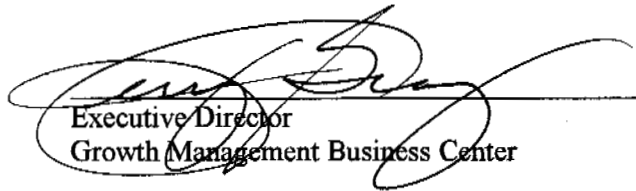


4

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 William and Keven Ann Davoli and Donald and MaryAnn Davoli, and described in Ordinance No. 99-051 attached hereto, has been rezoned to the ILW (Industrial, Light and Warehousing) zone district pursuant to Rezone Petition No. 99-16 filed by Robert J. Medred, Agent, and granted by Sarasota County on July 14, 1999, and is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

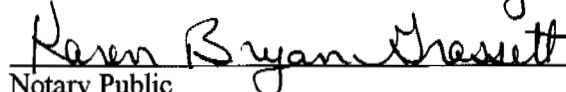
(Stipulations and limitations are those described in Section 3 of Ordinance No. 99-051, attached hereto)

  
Executive Director  
Growth Management Business Center

STATE OF FLORIDA  
COUNTY OF SARASOTA

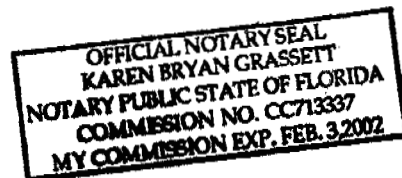
Before me, the undersigned Notary Public, personally appeared Jerry Gray, Executive Director of the Growth Management Business Center, to me known to be the individual who executed the foregoing Notice of Stipulations and Limitations Encumbering Real Property pursuant to the Sarasota County Zoning Code, and he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 24<sup>th</sup> 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, 5<sup>th</sup> Floor  
Sarasota, FL 34236



RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 1999116986 4 PGS  
1999 AUG 26 03:25 PM  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
VEROTHER Receipt#132919

BOARD RECORDS  
FILED 1999 JUL 16 2000

ORDINANCE NO. 99-051

99 JUL 16 PM 12:22

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. 99-16, 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 9.91 acres ± from OUE-1 (Open Use Estate, 1 unit/5 acres) to ILW (Industrial, Light and Warehousing) for the following described property located in Sarasota County, Florida:

Southeast corner of Ashton Road and Catalyst Avenue, more particularly described as follows:

**PARCEL 1**

Commence at the Northeast corner of the Southwest ¼ of Section 11, Township 37 South, Range 18 East; thence S 89°50'56" W along the North line of the Southwest ¼, 334.77 feet for a principal Place of Beginning; thence continue S 89°50'56" W, 334.63 feet to the Northwest corner of the East ½ of the Northeast ¼ of said Southwest ¼; thence S 00°01'04" E along the West line of said East ½

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DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

of the Northeast ¼ of the Southwest ¼, 667.87 feet; thence N 89°50'56" E, 334.63 feet; thence N 0°01'04" W, 667.87 feet to the principal Place of Beginning. Containing 5.13 acres and being a part of the East ½ of the Northeast ¼ of the Southwest ¼ of Section 11, Township 37 South, Range 18 East, Sarasota County, Florida. LESS the North thirty feet (30') thereof for Ashton Road right-of-way and subject to right-of-way for Ashton Road, as recorded in Road Plat Book 2, Page 13, Public Records of Sarasota County, Florida.

**PARCEL 2**

Commence at the Northwest corner of the East ½ of the Northeast ¼ of the Southwest ¼ of Section 11, Township 37 South, Range 18 East; thence S 0°01'04" E along the West line of said East ½ of the Northeast ¼ of the Southwest ¼, 667.87 feet for a principal Place of Beginning; thence continue S 0°01'04" E, 676.20 feet to the Southwest corner of said East ½ of the Northeast ¼ of the Southwest ¼; thence S 89°59'25" E along the South line of said East ½ of the Northeast ¼ of the Southwest ¼, 250.0 feet; thence N 0°01'04" W, 220.00 feet; thence N 19°58'56" E, 353.83 feet; thence S 89°59'25" E, 108.98 feet; thence N 0°01'04" W, 125.0 feet; thence S 89°50'56" W, parallel to the north line of said East ½ of the Northeast ¼ of the Southwest ¼, 480.0 feet to the principal Place of Beginning. Lying and being in the East ½ of the Northeast ¼ of the Southwest ¼ of Section 11, Township 37 South, Range 18 East, 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 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. Unless a regional stormwater facility is available and determined to be mutually beneficial to both Sarasota County and the Applicant, the post-development release rate shall not exceed the pre-development release rate for the 2-year, 24-hour design storm.
2. Until the subject parcel is served by central sewer, the following activities normally allowed in the ILW zone district shall not be allowed: light manufacturing, printing, retail and repair establishments dealing in automobiles, motorcycles, trucks, tractors, boats, heavy machinery, food service operations, medical clinic, convenience stores, dry cleaning, animal hospital or veterinary clinic.
3. This property shall connect to central sewer within 90 days of availability and notification.
4. Development of the subject parcel shall be in conformance with the Clark Road Corridor Plan No. 91-02-SP, Ordinance No. 97-006.
5. 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, and 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 14<sup>th</sup> day of July, A.D., 1999

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

*Shannon Staus*

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: *Sharon Gray*  
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

SEAL THIS DATE 7-16-99  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA

By: *Sharon Gray*  
OFFICIAL CLERK