

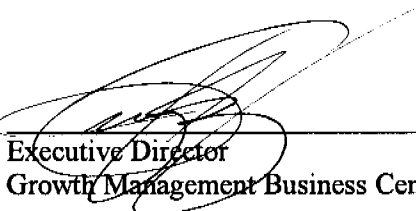
7

**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 Robert L. & Richard N. McLeod, and described in Ordinance No. 99-082 attached hereto, has been rezoned to a RSF-3 (Residential, Single Family, 4.5 units/acre) zone district pursuant to Rezone Petition No. 99-18 filed by Rod Krebs, Agent, and granted by Sarasota County on December 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. 99-082, attached hereto)

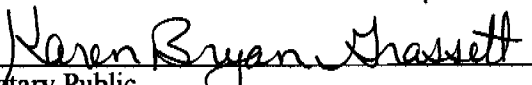


  
Executive Director  
Growth Management Business Center

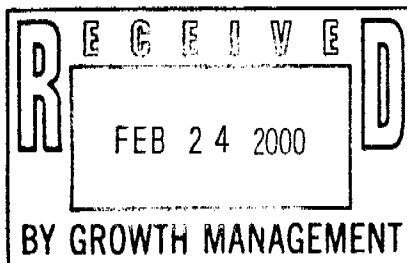
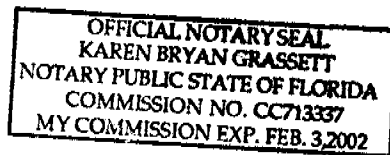
STATE OF FLORIDA  
COUNTY OF SARASOTA

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 15<sup>th</sup> day of February D. 2000.

  
Notary Public  
State of Florida at Large

This instrument prepared by:  
Nancy Higgins  
Growth Management Business Center  
1660 Ringling Boulevard, 5<sup>th</sup> Floor  
Sarasota, FL 34236



RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2000020429 7 PGS  
2000 FEB 18 11:08 AM  
KAREN E. RUSHING  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
VBROTHER Receipt#012838

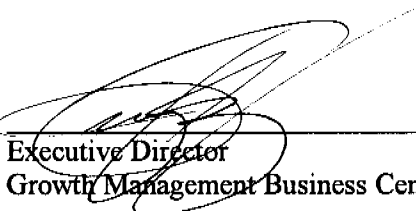
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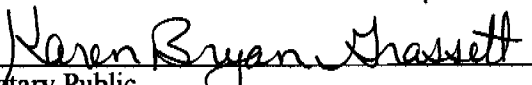


  
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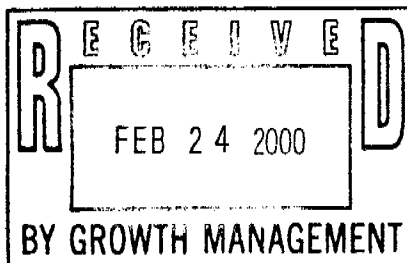
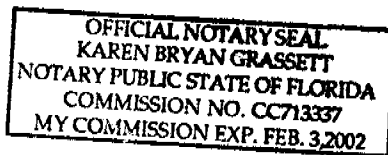
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ORDINANCE NO. 99-082

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. 99-18, 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 20.75 acres ± from OUE-2 (Open Use, Estate, 1 unit/2 acres) to RSF-3 (Residential, Single Family, 4.5 units/acre) for the following described property located in Sarasota County, Florida:

650 feet East of Honore Avenue and North of DeSoto Road, more particularly described as follows:

The East 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 1, Township 36 South, Range 18 East, Sarasota County, Florida.

FILED FOR RECORDS  
1999 DEC 27 AM 11:52  
CLERK OF COUNTY  
SARASOTA COUNTY, FLORIDA

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SARASOTA COUNTY, FLORIDA

LESS THE East ½ of the Southeast ¼ of the Southwest ¼ of the Northwest ¼ of Section 1, Township 36 South, Range 18 East, being in 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. The latest update for the Lakewood Ranch Corporate Park Master Drainage Plan Model shall be used as a basis of approval for the stormwater design for the subject site.
2. The wetlands and associated upland vegetative buffers shall be maintained as a preserve and labeled a preserve on all plans and final plats. All activities involving filling, excavating, removing of vegetation (both trees and understory) and storing of materials shall be prohibited within preservation areas, unless written approval is first obtained from Resource Protection Services.
3. 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 Resource Protection Services during preliminary plan submittal. Mesic hammock areas not approved for removal shall be preserved. All activities involving filling, excavating, removing of vegetation (both trees and understory) and storing of materials shall be prohibited within preservation areas.
4. The limits of the on-site wetlands and mesic hammock shall be flagged in the field and confirmed by the County Resource Protection Services prior to development plan submittal.
5. Nuisance and invasive plant vegetation shall be removed from the parcel during construction activities.
6. A Phase I cultural resources assessment survey shall be required of a portion of the subject parcel to be delineated by the Department of Historical Resources for the Applicant. This survey shall be conducted prior to any ground disturbing activities and prior to review by the Historical Resources Department of any preliminary, site and development, or construction plans. The areas to be surveyed for cultural resources may be amended upon receipt of the Applicant's preliminary plan with the accompanying native habitat map. Should the Report reveal the presence of any historic resources, then the Applicant shall be required to avoid, minimize or mitigate the impacts, subject to the approval of the Historic Resources Department.
7. Development of the subject parcel shall be in conformance with the University Parkway Corridor Plan - East (No. 92-01-SP - East), Ordinance No. 97-107, as may be amended.

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8. 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.
9. Development on the subject parcel shall be limited to 60 dwelling units.
10. Development, to include habitable structures and their necessary infrastructures and amenities, will be limited to the area described in Exhibit 1 attached hereto. With the exception of stormwater storage facilities, no improvements or structures shall be located outside of the area described in Exhibit 1. This shall not apply to improvements necessary for DeSoto Road.
11. The area mentioned in Exhibit 1 shall be filled to at or above the 100-year flood elevation of 21.97 feet.
12. The area mentioned in Exhibit 1 shall be designed to have zero (0) inches of flooding in the yards, streets and parking area.
13. The required floodplain compensation shall occur on the subject rezone site in the area outside of the rectangular area described in Exhibit 1 which is for development of habitable structures. The required stormwater management facilities can also be placed in the area outside of the area for development of habitable structures.

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.

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PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 14 day of December, A.D., 1999.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

Sharon Shaw  
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

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By: Karen E. Rushing  
Deputy Clerk

**Exhibit 1**

**THE SOUTH 900 FEET OF THE WEST ½ OF THE EAST ½ OF THE SOUTHWEST ¼  
OF THE NORTHWEST ¼ OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST,  
BEING IN SARASOTA COUNTY, FLORIDA**

**Exhibit 1**

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