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Please record and return to: (Via Inter-Office Mail)

Karen Grasset

Growth Management Business Center

1660 Ringling Boulevard, 5th Floor

Sarasota, FL 34236

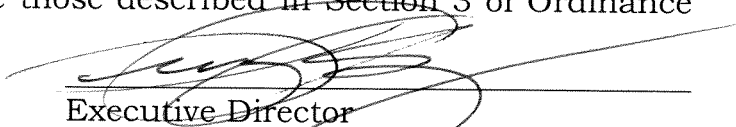
**NOTICE OF STIPULATIONS
AND LIMITATIONS ENCUMBERING
REAL PROPERTY PURSUANT TO
THE SARASOTA COUNTY ZONING CODE**

RECORDED IN OFFICIAL RECORDS
RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2003223504 4 P02
2003 NOV 05 11:00 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CFOLKINS Receipt#396457



The following property located at the southeast corner of Lake Pointe Boulevard and South Tamiami Trail in Sarasota County, Florida, owned by Lawrence H. Garatoni, and described in Ordinance No. 2003-060 attached hereto, has been rezoned to a CG (Commercial, General) zone district pursuant to Rezone Petition No. 03-22 filed by Betsy Benac, Agent, and granted by Sarasota County on October 8th, 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. 2003-060, attached hereto)

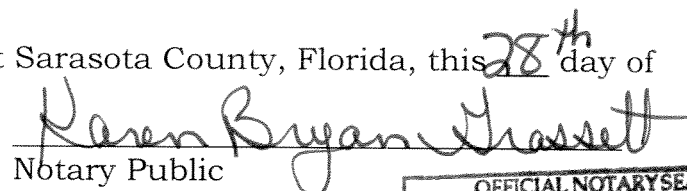

Executive Director

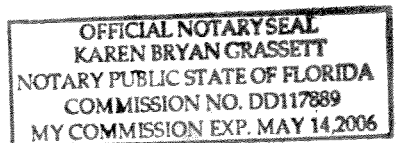
Growth Management Business Center

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 28th day of October, A.D. 2003.


Notary Public
State of Florida at Large



This instrument prepared by:
CS

ORDINANCE NO. 2003-060

2003 OCT 16 PM 1:57
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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. 03-22, 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 1.282 acres \pm from District OPI (Office, Professional and Institutional) to District CG (Commercial, General), for the following described property located in Sarasota County, Florida:

The southeast corner of Lake Pointe Boulevard and South Tamiami Trail, more particularly described as follows;
The legal description of said property in Sarasota County, Florida being:

COMMENCE at the Northeast corner of the Northeast 1/2, of Section 28, Township 37 South, Range 18 East; thence N.89°43'1

BOARD RECORDS
FILED FOR RECORD

2003 OCT 14 AM 9:13

KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

02003-060

5"W along the Northerly line of said Northeast ¼, a distance of 40.00 feet to the Westerly right-of-way of Beneva Road (80 feet wide); thence S.00°10'49"W along said Westerly right-of-way line a distance of 1337.72 feet to the South line of the North 1/2 of the Northeast ¼ of said Section 28; thence N.89°43'14"W. along said South line, a distance of 1065.58 feet to a point on the Easterly right-of-way of Tamiami Trail (U.S. 41) for the POINT OF BEGINNING; then N.44°32'07"W. along said Easterly right-of-way, a distance of 120.00 feet; thence N.39°51'44"E., a distance of 175.00 feet; thence S.89°43'14"E., a distance of 108.52 feet; thence S.55°46'48"E., a distance of 120.00 feet; thence S.00°16'46"W., a distance of 153.00 feet to said South line of the North 1/2 of the Northeast 1/4; thence N.89°43'14"W. along said South line, a distance of 235.00 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) Access to the subject parcel shall be restricted to a right turn-in/right turn-out and shall be located no closer than 122 feet south of Lake Point Boulevard (measured inside edge of Lake Point Boulevard to inside edge of access point).
- 2) The Master Surface Water Management Plan shall be consistent with the Holiday Bayou Basin Master Plan.
- 3) 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 his/her 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.
- 4) No on-site sign permits will be issued until the billboard sign is removed.
- 5) All designated parking must have either curbing or wheel stops.
- 6) Prior to construction authorization, the subject parcel shall be required to undergo the platting process pursuant to the provisions of Section 74-32 of the Sarasota County Land Development Regulations.
- 7) Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.

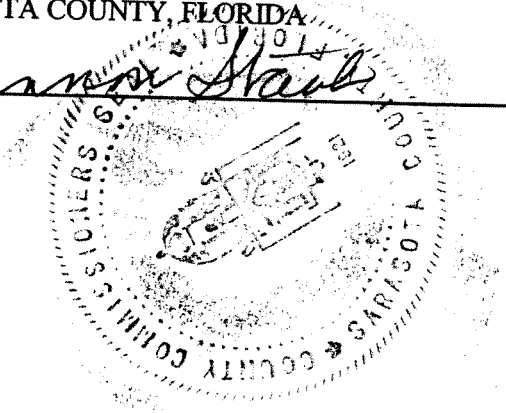
8) No outdoor speaker system shall be allowed on site.

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 8th day of October, A.D., 2003.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Shannon Stahl
Chairman



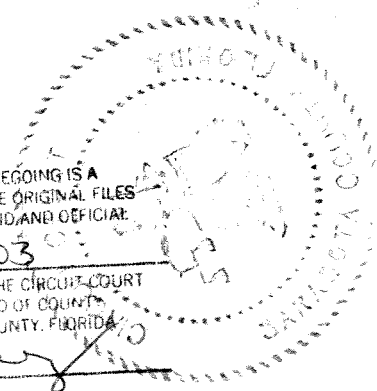
ATTEST:

KAREN E. RUSHING, Clerk of
the Circuit Court and Ex-
Officio Clerk of the Board of
County Commissioners of
Sarasota County, Florida.

By: [Signature]
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 10/14/03
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
By: [Signature]
DEPUTY CLERK



NOV 10 2003