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



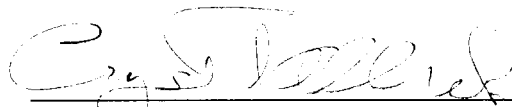
✓ Please record and return to: (Via Inter-Office Mail)
Susan Carleton, Administrative Coordinator
Planning Services
1660 Ringling Blvd., 1st Floor
Sarasota, FL 34236

Charge to: Planning Services
Account# 51800100500489

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

The following property, located at the southwest quadrant of Bee Ridge Road and Bee Ridge Road Extension in Sarasota County, Florida, owned by Shawn McIntyre, and described in Ordinance No. 2006-067 attached hereto, has been rezoned to District CN (Commercial Neighborhood) pursuant to Rezone Petition No. 06-19 filed by James Paulmann, Agent, and granted by Sarasota County on October 25, 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. 2006-067, attached hereto)




Crystal Allred, Manager
Planning Services

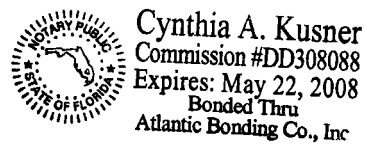
**STATE OF FLORIDA
COUNTY OF SARASOTA**

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 5th day of ~~November~~, 2006.
DECEMBER



Notary Public
State of Florida at Large



This instrument prepared by sfc

ORDINANCE NO. 2006-067

BOARD RECORDS
FILED SEP 21 2006
OCT 27 2006
CLERK OF THE BOARD OF COUNTY COMMISSIONERS
SARASOTA COUNTY, FLORIDA
9:10 PM

FILED

NOV 7 2006

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.

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. 06-19, 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 from District OUE-1 (Open Use Estate, 1 unit/5 acres) to District CN (Commercial Neighborhood) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida, being:

Located at the southwest quadrant of Bee Ridge Road and Bee Ridge Road Extension and being more particularly described as follows:

DEVELOPMENT TRACT

A tract of land lying in Section 4, Township 37 South, Range 19 East, Sarasota County, Florida and more particularly described as follows:

COMMENCE at the northeast corner of said Section 4; thence S.88°57'01"W., along the north line of the northeast ¼ of said Section 4, also being the centerline of Bee Ridge Road as recorded in Official Records Book 387, Pages 308 and 322 of the Public Records of Sarasota County, Florida, a distance of 681.65 feet; thence S.00°34'03"E., a distance of 75.00 feet to the POINT OF BEGINNING; thence N.88°57'01"E., a distance of 533.32 feet to the beginning of a non-tangent curve to the right, of which the radius point lies S.25°27'42"W., a radial distance of 240.00 feet; thence southeasterly along the arc of said curve, through a central angle of 22°04'19", an arc length of 92.45 feet to the end of said curve, said point being on the west right-of-way line of Bee Ridge Road Extension (150.00-foot wide public right-of-way) as recorded in Official Records Book 387, Pages 315 and 322 of said Public Records; thence S.00°34'03"E., along a line not tangent with the previously described curve, also being along said west right-of-way line of Bee Ridge Road Extension, a distance of 723.53 feet; thence S.89°25'57"W., a distance of 329.47 feet to the point of curvature of a curve to the right having a radius of 71.33 feet and a central angle of 45°00'00"; thence westerly along the arc of said curve, an arc length of 56.02 feet to the point of tangency of said curve; thence N.45°34'03"W., a distance of 274.11 feet to the point of curvature of a curve to the right having a radius of 71.33 feet and a central angle of 45°00'00"; thence northwesterly along the arc of said curve, an arc length of 56.02 feet to the point of tangency of said curve; thence N.00°34'03"W., a distance of 409.76 feet to the point of curvature of a curve to the left having a radius of 28.67 feet and a central angle of 32°51'35"; thence northerly along the arc of said curve, an arc length of 16.44 feet to the point of reverse curvature of a curve to the right having a radius of 46.33 feet and a central angle of 32°51'35"; thence northerly along the arc of said curve, an arc length of 26.57 feet to the point of tangency of said curve; thence N.00°34'03"W., a distance of 58.81 feet to the POINT OF BEGINNING.

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 Owner of the parcel shall contribute their fair share of the design and construction of the signalized intersection at Bee Ridge Road and Bee Ridge Extension once signal warrants are met.
2. Twenty-five (25) feet of right-of-way on Bee Ridge Road shall be dedicated to Sarasota County along the frontage of the subject parcel.
3. Access to Bee Ridge Road shall be restricted to right-in/right-out upon Bee Ridge Road being reconstructed as a 4-lane divided road.
4. Prior to or concurrent with development of the subject parcel, the developer shall construct a westbound to southbound left turn lane at the Bee Ridge Road access. 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 proposed development.
5. Prior to or concurrent with development of the subject parcel, the developer shall construct an eastbound to southbound right turn lane at the Bee Ridge Road access. 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 improvements shall be included in the construction plans for the proposed development.
6. Prior to or concurrent with the development of the subject parcel, the developer shall improve the intersection of Bee Ridge Road and Bee Ridge Road Extension to eliminate the existing eastbound to southbound free flow right turn lane and provide a realigned eastbound to southbound right turn lane to 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 proposed development.
7. Prior to or concurrent with development of the subject parcel, the developer shall construct a southbound to westbound right turn lane at the Bee Ridge Road Extension access. 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 improvements shall be included in the construction plans for the proposed development.
8. Prior to or concurrent with development of the subject parcel, the developer shall construct a northbound to westbound left turn lane at the Bee Ridge Road Extension access. The left turn

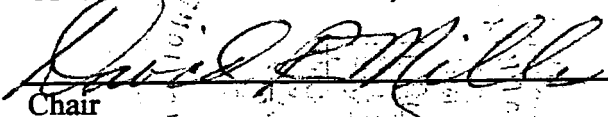
lane shall be designed in accordance with Indexes 301 and 526 of the Florida Department of Transportation's *Roadway and Traffic Design Standards*. The improvements shall be included in the construction plans for the proposed development.

9. Prior to the issuance of the first Certificate of Occupancy for the project, the developer shall pay a proportionate share of the costs of designing and constructing an ADA Accessible Bus Stop Facility and Amenities ("Transfer Station") to accommodate up to four buses. The Transfer Station shall include but not be limited to bus pull-off lanes, covered seating area, trash receptacles, and information kiosks. The facilities shall be connected to the public sidewalks and any adjacent developments. The Transfer Station shall be located at or near the intersection of Bee Ridge Road and Bee Ridge Road Extension. During the site and development plan review process, the developer's proportionate share shall be determined by utilizing an agreed upon methodology based upon rider ship.
10. The Applicant shall provide a bus stop either within the site or within the Bee Ridge Road Extension right-of-way adjacent to the site. The bus stop shall include a shelter, a pedestrian connection to the project and electric service to the shelter. The location and details of this bus stop shall be determined during the site and development plan review process.
11. The Master Surface Water Management Plan shall be consistent with the Cow Pen Slough 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 25th day of October, 2006.

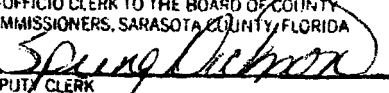
BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA


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

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 10/27/06
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY: 
DEPUTY CLERK