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INSTRUMENT # 2006213521 5 PGS

2006 DEC 06 05:01 PM

KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
DCOURSEY Receipt#859502



2006213521

5  
✓ Please record and return to: **(Via Inter-Office Mail)**  
Susan Carleton, Administrative Coordinator  
Planning Services  
1660 Ringling Blvd., 1<sup>st</sup> Floor  
Sarasota, FL 34236

**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 west of Tamiami Trail and 435' south of Worrington Street in Sarasota County, Florida, owned by Don Swearingen, and described in Ordinance No. 2006-052 attached hereto, has been rezoned to District CG (Commercial General) pursuant to Rezone Petition No. 05-27 filed by Peter Dailey, Agent, and granted by Sarasota County on October 11, 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. 2006-052, attached hereto)

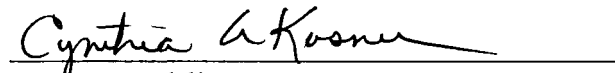
  
Crystal Allred, Manager  
Planning Services

**STATE OF FLORIDA  
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Crystal Allred, 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 5<sup>th</sup> day of ~~November~~, 2006.

~~NOVEMBER~~  
DECEMBER

  
Cynthia A. Kusner  
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.

**ORDINANCE NO. 2006-052**

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 RECORDS  
OCT 12 PM 2:05

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. 05-27, 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 0.459 acres ± from District OPI (Office, Professional and Institutional) to District CG (Commercial General) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being:  
West of Tamiami Trail and 435' South of Worrington Street, being more particularly described as follows:

Lot 24, Block "C", OYSTER BAY ESTATES, as per plat thereof recorded in Plat Book 5, Page 79, Public Records of Sarasota County, Florida.

ALSO, Begin at a concrete monument on the West line of the 66 foot Right

2006 OCT 6 11:21:17  
SARASOTA COUNTY  
PLANNING DEPARTMENT  
TALLAHASSEE, FLORIDA

of Way of the Tamiami Trail (U.S. Highway 41), which said monument is 358.6' South of the North line of the S.E.1/4 of Section 6, Township 37 South, Range 18 East; thence S.89°43'W., 200.0' to an iron pipe; thence South, 100.0' to an iron pipe; thence N.89°43'E., 200.0' to a concrete monument on the West Right of Way line of Tamiami Trail; thence North, 100.0' to the POB. LESS additional Right of Way for Tamiami Trail (U.S. Highway 41), lying within 53 feet of the centerline of construction of State Road 45, Section 17020, deeded to the State of Florida.

SUBJECT to a 10' by 20' Utility EASEMENT to Sarasota County, described in O.R. Inst. 2002137427, Public Records of Sarasota County, Florida.

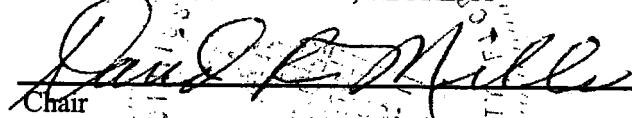
Section 3. Restrictions, Stipulations and Safeguards. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations 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 subject parcel shall connect within 90 days to Sarasota County Environmental Utilities for sewer.
2. Prior to the issuance of a Certificate of Occupancy for a new business, an arterial street buffer shall be installed along U.S. 41.
3. Any development or redevelopment, shall take place in substantial accordance with the Development Concept Plan dated January 10, 2006 and attached hereto as Exhibit "A." This does not imply or confer any variances from applicable zoning or land development regulations.

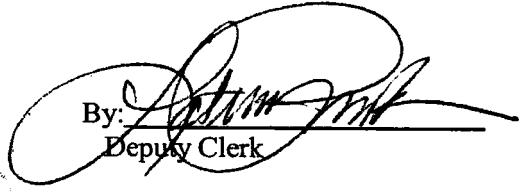
Section 4. Effective Date. This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Secretary of State of Florida that this Ordinance has been filed with said office.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 11th day of October, 2006.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

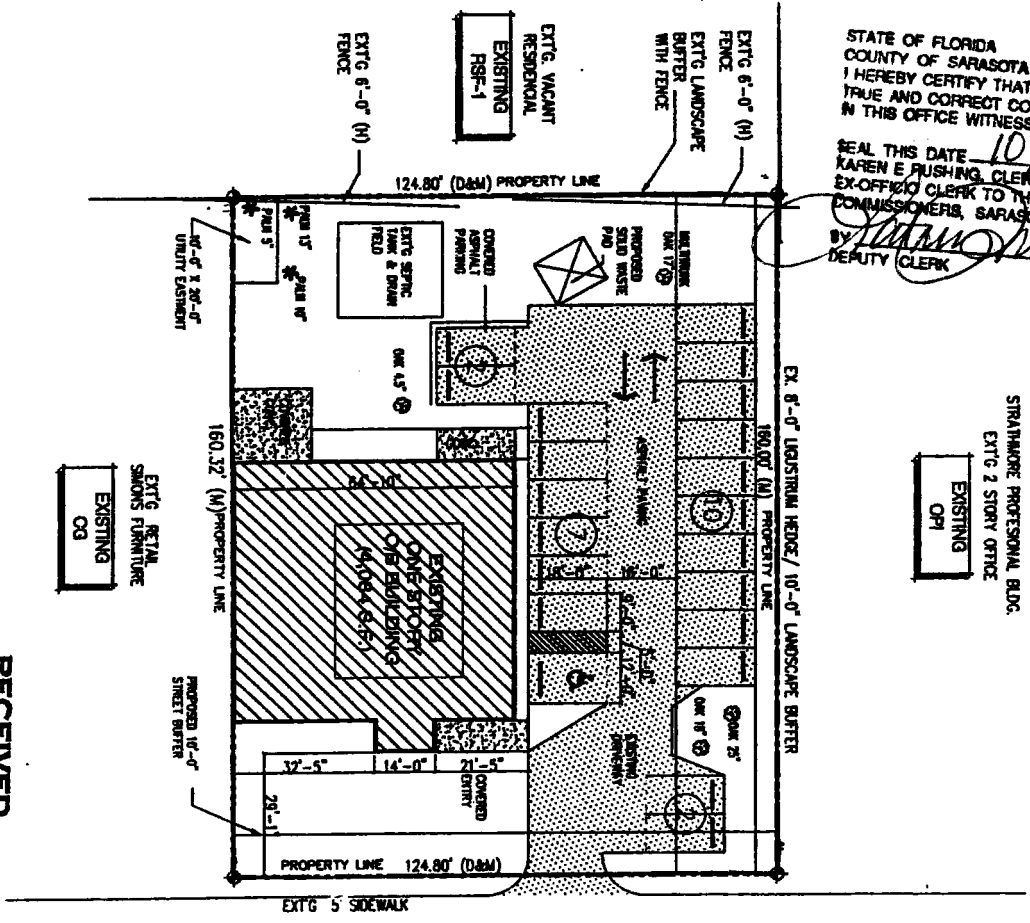
  
Chair

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

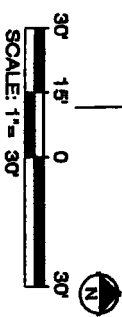
# EXHIBIT "A"

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 10/12/2006  
 KAREN E. PUSHING, CLERK OF THE CIRCUIT COURT  
 EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
 COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
 BY [Signature]  
 DEPUTY CLERK



STRANMORE PROFESSIONAL BLDG.  
 EXISTING 2 STORY OFFICE  
 OR  
 EXISTING

TAMIAMI TRAIL  
 (60' RIGHT-OF-WAY ASPHALT PAVEMENT)  
 6 LINES WITH MEDIUM



RECEIVED  
 JAN 10 2006  
 By: Sarasota County Planning

<p><b>SITE PLAN</b>                  SCALE: 1" = 30'</p>	<p><b>LEGEND:</b></p> <ul style="list-style-type: none"> <li>BUILDING</li> <li>CONCRETE</li> <li>PAVING</li> <li>EXISTING PARKING SPACES</li> <li>FENCE</li> </ul>	<p><b>SITE DATA:</b></p> <p>SITE: PARCEL: 506                  EXISTING ZONING: RSR-1                  REQUESTED ZONING: CM-1                  EXISTING BUILDING: EXISTING BUILDING                  EXISTING AREA: 4,500 S.F.                  CONCRETE: 20,000 (4,000-10,000)                  EXISTING PARKING SPACES: 21                  EXISTING: 21</p>	<p><b>DAILEY DESIGN GROUP</b>                  2626 Ringling Blvd., Suite 202A                  Sarasota, FL 34237                  Tel: 941-554-1234                  Fax: 941-554-1235                  www.daileydesign.com</p>
<p><b>DEVELOPMENT CONCEPT PLAN</b></p>		<p>TAMIAMI                  SARASOTA, FL</p>	<p>DATE: 10/12/2006                  DRAWN BY: [Name]                  CHECKED BY: [Name]</p>