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2005 JUN 23 10:42 AM

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
MMARSH Receipt#645658

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

Linda Spurling, Administrative Coordinator

Planning Services

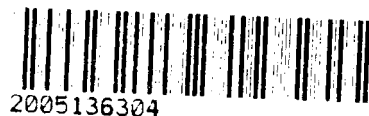
1301 Cattlemen Road, Bldg. A

Sarasota, FL 34232

Charge to: **Planning Services**

Account# 51800100500489

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



The following property, located north of Proctor Road and east of Hackamore Road in Sarasota County, Florida, owned by Max and Janet Carr, and described in Ordinance No. 2005-026 attached hereto, has been rezoned to a RE-3 (Residential Estate, 1 unit/.5 acre) zone district pursuant to Rezone Petition No. 05-08 filed by B. Alan Garrett, Agent, and granted by Sarasota County on May 11, 2005, 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. 2005-026, attached hereto)

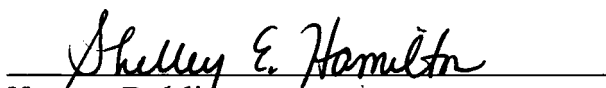


Hank Epstein, Manager
Planning Services

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Hank Epstein, 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 21st day of June, 2005.



Notary Public
State of Florida at Large

This instrument prepared by: les



Shelley E. Hamilton
MY COMMISSION # DD233335 EXPIRES
August 10, 2007
BONDED THRU TROY FAIN INSURANCE, INC.

ORDINANCE NO. 2005-026

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.

BOARD RECORDS
FILED FOR RECORD

2005 MAY 11 PM 2:01

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

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

2005 MAY 16 PM 12:47

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. 05-08, 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 8.9 acres \pm from District RSF-1 (Residential Single Family, 2.5 units/acre) to District RE-3 (Residential Estate, 1 unit/.5 acre) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida being: North of Proctor Road and east of Hackamore Road, being more particularly described as follows; A parcel of land situated in Section 6, Township 37 South, Range 19 East, Sarasota County, Florida being more particularly described as the west ½ of the southeast ¼ of the southeast ¼, LESS tract described as: Begin at the southwest corner of the southeast ¼ of the southeast ¼; thence, north 370 feet; thence, east 210 feet thence north 50 feet; thence, east 103.72 feet; thence, south 420 feet; thence, west 313.72 feet; to the POINT OF BEGINNING, lying and being in Section 6, Township 37 South, Range 19 East, Sarasota County, Florida, ALSO LESS County Road Right of Way, ALSO LESS tracts described in O. R. Book 576, Page 233, O. R. Book 675, Page 470 and O. R. Book 836, Page 780, of the Public Records of 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. The Owner shall be required to maintain the appearance 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 on the subject parcel shall be limited to 13 dwelling units.
3. There shall be no streetlights erected along local streets within the subject parcel. Exterior lights shall be limited to individual lampposts in front of each dwelling unit.

4. Irrigation on the subject parcel shall be limited to a community well. Individual wells on each lot shall be prohibited.

5. The subject property shall be developed with a 20' wide buffer along the east, north and south boundary lines. The buffer shall be developed with a 6' high, concrete wall and 8' to 12' grade "A" nursery grown trees on 50' centers.

6. 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 Council's list of Category I and II invasive species, as appropriate to this geographic region, shall be eradicated or removed from the property. Any such vegetation eradicated or removed from required landscape buffers shall be replaced with native species as part of an approved landscape plan. Removed vegetation shall be disposed of in a County-approved landfill or by another method approved by Resource Protection.

7. Prior to or concurrent with submittal of preliminary plans, listed species surveys shall be conducted at the subject property by an appropriate environmental professional using State-accepted sampling techniques to identify endangered, threatened, and species of special concern. The results of the surveys, including details of the methodologies used (location of transects, dates and times of surveys, etc.), shall be submitted to Resource Protection along with any documentation from appropriate regulatory agencies regarding listed species issues associated with the site.

8. The Master Surface Water Management Plans shall be consistent with the Phillippi Creek Basin Master Plan.

9. Prior to or concurrent with further development on the subject parcel, the developer shall widen Hackamore Road to a minimum of 22 feet from Proctor Road to the entrance of the subject parcel. The edge of pavement shall be saw-cut, new base shall be placed in the widened portion, and the roadway shall be resurfaced over the entire roadway width. Improvements to Hackamore Road may include traffic calming landscaped islands as shown in attached Exhibit "A". There shall be no more than three landscaped islands. The exact location of the landscaped islands shall be determined at the time of Site and Development Plan review. The width of travel lanes adjacent to the landscaped islands shall be a minimum of 10 feet wide. Hackamore Road improvements shall be in accordance with the following process:

- a. The Hackamore Road improvements shall be included in the construction plan submittal for the subject parcel; and
- b. The road improvements shall be completed prior to issuance of the first letter/certificate of completion of the development pursuant to the Land Development Regulations.

10. The Owners shall be required to maintain the landscape islands including the decorative pavement, irrigation and regular pruning of trees planted in the median on Hackamore Road, at their expense in accordance with County 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 amenities on Hackamore Road is a private responsibility.

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 11th day of MAY, 2005.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Paul H. Messier
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: Candice J. Speck
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 5/11/05
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY: Candice J. Speck
DEPUTY CLERK

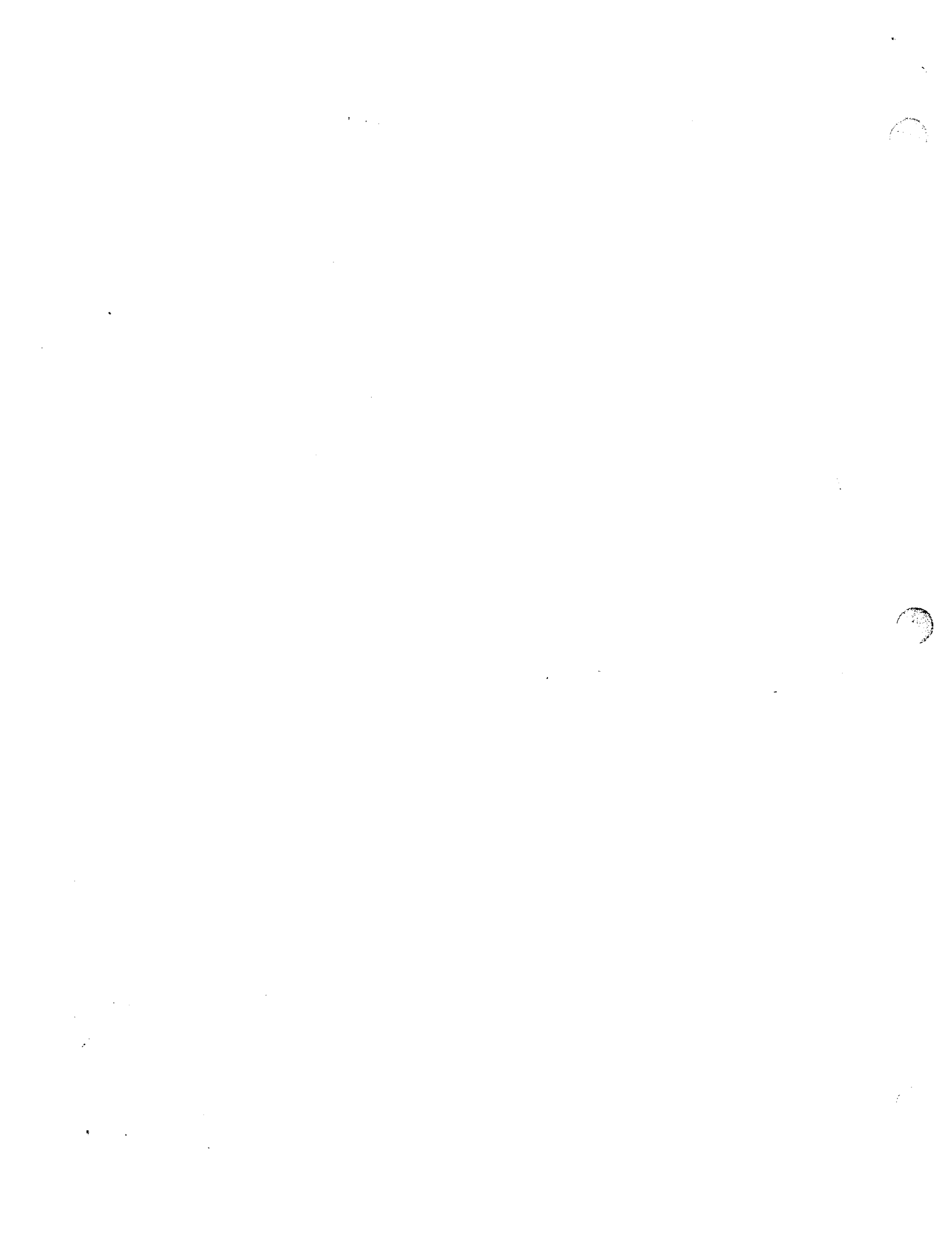
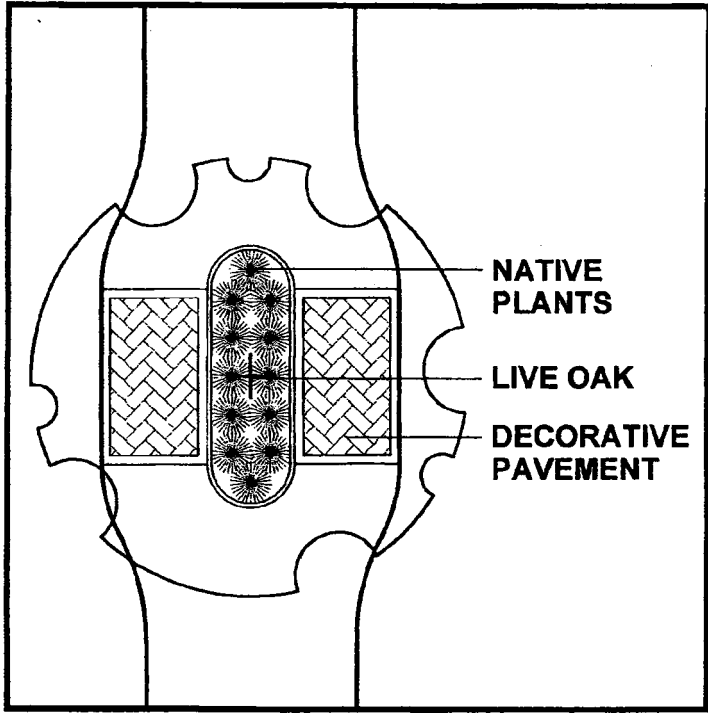
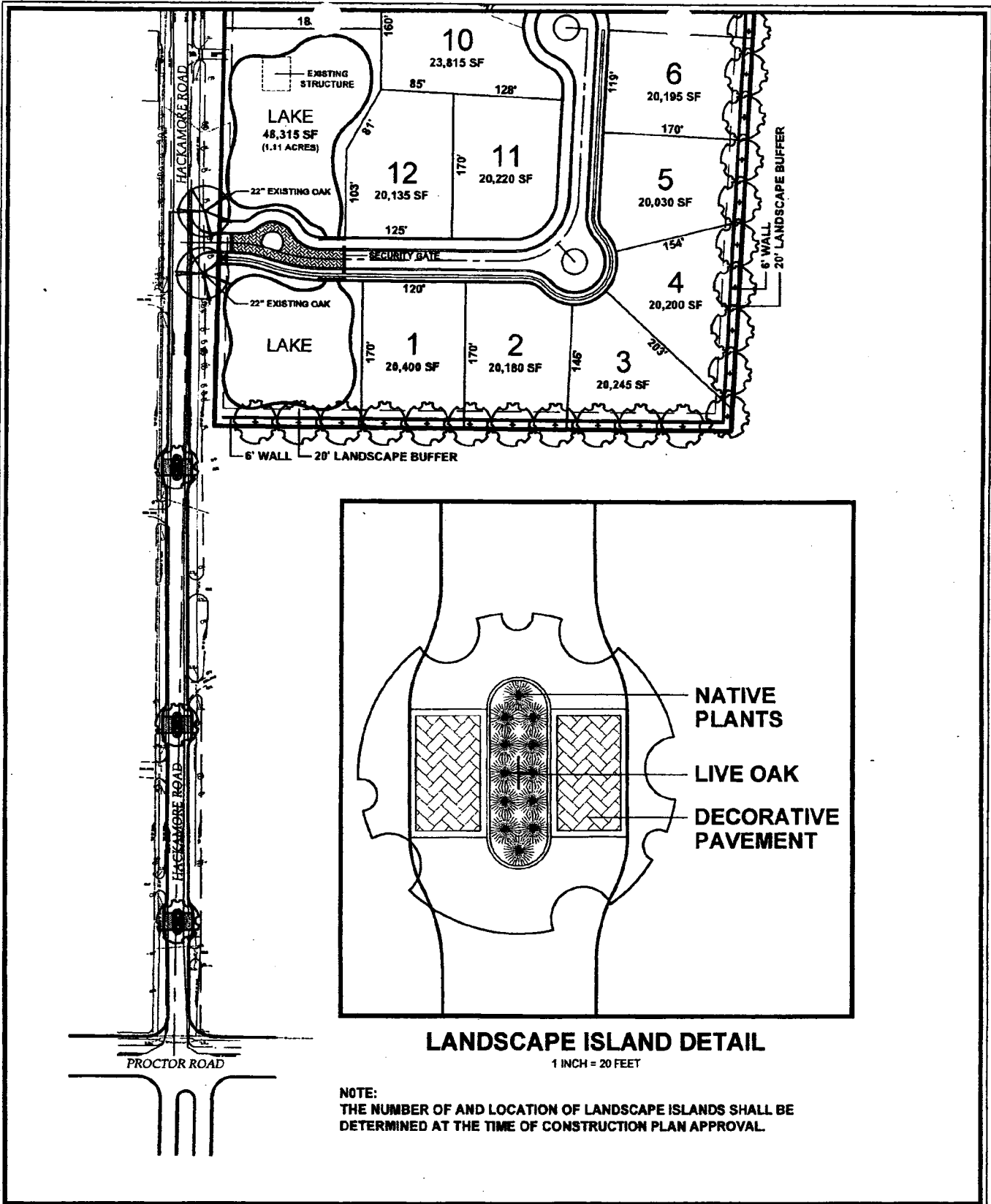


EXHIBIT A



LANDSCAPE ISLAND DETAIL

1 INCH = 20 FEET

NOTE:
THE NUMBER OF AND LOCATION OF LANDSCAPE ISLANDS SHALL BE DETERMINED AT THE TIME OF CONSTRUCTION PLAN APPROVAL.

PALADIN ESTATES
HACKAMORE ROAD
PROPOSED IMPROVEMENTS
EXHIBIT A



GEORGE J. EISSLER, Inc.
LAND DEVELOPMENT CONSULTANTS
3650 Elysian Woods Lane
Sarasota, Florida 34231
941-927-0808
eisslerku@comcast.net



DATE
11-12-04
FILE NAME
GJE_ROAD_IMP.dwg

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