

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2003020273 5 PCC
INSTRUMENT # 2003020003 5 PCC
2003 FEB 13 05:03 PM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
KRICE Receipt#278180



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Please record and return to: (Via Inter-Office Mail)
Karen Grassett
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 south of University Parkway and 311' ± west of Tuttle Avenue in Sarasota County, Florida, owned by Richard Dear and Clay Palmer, and described in Ordinance No. 2003-002 attached hereto, has been rezoned to a OPI/PD (Office, Professional and Institutional/Planned Development) zone district pursuant to **Rezone Petition No. 02-33** filed by Peter M. Dailey, Agent, and **granted** by Sarasota County on **January 22, 2003**, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

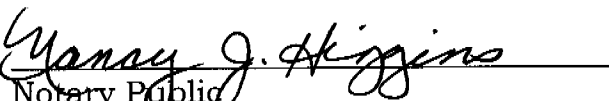
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2003-002, attached hereto)


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 11th day of February, A.D. 2003.


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.

ORDINANCE NO. 2003-002

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
2003 JAN 29 2003 JAN 31 PM 13
CLERK OF DEPARTMENT OF STATE
SARASOTA MIAMI ASSOCIATES, 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. 02-33, 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 2.08 acres \pm from District RE-1 (Residential, Estate, 1 unit/2 acres) to District OPI/PD (Office, Professional and Institutional/Planned Development), for the following described property located in Sarasota County, Florida:

South of University Parkway and 311' \pm west of Tuttle Avenue, being more particularly described as follows;
East 163.75' of west 982.50' of north 299.75' of northeast quarter of the northeast quarter of Section 5, Township 36 south, Range 18 east, less north 33' thereof for road right-of-way for County Line Road, 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 and 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. Access to the subject parcel shall be temporary until such time as a connection to a permanent/major access, consistent with the University Parkway Interlocal Agreement and the University Parkway Corridor Plan, is available. When a connection to a permanent access becomes available, the temporary access shall be eliminated. Development of the subject parcel shall be limited to the trip and square foot thresholds set in the University Parkway Interlocal Agreement and the University Parkway Corridor Plan.
3. Development shall take place in substantial compliance with the Development Concept Plan dated July 26, 2002 and attached hereto as Exhibit "A" except modified as necessary to comply with the stipulations contained herein. This does not infer nor imply any variances from applicable zoning or land development regulations.
4. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
5. Development on the subject parcel shall be in compliance with the Amended conditions for Development Approval set forth in Ordinance 96-076, the University Parkway Corridor Plan-West.
6. As noted on the Development Concept Plan dated July 26, 2002, the eastern buffer shall not be required.
7. No OPI uses shall commence on the subject parcel until a Site and Development Plan has been approved by Sarasota County and all required improvements have been installed.
8. Connection to water shall be made within 90 days of availability.
9. The current functional well cannot be used as a potable water supply for the proposed office complex. A state certified professional engineer must design a non-transient, non-community water system and a new well must be drilled in accordance with Department of Environmental Protection and Southwest Florida Water Management District regulations.

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 22 day of January, A.D., 2003.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Kenneth Seal
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: *Cynthia A. Stutz*
Deputy Clerk

RECEIVED
FEB 10 2003

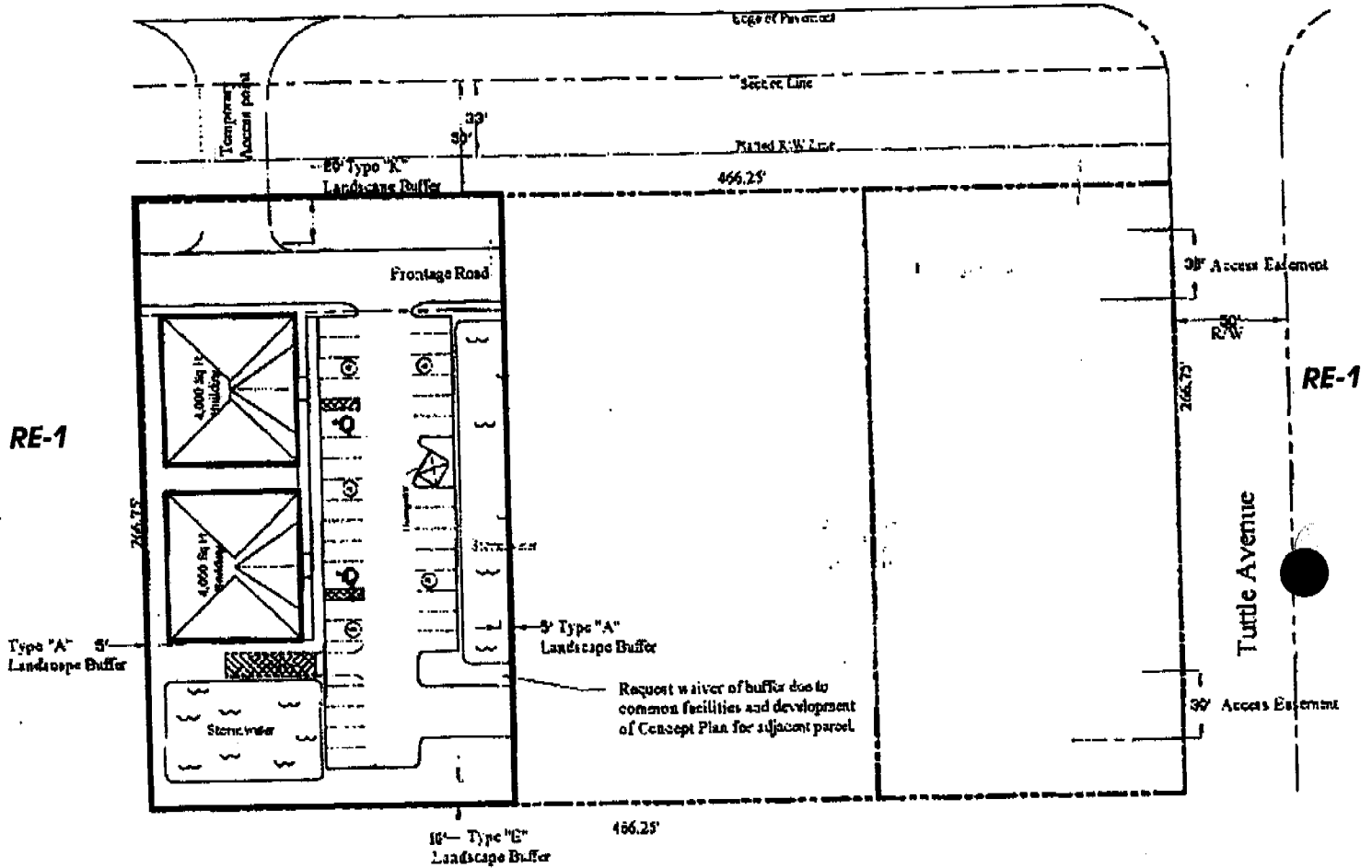
STATE OF FLORIDA
COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILED
IN THIS OFFICE BY ME AND OFFICIAL
ON 1/27/03
SEAL THIS DAY
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY: *Cynthia A. Stutz*
DEPUTY CLERK

MAP SERIES/CONCEPT PLAN

EXHIBIT "A"

INSTRUMENT # 2003028663
5 PGS

University Parkway - Eastbound Lanes



RE-1

RE-1

BUFFER	
NORTH-BUFFER "K"	2 CANOPY-2 UNDERSTORY-2 HEDGE PER 80 LINEAL FEET
EAST-BUFFER "A"	3 CANOPY-PER 100 LINEAL FEET (REQUEST WAIVER DUE TO COMMON FACILITIES AND DEVELOPMENT OF CONCEPT PLAN FOR ADJACENT PARCEL)
SOUTH-BUFFER "E"	3 CANOPY-6 UNDERSTORY TREES PER 100 LINEAL FEET (PLUS 6' HIGH MASONARY WALL)
WEST-BUFFER "A"	3 CANOPY-PER 100 LINEAL FEET

THIS DOCUMENT RECEIVED BY:
GROWTH MANAGEMENT ON
JULY 26, 2002



COUNTY OF SARASOTA, FLORIDA

Board of County Commissioners
Sarasota County Growth Management Business Center

Date: February 11, 2003

MEMORANDUM TO:

Peter M. Dailey
3665 Bee Ridge Road, Suite 312
Sarasota FL 34233

Development Services, Code Enforcement (Jim LeGay)
Development Services, County Surveyor (Gayle Fosness)
Development Services, Permitting (Martin Duran)
Development Services, Land Dev., (Gene Middaugh/Efrain Duque)
Development Services, Resource Protection (Jim Dierolf)
Development Services, Zoning (Tate Taylor)
Development Services, Permitting (Dave Rinehart)
Emergency Services, Fire Department (Jane Ross)
Environmental Services, Utilities (John Saraniero, Robert Wright)
Growth Management (Elaine Wickwire/Steve Brown/Jack Wilhelm)
Health/Human Services (Rob Bolesta)
History Center (Dan Hughes)
Natural Resources (Laird Wreford)
Property Appraiser (Jim Todora)
Public Works, Transportation (Jim Harriott/Frank Domingo)
Public Works, Stormwater (Steve Suau)
School Board (Ken Marsh)

SUBJECT:

Rezone Petition No. 02-33

PLANNER:

Matt Lewis

ORDINANCE NO. 2003-002

PID#: 0022-09-0009

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On January 22, 2003, the Sarasota Board of County Commissioners **GRANTED** Rezone Petition No. 02-33 to rezone 1 acres \pm south of University Parkway and 311' \pm west of Tuttle Avenue in Sarasota County, Florida, from District RE-1 (Residential, Estate, 1 unit/2 acres) to District OPI/PD (Office, Professional and Institutional/Planned Development) with stipulations.

A copy of Ordinance No. 2003-002 is attached for your information.

BY: /s/Jerry Gray
Executive Director
Growth Management Business Center