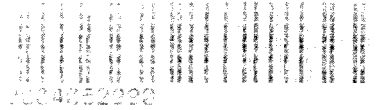


2004 MAR 23 03:54 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#451336



Please record and return to: (Via Inter-Office Mail)
Susan Anderson
Planning and Development Services 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 130 feet ± west of Old Englewood Road, located at 611 Yale Street in Sarasota County, Florida, owned by Petar and Mirjana Jekic, and described in Ordinance No. 2004-022 attached hereto, has been rezoned to a RSF-3 (Residential Single Family 4.5 units/acre)/CTOD (Commercial Transition Overlay District) zone district pursuant to Rezone Petition No. 03-39 filed by R. Earl Warren, Agent, and granted by Sarasota County on February 24, 2004, 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. 2004-022, attached hereto)

Alan Garrett, Manager
Planning Services

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared 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 22nd day of March, 2004.

Notary Public

State of Florida at Large

This instrument prepared by:
sma



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

ORDINANCE NO. 2004-022

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

2004 FEB 27 PM 2:40

FILED

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. 03-39, 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 0.45 acres ± from District RSF-3 (Residential Single Family 4.5 units/acre) to District RSF-3 (Residential Single Family 4.5 units/acre)/CTOD (Commercial Transition Overlay District) for the following described property located in Sarasota County, Florida:

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

2004 FEB 25 PM 1:53

BOARD RECORDS
FILED FOR RECORD

INSTRUMENT # 2014-0222

The legal description of said property in Sarasota County, Florida being: 130 feet ± west of Old Englewood Road, located at 611 Yale Street, in Sarasota County, Florida, being more particularly described as follows:

The east 70 feet of the west 140 feet of Lots 5 and 6, Block 1, PLAT OF ENGLEWOOD, according to the plat thereof, recorded in Plat Book A, Page 29, of the Public Records of Sarasota County, Florida. Section 25, Township 40 South, Range 19 East.

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. During development of the subject property, all vegetative species contained within Section 54-621 of Sarasota County's Exotic Plant Code, state regulations (Chapters 5B-57.007 and 62C-52.011, FAC), and the Florida Exotic Pest Plant Councils list of Category I and II invasive species, as appropriate to this geographic region, shall be removed from the property. Any such vegetation removed from required landscape buffers shall be replaced with native species as part of an approved landscape plan, and any such vegetation removed from preserve areas shall be replaced with native plant species as part of an approved resource management plan. Removed vegetation shall be disposed of in a County-approved landfill or by another method approved by Resource Protection.
3. All future development shall be consistent with the applicable conditions for development approval contained in Ordinance No. 97-015, Englewood Town Center Revitalization Plan.
4. The Owner shall provide a 6' high opaque fence around the property. It shall start behind the front façade of the northernmost house.
5. Consistent with Section 4.10.2.a.2 of the Zoning Ordinance, the southerly lot shall be limited to residential use.

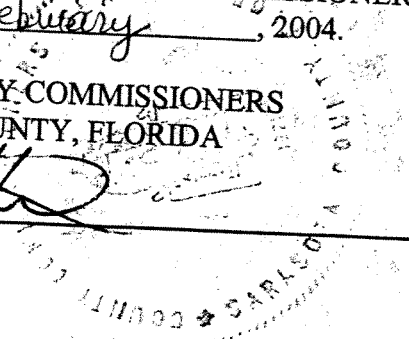
Section 4. Effective Date. This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Secretary of State of Florida that this Ordinance has been filed with said office.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 24th day of February, 2004.

BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA

[Handwritten Signature]

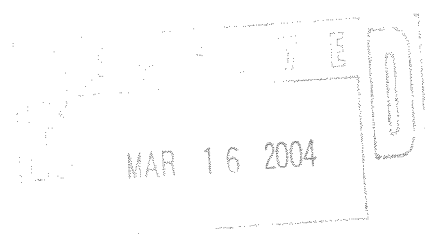
Chairman



ATTEST:

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

By: Paula J. Clinton
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 2/25/2004
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT EX-OFFICIO CLERK TO THE BOARD OF COUNTY COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY Paula J. Clinton
DEPUTY CLERK

COUNTY OF SARASOTA, FLORIDA

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

Date: March 18, 2004

MEMORANDUM TO:

R.Earl Warren
359 W. Dearborn Street
Englewood, FL 34223

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 Semenec)
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:

Rezone Petition No. 03-39

PLANNER:

Todd Dary

ORDINANCE NO. 2004-022 **PID#:** 0497-06-0026

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On **February 24, 2004**, the Sarasota County Board of County Commissioners **GRANTED** Rezone Petition No. 03-39 to rezone .45 acres ± located 130 feet ± west of Old Englewood Road, located at 611 Yale Street in Sarasota County, Florida, from District RSF-3 (Residential Single Family 4.5 units/acre) to District RSF-3 (Residential Single Family 4.5 units/acre)/CTOD (Commercial Transition Overlay District) with stipulations.

A copy of **Ordinance No. 2004-022** is attached for your information.