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**PLEASE RE-RECORD TO REFLECT
CHANGES DUE TO SCRIVENER'S ERRORS.**

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2004074345 4 PGS

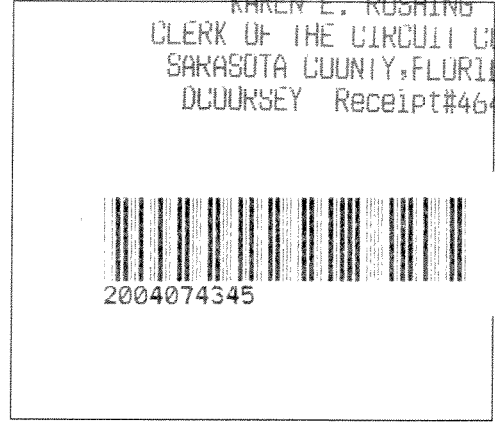
2004 APR 21 04:00 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA

DUURSEY Receipt#464105

✓ Please record and return to: (Via Inter-Office Mail)
Susan Anderson
Planning Services
1301 Cattlemen Road, Bldg. A
Sarasota, FL 34232



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

The following property, located at the north side of Bay Street east and 650' west of Pine Ranch East Road in Sarasota County, Florida, owned by Ron Shenkin, and described in Ordinance No. 2003-071 attached hereto, has been rezoned to an RSF-1 (Residential Single-Family 2.5 units/acre) zone district pursuant to Rezone Petition No. 03-28 filed by Robert Medred, Agent, and granted by Sarasota County on November 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. 2003-071, attached hereto)

B. Alan Garrett, Manager
Planning Services

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared B. Alan Garrett, Manager, Planning Services, 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 20th day of April, 2004.

Notary Public
State of Florida at Large

This instrument prepared by:
SA



Shelley E. Hamilton
MY COMMISSION # DD23335 EXPIRES
August 10, 2007
BONDED THRU TROY FAIN INSURANCE, INC.

ORDINANCE NO. 2003-071

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 2003-052, CODIFIED IN APPENDIX I 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.

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

MAR 23 PM 2:27

RECEIVED

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. 03-28, 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. 2003-052, codified in Appendix I 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 Article 4 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 9.89 acres \pm from OUE-1 (Open Use Estate, 1 unit/5 acres) to RSF-1 (Residential, Single Family, 2.5 units/acre) for the following described property located in Sarasota County, Florida:

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

MAR 15 PM 2:37

BOARD RECORDS
FILED FOR RECORD

The legal description of said property in Sarasota County, Florida being north side of Bay Street east, 650' west of Pine Ranch East Road:

Begin at the Southeast corner of Section 2, Township 38 South, Range 18 East; Thence South 89 degrees 04' 00" West along the South Line of said Section 2, 677.82' to the **Point of Beginning**; Thence continue South 89 degrees 04' 00" West along said line 670.00'; Thence North 0 degrees 02' 00" East 668.25'; Thence North 89 degrees 04' 00" East parallel to the South line of said Section 2, 670.00'; Thence South 0 degrees 02' 00" West 668.25' to the **Point of Beginning**. Less the Southerly 25' for the Road right of way.

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:

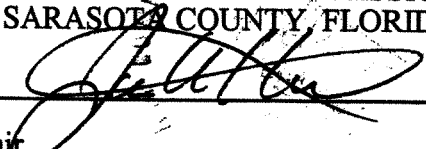
1. The Owner shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state or local regulations. At the time of recording a plat 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. Development of the subject parcel shall be limited to a maximum of seven (7) residential lots.
3. In accordance with Policy 5.6.5 of the Environment Chapter of *Apoxsee*, during development of the subject property all nuisance/invasive and exotic plant species shall be removed from the site. Any nuisance/invasive and exotic vegetation removed from required landscape buffers shall be replaced with native or ornamental plant species as part of an approved landscape plan, and any nuisance/invasive and exotic vegetation removed from preserve areas shall be replaced with native plant species as part of 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.

4. In accordance with Policy 5.4.3 of the Environment Chapter 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. The results of the surveys, including details of the methodologies used (i.e., location of transects, dates and times of surveys, etc.), shall be forwarded to Resource Protection along with any documentation from appropriate regulatory agencies regarding listed species issues associated with the site.
5. The Master Surface Water Management Plans shall be consistent with the North Creek Basin Master Plan.
6. The Applicant shall be required to update the North Creek Basin Master Plan.
7. The deeds for the subdivided parcels within the subject property shall note, "This parcel is in the 100-year floodplain."

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 12th day of November, 2003.

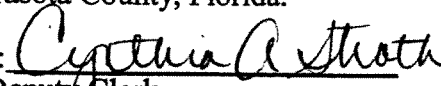
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA



Chair


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

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: 3/18/04
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA


DEPUTY CLERK

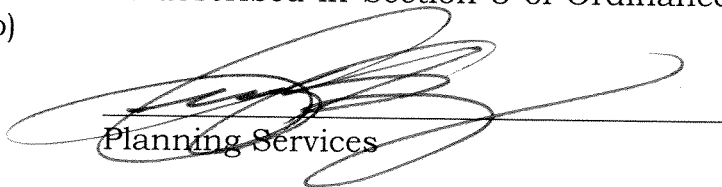
4
Please record and return to: Karen Grassett
(Via Inter-Office Mail)
Planning Services
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236

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



The following property, located at the north side of Bay Street East and 650' west of Pine Ranch East Road in Sarasota County, Florida, owned by Ron Shenkin, and described in Ordinance No. 2003-071 attached hereto, has been rezoned to an RSF-1 (Residential Single-Family 2.5 units/acre) zone district pursuant to Rezone Petition No. 03-28 filed by Robert Medred, Agent, and granted by Sarasota County on November 12, 2003, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

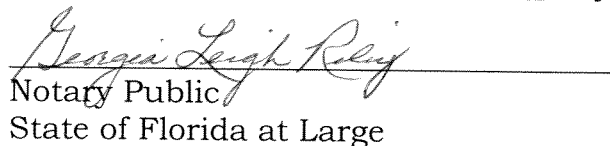
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2003-071, attached hereto)


Planning Services

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Jerry Gray, 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 26 day of February, 2004.


Notary Public
State of Florida at Large

This instrument prepared by:
SA



Georgia Leigh Riley
Commission # CC 930635
Expires April 23, 2004
Bonded Thru
Atlantic Bonding Co., Inc.

RECEIVED

2004 FEB -9 PM 4: 54

ORDINANCE NO. 2003-071

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA,
AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF
SARASOTA COUNTY ORDINANCE NO. 2003-052, CODIFIED
IN APPENDIX I 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.

DEPARTMENT OF KAREN E. RUSHING
TALLAHASSEE, FLORIDA
SARASOTA COUNTY, FL

2004 FEB -9 2004 FEB -2 PM 1: 14

FILED BOARD RECORDS
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. 03-28, 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. 2003-052, codified in Appendix I 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.

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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.
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5. The Master Surface Water Management Plans shall be consistent with the North Creek Basin Master Plan.

6. The Applicant shall be required to update the North Creek Basin Master Plan.

7. The deeds for the subdivided parcels within the subject property shall note, "This parcel is in the 100-year floodplain."

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 5th day of November, 2004 ~~2003~~

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Chair

ATTEST:

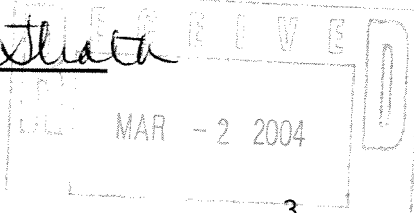
KAREN E. RUSHING, Clerk of
the Circuit Court and Ex-
Officio Clerk of the Board of
County Commissioners of
Sarasota County, Florida.

By Cynthia A. Stata
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 2/9/04
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY Cynthia A. Stata
DEPUTY CLERK



COUNTY OF SARASOTA, FLORIDA

Board of County Commissioners
Sarasota County Planning and Development Services Business Center

Date: February 25, 2004

MEMORANDUM TO:

Robert Medred
Genesis Planning
6320 Tower Lane
Sarasota, Florida 34240

Emergency Services, Fire Department (Jane Ross)
Environmental Services, Utilities (John Saraniero)
Environmental Services, Utilities (Robert Wright)
Health/Human Services (Rob Bolesta)
History Center (Dan Hughes)
Planning & Development Services, Code Enforcement (Jim LeGay)
Planning & Development Services, County Surveyor (Gayle Fosness)
Planning & Development Services, Land Dev. (Efrain Duque)
Planning & Development Services, Land Dev. (Mary Stephens)
Planning & Development Services, Landscape (Martha Horton)
Planning & Development Services (Steve Brown)
Planning & Development Services (Elaine Wickwire)
Planning & Development Services, Resource Protection (Paul Semene)
Planning & Development Services, Zoning (Donna Blades)
Property Appraiser (Jim Todora)
Public Works, Stormwater (Chuck Walter)
Public Works, Transportation (Paula Wiggins)
School Board (Ken Marsh)

SUBJECT: RZ 03-28

PLANNER: Jack Wilhelm

ORDINANCE NO. 2003-071 PID#: 0141-16-0001

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On **November 12, 2003**, the Sarasota County Board of County Commissioners **GRANTED** Rezone Petition No. 03-28 to rezone \pm 9.89 acres located at the north side of Bay Street East and 650' west of Pine Ranch East Road in, Sarasota County, Florida, from OUE-1 (Open Use Estate, 1 dwelling unit/5 acre) to RSF-1 (Residential Single Family, 2.5 dwelling units per acre) zone district with stipulations.

A copy of **Ordinance No. 2003-071** is attached for your information.

BY: /s/Jerry Gray
Planning Services