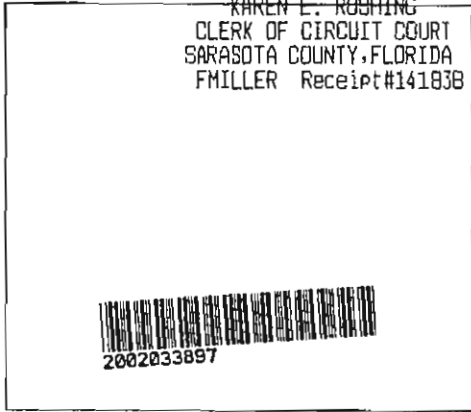
2002 FEB 28 06:35 PM

KAREN E. RUSHING

CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
FMILLER Receipt#141838

✓ 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 Ronald G and Patricia A Allen, and described in Ordinance No 2002-014 attached hereto, has been rezoned to a CN (Commercial Neighborhood District) zone district pursuant to Rezone Petition No 02-01 filed by Peter M Dailey, Agent, and granted by Sarasota County on January 23, 2002, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code

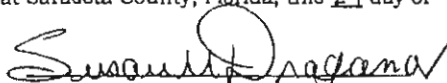
(Stipulations and limitations are those described in Section 3 of Ordinance No 2002-014, attached hereto)

  
Executive Director  
Growth Management Business Center

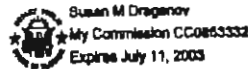
STATE OF FLORIDA  
COUNTY OF SARASOTA

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 27 day of  
~~February~~ JANUARY, A D 2002

  
Notary Public  
State of Florida at Large

This instrument prepared by  
Susan M Draganov



ORDINANCE NO. 2002-014

2002 FEB 13 PM 2:52

CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA

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.

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

2002 FEB 18 PM 4:26

FILED

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. 02-01, 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 3.01 acres ± from RTR (Residential, Tourist Resort) to CN (Commercial Neighborhood) for the following described property located in Sarasota County, Florida:

South of Stickney Point Road and West of Avenue A, more particularly described as follows:

A parcel of land lying and being in the southwest ¼ of Section 17, Township 37 South, Range 18 East, Sarasota County, Florida and being more particularly described as follows:

Commencing at the intersection of the southwesterly right-of-way line of Tamiami Trail (U.S. 41) (66 feet right-of-way) and the southeasterly right-of-way line of Stickney Point Road (66 feet right-of-way); thence south 50°00'27" west, along the southeasterly right-of-way line of said Stickney Point Road for a distance of 600.00 feet to a point on the northerly extension of the southwesterly right-of-way line of Avenue A (50 feet right-of-way); thence south 40°06'08" east along the southwesterly right-of-way line of said Avenue A, 29 feet for a POINT OF BEGINNING; thence continue south 40°06'08" east along the southwesterly right-of-way line of said Avenue A, 385.97 feet; thence south 50°00'27" west and parallel with the southeasterly right-of-way line of Stickney Point Road, 515.44 feet to intersect the northeasterly right-of-way line of Avenue B and C (50 feet right-of-way); thence north 39°59'33" west along the northeasterly right-of-way line of said Avenue B and C, for a distance of 40.00 feet; thence north 50°00'27" east and parallel with the southeasterly right-of-way line of said Stickney Point Road, a distance of 212.48 feet; thence north 40°06'08" west and parallel with the southwesterly right-of-way line of said Avenue A, for a distance of 365.95 feet to intersect the southerly right-of-way line of said Stickney Point Road; thence north 50°00'27" east for a distance of 282.97 feet; thence south 84°57'00" east, for a distance of 28.24 feet to the POINT OF BEGINNING. Together with and subject to an exclusive drainage easement 15 feet in width as recorded in official Records Book 1544, at page 1901 of the Public Records of Sarasota County, Florida.

Subject to an exclusive ingress and egress easement 40 feet in width as recorded in Deed Book 329, at page 392, and Official Records Book 587, at page 379 of the Public Records of Sarasota County, Florida.

ALSO SUBJECT TO a non-exclusive utility easement 40 feet in width as recorded in Official Records Book 766, at page 677 of the Public Records of Sarasota County, Florida.

ALSO SUBJECT TO an exclusive ingress and egress easement 18 feet in width as recorded in Deed Book 329, at page 392, and Official Records Book 587, at page 379 of the Public Records of Sarasota County, Florida.

ALSO SUBJECT TO an exclusive utility easement 6 feet in width as recorded in Official Records Book 1596, at page 0526 of the Public Records of Sarasota County, Florida.

ALSO SUBJECT TO a perpetual utility easement 40 feet in width as recorded in Official Records Book 587, at page 580 of the Public Records of Sarasota County, Florida.

ALSO SUBJECT TO a non-exclusive perpetual utility easement as recorded in Official Records Book 3028, at page 770 of the 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 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.

2. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
3. Outdoor refuse areas and loading areas shall be visually screened in accordance with Section 11.6. of the Sarasota County Zoning Ordinance. Refuse areas shall be located 50 feet from the south and west property lines.
4. Mobile home park residents to the west of the subject parcel shall continue to have access to Avenue B / C via Dawn Street. An electronic gate shall be installed on Dawn Street east of Michigan Avenue prior to the issuance of a certificate of occupancy on the subject parcel. The gate shall ensure that mobile home park residents continue to have access to and from Avenue A. Use of the gate is limited to mobile home park residents only. This stipulation may, in the future, be modified by the Board through the rezoning process, to preclude vehicular access to Dawn Street if such access is found to be creating additional adverse impacts on Dawn Street.
5. A buffer 10' in width, landscaped in accordance with Section 13.14 "F" including a 6' high wall, shall be provided along the western and southern property lines of the subject parcel. Along the western property line, the buffer shall be located east of Michigan Avenue. All required plant material shall be on the residential side of the walls. All other buffers shall be in accordance with Section 13 of the Zoning Ordinance.
6. All development on the subject parcel shall comply with current Land Development Regulations and Zoning Ordinance requirements.
7. The stormwater management areas shall be designed such that no fencing is required.

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 23<sup>rd</sup> day of January, A.D., 2002.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

Nora Patterson  
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: Paula J. Lintman  
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 OFFICE WITNESS MY HAND AND OFFICIAL  
SEAL THIS DATE 2/13/2002  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS SARASOTA COUNTY FLORIDA  
By: Paula J. Lintman  
DEPUTY CLERK

