


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

RECORDED IN OFFICIAL RECORDS
 INSTRUMENT # 2002201644 5 Pgs
 2002 DEC 04 12:32 PM
 KAREN E. RUSHING
 CLERK OF THE CIRCUIT COURT
 SARASOTA COUNTY, FLORIDA
 MMARDEN Receipt#249800

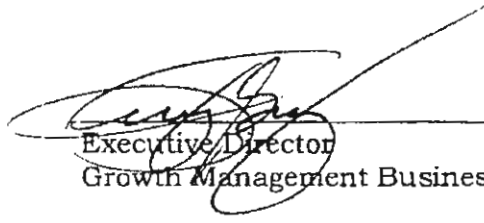


2002201644

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

The following property, located 650' west of Lockwood Ridge Road on University Parkway in Sarasota County, Florida, owned by Juan Curci, and described in Ordinance No. 2002-061 attached hereto, has been rezoned to a OPI/PD (Office, Professional and Institutional, Planned District) zone district pursuant to Rezone Petition No. 02-24 filed by Peter M. Dailey, Agent, and granted by Sarasota County on October 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. 2002-061, attached hereto)

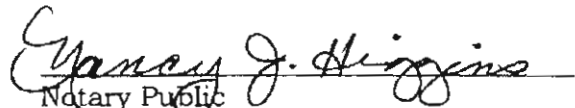


Executive Director
Growth Management Business Center

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 21st day of November, A.D. 2002.



Nancy J. Higgins
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.

2002 SEP 11 PM 3:01

ORDINANCE NO. 2002-055

CLERK OF THE BOARD OF COUNTY COMMISSIONERS
SARASOTA COUNTY, FL

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 SEP 13 PM 3:47
DEPARTMENT 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. 02-28, 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.
- E. The subject 2.0 acre ± parcel is within the Fruitville Road Corridor Plan No. 88-01-SP. The Corridor Plan currently designates the subject parcel as Moderate Density Residential. Section C.2 of Exhibit "A" of the Critical Area Planning (CAP) Regulations (Ordinance No. 97-074) provides for amendment to a relevant CAP ordinance through the final ordinance adopting the proposed development order where the proposed development is inconsistent with an existing designation in the CAP but is consistent with the Apoxsee Future Land Use Map and with all other relevant components of Apoxsee.

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 acres ± from District RMF-1 (Residential, Multi-Family, 6 units/acre) to District OPI (Office, Professional and Institutional) for the following described property located in Sarasota County, Florida:

NOV

The legal description of said property in Sarasota County, Florida being:

Lots 17 through 28, inclusive, Block "A", ELYSIA SUBDIVISION, as per Plat thereof recorded in Plat Book 1, Page 208, of the Public Records of Sarasota County, Florida, AND those portions of Lots 29 and 30, Block 'A", ELYSIA SUBDIVISION, described as follows:

Begin at the Northeast corner of Lot 27, Block "A", ELYSIA SUBDIVISION, and run thence East 3 feet; run thence South and parallel to the East line of said Lot 27 to a point 19 feet South and 3 feet East of the Southeast corner of said Lot 27; run thence West to the East line of Lot 28; run thence North along the East line of Lots 28 and 27, Block "A", ELYSIA SUBDIVISION, to the Point of Beginning. AND the North one-half of street vacated in Deed Book 372, Page 510 lying adjacent to the South line of Lots 18, 20, 22, 24, 26 and 28, Block "A", ELYSIA SUBDIVISION, Plat Book 1, Page 208, Public Records of Sarasota County, Florida. LESS road right-of-way as described in Deed Book 370, Page 375 and in Official Records Book 1905, Page 118, 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:

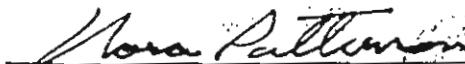
1. The Owner shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state or local regulations. At the time of recording a plat 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. All development shall comply with the Fruitville Road Corridor Plan (Ordinance No. 96-082 as amended).
3. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets. Loading areas shall be visually screened in accordance with Section 11.6. of the Sarasota County Zoning Ordinance.
4. Refuse areas shall be setback at least 50 feet from the south property line and at least 25 feet from any residentially zoned property line to the east or west. Refuse areas shall be visually screened in accordance with the Fruitville Road Corridor Plan.
5. Landscape buffers shall be provided as shown on the Development Concept Plan dated February 13, 2002, attached hereto as Exhibit A, except as may be necessary to comply with required access easements contained herein.
6. Prior to Construction Plan approval, the developer shall record a vehicular, pedestrian, bicycle ingress/egress access easement (minimum 30 feet in width) or right-of-way to the adjacent parcels

located to the east and west. The easement shall be paved across the subject parcel to the east and west property lines prior to the issuance of the first Certificate of Occupancy for the subject parcel.

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 11th day of September, A.D., 2002.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA




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:



Deputy Clerk

NOV - 11 2002

