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INSTRUMENT # 2002071698 4 PGS

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KAREN E. RUSHING

CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
VBROTHER Receipt#166280

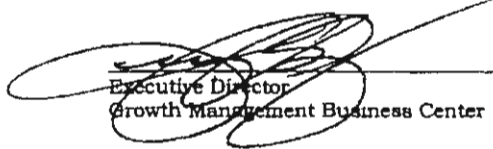
Please record and return to Karen Grasset
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236

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

2002071698

The following property located in Sarasota County, Florida, owned by Walt Eppard, and described in Ordinance No. 2002-023 attached hereto, has been rezoned to an RSF-2 (Residential, Single Family, 3.5 units/acre) zone district pursuant to Rezone Petition No. 02-06 filed by Robert Medred, Agent, and granted by Sarasota County on March 12, 2002, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code

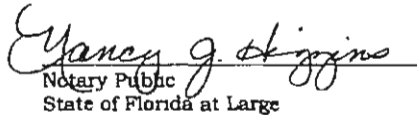
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2002-023, attached hereto)


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 2nd 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 93653D
Expires May 15, 2004
Bonded Through
Atlantic Bonding Co., Inc.

ORDINANCE NO. 2002-023

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 CIRCUIT COURT
SARASOTA COUNTY, FL
2002 MAR 22 PM 3: 23
FILED FOR RECORD

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. 02-06, 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 10.4 acres ± from District OUE-1 (Open Use, Estate, 1 unit/5 acres) to District RSF-2 (Residential, Single Family, 3.5 units/acre) for the following described property located in Sarasota County, Florida:

North of Proctor Road and 500 feet ± east of Baycedar Lane, more particularly described as follows:
Begin at the southwest corner of the southeast ¼ of Section 6, Township 37 South, Range 19 East; thence north 02°30'40" east, 1374.13 feet; thence north 89°46'20" east, 330.13 feet; thence south 02°30'20" west, 1375.43 feet; thence north 89°46'20" west, 330.19 feet to the POINT OF BEGINNING.

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. The Applicant shall demonstrate that the function of the floodplain has not been adversely affected by this development. The Applicant shall provide floodplain compensation; or, prior to construction plan approval the Applicant shall provide an easement over the floodplain. The easement shall stipulate, "no fill or modification to grade is allowed in the easement area".
3. The Applicant shall utilize the Phillippi Creek Model to demonstrate no adverse impacts to off-site flood levels upstream or downstream of the development.
4. A six foot high opaque fence shall be constructed on the west boundary where the subject parcel abuts lots in the Country Creek subdivision. This fence shall be required along lots 13 and 14 in Country Creek Subdivision if the stormwater detention area is not constructed along the common boundary.
5. Access to Proctor Road shall be provided for the RSF-1 property to the north through the subject parcel. The road constructed as part of the development on the subject parcel shall be stubbed out to the common boundary, as approved by Transportation Planning, between the subject parcel and the RSF-1 parcel to the north.
6. Development on the subject parcels shall be limited to a total of 22 dwelling units.

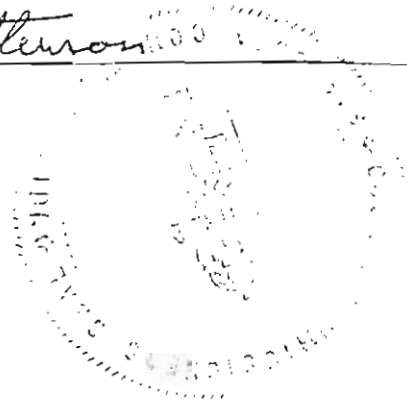
Section 4. Effective Date. This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Secretary of State of Florida that this Ordinance has been filed with said office.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 12th day of March, 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: [Signature]
Deputy Clerk