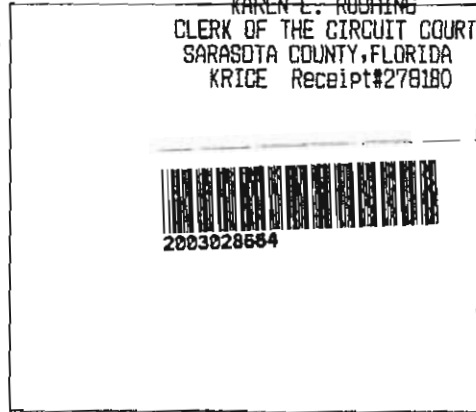


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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
KRICE Receipt#278180

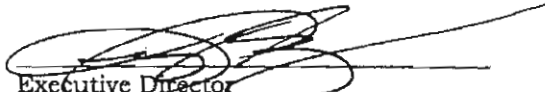
Please record and return to: (Via Inter-Office Mail)
Karen Grasset
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236



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

The following property, located north of Fruitville Road and 550' east of Simmons Road in Sarasota County, Florida, owned by Cesar Thomas, and described in Ordinance No. 2003-001 attached hereto, has been rezoned to the OPI (Office, Professional and Institutional) zone district pursuant to **Rezone Petition No. 02-52** filed by Robert J. Medred, 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:

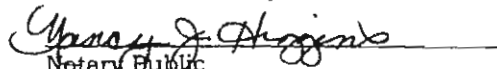
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2003-001, attached hereto)


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.


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. 2003-001

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

2003 JAN 31 PM 2:12

FILED

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.

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. 02-52, 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 2.4 acres from Residential Single Family-2 to Office, Professional, & Institutional District for the following described property located in Sarasota County, Florida:

The Southeast 1/4 of Southeast 1/4 of Northwest 1/4 of Section 23, Township 36 South, Range 18 East, Sarasota County, Florida, LESS the East 486.6 feet thereof and further LESS the right-of-way conveyed to State of Florida recorded in Official Record Book 1870, Page 2039, Public Records of Sarasota County, Florida.

Also Less the following parcel, which parcel may or may not be

2003 JAN 21 PM 1:57
FILED
SARASOTA COUNTY, FL

included in the above legal description. Commence at the Southwest corner of the above described parcel, being also a point on the North right-of-way of Fruitville Road; thence N 00°25'25" West, 526.17 feet to a concrete monument, being the **Point of Beginning** of the subject parcel; thence continue N 00°25'25" West, 40.77 feet to an iron pipe, also being the South line of Village Oaks Condominium, as per plat thereof recorded in Condominium Book 19, Page 44, Public Records of Sarasota County, Florida; thence Easterly along the Southerly boundary of said condominium, being S 89°37'57" East, 203.16 feet; thence S 00°22'58" East, 35.71 feet to a two inch iron pipe; thence S 88°56'28" West, 203.12 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 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. Refuse areas shall be set back at least 50 feet of any residentially zoned property line and visually screened in accordance with section 11.6.f of the Sarasota County Zoning Ordinance.

3. The Master Surface Water Management Plan shall be consistent with the Phillip Creek Basin Master Plan.

4. 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 parcel to the east, across the subject parcel, to the eastern property line. The easement shall be paved to the east property line prior to the issuance of the first Certificate of Occupancy for the subject parcel.

5. In accordance with Section 74-61.a.2.c of Sarasota County's Land Development Regulations, all nuisance/invasive plant species shall be removed from the site. All removed vegetation shall be disposed of in a County-approved landfill or by another method approved by Resource Protection Services.

6. Pursuant to the requirements of the Sarasota County Tree Protection Ordinance (Ordinance No. 2002-031), should the applicant choose to remove the 49-inch live oak (Quercus Virginia) tree, it shall be mitigated by the planting of ten (10), 5-inch diameter (native trees).

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

[Handwritten Signature]
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: *[Handwritten Signature]*
Deputy Clerk

STATE OF FLORIDA
COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILED
BY THIS OFFICE WITNESS MY HAND AND OFFICE

1/27/03
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
[Handwritten Signature]