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RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2013153582 6 PGS
2013 NOV 14 08:40 AM
KAREN E. RUSHING

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

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
JOLSON Receipt#1683463



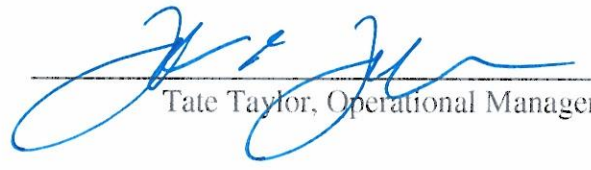
2013153582

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 1600 Ewing Street and 1652 Ranch Road in Sarasota County, Florida, owned by Walker Family Properties, Ltd., and described in Ordinance No. 2013-030 attached hereto, has been rezoned to a RSF-2 zone district pursuant to Rezone Petition No. 12-10 filed by Alan Garrett, Agent, and granted by Sarasota County on November 5, 2013, 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. 2013-030, attached hereto)

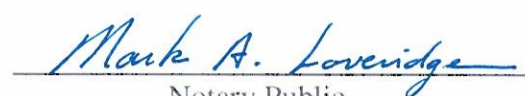

Tate Taylor, Operational Manager

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Tate Taylor, Operational Manager, 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 he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 12th day of November, 2013.




Notary Public
State of Florida at Large

This instrument prepared by:



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 7, 2013

Honorable Karen E. Rushing
Clerk of the Circuit Court
Board Records Department
Sarasota County
1660 Ringling Boulevard, Suite 210
Sarasota, Florida 34236

Attention: Debbie Shaffer, Deputy Clerk

Dear Ms. Rushing:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Sarasota County Ordinance No. 2013-030, which was filed in this office on November 7, 2013.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

Enclosures

ORDINANCE NO. 2013-030

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.

KAROLE ARSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL
2013 NOV -7 PM 4:40
FILED FOR THE BOARD
BOARD OF COUNTY COMMISSIONERS

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:

1. The Board has received and considered the report of the Sarasota County Planning Commission concerning Rezoning Petition No. 12-10, requesting rezoning of the property described herein.
2. 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.
3. The rezoning herein granted is consistent with the Sarasota County Comprehensive Plan and meets the requirements of the Zoning Ordinance.
4. 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 OUE-1 (Open Use, Estate, 1 unit/ 5 acres) to RSF-2 (Residential, Single-Family, 3.5 units/ acre) zone district for the following described property located in Sarasota County, Florida:

02013-030

Approximately 150 feet east of Calusa Lakes Boulevard, south of Ranch Road, and west of Honore Avenue and being more particularly described as follows:

PID # 0362-00-1016

PORTION OF SECTION 20-38-19, DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 20, TOWNSHIP 38 SOUTH, RANGE 19 EAST, THENCE SOUTH $00^{\circ}-13'-09''$ EAST 1125.56 FT TO THE NORTH LINE OF MISSION VALLEY ESTATES SECTION B-1, THENCE NORTH $89^{\circ}-59'-18''$ EAST 1356.69 FEET TO THE CENTERLINE OF FOX CREEK THENCE NORTHERLY ALONG SAID CENTERLINE OF FOX CREEK TO A POINT LYING S $89^{\circ}-56'-14''$ EAST FROM THE POINT OF BEGINNING; THENCE NORTH $89^{\circ}-56'-14''$ WEST 1482.13 FEET TO THE POINT OF BEGINNING, SUBJECT TO 23196 C-SQUARE FOOT UTILITY EASEMENT TO SARASOTA COUNTY AS DESCRIBED IN ORI 2008163153 & 2008163154, CONTAINING 34.3051 ACRES M/L

PID # 0362-00-1001

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 38 SOUTH, RANGE 19 EAST, THENCE SOUTH $89^{\circ}-56'-14''$ EAST 1452.65 FEET TO THE CENTERLINE OF FOX CREEK FOR A POINT OF BEGINNING THENCE SOUTH $89^{\circ}-56'-14''$ EAST 411.95 FEET; THENCE SOUTH $02^{\circ}-39'-35''$ WEST 614.80 FEET; THENCE NORTH $87^{\circ}-20'-25''$ WEST 544.41 FEET M/L TO SAID CENTERLINE OF FOX CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE OF FOX CREEK 550 FT M/L TO THE POINT OF BEGINNING, SUBJECT TO 6180 C-SQUARE FEET UTILITY EASEMENT TO SARASOTA COUNTY AS DESCRIBED IN ORI 2008163154, PARCEL A, OAK RIDGE FARMS UNRECORDED, CONTAINING 5.73 ACRES M/L

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. Access to Honore Avenue via Ranch Road will be restricted to right-in/right-out and left-in turning movements once Honore Avenue is widened as a four-lane divided roadway.
2. The development of the subject parcel shall not preclude vehicular access as prescribed in the warranty deeds and quit claim deed providing for vehicular access easements

02013-030

(Official Record Books 1920 page 1719-1722, 997 page 428-434, and 770 page 797-802), unless said warranty deeds and quit claim deed have been modified or eliminated.

3. Prior to Construction Authorization of the subject parcel, Ranch Road shall be constructed to county standards for a local road from Calusa Lakes Boulevard to the Honore Avenue/Pinebrook extension. The improvements shall be included in the construction plans for the proposed development.
4. There are multiple wells located on the property. One of the existing wells may be used to augment a retention pond for irrigation provided it meets all current standards as defined in the Sarasota Code of Ordinances and Water Management District regulations. If none of the existing wells are satisfactory a single new well may be installed for said purpose. This well is also required to meet the aforementioned standards. All wells excluding the one that may be used for augmentation based on evaluations must be plugged by a State of Florida Licensed Well Drilling Contractor. Please note if a new well is installed it must incorporate special well construction techniques. Any wells discovered during excavation, earthmoving or construction must be reported to the Health Department within 24 hours of discovery.
5. A vegetative watercourse buffer shall be established between future development and Fox Creek and shown on all plans. The minimum buffer width shall be 50' as measured from the shoreline top of bank or the landward extent of the wetland. Native vegetation within the buffer shall not be removed except as allowed in the Land Development Regulations. If no vegetation exists in the buffer, native trees, shrubs, and grasses shall be planted.
6. The subject parcel is located within a designated Scrub-jay use area and has known gopher tortoises. The applicant must coordinate with and obtain approval from the United States Fish and Wildlife Service (USFWS) prior to construction.
7. Prior to Preliminary Plat Approval or Site and Development Approval, a Cultural Resource Survey must be submitted and approved by the County.
8. The Owner shall abandon all easements and/or other access rights through Calusa Lakes Subdivision for all property subject to this rezoning. The Owner agrees to record the properly executed legal documents necessary to accomplish the intent of this stipulation, and in a form approved by the County Attorney, in the official records of Sarasota County within thirty (30) days of the date of the opening of Honore Avenue from State Road (S.R.) 681 to Laurel Road.
9. A twenty-five (25) foot wide landscape buffer shall be installed along the west property line. The buffer shall be planted with Florida friendly natural plantings providing for sixty (60) percent opacity. The 60 percent opacity shall be maintained by installing four (4) canopy trees, ten (10) understory trees, and seventeen (17) shrubs per one-hundred (100) linear feet. Canopy trees shall be a minimum of ten (10) feet in height, accent or understory trees shall be a minimum of eight (8) feet in height, and shrubs shall be a minimum of twenty (20) inches in height in a three (3) gallon container. The landscape

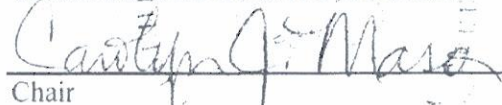
buffer shall be approximately level with the existing properties to the west. The landscape buffer shall be graded so water drains toward the subject property and away from adjoining properties and flooding is prevented. Any fill in the landscape buffer shall be of non decaying natural material. The buffer area shall be kept free of all non-natural objects.

10. The entire subject parcel shall be platted as a single-family residential subdivision consisting of a maximum of 140 lots, with lots along the western boundary being not less than seventy (70) feet in width with homes on these lots being single-family detached homes, one-story in height.
11. Stormwater management calculations shall include all existing stormwater drainage from the adjacent Calusa Lakes subdivision to the west and the stormwater system designed for the development of the subject property shall accommodate such existing stormwater drainage.
12. Construction traffic related to the development of the subject parcel, including the required construction of improvements to Ranch Road, will not be permitted to utilize Calusa Lakes Boulevard nor Ewing Street.

Section 5. Effective Date. This Ordinance shall take effect upon filing with the Department of State.

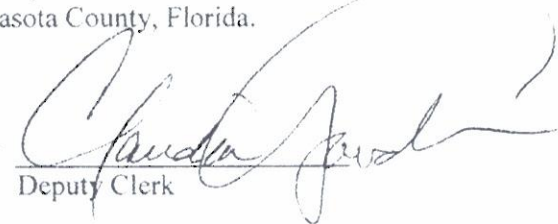
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 5th day of November, 2013.

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

