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

RECORDED IN OFFICIAL RECORDS  
 INSTRUMENT # 2003061025 5 PGS  
 2003 APR 01 03:50 PM  
 KAREN E. RUSHING  
 CLERK OF THE CIRCUIT COURT  
 SARASOTA COUNTY, FLORIDA  
 KRICE Receipt#298341




2003061025

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

The following property, located at the northwest corner of Luster Leaf Lane and Sweet Shade Drive in Sarasota County, Florida, owned by James H. Lanier, and described in Ordinance No. 2003-018 attached hereto, has been rezoned to the RSF-2 (Residential, Single Family, 3.5 units/acre) zone district pursuant to Rezone Petition No. 02-54 filed by Robert Medred, Agent, and granted by Sarasota County on March 12, 2003, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

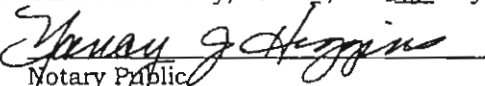
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2003-018, attached hereto)

  
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 28<sup>th</sup> day of March, 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 - 018

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  
2003 MAR 14 PM 1:55  
FILED FOR RECORD

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. 02-54, 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 10.4 acres ± from District OUE-1 (Open Use, Estate, 1 unit/5 acres) to District RSF-2 (Residential, Single Family, 3.5 units/acre) for the following described property located in Sarasota County, Florida:

Northwest corner of Luster Leaf Lane and Sweet Shade Drive in Secluded Oaks, more particularly described as follows;  
A parcel of land situated in the SW ¼ of Section 4 and the NW ¼ of Section 9, Township 37 South, Range 19 East, Sarasota County, Florida and being more particularly described as follows:  
Commence at the Southwest corner of Section 4; thence N 87°04' 19" East along the line between Sections 4 and 9, 1210.65 feet for a Point of Beginning; thence N 0°00'27" West, 283.02 feet; thence S 88°51'10" East, 169.31 feet; thence North, 31.29 feet; thence N 85°45'47" East, 492.06 feet; thence S 0°00'27" East, 313.52 feet to

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA  
2003 MAR 19 PM 4:26  
FILED

the line between Sections 4 and 9; thence continue S 0°00'27" East, 366.99 feet; thence N 89°58' 15" West, 660.00 feet; thence N 0°00'27" West, 332.90 feet, to the **Point of Beginning**.

**AND**

A tract of land lying in Section 4 and 9, Township 37 South, Range 19 East, Sarasota County, Florida described as follows:

Commence at the Southeast corner of Lot 397 of Bent Tree Village Subdivision as recorded in Plat Book 23 on Pages 12 through 120, of the public records of Sarasota County, Florida; thence N 88°49' 11" W along the Southerly line of said Bent Tree Village Subdivision a distance of 169.31 feet to the Westerly line of premises conveyed by John Meshad, Trustee to Carl E. Askins and wife by Instrument dated February 29, 1972 recorded in O.R. Book 953, page 1669, of said records; thence S 00°02'55" W along said Westerly line a distance of 40.01 feet to the **Point of Beginning**; thence continue S 00°02'55" W along said Westerly line a distance of 575.91 feet to the Southwesterly corner of said premises so conveyed to Askins; thence N 89°54'52" W along the Westerly extension of the Southerly line of said premises so conveyed to Askins a distance of 47.24 feet; thence N 00°02'55" B a distance of 576.82 feet to its intersection with a line which is 40.00 feet Southerly of and parallel with the Southerly line of said Bent Tree Village Subdivision; thence S 88°49' 11" E along said parallel line a distance of 47.25 feet to the **Point of Beginning**.

**LESS**

A tract of land lying the Southwest ¼ of Section 4, Township 37 South, Range 19 East, Sarasota County, Florida described as follows: Begin at the Southeast corner of Lot 397 of Bent Tree Village Subdivision as recorded in Plat Book 23, pages 12 through 12G, of the public records of Sarasota County, Florida; thence N 00°02'00" E along the Easterly line of said Bent Tree Village Subdivision a distance of 1.29 feet to the Southerly line of premises conveyed to James H. Lanier in O.R. Book 1252, page 1740, of said records; thence N 85°49'38" B along said Southerly line a distance of 40.11 feet to a line which lies 40.00 feet Easterly of and parallel with said Easterly line of Bent Tree Village Subdivision; thence S 00°02'00" W along said parallel line a distance of 75.04 feet to its intersection with a line which lies 40 feet Southerly of and parallel with the Southerly line of said Bent Tree Village Subdivision; thence N 88°49' 11" W along said parallel line a distance of 209.33 feet to the Easterly line of premises conveyed to Thompson Properties, Inc. in O.R. Book 1426, page 1436, of said records; thence N 00°02'55" E along said Easterly line a distance of 40.01 feet to the Southerly line of said Bent Tree Village Subdivision; thence S 88°49' 11" E along said Southerly line a distance of 169.31 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. Any site and development plans submitted for the subject property shall depict lot alignments in such a manner as to avoid any impacts to on-site protected habitats and buffer areas.
2. In accordance with Section 74-61.a.2.c of Sarasota County's Land Development Regulations, during development of the subject property, all nuisance/invasive plant species shall be removed from the site. Any removal of vegetation from a Preservation Area shall be done in accordance with an approved resource management plan. All removed vegetation shall be disposed of in a County approved landfill or by another method approved by Resource Protection Services.
3. Pursuant to management guidelines contained within the Environmental Chapter of Apoxsee, all wetland areas and associated buffers, as well as any other protected habitat not approved for impact, shall be designated as Preserve Areas on submitted site and development plans, and maintained consistent with the Guiding Principles of Apoxsee. All activities involving filling, excavating, well drilling, altering vegetation (including trimming of both trees and under-story), and storing of materials shall be prohibited within preservation areas, unless written approval is first obtained from Resource Protection Services to facilitate implementation of approved habitat management plans or the removal of nuisance/invasive vegetation.
4. In accordance with Policy 5.5.11 of Apoxsee, a resource management plan, which maintains the functions and values of all preserved and conserved native habitats, and is consistent with the guiding principles of Apoxsee, shall be submitted to Resource Protection Services with site and development plans. The plan needs to address removal of nuisance/invasive plant species from the areas, as well as any proposed planting of native trees and /or understory.
5. In accordance with Policy 5.4.3 of Apoxsee, prior to, or concurrent with, submittal of site and development plans, a listed species survey shall be conducted at the subject property, using recognized sampling techniques to identify endangered, threatened, and species of special concern. In addition, Resource Protection Services shall be provided with documentation, from appropriate regulatory agencies, regarding any listed species issues associated with the site.
6. In accordance with Section 74-62.a.17 of Sarasota County's Land Development Regulations, should an appropriate agency determine that jurisdictional wetland limits encompass a portion of the subject property, a wetland hydroperiod maintenance and monitoring plan, which is consistent with Section C of the County's Environmental Technical Manual, shall be submitted to this office with site and development plans.
7. The Master Surface Water Management Plans shall be consistent with the model update for the existing Secluded Oaks Subdivision Unit I and Phillippi Creek Basin Master 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 5<sup>th</sup> day of March, A.D. 2003.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

*Shannon Shaw*

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. Strata*  
Deputy Clerk

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 WITNESS MY HAND AND OFFICIAL

SEAL THIS DATE 3/14/03  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY *Cynthia A. Strata*  
DEPUTY CLERK