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Please record and return to: (Via Inter-Office Mail)  
Susan Carleton  
Planning and Development Services Business Center  
~~1301 Cattlemen Road, Bldg. A. 1st Fl.~~ 1st Fl.  
Sarasota, FL 34232

JUL 6 2006

RECORDED IN OFFICIAL RECORDS  
 INSTRUMENT # 2006120844 5 Pgs  
 2006 JUN 30 05:40 PM  
 KAREN E. RUSHING  
 CLERK OF THE CIRCUIT COURT  
 SARASOTA COUNTY, FLORIDA  
 CBURN Receipt#802735

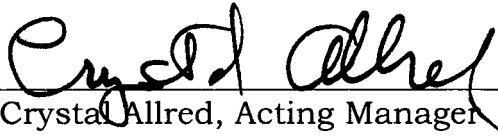


2006120844

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

The following property located south of Palmer Blvd., 1,000' west of Iona Road in Sarasota County, Florida, owned by K. Judson Boedecker, and described in Ordinance No. 2006-018 attached hereto, has been rezoned to an RSF-1 (Residential Single-Family, 2.5 units/acre) zone district pursuant to Rezone Petition No. 04-16 filed by Robert Medred, Agent, and granted by Sarasota County on March 22, 2006, 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. 2006-018, attached hereto)



Crystal Allred, Acting Manager  
Planning Services

**STATE OF FLORIDA  
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Crystal Allred, Acting 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 she acknowledged before me that she executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 29<sup>th</sup> day of June, 2006.



Notary Public  
State of Florida at Large

This instrument prepared by:  
sfc



Cynthia A. Kusner  
Commission #DD308088  
Expires: May 22, 2008  
Bonded Thru  
Atlantic Bonding Co., Inc.

RECEIVED

MAY 17 2006

ORDINANCE NO. 2006-018

By: Sarasota County Planning

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 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.

2006 APR 21 PM 12:46  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

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. 04-16, 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 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 Article 4 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 30.90 acres ± from Districts OUR (Open Use Rural, 1 unit/10 acres), OUE-1 (Open Use Estate, 1 unit/5 acres) and RSF-1 (Residential Single Family, 2.5 units/acre) to District RSF-1 (Residential Single Family, 2.5 units/acre) for the following described property located in Sarasota County, Florida:

SARASOTA COUNTY FL  
COUNTY OF SARASOTA  
PLANNING DEPARTMENT  
2006 MAR 22 PM 4:55  
FILED FOR RECORDS  
BOARD RECORDS

2006 018

The legal description of said property in Sarasota County, Florida, being: South of Palmer Blvd., 1,000' west of Iona Road and being more particularly described as follows: Tracts 2 and 3, Block 23, Third Unit of PALMER FARMS, a subdivision in Sections 20, 21, 22, 27, 28, 29, 31, 32, 33 and 34, Township 36 South, Range 19 East, as per plat thereof recorded in Plat Book 3, Page 39, of the Public Records of Sarasota County, AND Tract 1, Block 23, Third Unit of PALMER FARMS, as per plat thereof recorded in Plat Book 3, Page 39, of the Public Records of Sarasota County, Florida.

**AND**

**THE NORTHERLY 65' OF THAT CERTAIN TRACT OF LAND DESCRIBED AS FOLLOWS: A STRIP OF LAND 130' WIDE, BEING 65' WIDE ON EACH SIDE OF THE CENTERLINE OF THE ROADBED ON THE FORMER MAIN TRACT OF THE TAMPA SOUTHERN RAILROAD, AS FORMERLY LOCATED AND CONSTRUCTED, SAID CENTERLINE BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CANAL 22; THENCE RUNNING SOUTHEASTWARDLY A DISTANCE OF 1,638.96', MORE OR LESS, WHICH TRACT OF LAND IS BOUNDED ON THE NORTH BY TRACTS 1, 2 AND 3, BLOCK 23, THIRD UNIT OF PALMER FARMS AND LYING BETWEEN THE NORTHWESTERLY LINE OF TRACT 1 AND THE SOUTHEASTERLY LINE OF TRACT 3 IN SAID BLOCK 23, EXTENDED SOUTHWESTERLY TO THE CENTERLINE OF SAID FORMER ROADBED. ALSO: THE SOUTHERLY 65' OF THAT CERTAIN TRACT OF LAND DESCRIBED AS FOLLOWS: A STRIP OF LAND 103' WIDE BEING 65' WIDE ON EACH SIDE OF THE CENTERLINE OF THE FORMER MAIN TRACK OF THE TAMPA SOUTHERN RAILROAD, AS FORMERLY LOCATED AND CONSTRUCTED, SAID CENTERLINE BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY OF CANAL NO. 22; THENCE RUNNING SOUTHEASTWARDLY A DISTANCE OF 1.050', MORE OR LESS, WHICH TRACT OF LAND IS BOUNDED ON THE SOUTH BY A PART OF TRACT 1, BLOCK 7, THIRD UNIT OF PALMER FARMS AND LYING BETWEEN THE NORTHWESTERLY AND SOUTHEASTERLY LINE OF SAID TRACT 1, BLOCK 7, EXTENDED NORTHEASTERLY TO THE CENTERLINE OF SAID FORMER ROADBED, ALL BEING AND LYING IN SARASOTA COUNTY, FLORIDA.**

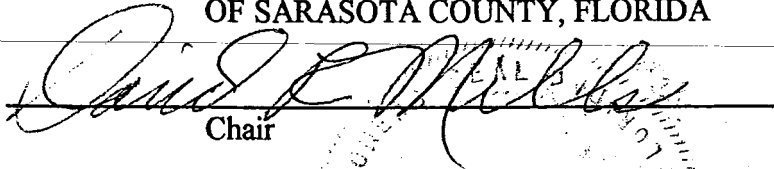
Section 3. Restrictions, Stipulations and Safeguards. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations 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. Should evidence of any cultural remains, such as prehistoric canoes or other Native American materials be discovered during ground disturbing activities, all activities shall be halted and a Cultural Resources Assessment Survey be conducted by the property owner.
2. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.
3. Prior to or concurrent with development of the subject parcel, one 4-foot wide bike lane shall be provided on Palmer Boulevard. The improvement shall be completed on the south side of Palmer Boulevard from the western property line to the eastern property line of the subject parcel. The improvement shall be included in the construction plans for the proposed development. In addition, prior to final plat approval, the Owner shall contribute \$21,970 to the Sarasota County Intersection and Safety Improvement Fund towards the construction of a 4-foot wide bike lane on the north side of Palmer Boulevard. In addition, prior to or concurrent with development of the subject parcel, the west 450 linear feet of open drainage ditch on the north side of Palmer Boulevard shall be improved to a pipe and swale system. The improvement shall be included in the construction plans for the proposed development.
4. A planted landscape buffer a minimum of twenty feet wide shall be located along that portion of the subject parcel's east property line abutting Lots 135, 136, and 137 Barton Farms Unit II and Lot 27, Barton Farms Unit I. A minimum of 10 canopy trees, 20 accent trees and 127 three gallon viburnum shrubs shall be planted within this buffer. This buffer shall be planted in conjunction with the construction of the dwelling units abutting these lots. A planted landscape buffer shall not be required along the balance of the subject property's east property line in order to allow the existing neighboring houses an unobstructed view of the Applicant's open space.
5. The Applicant shall erect a black or green six feet high vinyl coated chain link fence and gate from the water's edge of the proposed lake to the existing masonry wall abutting the rear lot-line of Lot 130 Barton Farms Unit II. The Applicant's obligation shall be conditioned upon obtaining the prior written permission of the affected property owners.
6. A planted landscape buffer a minimum of twenty feet wide shall be located along the subject parcel's south property line abutting Barton Farms Units 3 & 4A. A minimum of 7 canopy trees, 12 accent trees and 90 three gallon viburnum shrubs shall be planted within the easterly 270 feet of this buffer. The balance of this buffer shall be planted with a minimum of 40 canopy trees, 48 palm trees, and 105 three gallon viburnum shrubs clustered in groups of at least three shrubs at each rear lot corner. This buffer shall be planted in conjunction with the construction of the dwelling units abutting these lots.
7. A single source community irrigation system shall be required.

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.

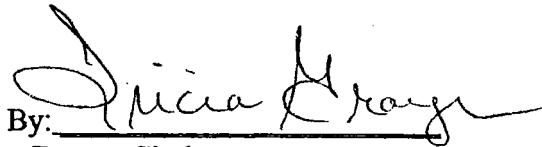
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 22nd day of March, 2006.

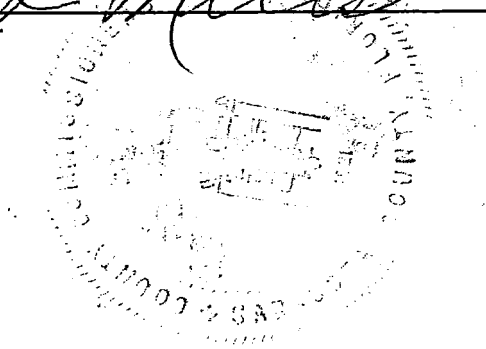
BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

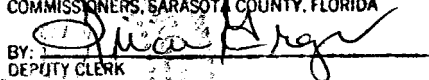
  
Chair

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 FILES  
IN THIS OFFICE WITNESS MY HAND AND OFFICIAL  
SEAL THIS DATE 3-22-06  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
BY:   
DEPUTY CLERK