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KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#434790



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 at the northeast corner of Honore Avenue and Potter Street in Sarasota County, Florida, owned by the Sarasota County School Board, and described in Ordinance No. 2004-018 attached hereto, has been rezoned to a GU (Government Use) zone district pursuant to Rezone Petition No. 03-40 filed by Charles E. Collins, Agent, and granted by Sarasota County on January 14, 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. 2004-018, attached hereto)

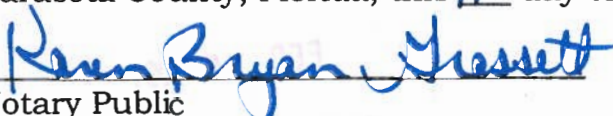


Executive Director
Growth Management Business Center

STATE OF FLORIDA
COUNTY OF SARASOTA

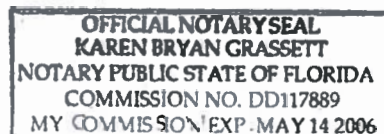
Before me, the undersigned Notary Public, personally appeared Jerry Gray, Executive Director of the Growth Management Business Center, to me known to be the individual who executed the foregoing Notice of Stipulations and Limitations Encumbering Real Property pursuant to the Sarasota County Zoning Code, and he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 11th day of February, 2004.



Notary Public
State of Florida at Large

This instrument prepared by:
SM.A



BOARD RECORDS
FILED FOR RECORD

ORDINANCE NO. 2004-018

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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.

APRILE RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

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. 03-40, 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 Section 2 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 2.4 acres ± from District RSF-3 (Residential Single Family 4.5 units/acre) to District GU (Government Use) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida being: The northeast corner of Honore Ave and Potter Street, more particularly described as follows: Lots 1-10, inclusive, Block A, Broadway Subdivision, according to the recorded plat in Plat Book 2, page 33 of The Public Records of Sarasota County, Florida, together with a parcel described as follows: Beginning at the northwest corner of Lot I, Thence North 65 Feet; Thence East 489.8 Feet; Thence South 65 Feet; Thence West 489.8 Feet to the P.O.B

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

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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
FILED

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 limited to right-in/right-out access on Honore Avenue and shall be no closer than 210 feet from Potter Street, measured from centerline to centerline.
2. Prior to or concurrent with development of the subject parcel, Potter Street shall be widened to two 11 foot wide travel lanes and be resurfaced over the entire roadway width. The improvements shall be completed between the asphalt cross section of Honore Avenue and the subject parcel's access. The transition from the improved cross section to the existing pavement shall occur east of the access. The improvements shall be included in the construction plans for the proposed development.
3. 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.
4. The Master Surface Water Management Plan for the subject parcel and the entire school property shall be consistent with the Phillippi Creek Basin Master Plan and shall be used to demonstrate no increase in off-site flood elevations.
5. 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.
6. Prior to commencement of any school uses, the subject parcel shall be reviewed and approved under the procedures and standards of the Sarasota County Site and Development Plan Regulations found in Chapter 74 of the Sarasota County Code. Such review and approval shall be subject to the limitations contained in Section 1013.33, subsections (12) and (13), Florida Statutes, and shall have the option of being processed under the S.M.A.R.T. (Sarasota Means Action Response Team) program.
7. A landscape buffer of sufficient height, depth and width shall be constructed in accordance with applicable regulation, including Crime Prevention Through Environmental Design (CPTED) regulations, shall be placed on the eastern boundary of the subject parcel, to sufficiently buffer the adjacent residentially zoned parcel.
8. The chiller yard for the school shall not be located on the subject property.
9. The kitchen shall be located on the west side of the cafeteria.
10. The garbage collection area shall be enclosed by a six-foot concrete wall except for the entranceways.

- 11. Prior to or concurrent with development of the subject parcel, Potter Street shall be widened to two 11 foot wide travel lanes and be resurfaced over the entire roadway width. The improvements shall be completed between the asphalt cross section of Honore Avenue and the subject parcel's access. The transition from the improved cross section to the existing pavement shall occur east of the access. The improvements shall be included in the construction plans for the proposed development.

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 14th day of January, 2004 A.D.

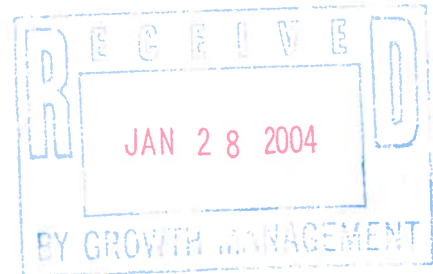
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

[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 FILES
IN THIS OFFICE WITNESS MY HAND AND OFFICIAL
SEAL THIS DATE 1/14/2004
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 Growth Management Business Center**

Date: February 9, 2004

MEMORANDUM TO:

Charles E. Collins
Sarasota County School Board
1960 Landings Blvd.
Sarasota FL 34231-3331

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

SUBJECT: RZ No. 03-40

PLANNER: Bill Wisniewski

ORDINANCE NO. 2004-018

PID#: 0048-04-0001, 0048-04-0007 and 0048-04-009

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On **January 14, 2004**, the Sarasota County Board of County Commissioners **GRANTED** Rezone Petition No. 03-40 to rezone \pm 2.4 acres located at the northeast corner of Honore Avenue and Potter Street in Sarasota County, Florida, from District RSF-3 (Residential Single Family 4.5 units/acre) to District GU (Government Use) with stipulations.

A copy of **Ordinance No. 2004-018** is attached for your information.

BY: /s/Jerry Gray
Executive Director
Growth Management Business Center