


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

RECORDED IN OFFICIAL RECORDS  
 INSTRUMENT # 2002201645 4 P.58  
 2002 DEC 04 12:32 PM  
 KAREN E. RUSHING  
 CLERK OF THE CIRCUIT COURT  
 SARASOTA COUNTY, FLORIDA  
 MMARDEN Receipt#249800

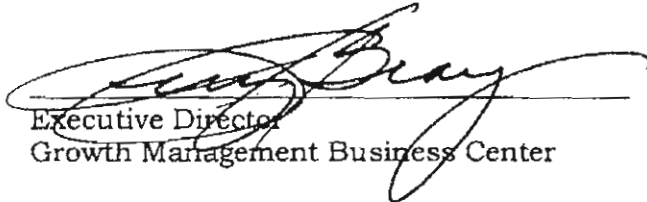


2002201645

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

The following property, located on 11.35 ± acres north of Delft Road and approximately 2765' ± east of Iona Road in Sarasota County, Florida, owned by James D. and/or Carolyn S. Coones, and described in Ordinance No. 2002-036 attached hereto, has been rezoned to an OUE-1 (Open Use, Estate, 1 unit/5 acres) zone district, pursuant to Rezone Petition No. 02-14, filed by James D. and Carolyn Coones, Agents/Owners, and granted by Sarasota County on October 9, 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. 2002-036, attached hereto)

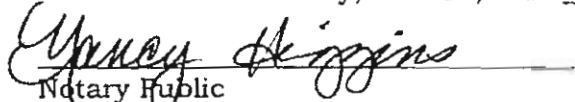


Executive Director  
Growth Management Business Center

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 21<sup>st</sup> day of November, 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. 2002-036

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.

FILED  
2002 OCT 15 PM 12:41  
DEPT. OF STATE  
TALLAHASSEE, FLORIDA

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. 02-14, 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 12 acres ± from District OUR (Open Use, Rural, 1 unit/10 acres) to District OUE-1 (Open Use, Estate, 1 unit/5 acres) for the following described property located in Sarasota County, Florida:

11.35 ± acres north of Delft Road and approximately 2765' ± east of Iona Road, more particularly described as follows: Being a part of Lots 8,9 and 10, Block 6, of a Re-subdivision of a part of the Third Unit of Palmer Farms, per Plat thereof, recorded in Plat Book 3, Page 53, of the Public Records of Sarasota County, Florida, and being further described as follows: Commence at the Southeast

BOARD RECORDS  
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2002 OCT 10 PM 12:37  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FL

corner of Lot 11, of said Block 6, thence N63°01'33"W., along the Southerly line of said Block 6, a distance of 1174.28 feet for a Point of Beginning; thence N25°39'08"E., 280.00 feet; thence N64°20'52"W., 175.00 feet; thence N06°08'30"W., 658.85 feet to a point on the Southerly right-of-way line of A.C.L. Railroad; thence N57°06'30"W., along said right-of-way line, 518.41 feet; thence S00°23'39"W., along the West line of the East 222.88 feet of Lot 8, said Block 6, a distance of 985.30 feet to a point on the Northerly right-of-way line of Delft Road; thence S63°01'33"E., along said right-of-way line, 616.14 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, in accordance with applicable federal, state or local regulations. At the time of recording a plat or prior to final construction plan approval, the Owner shall be required to record in public records a Notice To Purchaser, approved by Sarasota County, putting purchasers on notice that maintenance of drainage facilities is a private responsibility.
2. Prior to any filling or excavation of the pond in the southwest corner of the parcel, the applicant shall confirm with the Florida Department of Environmental Protection if a wetland exists in this area and shall submit to Resource Protection Services for an earthmoving permit.
3. Pursuant to the requirements of Section B.25 of the OUE-1 zone district and Section 28.154 of the Sarasota County Zoning Ordinance, the existing horse stable shall not be utilized for public purposes after the subject property is split into two separate parcels.

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.

NOV - 5 2002

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 9<sup>th</sup> day of October, 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. Hesterman*  
Deputy Clerk

NOV 5 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 10/10/2002  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
BY: *Paula Hesterman*  
DEPUTY CLERK