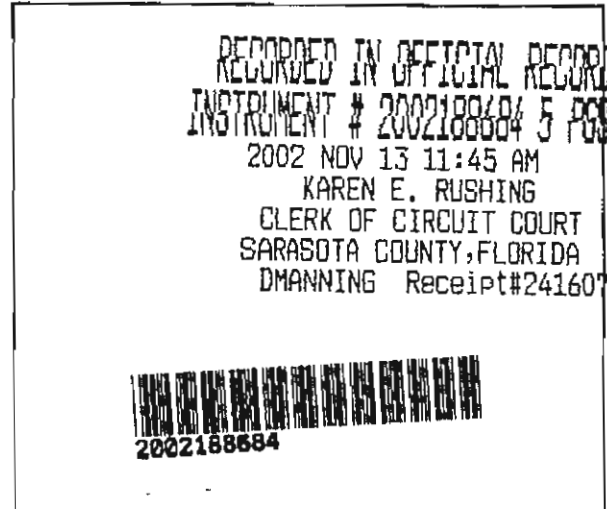



5
✓ Please record and return to Karen Grasset
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236

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



The following property, located west of Pine Street and 300 ± feet south of Dearborn Street in Sarasota County, Florida, owned by Christina Pfahler, and described in Ordinance No. 2002-042 attached hereto, has been rezoned to a OPI (Office, Professional and Institutional) zone district pursuant to Rezone Petition No. 02-19 filed by Bruce E. Franklin, 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:

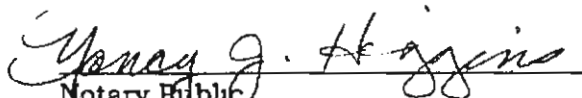
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2002-042, attached hereto)


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 12th 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. 2002-042

COUNTY CLERK
FILED

2002 OCT 25 PM 3:29

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, FL

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

2002 OCT 30 PM 1:14

RECEIVED

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. 02-19, 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 2.3 acres \pm from RE-2 (Residential, Estate, 1 unit/acre) to OPI (Office, Professional and Institutional) for the following described property located in Sarasota County, Florida:

West of Pine Street and 300 ± feet south of Dearborn Street, more particularly described as follows;

DESCRIPTION: PARCEL 31-1.1

A PORTION OF THE GRANTOR'S TRACT AS RECORDED IN OR. 1387, PAGE 179 AND OR. 1696, PAGE 668, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF LOT 601, ENGLEWOOD GARDENS UNIT NO. 2, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 36, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.87°46'28"W., ALONG THE SOUTH LINE OF SAID LOT, A DISTANCE OF 7.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.87°46'28"W., ALONG SAID LOT LINE, A DISTANCE OF 59.90 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE 93.38 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1946.25 FEET, A CENTRAL ANGLE OF 2°44'56" AND A CHORD OF 93.37 FEET WHICH BEARS N. 13°04'29"W TO A POINT OF NON-TANGENCY; THENCE 99.39 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1234.25 FEET, A CENTRAL ANGLE OF 4°36'50", AND A CHORD OF 99.36 FEET WHICH BEARS N. 17°49'37"W., TO A POINT OF REVERSE CURVATURE; THENCE 263.44 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1365.75 FEET, A CENTRAL ANGLE OF 11°03'06" AND A CHORD OF 263.03 FEET WHICH BEARS N.14°36'29"W., THENCE S.80°55'04"W., A DISTANCE OF 176.56 FEET TO THE WEST LINE OF LOT 602 OF SAID PLAT, THENCE N.02°13'47"E., ALONG SAID LINE A DISTANCE OF 225.86 FEET, THENCE S.89°07'54"E., PARALLEL WITH AND 67.00 FEET SOUTH OF THE NORTH LINE OF SAID LOTS 602 AND 601, A DISTANCE OF 368.00 FEET; THENCE S.02°13'32"W., PARALLEL WITH AND 7.00 FEET WEST OF THE EAST LINE OF SAID LOT 601, A DISTANCE OF 635.12 FEET TO THE POINT OF BEGINNING. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

CONTAINING 131,405 SQUARE FEET (3.017 ACRES), MORE OR LESS.

SUBJECT TO A PERPETUAL EASEMENT GRANTED TO SARASOTA COUNTY, AS RECORDED IN OFFICIAL RECORDS BOOK 2499, PAGE 1810, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

DESCRIPTION: PARCEL 31- 1.2

A PORTION OF THE GRANTOR'S TRACT AS RECORDED IN OR. 1387 PAGE 179, AND OR. 1696, PAGE 668, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING



02002-042

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 601, ENGLEWOOD GARDENS. UNIT NO. 2, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 36, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N.87°46'28"W., ALONG THE SOUTH LINE OF SAID LOT, A DISTANCE OF 66.90 FEET TO A POINT ON A CURVE AND THE POINT OF BEGINNING, THENCE CONTINUE N.87°46'28"W., ALONG SAID LINE A DISTANCE OF 19.58 FEET TO A POINT ON A NON-TANGENT CURVE, THENCE 87.58 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1927.25 FEET, A CENTRAL ANGLE OF 2°36'13" AND A CHORD OF 87.57 FEET WHICH BEARS N.13°08'32"W., TO THE END OF NON-TANGENT CURVE, THENCE 97.68 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 7215.25 FEET, A CENTRAL ANGLE OF 4°36'20" AND A CHORD OF 97.66 FEET WHICH BEARS N.17°49'52"W., TO A POINT OF REVERSE CURVATURE, THENCE 267.10 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1384.75 FEET, A CENTRAL ANGLE OF 11°03'06" AND A CHORD OF 266.69 FEET WHICH BEARS N.14°36'29"W., THENCE N. 80°55'04"E., A DISTANCE OF 19.00 FEET TO A POINT ON A CURVE; THENCE 263.44 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1365.75 FEET, A CENTRAL ANGLE OF 11°03'06", AND A CHORD OF 263.03 FEET WHICH BEARS S.14°36'29"E., TO A POINT OF REVERSE CURVATURE; THENCE 99.39 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1234.25 FEET, A CENTRAL ANGLE OF 4°36'50", AND A CHORD OF 99.36 FEET WHICH BEARS S.17°49'37"E., TO A POINT ON A NON-TANGENT CURVE, THENCE 93.38 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1946.25 FEET, A CENTRAL ANGLE OF 2°44'56" AND A CHORD OF 93.37 FEET WHICH BEARS S.13°04'29"E., TO THE POINT OF BEGINNING. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
CONTAINING 8631 SQUARE FEET ± (0.198 ACRE)

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. Prior to submittal of any site and development plan application, a final survey using recognized sampling techniques to identify endangered, threatened, and species of special concern shall be performed. The applicant shall provide documentation of efforts that have been made with the appropriate regulatory agencies to resolve any listed species issues associated with the site.
3. Concurrent with the development of the subject parcel, the southbound travel lanes on Pine Street shall be re-striped to provide a right-turn lane, a through lane and a bicycle lane which transitions down to a two lane road facility with bicycle lanes to the southern property line. The right-turn lane shall be designed to meet the Florida Department of Transportation design standards. The improvements shall be included in the construction plans.
4. Prior to or concurrent with construction authorization, the developer shall record a vehicular ingress/egress access easement (minimum 30 feet in width) or right-of-way to the adjacent parcels to the west and south of the subject parcel. The easement shall be paved to the west and south property lines prior to the issuance of the first Certificate of Occupancy for the subject parcel.
5. All development shall comply with the applicable elements of Ordinance No. 93-059, as may be amended, adopting the Pine Street, Dearborn Street and South River Road Sector Plan.

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

Nona 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: Nunya Alday-Eaney
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 10/25/2002
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

Paula J. Johnston