


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

Susan 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**

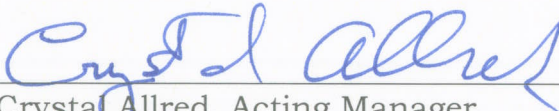
RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2006150029 4 PGS
2006 AUG 18 05:33 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CEAGLETO Receipt#819757

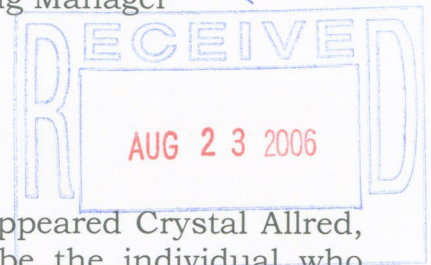


2006150029

The following property, located south of Spencer Avenue and 560' east of Tamiami Trail, in Sarasota County, Florida, owned by Frederick N. Griffiths, Ann Cobb, Giuseppe Gambo, Mary C. Gambo, Glen Barich, and Mary A. Barich, and described in Ordinance No. 2006-015 attached hereto, has been rezoned to an RMF-2 (Residential Multifamily, 9 units/1 acre) zone district pursuant to Rezone Petition No. 05-38 filed by Alan Garrett, Agent, and granted by Sarasota County on June 20, 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. 2006-015, 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 17th day of ~~July~~, 2006.

August



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. 2006-015

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.

2006 JUN 27 AM 8:29

BOARD RECORDS FILED FOR RECORD

JUL 11 2006

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. 05-38, 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 9.1 acres ± from RMF-1 (Residential Multifamily, 6 units/1 acre) to RMF-2 (Residential Multifamily, 9 units/1 acre) for the following described property located in Sarasota County, Florida:

South of Spencer Avenue and 560' east of Tamiami Trail, being more particularly described as follows;

LOTS 1, 2, AND 3, SPENCER AVENUE SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT

FILED

2006 JUN 29 PM 2:35

FILED FOR RECORD

BOOK 23, PAGES 30 AND 30A, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, AND TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL: LOT 14, PLUS THE SOUTH 75.16', THE WEST 30' AND THE EAST 25' OF LOT 13, CITRUS PARK SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 50, RECORDED IN THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

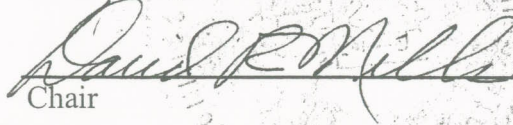
Section 3. Restrictions, Stipulations and Safeguards. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations 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 the development of the subject parcel, the developer shall widen Spencer Avenue to two 11-foot wide travel lanes and resurface the roadway over its entire width from U.S. 41 to the parcel's proposed access onto Spencer Avenue. The transition from the widened portion of Spencer Avenue to the existing portion shall occur east of the proposed access on Spencer Avenue. In addition, a sidewalk shall be constructed from the eastern boundary of the parcel to the west to tie into the existing sidewalk. 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 Cow Pen Slough Basin Master Plan.
3. The portion of the property containing the Silver Spray Artifact Scatter (8S02309) shall be placed in a Conservation Easement prior to Site and Development submittal.
4. The location of the outdoor recreational area (e.g., pool) shall be limited to no closer than 100 feet from the northern and eastern property line.
5. 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.
6. No structures shall exceed 35 feet in height including in-structure parking.
7. A 10-foot wide .3 opacity buffer shall be provided along Spencer Avenue.

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 20th day of June, 2006.

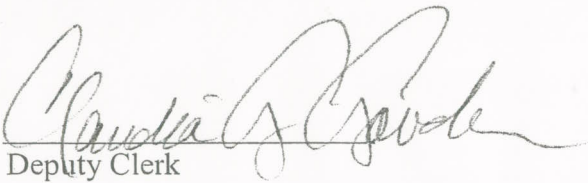
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


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

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 6/22/06
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY: 
DEPUTY CLERK