

4.

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

The following property located in Sarasota County, Florida, owned by Willie and Christi Johnson, and described in Ordinance No. 99-047 attached hereto, has been rezoned to the RE-2 (Residential, Estate, 1 unit/acre) zone district pursuant to Rezone Petition No. 99-08 filed by Robert Medred, Agent, and granted by Sarasota County on June 29, 1999, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

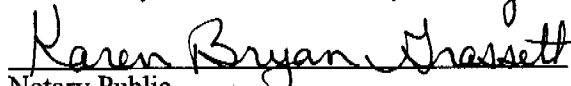
(Stipulations and limitations are those described in Section 3 of Ordinance No. 99-047, attached hereto)


Executive Director
Growth Management Business Center

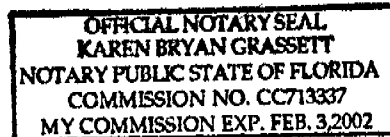
STATE OF FLORIDA
COUNTY OF SARASOTA

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 24th day of August, A.D. 1999.


Notary Public
State of Florida at Large

This instrument prepared by:
Leigh Riley
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236



RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 1999116992 4 PGS
1999 AUG 26 03:25 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
VBROTHER Receipt #132919

ORDINANCE NO. 99-047

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 75-38, 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 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. 99-08, 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 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 Sarasota County Ordinance No. 75-38 and any amendments thereto.

D. Pursuant to the provisions of Sarasota County Ordinance No. 89-103, 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 Ordinance No. 75-38. The Official Zoning Atlas, as part of Sarasota County Ordinance No. 75-38, is hereby amended by changing the zoning district classification for 2.63 acres ± from OUE-2 (Open Use Estate, 1 unit/2 acres) RE-2 (Residential, Estate, 1 unit/acre) for the following described property located in Sarasota County, Florida:

FILED
1999 JUL - 6 PM 1: 05
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

AUG - 2

SARASOTA COUNTY, FL
CLERK OF CIRCUIT COURT

99 JUN - 1 PM 3: 18

BOARD RECORDS

COUNTY OF SARASOTA
Florida
Board of County Commissioners
Sarasota County Growth Management Business Center

August 23, 1999

MEMORANDUM TO:

Robert Medred
Genesis Planning
6320 Tower Lane
Sarasota, FL 34240

County Surveyor (Lavon Joseph for Gayle Fosness)
Development Services (Mike Miller)
Development Services (Martin Duran)
Development Services (Paul Radauskas)
Development Services (Laird Wreford/Jim Dierolf)
Development Services (Don Neu/Eleanor Fitzgerald)
Emergency Services, Fire Department (Michael Frantz)
Environmental Services (John Saraniero)
Environmental Services (Chris Dilley)
Growth Management (Susan Archer)
Growth Management (Steve Brown)
Growth Management, Neighborhood Planning (Shelley, Alan)
Health/Human Services (Bob Forbes)
Historical Resources (Sue White)
Property Appraiser (Jim Todora)
Public Works (Jim Harriott/Efrain Duque/JP Marchand)
School Board (Ken Marsh)

SUBJECT:
Rezone Petition No. 99-08

PLANNER:
Fabio de Freitas

ORDINANCE NO. 99-047 PID#: 0149-11-0001

ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:

On June 29, 1999, the Sarasota County Board of Commissioners approved Rezone Petition No. 99-08 to rezone 2.63 acres ± located west of Shotgun Lane and 1250 feet south of Bay Street, Sarasota County, Florida, from OUE-2 (Open Use, Estate, 1 unit/2 acres) to RE-2 (Residential, Estate, 1 unit/acre) with stipulations.

A copy of Ordinance No. 99-047 is attached for your information.

BY: /s/Jerry Gray
Executive Director
Growth Management Business Center

ORDINANCE NO. 99-047

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 75-38, 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. 99-08, 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 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 Sarasota County Ordinance No. 75-38 and any amendments thereto.

D. Pursuant to the provisions of Sarasota County Ordinance No. 89-103, 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 Ordinance No. 75-38. The Official Zoning Atlas, as part of Sarasota County Ordinance No. 75-38, is hereby amended by changing the zoning district classification for 2.63 acres ± from OUE-2 (Open Use Estate, 1 unit/2 acres) RE-2 (Residential, Estate, 1 unit/acre) for the following described property located in Sarasota County, Florida:

FILED
AUG - 6 1999
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

AUG 2

SARASOTA COUNTY, FL
CLERK OF CIRCUIT COURT

59 JUN - 1 PM 3:18

BOARD RECORDS

West of Shotgun Lane and 1250' ± South of Bay Street, more particularly described as follows:

The North 324.52' of the East 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 11, Township 38 South, Range 18 East, Sarasota County, Florida, LESS the East 317.64' thereof.

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 Sarasota County Ordinance No. 75-38 and any amendments thereto, is hereby further limited by and subject to the following restrictions, stipulations and safeguards:

1. Parcel "A" and "B" shall be connected to a central sewer system within 90 days of availability and notification thereof.
2. The finish floor elevation for the structures on the subject parcel shall be set at the 100-year flood elevation as determined by the North Creek Basin Master Plan or best available information for the area or two (2) feet above existing ground, which ever is more restrictive.
3. 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.

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 29th day of June, A.D., 1999.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

Shannon Staut
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: Karen E. Rushing
Deputy Clerk

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

7-1-99

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

By: Karen E. Rushing
DEPUTY CLERK

