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Please record and return to: (Via Inter-Office Mail)
Susan F. Carleton, 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**

RECEIVED
1st Flr.
JUL 6 2006

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2006120843 5 PGS
2006 JUN 30 05:40 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CBURN Receipt#802735



2006120843

The following property, located southeast of South River Road and approximately 2000 feet ± southwest of the entrance to the Englewood Sports Complex, Sarasota County, Florida, owned by Steven Laczay, and described in Ordinance No. 2006-005 attached hereto, has been rezoned to an RMF-3 zone district pursuant to Rezone Petition No. 05-22 filed by Sandra R. Newell, Agent, and granted by Sarasota County on February 21, 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. 2006-005, attached hereto)


Crystal Allred, Acting Manager
Planning Services

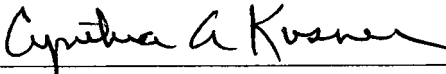
**STATE OF FLORIDA
COUNTY OF SARASOTA**

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 29th day of June, 2006.



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


Notary Public
State of Florida at Large

This instrument prepared by: sfc

ORDINANCE NO. 2006-005

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

2006 FEB 24 PM 3:47

MARVINE E. RUSLING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

RECEIVED
TALLAHASSEE, FLORIDA

2006 MAR -1 PM 12:01

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. 05-22, 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 5.932 acres \pm from District OUE-1 (Open Use Estate, 1 unit/5 acres) to RMF-3 (Residential Multi-Family, 13 units/acre) for the following described property located in Sarasota County, Florida:

The area under consideration is known as River Point South and is generally located southeast of South River Road and approximately 2000 feet ± southwest of the entrance to the Englewood Sports Complex, comprising 5.932 acres more or less, being more particularly described as follows;

Lots 502 and 503, Englewood Gardens, Unit #6, according to the plat thereof, recorded in Plat Book 4, Page 74 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. Prior to or concurrent with development of the subject parcel, the Applicant shall construct at the proposed development access a northeast to eastbound right turn lane on South River Road. The right turn lane shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's *Roadway and Traffic Design Standards*. The improvement shall be included in the construction plans for the subject development.
2. Prior to or concurrent with development of the subject parcel, the Applicant shall construct a southwest to eastbound left turn lane at the proposed development's access on South River Road. The left turn lane shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's *Roadway and Traffic Design Standards*. The improvements shall be included in the construction plans for the subject development.
3. The Master Surface Water Management Plan shall be consistent with the Ainger Creek Basin Master Plan.
4. Prior to or concurrent with submittal of site and development 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 that may utilize onsite habitats. The results of the surveys, including details of the methodologies used (i.e., 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.
5. All development on the subject parcel shall be consistent with all applicable conditions of the Pine Street, Dearborn Street and South River Road Sector Plan (Ordinance. No. 93-059).
6. Fifteen percent of the residential units within the development shall be sold to households

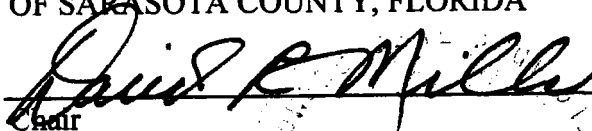
with incomes of 100 percent of the Area Median Income or less, as adjusted for family size. The developer shall partner with the Community Housing Trust to ensure that units are sold to income qualified individuals who have received homebuyer education, and to ensure long term affordability.

7. Development shall occur in substantial accordance with the Development Concept Plan date-stamped May 30, 2005, and attached hereto as Exhibit "A," strictly as it applies to the dedication of the 42 feet of right-of-way for So. River Road, at no cost to Sarasota County. This does not imply or confer any other variances from applicable zoning or land development regulation.
8. Height of the proposed structures shall be limited to a maximum of 57 feet above construction grade.

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.

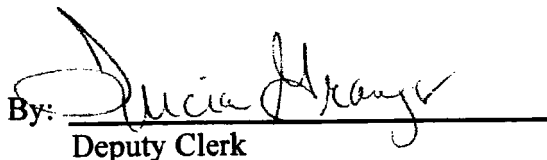
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 21st day of February, 2006.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


Chair

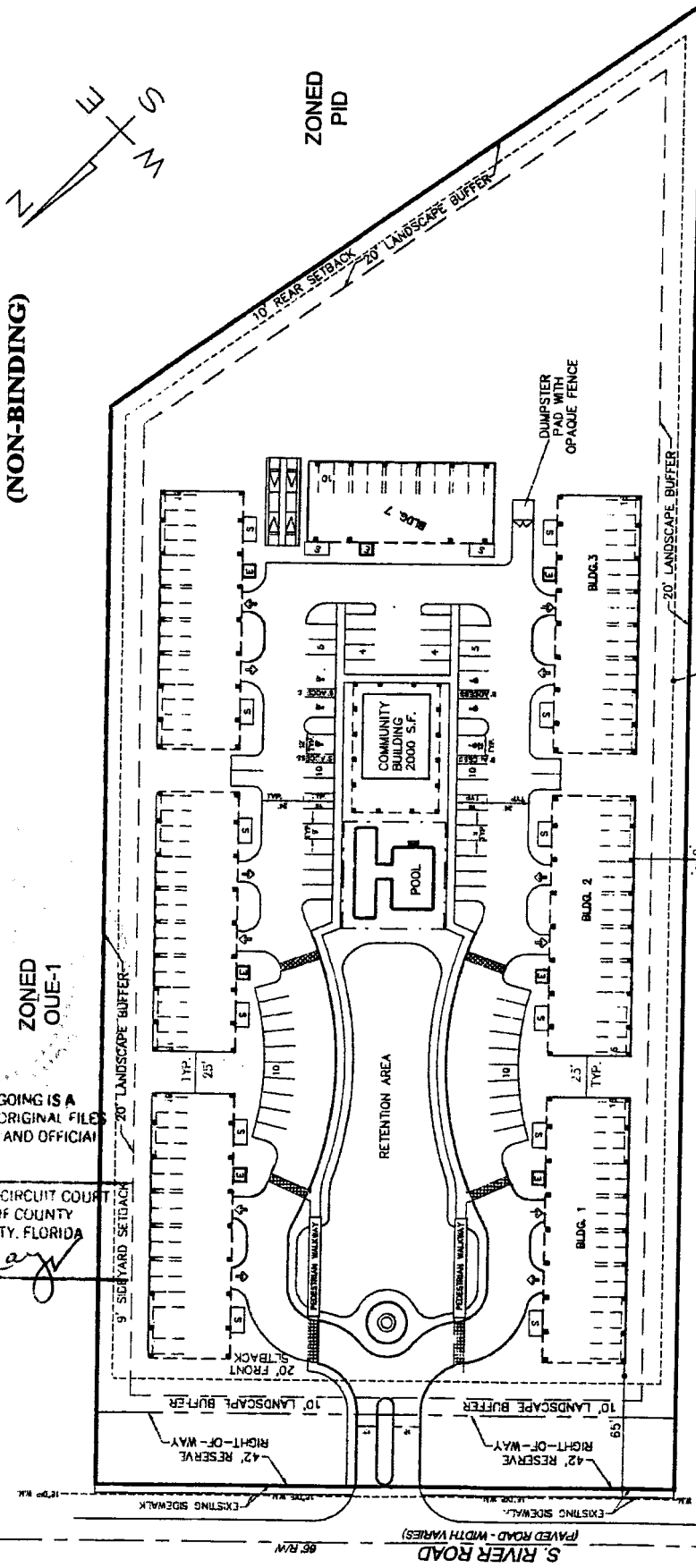
ATTEST:

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

DEVELOPMENT CONCEPT PLAN EXHIBIT A

(NON-BINDING)



ZONED OUE-1

ZONED OUE-1

PINE FLATWOOD PRESERVATION AREA

SITE DEVELOPMENT DATA:

EXISTING USE: VACANT
 PROPOSED USE: RESIDENTIAL MULTIFAMILY (RMF-3)
 SITE AREA: 8.63 ACRES
 ZONING: EXISTING - OUE-1
 PROPOSED - RMF-3
 MAXIMUM RESIDENTIAL DENSITY: 13 UNITS / ACRES + 71 UNITS MAX.
 OPEN SPACE: LANDSCAPE OPEN SPACE - MIN. PINE FLATWOOD PRESERVATION PROVIDED
 MAXIMUM HEIGHT OF STRUCTURE: 45 FT. ABOVE FINISHED GRADE
 PARKING CALCULATION:
 107 SPACES REQUIRED
 106 SPACES UNDER BUILDINGS PROVIDED
 30 SPACES PLUS 8 INC. SPACES OUTSIDE PROVIDED
 137 SPACES PLUS 8 INC. SPACES TOTAL PROVIDED

COUNTY OF FLORIDA
 COUNTY OF SARASOTA
 I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL FILED WITH THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS, SARASOTA COUNTY, FLORIDA.
 THIS DATE: 2/24/06
 [Signature]
 COUNTY CLERK

ZONED CG ZONED OUE-1



DOCUMENT RECEIVED BY:
 ENGINEERING SERVICES ON
 MAY 30, 2005
 08-22