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2014 MAR 24 08:34 AM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
JOLSON Receipt#1721989



2014032200

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

Charge to: Planning Services
Account# 51810000500489

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

The following property, located at 8000 south Tamiami Trail in Sarasota County, Florida, owned by Harold Mitchell, and described in Ordinance No. 2014-023 attached hereto, has been rezoned to a RMF-2/PUD zone district pursuant to Rezone Petition No. 13-25 filed by Charles D Bailey Jr. Agent, and granted by Sarasota County on March 19, 2014 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. 2014-023, attached hereto)


Tate Taylor, Operational Manager

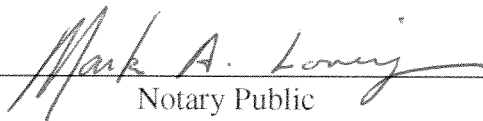
**STATE OF FLORIDA
COUNTY OF SARASOTA**

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 21st day of

March, 2014.




Notary Public
State of Florida at Large

This instrument prepared by:
Cynthia Spraggins



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 20, 2014

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

Attention: Claudia Goodson, 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. 2014-023, which was filed in this office on March 20, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

Enclosures

ORDINANCE NO. 2014-023

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.

KAREN E. JUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL
2014 MAR 20 AM 9:56
FILED FOR THE CLERK
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:

A. The Board has received and considered the report of the Sarasota County Planning Commission concerning Rezoning Petition No. 13-25, 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 OUA (Open Use Agricultural) to the RMF-2/PUD (Residential Multi-family, 9 units/acre/Planned Unit Development) zone district for the following described property located in Sarasota County, Florida:

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Parcel ID 0125-11-0003

DESCRIPTION:

BLOCK M (Per Instrument Number 2006197535)

The entire Block M, being a part of the Plat of "INDIANOLA", recorded in Plat Book 2, Page 46 of the Public Records of Manatee County, Florida (Plat Book "A", Page 74, of the Public Records of Sarasota County, Florida)

TRACT A-2

Commence at the concrete monument marking the Southwest corner of the NW ¼ of the NE ¼, Section 28, Township 37 South, Range 18 East; thence S 89deg 54'43" E, along the South line of said NW ¼ of NE ¼, 132.00 feet; thence S 00deg 17'19"W, 668.33 feet for a POINT OF BEGINNING; thence S 89deg 54'00"E, 1207.03 feet to the East line of SPRINGFIELD DRIVE (40' wide); thence S 00deg 07'17"E, along said SPRINGFIELD DRIVE, 673.28 feet to the Southeast corner of SW ¼ of NE ¼, said Section 28; thence S 89deg 54'35"W, along South line of said SW ¼ of NE ¼, 1122.17 feet to the intersection with the Mean High Tide Line of Little Sarasota Bay; thence along said Mean High Tide Line to following courses; N 17deg 40'35"W, 80.58 feet; thence N 32deg 58'27"W, 126.87 feet; thence N 47deg 33'26"W, 124.77 feet; thence N 58deg 04'23"W, 117.88 feet; thence N 53deg 36'54"W, 107.28 feet; thence N 56deg 59'48"W, 111.17 feet; thence N 66deg 35'25"W, 96.27 feet; thence N 29deg 10'45"W, 103.75; thence N 50deg 04'29"W, 108.80 feet; thence N 52deg 17'45"W, 41.94 feet to a point lying N 89deg 54'00"W of the POINT OF BEGINNING; thence S 89deg 54'00"E, 634.41 feet to the POINT OF BEGINNING. Containing 22.308 acres more or less. Being a part of the Plat of "INDIANOLA", recorded in Plat Book 2, Page 46, Public Records of Manatee County, Florida (Plat Book "A", Page 74, Public Records of Sarasota County, Florida.

TRACT A-3

Commence at a railroad Spike marking the point of intersection of the East line of SPRINGFIELD DRIVE (40' wide) and the North line of SW ¼ of the NE ¼, Section 28, Township 37 South, Range 18 East; thence S 00deg 07'17"E, along said East line of SPRINGFIELD DRIVE, 1341.91 feet to the Northeast corner of the NW ¼ of the SE ¼, said Section 28, for a POINT OF BEGINNING; thence continue S 00deg 07'17"E, along said SPRINGFIELD DRIVE and its extension, 809.82 feet to the point of intersection with the center line of CLOWER CREEK; thence along center line of said CLOWER CREEK the following courses; S 70deg 38'03"W, 50.46 feet; thence S 64deg 47'26"W, 41.09 feet; thence S 62deg 39'01"W, 101.27 feet; thence S 53deg 33'26"W, 100.feet; thence S 57deg 46'27"W, 75.13 feet to the intersection with the South line of plat of "INDIANOLA"; thence S 89deg 46'36"W, 178.00 feet; passing over a Concrete Monument at 46.22 feet; thence N 00deg 01'21"E, 315.00 feet; thence S 89deg

02014-023

46'36"W, 531.06 feet to the point of intersection with the Mean High Tide Line of Little Sarasota Bay; thence along said Mean High Tide Line the following courses; N 4deg 09'21"W, 17.34 feet; thence N 12deg 23'44"W, 43.83 feet; N 13deg 13'30"W, 137.23 feet; thence N 8deg 19'59"W, 54.82 feet; thence N 1deg 37'34"W, 74.07 feet; thence N 1deg 39'32"W, 128.08 feet; thence N 7deg 10'03"W, 93.89 feet; thence N 14deg 06'53"W, 99.54 feet; thence N 17deg 40'35"W, 38.23 feet to a point lying S 89deg 54'35"W of the POINT OF BEGINNING; thence N 89deg 54'35"E, 1122.17 feet to the POINT OF BEGINNING. Containing 19.507 acres more or less. Being a part of the Plat of "INDIANOLA", recorded in Plat Book 2, page 46 of the Public Records of Manatee County, Florida (Plat Book "A.", page 74, Public Records of Sarasota County, Florida.

TRACT A-4

BEGIN at the Northwest corner of NE ¼ of SE ¼, Section 28, Township 37 South, Range 18 East; thence N 89deg 54'35"E along the North line of said NE ¼ of SE ¼, a distance of 497.82 feet; thence S 02deg 42'32"W, 460.08 feet to the center line of CLOWER CREEK, passing over a concrete monument at 425.85 feet; thence along center line of said CLOWER CREEK the following courses; S 54deg 10'38"W, 19.12 feet; thence S 52deg 07'49"W, 27.79 feet; thence S 45deg 43'04"W, 32.00 feet; thence S 28deg 18'30"W, 17.55 feet; thence S 11deg 49'09"E, 57.35 feet; thence S 25deg 50'59"W, 32.89 feet; thence S 58deg 22'57"W, 40.03 feet; thence S 65deg 40'00"W, 50.25 feet; thence S 78deg 54'32"W, 10.16 feet; thence S 54deg 27'05"W, 19.56 feet; thence S 41 deg 57'50"W, 50.20 feet; thence S 54deg 47'47"W, 38.80 feet; thence S 65deg 52'08"W, 88.70 feet; thence S 73deg 10'49"W, 100.18 feet; thence S 70deg 38'03"W, 58.76 feet to the point of intersection with the East line of SPRINGFIELD DRIVE extended South; thence N 00deg 06'23"W, 809.82 feet to the POINT OF BEGINNING. Containing 7.563 acres more or less. Being a part of the plat of "INDIANOLA" recorded in Plat Book 2, Page 46, Public Records of Manatee County, Florida (Plat Book "A", Page 74, Public Records of Sarasota County, Florida.

TRACT A-5

The North 75.00 feet of the West 250.00 feet of BLOCK "M", Plat of "INDIANOLA", recorded in Plat Book 2, Page 46, Public Records of Manatee County, Florida (Plat Book "A", Page 74, Public Records of Sarasota County, Florida, Containing 0.43 acres more or less.

TRACT D (Spencer Property)

BEGINNING at the Southwest corner of INDIANOLA Subdivision on Little Sarasota Bay in Section 28, Township 37 South, Range 18 East, recorded in Plat Book 2, Page 46, Public Records of Manatee County, Florida, at the High Water Mark on Little Sarasota Bay; thence running East on the South line of said Subdivision, 550 feet more or less, to the Southeast corner of LOT 18, Block "D" of said Subdivision; thence North on the East Boundary line of LOT 18, extended, 315.00 feet to a point; thence West paralleling the South boundary line of said Subdivision, 550 feet more or less, to the High Water

Mark on Little Sarasota Bay; thence South along the meandering of Little Sarasota Bay to the POINT OF BEGINNING; together with any and all riparian rights thereunto belonging or in anywise appertaining. Containing 3.863 acres more or less.

TRACT M-1

BEGINNING at the Southeast corner of Block "M"; thence North on and along the Eastern boundary of said Block "M", a distance of 264 feet; thence West and parallel to the South boundary line of said Block "M", 330 feet; thence South and parallel to the Eastern boundary line of said block "M", 264 feet to the South Boundary line of said Block "M"; thence East and along the South boundary line of said Block "M", 330 feet to the POINT OF BEGINNING. Being a part of the Plat of "INDIANOLA", recorded in Plat Book 2, page 46 of the Public Records of Manatee County, Florida (Plat Book "A", Page 74, Public Records of Sarasota County, Florida).

LESS that portion of the above described property to State of Florida State Road Department recorded or O.R. Book 306, Page 703, 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. Development shall take place in substantial accordance with the Development Concept Plan Map Series, date stamped January 14, 2014, and attached hereto as Exhibit "A", except as necessary to comply with the stipulations herein. This does not imply or confer any variances from applicable zoning or land development regulations.
2. The mangrove swamp, scrubby flatwoods, coastal hammock, and pine flatwoods/xeric hammock (as shown on the development concept plan map series dated January 14, 2014) shall be maintained in accordance with management guidelines contained within the Comprehensive Plan as a preserve and labeled a preserve on all plans. All activities including but not limited to filling, excavating, well drilling, altering vegetation (including trimming of both trees and understory) and storing of materials shall be prohibited within preservation areas, except where approved by Conservation & Environmental Permitting through: 1) the Resource Management Plan for the project, or 2) specific written approval of hand removal of nuisance or exotic vegetation.
3. Prior to the approval of any construction plan within the on-site protection zones of a Bald Eagle (*Haliaeetus leucocephalus*) nest the applicant shall provide a copy of an

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approved Bald Eagle Management Plan or proof of consultation with the Florida Wildlife Commission.

4. Any proposed alterations to the existing docks, jurisdictional areas, or construction of new docks within the project area will require a permit pursuant to Sarasota County Ordinance No. 72-84, as amended, and the Water and Navigation Control Authority (WNCA).
5. The Master Surface Water Management Plan shall be consistent with the Clower Creek Basin Master Plan.
6. Development shall not exceed a maximum of seven dwelling/ transient accommodation units.
7. Any new parking spaces, roadways or pedestrian paths constructed and located on the property shall be of pervious material.

Section 4. 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 19th day of March, 2014.

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: Delwerah Diakatos
Deputy Clerk

Exhibit "A"

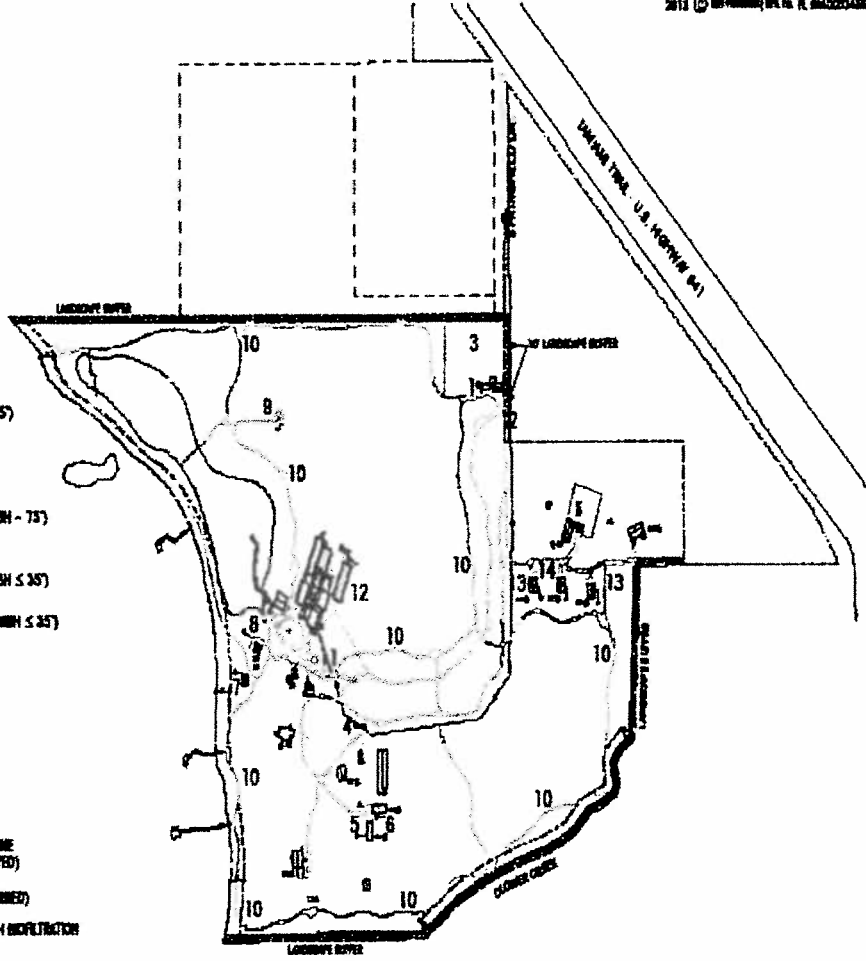
2014 © [REDACTED] U.S. NORTH FL. 040220488

PROPOSED SITE CONDITIONS:

1. OBSERVATION CENTER ** (MH \leq 35')
2. SECURITY GATE
3. TEMP. USE PERMIT PARKING
4. ELLING O. EIDE MUSEUM
5. MAINTENANCE BUILDING ** (MH \leq 35')
6. STORAGE BUILDING ** (MH \leq 35')
7. WILDLIFE OBSERVATION PLATFORM ** (MH \leq 35')
8. CAFE ** (MH \leq 35')
9. WILDLIFE OBSERVATION TOWER ** (MH - 75')
10. NATURE TRAIL *
11. ACCESS DRIVE AND PARKING
12. RESEARCH LIBRARY EXPANSION ** (MH \leq 35')
13. RESIDENCE ** (MH \leq 35')
14. ALTERNATE RESIDENCE LOCATION ** (MH \leq 35')

SITE LEGEND:

- △ WELL
- SEPTIC TANK
- ▨ DRAINAGE FIELD
- ⊗ DECOMMISSIONED WELL
- - - 50' INTERCOURSE BETAHIX LINE (NO VEGETATION TO BE REMOVED)
- ▨ 20' LANDSCAPE BUFFER (REMOVED)
- ← STORMWATER EXTENSION WITH INFILTRATION



* PROPOSED NATURE TRAILS TO BE MADE THROUGH EXISTING VEGETATION AND LEFT NATURAL

** (MH) = MAXIMUM ALLOWABLE BUILDING HEIGHT

ELLING O. EIDE CHARITABLE FOUNDATION - RESEARCH CENTER
8000 S. TOWNSEND BL. SEASIDE, FLORIDA 34231

Development Concept Plan/Grading

ISSUE 1 - 12.20.13
REVISED 1 - 01.10.14

Scale 1" = 400'

0 200 400

007 PETERSON | OFA

1234 1st Street, Seaside, Florida 34256

02014-023

SARASOTA COUNTY ZONING SITE DATA

2013 © HYPHEN88 / P.A. Inc. FL 060000488

EXISTING ZONING: OIA - OPEN USE AGRICULTURE
PROPOSED ZONING: DMF-2-PUD

TOTAL SITE AREA 72.50 ACRES
PROPOSED AREA OF BEZINE 58.50 ACRES

TRACT A-2
TRACT A-3
TRACT A-4
TRACT D
BLOCK W

EXISTING STRUCTURES 11
PROPOSED ADDITIONAL STRUCTURES 10

EXISTING IMPERVIOUS 22,308 S.F.
PROPOSED ADDITIONAL IMPERVIOUS 7,647 S.F.

OPEN NATIVE HABITAT REQUIRED 17.5 ACRES
OPEN NATIVE HABITAT PROVIDED 17.5 ACRES

PARKING SPACES REQUIRED:

2 PER DWELLING UNIT 20
1 PER 250 SF OF OFFICE SPACE 2

PARKING SPACES PROVIDED:

PERMANENT PARKING SPACES FOR DWELLING 20
PERMANENT PARKING SPACES FOR RESEARCH CENTER 12
HANDICAP SPACES PROVIDED 2

NUMBER OF LOTS OR PARCELS 1

*GENERAL NOTES:

1. EXISTING TREES TO BE REMOVED ONLY TO DEGREE REQUIRED FOR CONSTRUCTION OF PROPOSED STRUCTURES/IMPROVEMENTS LABELED ON PLAN
2. NO GRAND TREES SIZED ON PROPERTY AS DETERMINED BY SARASOTA COUNTY

ELLING O. EIDE CHARITABLE FOUNDATION - RESEARCH CENTER
8900 E. Tanhony Rd, Sarasota, Florida 34231
Development Concept Plan/Grading, REVISION 2 - 05.26.14

BOB PETERSON | PFA
1234 1st Street Sarasota, Florida 34236

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