

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

Cynthia Spraggins, Administrative Specialist

Planning Services

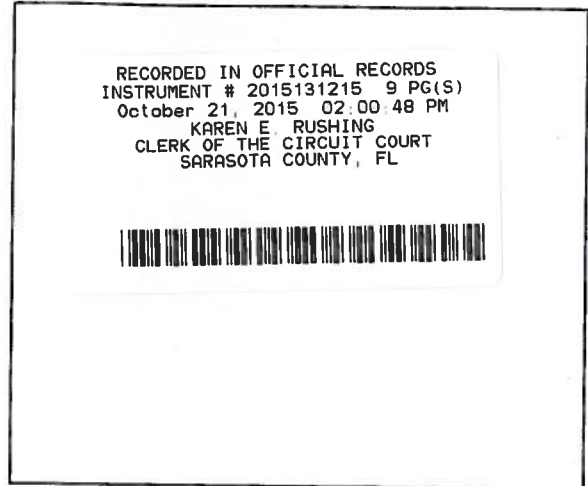
1660 Ringling Blvd., 1<sup>st</sup> Floor

Sarasota, FL 34236

Customer ID# 5223

Charge to: Planning Services

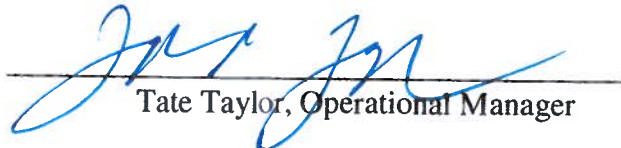
Account# 51810000500489



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

The following property, located at 2825 Cattlemen Road, in Sarasota County, Florida, owned by Osprey S A LTD, and described in Ordinance No. 2015-063 attached hereto, has been rezoned to a ILW (Industrial, Light Manufacturing, and Warehousing) zone district with amended stipulations pursuant to Rezone Petition No. 15-09 filed by Maria M. Hough, Agent, and granted by Sarasota County on September 22, 2015 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. 2015-063 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 20 day of October, 2015.



  
Notary Public  
State of Florida at Large

This instrument prepared by:  
CMS





## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

September 28, 2015

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. 2015-063, which was filed in this office on September 28, 2015.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

**ORDINANCE NO. 2015-063**

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. 15-09, 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 ILW (Industrial, Light Manufacturing, and Warehousing) to ILW zone district with amended stipulations for the following described property located in Sarasota County, Florida:

TRACT A

PARCEL 1:

BEGIN AT THE SW CORNER OF SECTION 31, TOWNSHIP 36 SOUTH, RANGE 19 EAST; THENCE RUN N 89°59'30" E, A DISTANCE OF 1400.0 FEET; THENCE RUN N 0°03'30" W, A DISTANCE OF 2376.0 FEET TO THE NORTH RIGHT-OF-WAY

FILED FOR THE RECORD  
2015 SEP 25 4:10:33  
HAKERE E. JENNINGS, CLERK OF THE COUNTY COURT, SARASOTA, FLORIDA

LINE OF WEBBER ROAD; THENCE RUN N 0°03'30" W, A DISTANCE OF 652.0 FEET; THENCE RUN S 87° 05'30" W, A DISTANCE OF 1689 FEET; THENCE RUN N 00°06'00" W, A DISTANCE OF 425 FEET; THENCE RUN N 89°24'00" W, A DISTANCE OF 532.25 FEET TO A POINT OF BEGINNING; THENCE RUN N 89°24'00" W, A DISTANCE OF 532.25 FEET; THENCE RUN N 0°06'00" W, A DISTANCE OF 175.0 FEET; THENCE RUN S 89°24'00" E, A DISTANCE OF 532.25 FEET; THENCE RUN S 0°06'00" E, A DISTANCE OF 175.0 FEET TO POINT OF BEGINNING. LYING AND BEING IN SECTION 36, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA.

PARCEL 2:

BEGIN AT THE SW CORNER OF SECTION 31, TOWNSHIP 36 SOUTH, RANGE 19 EAST; THENCE RUN N 89° 59'30" E, A DISTANCE OF 1400.0 FEET; THENCE RUN N 0°03'30" W, A DISTANCE OF 2376.0 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WEBBER ROAD; THENCE RUN N 0°03'30" W, A DISTANCE OF 652.0 FEET; THENCE RUN S 87° 05'30" W, A DISTANCE OF 1689.0 FEET; THENCE RUN N 00°06'00" W, A DISTANCE OF 425.0 FEET TO A POINT OF BEGINNING; THENCE RUN N 89°24'00" W, A DISTANCE OF 532.26 FEET; THENCE RUN N. 0°06'00" W, A DISTANCE OF 175.0 FEET; THENCE RUN S 89°24'00" E, A DISTANCE OF 532.25 FEET; THENCE RUN S 0°06'00" E, A DISTANCE OF 175.0 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN SECTION 36, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA.

LESS THAT PORTION TAKEN BY THE STATE OF FLORIDA UNDER ORDER OF TAKING IN RE DIVISION OF ADMINISTRATION, STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION VS. NATIONAL BANK OF GULF GATE, ET AL, CA 76-1506, RECORDED IN OFFICIAL RECORDS BOOK 1133, PAGE 1505, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SE CORNER OF THE NE 1/4 OF SECTION 36, TOWNSHIP 36 SOUTH, RANGE 18 EAST; THENCE RUN NORTH 0°16'12" E, 37.47 FEET; THENCE NORTH 88°25'41" W, 275.95 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 0°23'42"W, 175.00 FEET,

THENCE N 88°25'41" W, 152.78 FEET; THENCE NORTH 0°16'12" E, 90.65 FEET; THENCE NORTH 4°41'00" W, 84.85 FEET; THENCE SOUTH 88°25'41" E, 160.49 FEET, TO THE POINT OF BEGINNING.

PARCEL 3:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 36 SOUTH, RANGE 19 EAST; THENCE SOUTH 0°03' EAST AND ALONG THE WEST BOUNDARY OF SAID SECTION 31, 1711.0 FEET TO THE SOUTHERLY BOUNDARY OF A 75 FOOT DRAINAGE CANAL FOR A POINT OF BEGINNING; THENCE NORTH 86°21' EAST AND ALONG THE SOUTHERLY BOUNDARY OF SAID 75 FOOT DRAINAGE CANAL 4586.33 FEET TO THE WESTERLY BOUNDARY OF A 52 FOOT DRAINAGE CANAL; THENCE SOUTH 0°08' EAST AND ALONG THE WESTERLY BOUNDARY OF SAID 52 FOOT DRAINAGE CANAL 1273.39 FEET TO THE NORTHERLY RIGHT-OF-WAY OF WEBBER ROAD; THENCE SOUTH 86°21' WEST AND ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID WEBBER ROAD 3198.15 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF FERROL ROAD; THENCE SOUTH 87°46'27" WEST, 1720.42 FEET; THENCE NORTH 0°02'30" EAST, 1025.38 FEET; THENCE NORTH 89°27'30" WEST 1042.82 FEET TO THE CENTER LINE OF THE FRUITVILLE-MADISON ROAD; THENCE NORTH 00°13'30" EAST AND ALONG SAID CENTER LINE OF FRUITVILLE-MADISON ROAD 217.93 FEET TO THE SOUTHERLY BOUNDARY OF A 100 FOOT DRAINAGE CANAL AS DESCRIBED IN CHANCERY ORDER BOOK 3, PAGE 213, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, THENCE SOUTH 89°27'30" EAST AND ALONG THE SOUTHERLY BOUNDARY OF SAID 100 FOOT DRAINAGE CANAL 1372.06 FEET TO THE WESTERLY BOUNDARY OF SECTION 31, THENCE NORTH 0°03' WEST AND ALONG SAID SECTION LINE 12.5 FEET TO THE POINT OF BEGINNING. BEING FURTHER DESCRIBED AS BEING CONTAINED WHOLLY IN SECTION 31, TOWNSHIP 36 SOUTH, RANGE 19 EAST AND EAST ONE-HALF OF THE EAST ONE-HALF OF SECTION 36, TOWNSHIP 36 SOUTH, RANGE 18 EAST. THAT PORTION OF LAND LYING IN SECTION 31, TOWNSHIP 36 SOUTH, RANGE 19 EAST, BEING FURTHER DESCRIBED AS LYING IN AND BEING A PART OF TRACT 1 AND TRACT 2 OF PALMER FARMS THIRD UNIT, AS RECORDED IN PLAT BOOK 3, PAGE 39, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

LESS THAT PORTION PREVIOUSLY CONVEYED TO THE STATE OF FLORIDA AS RIGHT-OF-WAY FOR I-75 AND ALSO LESS ANY PORTION LYING EAST OF I-75.

AND ALSO LESS AND EXCEPT THAT PROPERTY TRANSFERRED TO SARASOTA COUNTY PURSUANT TO WARRANTY DEED DATED NOVEMBER 27, 2000 AND RECORDED IN OFFICIAL RECORDS INSTRUMENT NO. 2001003440, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

**TRACT E**

PARCEL C-2, OF AMENDED PARCEL C, CATTLEMEN LAND CONDOMINIUM, A LAND CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM OF CATTLEMEN LAND CONDOMINIUM RECORDED MAY 26, 2000 IN OFFICIAL RECORDS INSTRUMENT NO. 2000066695 AND AS AMENDED BY THE AMENDMENT TO DECLARATION OF CONDOMINIUM OF CATTLEMEN LAND CONDOMINIUM RECORDED MARCH 18, 2014 IN OFFICIAL RECORDS INSTRUMENT NO. 2014030208 AND BEING FURTHER DESCRIBED IN THE PLAT OF AMENDED PARCEL 3, CATTLEMEN LAND CONDOMINIUM, A LAND CONDOMINIUM, RECORDED IN CONDOMINIUM BOOK 36, PAGES 30 THROUGH 30-D, ALL OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING PART OF PARCEL C, CATTLEMEN LAND CONDOMINIUM, A LAND CONDOMINIUM, ACCORDING TO THE DECLARATION OF CONDOMINIUM OF CATTLEMEN LAND CONDOMINIUM RECORDED MAY 26, 2000 IN OFFICIAL RECORDS INSTRUMENT NO. 2000066695 AND BEING FURTHER DESCRIBED IN THE CATTLEMEN LAND CONDOMINIUM, A LAND CONDOMINIUM, RECORDED IN CONDOMINIUM BOOK 34, PAGES 16 THROUGH 16-D, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF PARCEL C, CATTLEMEN LAND CONDOMINIUM, RECORDED IN CONDOMINIUM BOOK 34, PAGES 16 THROUGH 16-D, OF THE

PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE N 00°35'47" E, ALONG THE WEST LINE OF SAID PARCEL C, A DISTANCE OF 544.91 FEET; THENCE N 89°57'58" E, ALONG SOUTHERLY LINE OF PARCEL B, AFOREMENTIONED CATTLEMEN LAND CONDOMINIUM, A DISTANCE OF 25.00 FEET; THENCE N 00°35'47" E., ALONG THE EASTERLY LINE OF SAID PARCEL B, A DISTANCE OF 276.60 FEET; THENCE N 89°24'13" W, ALONG THE NORTHERLY LINE OF SAID PARCEL B, A DISTANCE OF 246.41 FEET; THENCE N 00°35'47" E. ALONG THE EASTERLY LINE OF PARCEL A-2, AFOREMENTIONED CATTLEMEN LAND CONDOMINIUM, A DISTANCE OF 220.00 FEET; THENCE N 13°55'49 E, ALONG THE EASTERLY LINE A DISTANCE OF 60.70 FEET; THENCE N 00°35'47" E ALONG THE EASTERLY LINE OF PARCELS A-2 AND A-1 AFOREMENTIONED CATTLEMEN LAND CONDOMINIUM, 480.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF MCKOWN ROAD AS SHOWN ON SAID PLAT; THENCE S 89°04'35" E ALONG SAID SOUTHERLY LINE A DISTANCE OF 228.45 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 89°04'35" E ALONG SAID SOUTHERLY LINE A DISTANCE OF 335.57 FEET TO THE WEST RIGHT OF WAY LINE OF INTERSTATE 75; THENCE CONTINUE S 00°16'47" W ALONG SAID WEST LINE A DISTANCE OF 501.61 FEET; THENCE N 89°24'13" W, A DISTANCE OF 338.33 FEET; THENCE N 00°35'47" E, A DISTANCE OF 503.51 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 Master Surface Water Management Plan shall be consistent with the Phillippi Creek Basin Master Plan.
2. The wetland 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 or conservation areas, except where approved by the Environmental Protection Division through a Resource Management Plan for the project.




3. The open space for the development shall be 30%.
4. Retail Commercial shall be prohibited from fronting on Cattlemen Road.
5. Prior to or concurrent with development of the subject parcel, the owner shall modify the Cattlemen Road/Webber Street intersection to accommodate the east leg of the intersection.
6. Prior to or concurrent with development of the subject parcel, the owner shall construct a northbound to eastbound right turn taper at the intersection of Cattlemen Road and Webber Street. The improvement shall be included in the construction plans for the development.
7. Prior to final approval of the construction plans for this project only in the case of a multi-family use (or other residential uses); the applicant shall work with SCAT to identify a transit stop location to serve the proposed development. The transit stop location must be adjacent to Cattlemen Road and be connected to sidewalks and pedestrian pathways within the development in accordance with ADA requirements.
8. Prior to final approval of the construction plans for this project only in the case of a multi-family use (or other residential uses); a boarding and alighting pad immediately adjacent Cattlemen Road and an ADA accessible bus shelter pad and a bus shelter pad must be shown on those plans. The pads and pathways shall be constructed concurrently with development of the parcel. The shelter pad shall be a standard 12 foot deep by 25 foot wide concrete pad consistent with SCAT's bus shelter pad design standards to hold a standard Brasco TL-412 shelter and two bike racks. The County Engineer may approve alternative designs or design modifications that are of equivalent durability, capacity, and safety. If the bus shelter pad is proposed to be constructed on private property (even partially), a fully executed easement agreement with Sarasota County is required prior to issuance of the certificate of occupancy for the development. SCAT will purchase the required bus shelter and bike racks. The builder of the project shall arrange to install them on the pad prior to issuance of the certificate of occupancy.

These stipulations supersede the stipulations in Ordinance No. 2004-014 as to the area described in Section 2 above.

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 22 day of September, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

  
\_\_\_\_\_  
Vice Chairman

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