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✓ Please record and return to Karen Grasset
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236

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

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2002105615 1 PG
2002 JUN 28 04:16 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
TRAIN 2 Receipt#187699

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2002105415 3 PGS
2002 JUN 28 02:08 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
TRAIN 2 Receipt#187746

The following property located in Sarasota County, Florida, owned by E. E. and Naomi Wallace, and described in Ordinance No 2002-024 attached hereto, has been rezoned to a RMF-3 (Residential, Multi-Family, 13 units/acre) zone district pursuant to Rezone Petition No. 99-01 filed by Stephen Rees, Agent, and granted by Sarasota County on April 24, 2002, 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 2002-024, attached hereto)

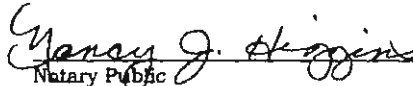

Executive Director
Growth Management Business Center

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Jerry Gray, Executive Director of the Growth Management Business Center, 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 26th day of June, A.D. 2002




Nancy J. Higgins
Notary Public
State of Florida at Large

This instrument prepared by
SMA



Nancy J. Higgins
Commission # CC 936530
Expires May 15, 2004
Bonded Through
Atlantic Bonding Co., Inc.

HP

BOARD RECORDS
FILED

ORDINANCE NO. 2002- 024

2002 MAY -9 AM 8:16

CLERK OF DISTRICT COURT
SARASOTA COUNTY FL

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 75-38, 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.

FILED
2002 MAY 13 PM 2:23
CLERK OF DISTRICT COURT
SARASOTA COUNTY FLORIDA

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. 99-01, 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. 75-38, 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 Section 2 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 19.70 acres ± from District OUE-1 (Open Use, Estate, 1 unit/5 acres) to District RMF-3 (Residential, Multi-Family, 13 units/acre) for the following described property located in Sarasota County, Florida:

Northwest corner of Clark Road and Fielding Avenue, more particularly described as follows:

PARCEL 1:

That part of the former Fairlawn Subdivision, Plat Book 2, Page 32, vacated by Official Records Book 235, Page 444, 445 of the Public Records of Sarasota County, Florida and being more particularly described as follows:

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JUN 26 1992
SARASOTA COUNTY
GROWTH MANAGEMENT

All of Blocks A, B, C, G, H and the east half of Block F, Fairlawn Subdivision as per plat thereof recorded in Plat Book 2, Page 32 of said Public Records, together with the following streets or portions thereof; all of Staten Road, lying west of the western lot line as extended of Lot 13, Block A, all of Thompson Avenue lying north of the northerly lot line, as extended, of Lot 10, Block G; and south of the southerly lot line, as extended, of Lot 2, Block C; and all of Townsend Avenue lying north of the northerly lot line, as extended of Lot 10, Block H; all in Fairlawn Subdivision.

PARCEL 2:

Staten Road lying easterly of the western lot line as extended of Lot 13, Block A; Thompson Avenue lying south of the northerly lot line, as extended, of Lot 10, Block G and north of the southerly lot line, as extended of Lot 2, Block C; and Townsend Avenue lying south of the northerly lot line, as extended of Lot 10, Block H; all within the former Fairlawn Subdivision, Plat Book 2, Page 32, vacated by Official Records Book 235, Page 444, 445 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. The Owner shall be required to maintain the appearance and function of any private drainage facilities to be constructed on the site, including retention ponds and drainage ditches, at its own expense in accordance with applicable federal, state or local regulations. At the time of recording a plat or prior to final construction approval, the Owner shall be required to record in the public records a Notice to Purchaser, approved by Sarasota County, putting purchasers on notice that the maintenance of drainage facilities is a private responsibility.
2. A minimum of 100 feet of driveway throat length (defined as the distance between the edge of pavement of Clark Road and the first parking space or internal circulation road) shall be provided for access points on Clark Road. If a gated entrance is constructed, the throat length shall be a minimum of 200 feet. If dual ingress lanes are provided, the throat length shall be a minimum of 130 feet.
3. Recreation areas, such as the clubhouse, swimming pool, and tennis, volleyball, or basketball courts, shall not be located closer than 200 feet from the northern property boundary or the northern 675 feet of the western property boundary.
4. Outdoor recreation areas shall not be illuminated after 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday.
5. Outdoor refuse areas shall be set back 50 feet from the northern property boundary or the northerly 675 feet of the western property boundary of the subject parcel and screened in accordance with Section 11.6 f. of the Zoning Ordinance.

- 6. All parking lot, driveway, and security lights located within 50 feet of the northern property boundary or the northerly 675 feet of the western property boundary shall not exceed 6 feet in height.
- 7. No structures shall be located within 30 feet of the northern property boundary or the northerly 675 feet of the western property boundary of the subject property.
- 8. No structures, or portions of structures, within 100 feet of the northern property boundary or within 100 feet of the northerly 675 feet of the western property boundary shall exceed 35 feet in height, including in-structure parking.
- 9. Exterior lighting shall be directed only toward the subject site and away from adjacent properties and streets.
- 10. Development on the subject property shall comply with Sector Plan No. 91-02-SP (Ordinance No.2000-016), as may be amended.

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 24th day of April, A.D., 2002.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Norm Patterson

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: *Gaudia F. Goods*
Deputy Clerk

STATE OF FLORIDA)
COUNTY OF SARASOTA)
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILED
IN THIS OFFICE WITNESS MY HAND AND OFFICIAL

SEAL THIS DATE 5/9/02
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

By: *Gaudia F. Goods*
DEPUTY CLERK