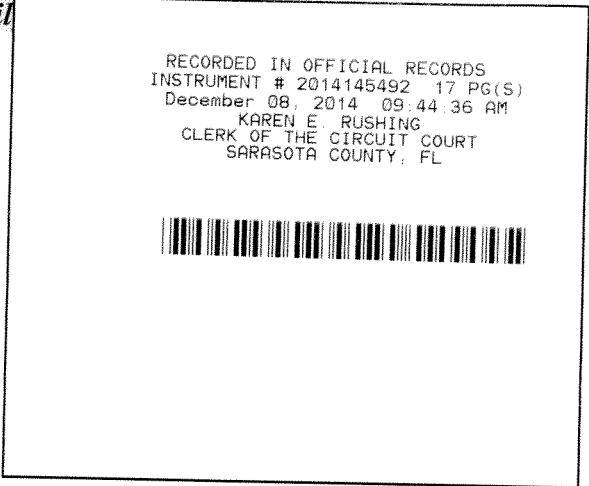


NOT Please record and return to: (Via Inter-Office Mail)
Cynthia Spraggins, Administrative Specialist
Planning Services
1660 Ringling Blvd., 1st Floor
Sarasota, FL 34236


Customer ID# 5223
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 north of Clark Road and south/west of Proctor Road in Sarasota County, Florida, owned by Foxfire Porperities, LLC, and described in Ordinance No. 2014-084 attached hereto, has been rezoned to a RSF-1 (Residential, Single-Family, 2.5 units/acre) zone district with amended stipulations pursuant to Rezone Petition No. 14-17 filed by Robert J. Medred, Agent, and granted by Sarasota County on November 18, 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. 2014-084, attached hereto)

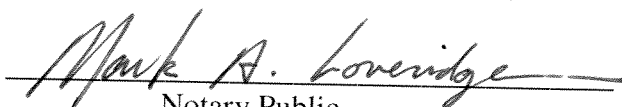

Tate Taylor, Operational Manager

**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 5th day of December, 2014.




Notary Public
State of Florida at Large

This instrument prepared by:
CMS



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 19, 2014

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

Attention: Cheryl Dexter, Recording Secretary

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. 2014-084, which was filed in this office on November 19, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO. 2014-084

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.

BOARD RECORDS
FILED FOR THE PROCLAMATION
2014 NOV 19 9:05
KAREN E. RAYSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

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. 14-17, 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 RSF-1 (Residential, Single-Family, 2.5 units/ acre) with stipulations to RSF-1 (Residential, Single-Family, 2.5 units/ acre) zone district with amended stipulations for the following described property located in Sarasota County, Florida:

North of Clark Road and South and West of Proctor Road, and being more particularly described as follows:

PARCEL 1:

A parcel of land located in Sections 7, 8 and 17, Township 37 South, Range 19 East, Sarasota County, Florida, also being part of Foxfire Subdivision as recorded in Plat Book 23, Page 33 of the Public Records of Sarasota County, Florida and being more particularly described as follows:

Commence at the Northwest corner of said Section 8; thence South $00^{\circ}07'31''$ West along the West line of said Section 8, 56.20 feet for a Point of Beginning, said point being the Northwest corner of Lot 1 of said Foxfire Subdivision, which is on the Southerly right of way line of Proctor Road, (25 feet from the centerline); thence continue South $00^{\circ}07'31''$ West along said East line of Section 8 and along the West line of Lots 1, 2 and 3 of said Foxfire Subdivision, 770.00 feet; thence South $54^{\circ}40'48''$ East along the Southerly line of Lots 3 and 4 of said Foxfire Subdivision 237.45 feet to an angle Point; thence South $77^{\circ}06'15''$ East along the Southerly line of said Lot 4, 225.00 feet; thence North $81^{\circ}24'49''$ East along the South line of Lot 5 of said Foxfire Subdivision, 245.78 feet to a point on a curve being on the Westerly line of Lot 10 of said Foxfire Subdivision; thence in a Southerly direction along the Westerly line of Lots 10 thru 13 of said Foxfire Subdivision of said curve to the left, having a radius of 1080.00 feet which radius point bears South $49^{\circ}02'14''$ East. A delta of $46^{\circ}29'40''$, an arc distance of 876.40 feet to a point of a compound curve not tangent to the last described curve; thence in a Southeasterly direction along the Southerly line of Lots 13 thru 19 of said Foxfire Subdivision of said curve to the left, having a radius of 850.00 feet which radius point bears North $84^{\circ}31'51''$ East, a Delta of $118^{\circ}59'27''$, an arc distance of 1765.26 feet to the point of tangency; thence North $55^{\circ}32'24''$ East along the Southerly line of Lots 19, 20 and 21 of said Foxfire Subdivision, 279.18 feet to a point on the Westerly boundary line of the Foxfire Owners Association, Inc. Tennis Courts; thence along the following 8 calls are the boundary lines of said Tennis Courts: South $34^{\circ}27'33''$ East, 10.00 feet; thence South $55^{\circ}33'34''$ West, 30.03 feet; thence South $34^{\circ}26'16''$ East, 74.53 feet; thence North $55^{\circ}41'41''$ East, 5.03 feet; thence North $34^{\circ}45'25''$ West, 6.00 feet; thence North $55^{\circ}31'43''$ East, 126.00 feet; thence North $26^{\circ}36'59''$ East, 28.45 feet; thence North $34^{\circ}22'40''$ West, 64.62 feet to a point on said South line of Lot 21, thence North $55^{\circ}32'24''$ East along said South line of Lot 21, 81.98 feet to the Westerly right of way line of Proctor Road, (50 foot public right of way); thence South $34^{\circ}25'49''$ East along said Westerly right of way line, 800.00 feet to the Northeast corner of Lot 31 of said Foxfire Subdivision; thence South $55^{\circ}34'11''$ West along the Northerly line of said Lot 31, 440.00 feet to the Northwest corner of said Lot 31; thence South $34^{\circ}25'49''$ East along the Westerly line of Lots 31 and 32 of said Foxfire Subdivision, 505.23 feet to a point on a curve being on the Northerly line of Lot 34 of said Foxfire Subdivision; thence in a Southeasterly direction along the Westerly line of Lots 34 thru 37 of said Foxfire Subdivision of said curve to the left, having a radius of 465.00 feet which radius point bears South $50^{\circ}04'30''$ East, a delta of $164^{\circ}20'03''$, an arc distance of 1333.70 feet to the point of tangency; thence North $55^{\circ}35'25''$ East along the Southerly line of Lots 37 and 38 of said Foxfire Subdivision, 305.11 feet to the Westerly maintained right of way line of said

Proctor Road as recorded in Road Plat Book 3, Page 48 of the Public Records of Sarasota County, Florida; thence along the following 6 calls are the Westerly line of said maintained right of way; South 33°09'13" East 100.31 feet; thence South 34°52'35" East, 100.17 feet; thence South 28°09'57" East, 100.60 feet; thence South 34°26'35" East, 100.00 feet, thence South 67°10'42" East, 24.97 feet; thence South 34°26'35" East, 141.15 feet to a point on the Northerly line of Lot 39 of said Foxfire Subdivision; thence South 50°39'28" West along said Northerly line 473.06 feet to an angle point; thence South 00°31'51" West along the West line of said Lot 39, 140.05 feet to the Northeast corner of Lot 44 of said Foxfire Subdivision; thence North 89°29'31" West along the North line of Lots 40 thru 44 of said Foxfire Subdivision, 994.15 feet; thence South 40°12'11" West along a line as described in Official Records Book 1405, Page 121 of the Public Records of Sarasota County, Florida, 10.74 feet; thence South 11°51'28" West along a line as described in said Official Records Book 1405, Page 121, 14.49 feet to a point on a line as described in Official Records Book 1294, Page 52 of the Public Records of Sarasota County, Florida; thence South 37°23'36" West along said line as described in Official Records Book 1294, Page 52, 21.92 feet to a point on the West line of said Lot 40; thence South 00°31'55" West along said West line, 459.70 feet to a point on the North right of way line of Clark Road (State Road 72, a 100 foot public right of way); thence North 89°27'35" West along said North right of way line, 329.69 feet to a point on the East line of the West 1/2 of the Southeast 1/4 of the Southwest 1/4 of said Section 8 extended Southerly; thence North 00°37'16" East along said East line 1617.95 feet to a point on the North line of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 of said Section 8; thence South 89°57'31" West along said North line, 1330.70 feet to the Northeast corner of a parcel of land as described in Official Records Book 2935, Page 2200, Public Records of Sarasota County, Florida; thence South 00°17'24" West along the East line of said parcel of land, 61.45 feet to the Southeast corner of said parcel of land; thence North 60°33'00" West along the South line of said parcel of land and along the approximate North top of bank of a drainage ditch, 346.88 feet; thence South 22°56'48" West, 68.54 feet; thence North 61°31'19" West, 20.00 feet; thence South 13°08'47" West, 82.79 feet to the Southeast corner of a parcel of land as described in Official Records Book 2935, Page 2200 of the Public Records of Sarasota County, Florida; thence North 88°42'26" West along the South line of said parcel of land 299.96 feet to the West line of said Section 8; thence North 00°07'31" West along said West line, 269.05 feet to a point on the approximate North top of bank of a drainage ditch; thence North 63°25'11" West along said approximate North top of bank, 195.97 feet to a point of a curve; thence in a Westerly direction along said approximate North top of bank and said curve to the left, having a radius of 170.59 feet, a delta of 42°35'50", an arc distance of 126.83 feet to the point of tangency; thence South 73°58'59" West along said approximate North top of bank, 561.94 feet to a point on the East line of Tract "A" of Ashley Subdivision as recorded in Plat Book 33, Page 22 of the Public Records of Sarasota County, Florida; thence North 00°06'21" East (bearing basis for this description) along said East line of Tract "A" and Lots 1 thru 15 of said Ashley Subdivision, 3495.14 feet to a point on the said South right of way line of Proctor Road; thence South 89°44'28" East along

said South line, 839.85 feet to the Point of Beginning.

LESS the following described property:

That part of Section 8, Township 37 South, Range 19 East, Sarasota County, Florida being described as follows:

Commence at the Northwest corner of said Section 8; thence along the West line of said Section 8, S 00°07'31" W, 56.20' to a point lying on the Southerly right of way line of Proctor Road; thence along said right of way line, N 89°44'28" W, 839.85 feet to a point lying on the East line of Ashley Subdivision as recorded in Plat Book 33, Pages 22-22G, Public Records of Sarasota County, Florida; thence along said East line, S 00°06'21" W, 3495.14 feet to the North line of Red Hawk Reserve, Phase 1 as recorded in Plat Book 44, Pages 41-41F Public Records of Sarasota County, Florida; thence along the last said North line the following nine (9) calls: thence N 73°58'59" E, 561.94 feet to the beginning of a tangential curve concave to the South having a radius of 170.59 feet and a delta angle of 42°35'50" whose chord bears S 84°43'06" E; thence along said curve Easterly and in a clockwise direction 126.83 feet; thence tangent to last said curve S 63°25'11" E, 195.97 feet; thence S 00°07'31" W, 269.05 feet; thence S 88°42'26" E, 299.96 feet; thence N 13°08'47" E, 82.79 feet; thence S 61°31'19"E, 20.00 feet; thence N 22°56'48" E, 68.54 feet; thence S 60°33'00" E, 95.32 feet to the Point of Beginning of lands being described; thence leaving said North line of Red Hawk Reserve, Phase 1, N 31°26'32" E, 808.36 feet; thence N 08°36'05" W, 317.36 feet; thence N 50°54'55" E, 243.05 feet to a point lying on the Southerly line of Lot 17, Foxfire Subdivision as recorded in Plat Book 23, Pages 33-33E Public Records of Sarasota County, Florida. Said Point also lying on a curve concave to the North whose radius point lies N 16°25'22" E, 850.00 feet from last said point, having a delta angle of 42°32'20" and whose chord bears N 85°09'12" E; thence along last said curve and the Southerly line of Lots 17, 18 and 19 of said Foxfire Subdivision, Easterly and in a counter clockwise direction, 631.08 feet; thence leaving last said curve on a non-radial line, S 69°16'46" E, 189.15 feet; thence S 09°19'35" W, 513.22 feet; thence S 40°05'59" W, 127.14 feet; thence S 27°51'20" W, 81.21 feet; thence S 84°41'59" W, 184.19 feet; thence S 60°19'32" W, 184.30 feet; thence S 17°47'12" W, 441.11 feet to the said North line of Red Hawk Reserve, Phase 1, thence along last said North line the following three (3) calls: S 89°57'31" W, 453.61 feet; thence S 00°17'24" W, 61.45 feet; Thence N 60°33'00" W, 251.56 feet to the Point of Beginning.

ALSO LESS the following described property:

That part of Sections 7 & 8, Township 37 South, Range 19 East, Sarasota County, Florida being described as follows:

Commence at the Northwest corner of said Section 8; thence along the West line of said Section

2014084

8, S 00°07'31" W, 56.20 feet to a point lying on the Southerly right of way line of Proctor Road; thence along said right of way line, N 89°44'28" W, 839.85 feet to a point lying on the East line of Ashley Subdivision as recorded in Plat Book 33, Pages 22-22G, Public Records of Sarasota County, Florida; thence along said East line, S 00°06'21" W, 3495.14 feet to the North line of Red Hawk Reserve, Phase 1 as recorded in Plat Book 44, Pages 41-41F Public Records of Sarasota County, Florida; thence along the last said North line the following nine (9) calls: Thence N 73°58'59" E, 561.94 feet to the beginning of a tangential curve concave to the South having a radius of 170.59 feet and a delta angle of 42°35'50" whose chord bears S 84°43'06" E; thence along said curve Easterly and in a clockwise direction 126.83 feet; thence tangent to last curve S 63°25'11" E, 195.97 feet; thence leaving last said North line S 63°25'11" E, 24.35 feet; thence N 00°42'38" E, 737.21 feet; thence N 18°00'48" E, 102.44 feet; thence N 01°51'32" E, 237.60 feet; thence N 16°10'09" W, 173.83 feet; thence N 00°04'47" W, 1427.34 feet; thence N 54°40'48" W, 17.28 feet; thence N 00°07'31" E, 770.00 feet to the Point of Beginning.

PARCEL 2

That part of Section 8, Township 37 South, Range 19 East, Sarasota County, Florida being described as follows:

Commence at the Northwest corner of said Section 8; thence along the West line of said Section 8, S 00°07'31" W, 56.20' to a point lying on the Southerly right of way line of Proctor Road; thence along said right of way line, N 89°44'28" W, 839.85 feet to a point lying on the East line of Ashley Subdivision as recorded in Plat Book 33, Pages 22-22G, Public Records of Sarasota County, Florida; thence along said East line, S 00°06'21" W, 3495.14 feet to the North line of Red Hawk Reserve, Phase 1 as recorded in Plat Book 44, Pages 41-41F Public Records of Sarasota County, Florida; thence along the last said North line the following nine (9) calls: thence N 73°58'59" E, 561.94 feet to the beginning of a tangential curve concave to the South having a radius of 170.59 feet and a delta angle of 42°35'50" whose chord bears S 84°43'06" E; thence along said curve Easterly and in a clockwise direction 126.83 feet; thence tangent to last said curve S 63°25'11" E, 195.97 feet; thence S 00°07'31" W, 269.05 feet; thence S 88°42'26" E, 299.96 feet; thence N 13°08'47" E, 82.79 feet; thence S 61°31'19"E, 20.00 feet; thence N 22°56'48" E, 68.54 feet; thence S 60°33'00" E, 95.32 feet to the Point of Beginning of lands being described; thence leaving said North line of Red Hawk Reserve, Phase 1, N 31°26'32" E, 808.36 feet; thence N 08°36'05" W, 317.36 feet; thence N 50°54'55" E, 243.05 feet to a point lying on the Southerly line of Lot 17, Foxfire Subdivision as recorded in Plat Book 23, Pages 33-33E Public Records of Sarasota County, Florida. Said Point also lying on a curve concave to the North whose radius point lies N 16°25'22" E, 850.00 feet from last said point, having a delta angle of 42°32'20" and whose chord bears N 85°09'12" E; thence along last said curve and the Southerly line of Lots 17, 18 and 19 of said Foxfire Subdivision, Easterly and in a counter clockwise direction, 631.08 feet; thence leaving last said curve on a non-radial line, S 69°16'46"

E, 189.15 feet; thence S 09°19'35" W, 513.22 feet; thence S 40°05'59" W, 127.14 feet; thence S 27°51'20" W, 81.21 feet; thence S 84°41'59" W, 184.19 feet; thence S 60°19'32" W, 184.30 feet; thence S 17°47'12" W, 441.11 feet to the said North line of Red Hawk Reserve, Phase 1, thence along last said North line the following three (3) calls: S 89°57'31" W, 453.61 feet; thence S 00°17'24" W, 61.45 feet; Thence N 60°33'00" W, 251.56 feet to the Point of Beginning.

TOGETHER WITH the following described property:

That part of Sections 7 & 8, Township 37 South, Range 19 East, Sarasota County, Florida being described as follows:

Commence at the Northwest corner of said Section 8; thence along the West line of said Section 8, S 00°07'31" W, 56.20 feet to a point lying on the Southerly right of way line of Proctor Road; thence along said right of way line, N 89°44'28" W, 839.85 feet to a point lying on the East line of Ashley Subdivision as recorded in Plat Book 33, Pages 22-22G, Public Records of Sarasota County, Florida; thence along said East line, S 00°06'21" W, 3495.14 feet to the North line of Red Hawk Reserve, Phase I as recorded in Plat Book 44, Pages 41-41F Public Records of Sarasota County, Florida; thence along the last said North line the following nine (9) calls: Thence N 73°58'59" E, 561.94 feet to the beginning of a tangential curve concave to the South having a radius of 170.59 feet and a delta angle of 42°35'50" whose chord bears S 84°43'06" E; thence along said curve Easterly and in a clockwise direction 126.83 feet; thence tangent to last curve S 63°25'11" E, 195.97 feet; thence leaving last said North line S 63°25'11" E, 24.35 feet; thence N 00°42'38" E, 737.21 feet; thence N 18°00'48" E, 102.44 feet; thence N 01°51'32" E, 237.60 feet; thence N 16°10'09" W, 173.83 feet; thence N 00°04'47" W, 1427.34 feet; thence N 54°40'48" W, 17.28 feet; thence N 00°07'31" E, 770.00 feet to the Point of Beginning.

Together with beneficial Easement recorded in O.R. Book 1979, Page 2056, of 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 Owner shall construct an eastbound to northbound left-turn lane on Clark Road access point. The left-turn lane shall be designed in accordance with Indexes 301 and 526 of the Florida

2014-084

Department of Transportation's Roadway and Traffic Design Standards. The improvements shall be included in the construction plans for the subject development.

2. If a traffic signal is warranted and approved by the Florida Department of Transportation, prior to the date of submittal of the development construction plans to Sarasota County, the Owner shall be responsible for its proportionate share of the cost of design and construction of a traffic signal at the Clark Road (State Road 72)/Ibis Street intersection. If a traffic signal is warranted and approved as described above, the plans for the signalization of the Clark Road (State Road 72)/Ibis Street intersection shall be included with the development construction plans or be the subject of a binding executable contract for construction.
3. 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 this office within 24 hours of discovery.
4. Mesic hammock areas proposed for alteration shall not exceed 25 percent of the total on-site mesic hammock area, subject to the review and approval by Environmental Permitting during preliminary plan submittal. Mesic hammock areas not approved for removal shall be preserved. All activities including filling, excavating, altering of vegetation (both trees and understory) and storing of materials shall be prohibited within preservation areas, unless written approval is first obtained from Environmental Permitting. Exception may be granted by Environmental Permitting to facilitate implementation of approved habitat management plans or the hand removal of nuisance/invasive vegetation.
5. A minimum of 12.4 acres of existing on-site native habitat shall be preserved within separate tracts during the site and development plan review. Development shall be designed to optimize habitat connectivity and minimize habitat fragmentation.
6. Any wetlands and associated upland vegetative buffer 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 Environmental Protection Division through: 1) the Resource Management Plan for the project, or 2) specific written approval of hand removal of nuisance or exotic vegetation.
7. The Master Surface Water Management Plan shall be consistent with the Phillippi Creek

Basin Master Plan.

8. The Owner shall record a Notice of Proximity to Former Landfills, in a form acceptable to the County Attorney, in the Official Records for the entire parcel, and shall delineate the boundaries of all former landfills on any plat.
9. Prior to the commencement of home construction the Owner shall demonstrate that soil levels of arsenic have been mitigated to levels acceptable to the Florida Department of Environmental Protection (DEP) and/or Florida Department of Health (DOH). Upon attainment of acceptable soil arsenic levels, and acknowledgement by DEP and/or DOH of successful mitigation, Sarasota County will not require additional soil testing for arsenic.
10. The Owner shall implement the Ambient Water Quality Monitoring Plan attached as Exhibit "B".
11. The development is required to connect to Sarasota County Public Utilities Water, Wastewater and Reclaimed Water systems.
12. When construction is complete for each phase of development, all potable water distribution lines, valves, hydrants, wastewater collection systems, and reclaimed water lines up to the Point(s) of Delivery along with any appurtenances shall be deeded at no cost to Sarasota County to be operated and maintained by the County. Facilities dedicated to Sarasota County shall be installed outside paved areas wherever possible.
13. The development shall operate, manage, and maintain a community wide irrigation system under a single entity or master association. Through its master covenants or deed restrictions Development shall enforce provisions to preclude the installation and use of individual irrigation wells and employ conservation strategies including but not limited to, metering, managing supplies to limit impacts to groundwater, enforce watering schedules, monitor use, and implement best management practices to reduce irrigation demands. Community wells may be used only as a backup supply for irrigation if reclaimed water or surface water is unavailable.
14. The development is responsible for the construction and maintenance of internal irrigation infrastructure. Such irrigation infrastructure shall be designed to accept reclaimed water in accordance with applicable rules and regulations.
15. The Owner shall submit a Stormwater Management Plan for review thirty (30) days prior to the first Preliminary Plan submittal.
16. No habitable structures shall be located on any portion of the subject parcel that was a former landfill.
17. Prior to demolition of each building, any existing septic system servicing said building shall be crushed and filled by a licensed septic contractor.

18. All potable wells converted to irrigation shall be added to the SWFWMD Water Use Permit prior to use.
19. Native vegetation within proposed open space areas shall be conserved. All activities involving filling, excavating, removing of native vegetation (including trimming of both trees and understory) and storing of materials shall be prohibited within open space conservation areas, unless written approval is first obtained from Resource Protection Services. Limited clearing may be allowed to accommodate nature trails, picnic areas or other passive recreation if prior approval is obtained from Resource Protection Services preservation areas.
20. Landscape buffers shall be provided as shown on the Development Concept Plan dated, Received, October 9, 2014.
21. There shall be no more than 205 total single family lots on the subject parcel.
22. Development shall take place in substantial compliance with the Development Concept, Plan date stamped Received, October 9, 2014, and attached to this Ordinance as Exhibit "A". This does not imply or confer any variances from applicable zoning or land development regulations.
23. All lots shall be a minimum of 9,500 square feet in size.
24. The two separate roadway systems shown on the Development Concept Plan shall not be connected.
25. The access between Parcel A and the project's westerly roadway to Proctor Road shall be gated and used for Emergency purposes only as generally shown on the Development Concept Plan.
26. The First Construction Plans that include any subdivision road connecting to Proctor Road shall include a five foot wide sidewalk with closed drainage between the two road access points on Proctor Road.
27. Lighting at both accesses on Proctor Road shall be provided to illuminate the entrances and shall conform to the Lighting Code provisions of the Zoning Ordinance.
28. The Owner shall construct a six (6) foot high fence around the perimeter of both former landfill sites prior to the first certificate of occupancy.

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 18 day of November, 2014.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

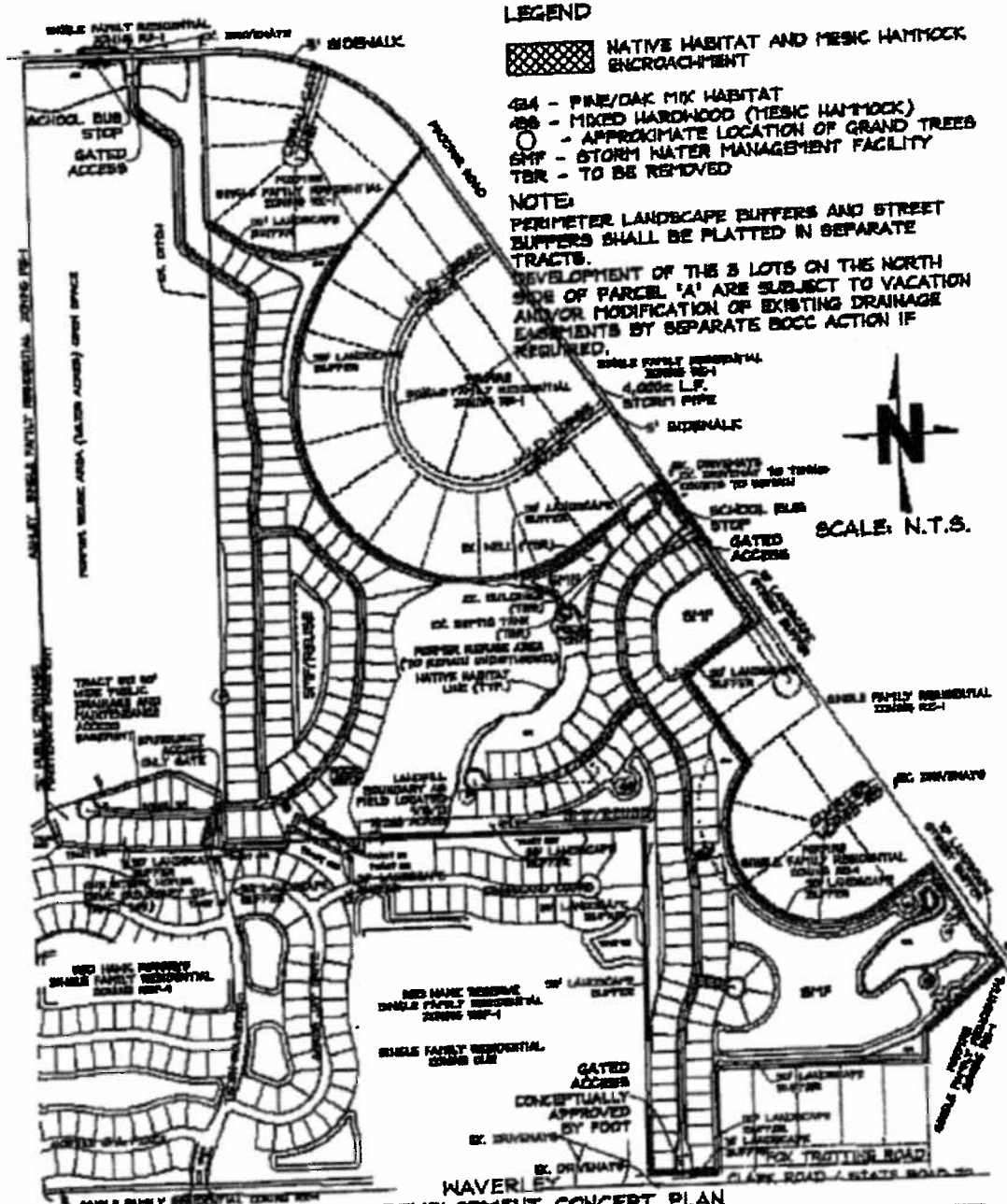
Chair

ATTEST:

KAREN E. RUSHING, Clerk of
the Circuit Court and Ex-
Officio Clerk of the Board of
County Commissioners of
Sarasota County, Florida.

By: [Signature]
Deputy Clerk

EXHIBIT "A"
October 9, 2014



LEGEND

- NATIVE HABITAT AND MESIC HAMMOCK ENCROACHMENT
- 4B4 - PINE/DAK MIX HABITAT
- 4B5 - MIXED HARDWOOD (MESIC HAMMOCK)
- - APPROXIMATE LOCATION OF GRAND TREES
- SMF - STORM WATER MANAGEMENT FACILITY
- TBR - TO BE REMOVED

NOTE:
PERIMETER LANDSCAPE BUFFERS AND STREET BUFFERS SHALL BE PLATTED IN SEPARATE TRACTS.
DEVELOPMENT OF THE 3 LOTS ON THE NORTH SIDE OF PARCEL 'A' ARE SUBJECT TO VACATION AND/OR MODIFICATION OF EXISTING DRAINAGE EASEMENTS BY SEPARATE BOCC ACTION IF REQUIRED.



WAIVER
CAVOLI Engineering, Inc. **Sheet 1 of 2**
 Consulting Civil Engineers
 P. Eng. No. 46972
 (41) 927-3547
 Fax (41) 927-3444
 email: cavolieng@cs.com
 JOHN P. CAVOLI, P.E.
 P.L. REG. NO.: 46972
 DATE

2014-084

EXHIBIT "A"
October 9, 2014

WAVERLEY
BINDING DEVELOPMENT CONCEPT PLAN

SITE DATA

1. PARCEL ID NO.: 0265-13-0008, 0265-05-0006, 0264-08-0005, 0264-08-0007, 0265-13-0008, 0266-03-0002, 0266-03-0003
2. TOTAL GROSS ACREAGE: 193.77 ACRES
3. EXISTING ZONING: RSF-1 WITH STIPULATIONS
4. PROPOSED ZONING: RSF-1 WITH AMENDED STIPULATIONS
5. EXISTING USE: VACANT
6. PROPOSED USE: 205 SINGLE FAMILY CLUSTER RESIDENTIAL SUBDIVISION
7. DENSITY: 1.06 UNITS PER ACRE
205 DWELLING UNITS/193.77 ACRES = 1.06 DU/AC
8. TOTAL OPEN SPACE: 30% REQUIRED, 60% PROVIDED
9. FOCAL POINT: AREA BE EQUAL TO 1.0% OF THE GROSS AREA OF THE SUBDIVISION
10. ROADS: PRIVATE STREETS
11. COVERAGES:
 - EXISTING IMPERVIOUS: 0.5%
 - EXISTING IMPERVIOUS TO BE REMOVED: 0.5%
 - APPROXIMATE AREA OF NEW STORM WATER (LAKES) AREA: 18.4 ACRES
 - NEW IMPERVIOUS AREA: 60.0% (INCLUDING LAKES)
 - TOTAL NET IMPERVIOUS: 60.0%



Sheet 2 of 2

(741) 927-3647

Fax: (741) 927-3646

email: cavoliengineer@aol.com

JOHN F. CAVOLI, P.E.
FL. REG. NO. 48642

10/9/14

DATE

2014-084

EXHIBIT "B"
Waverly Residential Development
Ambient Water Quality Monitoring Plan

INTRODUCTION

In accordance with Comprehensive Plan Policy ENV 2.1.5, and Section 54-185(b) of the Sarasota County Water Pollution Control Code (Ordinance 2010-002, as amended), the following Ambient Water Quality Monitoring Plan has been established. It should be noted that the qualifying word, "ambient" is used to distinguish between the monitoring of surface and ground waters, and the requirement by Sarasota County Environmental Utilities for monitoring potable water. It should also be noted that in lieu of using a map or aerial image to display the water quality monitoring locations (stations) the Plan includes a table outlining each station "name", and its latitude and longitude

The project site resides within the Phillippi Creek drainage basin and the Sarasota Bay watershed. Portions of the site (approximately 90 acres total) were historically used for landfilling solid waste. Site surface drainage is predominantly southward into Phillippi Canal 12-227, which drains westward from the southwest corner of the site. The canals are cut deeply enough so as to also drain base flow from the surficial aquifer.

The purpose of monitoring is to assess any water quality impacts to the stormwater system, and potentially to Phillippi Creek and Sarasota Bay.

1.0 SURFACE WATER MONITORING LOCATIONS, DURATION, AND FREQUENCY

LOCATIONS:

Based upon the existing site conditions a single ambient surface water quality monitoring location has been identified as outlined below:

| STATION | LATITUDE | LONGITUDE |
|----------------|-----------------|------------------|
| WMS-1 | 27°16'23.69"N | 82° 26'16.77"W |

DURATION AND FREQUENCY

Pre-Development/Baseline Monitoring

Monitoring shall be performed quarterly, for one year prior to initiating construction activities. Two samples shall be obtained during the dry season (October to May), and two during the rainy season (June to September).

During Development Monitoring

Water quality samples shall initially be obtained four times per year during active development.

Turbidity shall be monitored and recorded weekly, and within 24 hours of the end of a rainfall event of 0.50 inches, or greater.

EXHIBIT "B"
Waverly Residential Development
Ambient Water Quality Monitoring Plan

Post-development (completion of 90% of the habitable structures)

Post-development monitoring shall be performed quarterly, for a period of one year. Two samples shall be obtained during the dry season (October to May), and two during the rainy season (June to September).

2.0 SURFACE WATER METHODOLOGY

Sampling and analysis shall be performed in accordance with Chapter 62-160, Florida Administrative Code, titled, Quality Assurance.

During each sampling event the current and 24-hour antecedent weather conditions shall be documented.

At each station, during each sampling event, samples shall be collected, prepared, and transported to a certified laboratory for the following analyses:

| PARAMETER | PARAMETER |
|--------------------------|--|
| Chlorides | Ammonia |
| Nitrate | Lead |
| Nitrite | Zinc |
| Total Nitrogen | Copper |
| Total Kjeldahl Nitrogen | Mercury |
| Total Phosphorus | Nickel |
| Orthophosphate | Arsenic |
| Total Coliform | Cadmium |
| Fecal Coliform | Chromium |
| BOD ₅ | Primary Organics (pesticides & herbicides) |
| Chlorophyll A, corrected | |

At each station, during each sampling event, the following field, or in-situ analyses shall be performed:

| PARAMETER | PARAMETER |
|----------------------|---------------------------|
| Specific Conductance | pH |
| Temperature | Water Depth (staff gauge) |
| Dissolved Oxygen | |

Turbidity shall be monitored and recorded weekly, and within 24 hours of the end of a rainfall event of 0.50 inches, or greater.

3.0 GROUND WATER MONITORING

EXHIBIT "B"
Waverly Residential Development
Ambient Water Quality Monitoring Plan

The need for ground water monitoring will be based upon the results of surface water sampling, if previously unrecognized conditions are identified during development, if required by other agencies, and/or as determined necessary by Sarasota County Air & Water Quality, or its successor.

4.0 REPORTING

If any exceedance of the appropriate water quality standard(s) occurs, construction shall stop immediately, the source or cause of the exceedance found, and a solution identified and implemented prior to construction re-starting. Air & Water Quality shall be notified of the event within twenty-four hours.

Within thirty days of completion of laboratory analyses, a copy of the field sheets, chain of custody sheets, and analytical results shall be submitted to Air & Water Quality in hard copy and electronic (MS Excel) formats.

An annual monitoring report shall be submitted to Air & Water Quality summarizing the quarterly results, and providing a discussion of the analytical results relative to Florida surface and ground water quality standards, including Chapters 62-302, 62-550, and 62-777, F.A.C. The report shall also include a summary of trends observed.

5.0 MODIFICATION

The ambient water quality monitoring plan may be modified upon mutual agreement of the Developer and Sarasota County Air & Water Quality, or its successor, based upon changes to the site conditions, the results obtained by monitoring, or for other just cause.