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


RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2002208500 5 PGS
2002 DEC 13 04:33 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
KRICE Receipt#253992



NOTICE OF STIPULATIONS
AND LIMITATIONS ENCUMBERING
REAL PROPERTY PURSUANT TO
THE SARASOTA COUNTY ZONING CODE

The following property, located on the southwest corner of McCall Road and Green Street in Sarasota County, Florida, owned by Les Milliken, and described in Ordinance No. 2002-041 attached hereto, has been rezoned to a CI (Commercial, Intensive) zone district pursuant to Rezone Petition No. 02-05 filed by Stephen D. Rees, Agent, and granted by Sarasota County on September 24, 2002, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

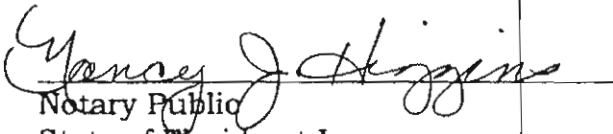
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2002-041, attached hereto)


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 9th day
of December, A.D. 2002.


Notary Public
State of Florida at Large

This instrument prepared by:
SMA



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

ORDINANCE NO. 2002- 041

BOARD RECORDS
FILED FOR RECORD

2002 SEP 26 PM 3: 10

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.

CLERK OF COUNTY COURT
SARASOTA COUNTY, FLORIDA
OCT - 1 PM 4: 50

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. 02-05, requesting rezoning of the property described herein.

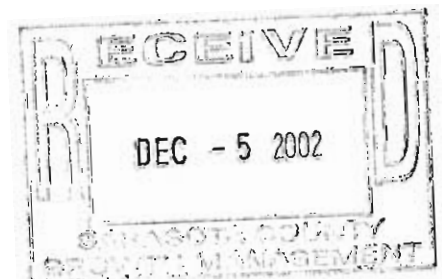
B. The Board has held a public hearing on the proposed rezoning of the property described herein in accordance with the requirements of Sarasota County Ordinance No. 75-38, codified in Appendix A of the Sarasota County Code (hereinafter "the Zoning Ordinance"), and has considered the information received 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 1.8 acres ± from District's CG (Commercial, General) and RSF-4 (Residential, Single Family, 5.5 units/acre) to District CI (Commercial, Intensive) for the following described property located in Sarasota County, Florida:

Southwest corner of McCall Road and Green Street, more particularly described as follows:



All of Block 2, Subdivision of Lot 86, Plat of Englewood, Plat Book 4, Page 59, Sarasota County Public Records Book and proposed vacation of that portion of unnamed right-of-way (a.k.a.) Maple Street (50' R/W) as shown on the record plat of subdivision of Lot 86, Plat of Englewood, Plat Book 4, Page 59, Public Records of Sarasota County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Block 4, said subdivision of Lot 86, as shown on Plat of Englewood; thence South 89°29'14" East, along the northerly right-of-way line of Langsner Street (50' R/W), a distance of 300.0 feet to the westerly right-of-way of said Maple Street (50' R/W), and the Southeast corner of Lot 12, Block 4, said subdivision of Lot 86; thence North 00°05'46" East along the westerly right-of-way line of said Maple Street, a distance of 140.0 feet to the northeast corner of said Lot 12, Block 4, and the point of beginning; thence continue North 00°05'46" East along said westerly right-of-way line, a distance of 140.0 feet to the southerly right-of-way line of Green Street (50' R/W); thence South 89°29'14" East along said southerly right-of-way line, a distance of 50.0 feet to the easterly right-of-way line of Maple Street (50' R/W); thence South 00°05'46" West along said easterly right-of-way line, a distance of 280.0 feet to the northerly right-of-way line of said Langsner Street; thence North 89°29'14" West along said northerly right-of-way line of said Langsner Street, a distance of 25.0 feet to the centerline of said Maple Street; thence North 00°05'46" East along said centerline, a distance of 140.0 feet to the intersection with the easterly projection of the northerly line of said Lot 12, Block 4; thence North 89°29'14" West along said easterly projection, a distance of 25.0 feet to the Point of Beginning. Containing 10,500 ± square feet.

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 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.
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 shall be set back at least 50 feet of any residentially zoned property line and visually screened in accordance with Sections 11.6.f of the Sarasota County Zoning Ordinance.
4. Outdoor loading areas shall be screened in accordance with Section 11.6.k of the Sarasota County Zoning Ordinance.
5. All development shall be consistent with the Englewood Town Center Revitalization Plan (Ordinance No. 97-015), except as modified by Stipulation No. 6 for freestanding signs. Additionally, the CI requirements found in Condition for Development Approval No. 9 of the Englewood Town Center Revitalization Plan shall be addressed.

6. Freestanding signs shall be limited to no more than one street sign (located on McCall Road), maximum height of 15', maximum size of sign face is 50 sq. ft, with the width of the sign support enclosure equal to at least one-half (1/2) of the horizontal width of the sign surface.
7. Landscaping shall be in accordance with the landscaping buffers depicted on the attached Concept Plan, dated March 15, 2002, attached as Exhibit A.
8. Outdoor sales and display, as a permitted use in the CI zone district, shall be limited to the areas as shown on the attached Concept Plan, dated March 15, 2002, attached as Exhibit A.

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 September, A.D., 2002.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Nora Patterson

Chairman

ATTEST:

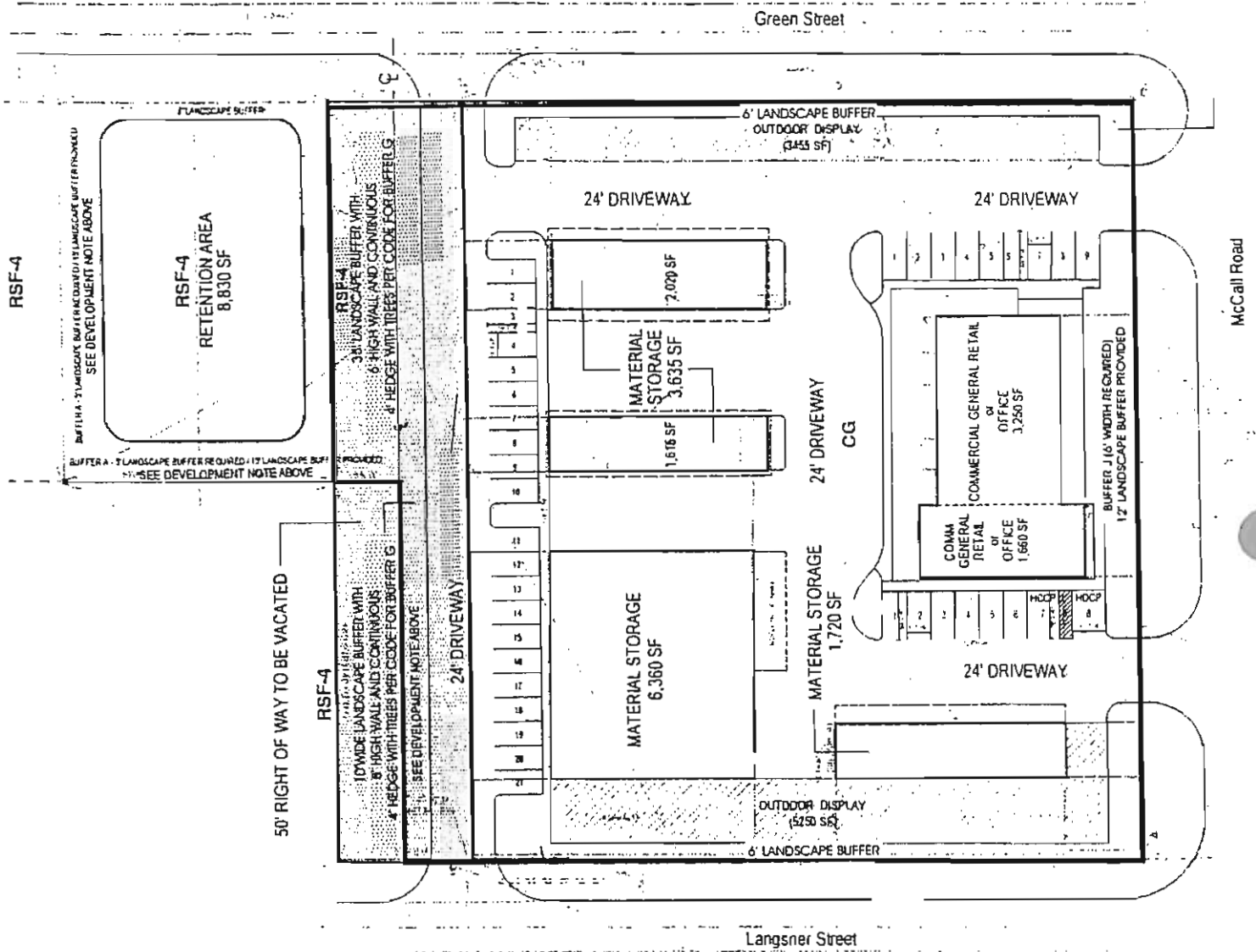
KAREN E. RUSHING, Clerk of
the Circuit Court and Ex-
Officio Clerk of the Board of
County Commissioners of
Sarasota County, Florida.

By: Paula J. Clinton
Deputy Clerk

MAP SERIES/CONCEPT PLAN

EXHIBIT "A"

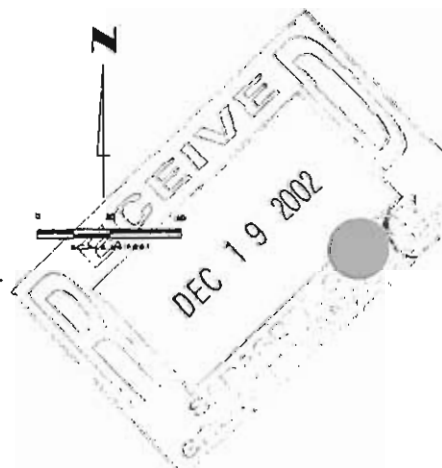
INSTRUMENT # 2002208500
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MAPLE STREET R.O.W.

THIS DOCUMENT RECEIVED BY:
GROWTH MANAGEMENT ON
MARCH 15, 2002

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 9/26/2002
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY Paula J. Clinton
DEPUTY CLERK



02002-041