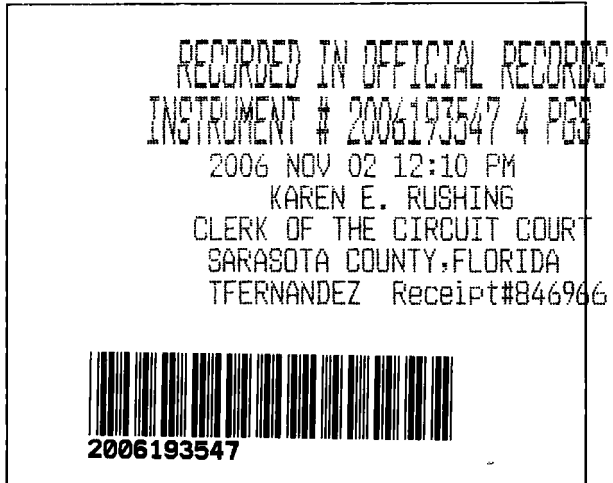


4
Please record and return to: (Via Inter-Office Mail)
Susan F. Carleton, Administrative Coordinator
Planning Services
1660 Ringling Blvd., 1st Floor
Sarasota, FL 34236

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 Butler Avenue and 600' north of Myrtle Street in Sarasota County, Florida, owned by the Richey Family Trust, and described in Ordinance No. 2006-044 attached hereto, has been rezoned to District ILW (Industrial, Light Manufacturing and Warehousing) pursuant to Rezone Petition No. 05-28 filed by Peter Dailey, Agent, and granted by Sarasota County on September 13, 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. 2006-044, 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 31st day of October, 2006

Cynthia A. Kusner
Notary Public
State of Florida at Large

This instrument prepared by sfc
NOV 6 2006



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

ORDINANCE NO. 2006-044

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 ROOM
FILED FOR
2006 SEP 19 PM 2:10

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. 05-28, 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 3 acres ± from District RMF-2 (Residential Multifamily, 9 units/acre) to District ILW (Industrial, Light Manufacturing and Warehousing) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being: West of Butler Avenue and 600' north of Myrtle Street, being

FILED
2006 SEP 19 5 AM
DEPARTMENT OF
TALLAHASSEE, FLORIDA

more particularly described as follows:

A PART OF LOT 42 & 43, LESS THAT PART OF LOT 42, NEWTOWN FARMS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 38, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID LOT 42; THENCE S.00°02'56"E., ALONG THE EAST LINE OF SAID LOT 42, A DISTANCE OF 100.00'; THENCE N.89°36'45"W., PARALLEL TO THE NORTH LINE OF SAID LOT 42, A DISTANCE OF 151.46'; THENCE S.00°02'56"E., PARALLEL TO THE EAST LINE OF SAID LOT 42, A DISTANCE OF 117.30'; THENCE N.89°36'45"W., PARALLEL TO THE NORTH LINE OF SAID LOT 42, A DISTANCE OF 153.08'; THENCE N.00°02'56"W., PARALLEL TO THE EAST LINE OF SAID LOT 42, A DISTANCE OF 217.30', TO THE NORTH LINE OF SAID LOT 42; THENCE S.89°36'45"E., ALONG THE NORTH LINE OF SAID LOT 42, A DISTANCE OF 304.54', TO THE POB. SUBJECT TO AND TOGETHER WITH A 24 FOOT ACCESS EASEMENT, CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 42; THENCE S.00°02'56"E., ALONG THE EAST LINE OF SAID LOT 42, A DISTANCE OF 100' TO THE POB OF THE CENTERLINE OF SAID 24 FOOT EASEMENT; THENCE N.89°36'45"W, PARALLEL TO THE NORTH LINE OF SAID LOT 42, A DISTANCE OF 151.46' TO THE TERMINUS OF CENTERLINE OF SAID 24 FOOT EASEMENT.

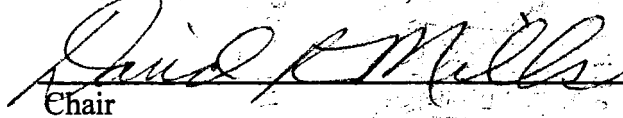
Section 3. Restrictions, Stipulations and Safeguards. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations 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 the development of the subject parcel, Butler Avenue shall be widened to two 12-foot wide travel lanes and be resurfaced over the entire roadway width. The improvements shall be completed between the asphalt cross section of Myrtle Avenue and the subject parcel's access to Butler Avenue. The transition from the improved cross section to the existing pavement shall occur north of the access. The improvements shall be included in the construction plans for the proposed development.
2. The Master Surface Water Management Plan shall be consistent with the Whitaker Bayou Basin Master Plan.

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.

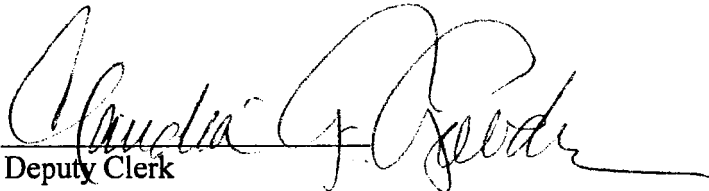
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 13th day of September, 2006.

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 9/13/06
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY 