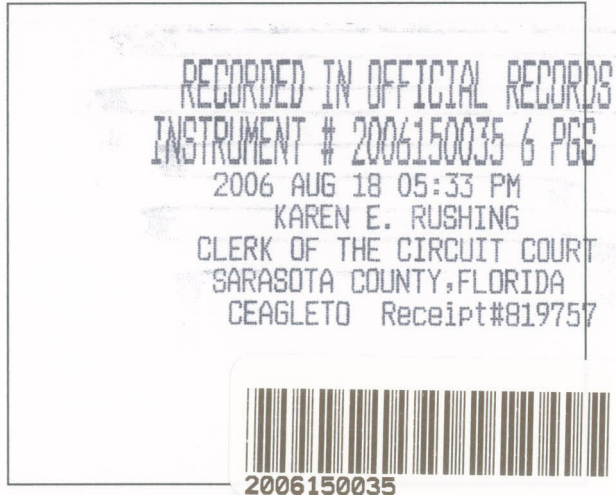


Please record and return to: (Via Inter-Office Mail)
Susan F. Carleton, Administrative Coordinator
Planning Services
1660 Ringling Blvd., 1st Floor
Sarasota, FL 34236

Charge to: Planning Services
Account# 51800100500489

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

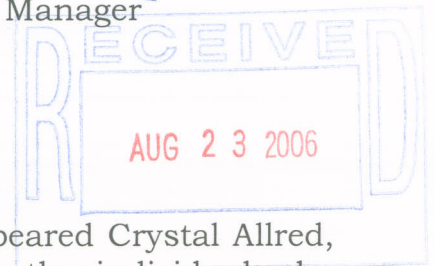


The following property, located at the northeast corner of Cattlemen Road and Proctor road in Sarasota County, Florida, owned by John W. Meshad, and described in Ordinance No. 2006-041 attached hereto, has been rezoned to District RMF-3 (Residential, Multifamily, 9 dwelling units/acre) zone district pursuant to Rezone Petition No. 05-31 filed by Alan Garrett, Agent, and granted by Sarasota County on June 6, 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. 2006-041, attached hereto)

Crystal Allred

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 17th day of August, 2006.

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. 2006-041

BOARD RECORDS
FILED FOR RECORD

2006 JUL 14 PM 1:51

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; PROVIDING FOR THE ADOPTION OF AN AMENDMENT TO THE BEE RIDGE/I-75 SECTOR PLAN NO 83-01-SP-B SOUTH ; AND PROVIDING AN EFFECTIVE DATE.

JUL 14 2006
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

2006 JUL 14 PM 1:51
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

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. 05-31, 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 32.55 acres ± from District RMH (Residential Mobile Home) and District OUE-1 (Open Use Estate, 1 unit per 5 acres) to District RMF-3 (Residential, Multi-Family, 9 dwelling units per acre) for the following described property located in Sarasota County, Florida:

RECEIVED
JUL 31 2006

A parcel generally located at the Northeast corner of Cattlemen Road and Proctor Road, specifically a parcel lying in Section 1, Township 37 South, Range 18 East, Sarasota County, Florida, being more particularly described as follows:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 37 SOUTH, RANGE 18 EAST; THENCE ALONG THE SOUTH LINE OF SAID SECTION 1 TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE CENTERLINE OF SURVEY OF CATTLEMEN ROAD AS RECORDED IN ROAD PLAT BOOK 2, PAGE 31, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, N89°29'39"W A DISTANCE OF 1347.29' ; THENCE ALONG THE SAID CENTERLINE OF SURVEY N00°30'45"E A DISTANCE OF 75.00' ; THENCE TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF CATTLEMEN ROAD S89°29'39"E A DISTANCE OF 30.00' FOR A POINT OF BEGINNING; THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF CATTLEMEN ROAD N00°30'45"E A DISTANCE OF 1703.65'; THENCE S89°36'11"E, 965.09' TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 75, STATE ROAD 93, AS RECORDED IN ROAD PLAT 2, PAGES 37 AND 37A, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID INTERSTATE 75 S02°29'45"W A DISTANCE OF 1054.69' TO THE POINT OF TANGENCY OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 34551.47', AND AN INTERNAL ANGLE OF 0°35'19"; THENCE SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 354.89' TO THE NORTHEAST CORNER OF LANDS OWNED BY SARASOTA COUNTY SPECIAL UTILITY DISTRICT NO.1 ; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID LANDS OF SARASOTA COUNTY, S84°58'11"W, A DISTANCE OF 711.32' ; THENCE ALONG THE WESTERLY BOUNDARY OF SAID LANDS OF SARASOTA COUNTY TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF PROCTOR ROAD S05°00'47"E A DISTANCE OF 239.87' ; THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF PROCTOR ROAD TO THE INTERSECTION OF THE NORTH LINE OF LANDS TAKEN BY SARASOTA COUNTY AS RECORDED IN OFFICIAL RECORDS BOOK 2310, PAGE 597, S84°56'38"W A DISTANCE OF 147.17' ; THENCE CONTINUE ALONG THE NORTHERLY LINE OF SAID LANDS N89°33'35"W A DISTANCE OF 60.07' ; THENCE CONTINUE ALONG THE NORTHEASTERLY LINE OF SAID LANDS N45°29'29"W 35.99' TO THE POINT OF BEGINNING. CONTAINING 32.55 ACRES MORE OR LESS.

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. All development of the subject parcel shall be consistent with applicable conditions of the Bee Ridge Road/Cattlemen Road Village Activity Center (Sector Plan No. 83-01-SP-B-South).
2. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.

2008 JUL 18


3. Should the developer seek authorization for construction of more than 278 dwelling units, the developer may seek to enter into a Developer Agreement with Sarasota County if it can be found that the connection of Honore Avenue from Bee Ridge Road to Fruitville Road provides available transportation facility capacity consistent with the Concurrency Management Regulations (Chapter 94, Article VII, Exhibit A, Sarasota County Code).
4. Prior to or concurrent with development of the subject parcel, the existing southbound to eastbound left turn lane on Cattlemen Road at Whirl-Away Drive shall be extended in accordance with the Florida Department of Transportation's Design Standards Indexes 301 and 525. The improvement shall be included in the construction plans.
5. To the extent that native habitat is required to be utilized to comply with the open space requirement of the zoning district, then the native Hardwood Conifer Mixed Habitat located adjacent to the wetland should be used to fulfill this requirement.
6. Prior to Site and Development plan submittal, the applicant shall submit to Water Resources, an environmental assessment of the subject property. The report shall identify the area impacted by the illegal dumping, the clean up measures taken and all environmental testing completed on the property.
7. The location of the internal community facilities (e.g., clubhouse, shuffleboard, pool, etc.) shall maintain a 150 feet from the property boundary. This does not imply or confer any variances from applicable zoning or land development regulations.
8. Outdoor recreation areas shall not be illuminated from 10:00 p.m. to 7:00 a.m., Sunday through Thursday, and from 11:00 p.m. to 7:00 a.m., Friday and Saturday.
9. . Any units constructed over 278 units will provide 50 percent of the overage designated as Community Housing.

Section 4. Adoption of an Amendment to the Bee Ridge/I-75 Sector Plan No 83-01-SP-B South. Pursuant to the Sarasota County Comprehensive Plan and the Critical Area Planning Regulations adopted by Sarasota County Ordinance No. 97-074, Article IV, Chapter 94 of the Sarasota County Code and based upon the evidence and testimony and forgoing findings, the Board hereby redesignates the subject parcel from Moderate Density Residential (4.6 units per Acre) to Office Multi-Family Residential and adopts the revised "Exhibit 1."

Section 5. 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.

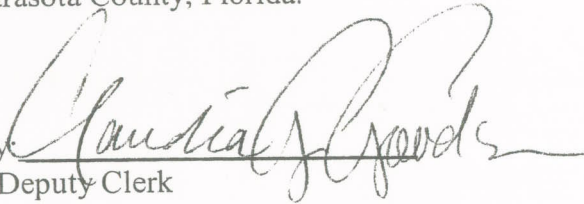
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 6th day of June, 2006.

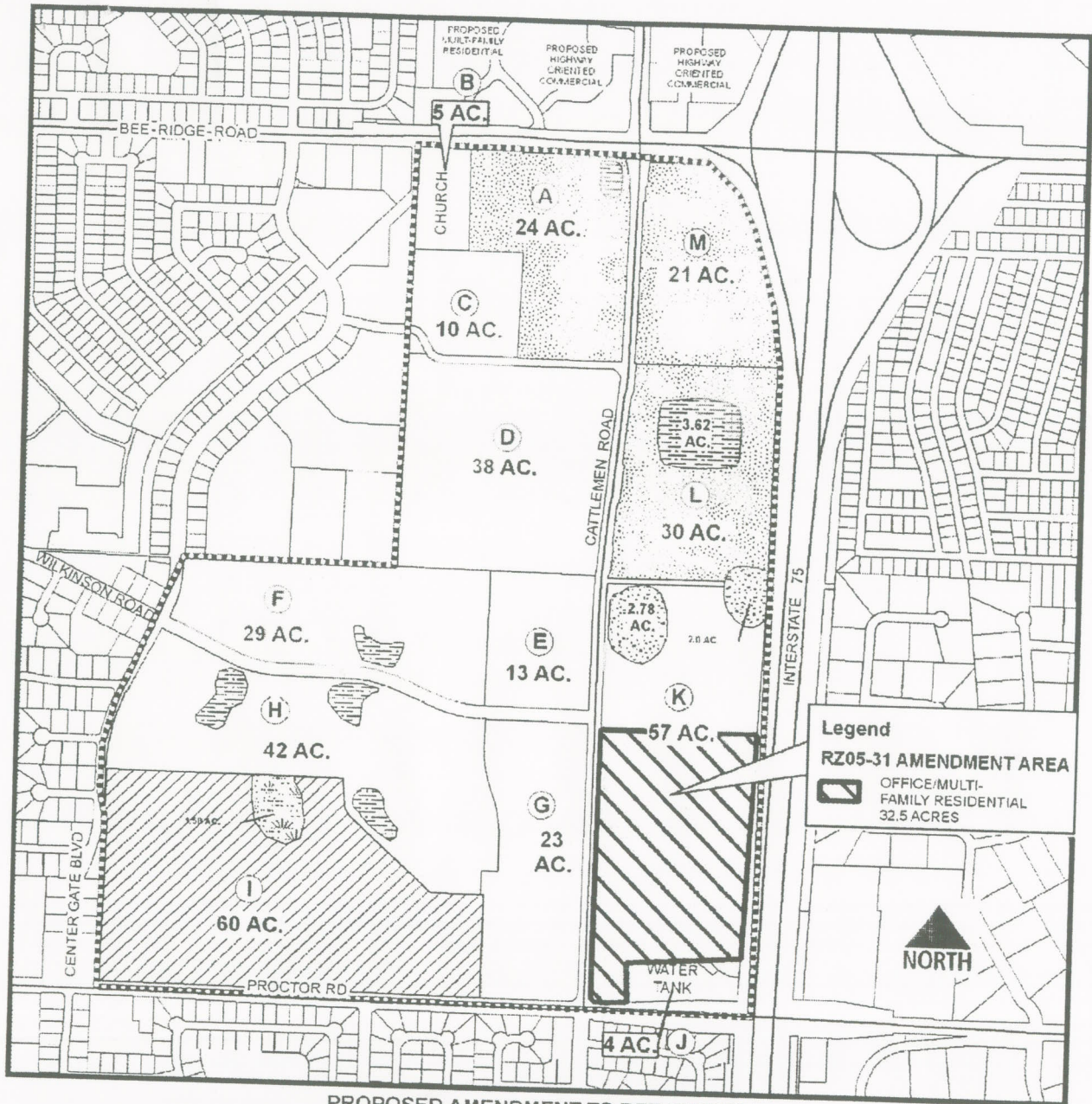
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


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



PROPOSED AMENDMENT TO BEE RIDGE I-75
SECTOR PLAN 83-01-SP-B-SOUTH

SECTOR PLAN BOUNDARY

- | | |
|--|---------------------------|
| (A) PARCEL LETTER | WETLAND FRINGING HAMMOCK |
| COMMERCIAL SHOPPING CENTER | SWAMPS |
| MODERATE DENSITY RESIDENTIAL
4.6 - 6.0 UNITS PER ACRE | WET PRAIRIES |
| LOW DENSITY RESIDENTIAL
1.0 - 4.5 UNITS PER ACRE | RETENTION/DETENTION AREAS |

EXHIBIT 1

AMENDED JUNE 6, 2006
RZ 05-31

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 7/14/06
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY Paula [Signature]
DEPUTY CLERK

02006-041