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2000034854

**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 Jay M Raja, and described in Ordinance No 2000-014 attached hereto, has been rezoned from District RMF-3 (Residential, Multi-Family, 13 units/acre) to District OPI (Office, Professional, and Institutional) and from District RMF-3 (Residential, Multi-Family, 13 units/acre) with stipulations and District OUE-1 (Open Use, Estate, 1 unit/5 acres) to District RMF-3 (Residential, Multi-Family, 13 units/acre) with amended stipulations, pursuant to Rezone Petition No 99-30 filed by Terry Denk, Agent, and granted by Sarasota County on January 25, 2000, 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 2000-014, attached hereto)

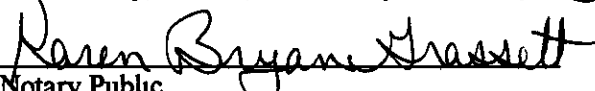


Executive Director
Growth Management Business Center

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 14th day of March A D 2000


Notary Public
State of Florida at Large

OFFICIAL NOTARY SEAL
KAREN BRYAN GRASSETT
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO CC713337
MY COMMISSION EXP. FEB. 3, 2002

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

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2000034854 5 PGS
2000 MAR 21 03:55 PM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
DCOURSEY Receipt#021878

ORDINANCE NO. 2000-014

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, PROVIDING AN EFFECTIVE DATE

2000 JAN 28 PM 1:28
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL
BOOKED & FILED FOR RECORD

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. 99-30, 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 21 20 acres ± from District RMF-3 (Residential, Multi-Family, 13 units/acre) to District OPI (Office, Professional, and Institutional) and from District RMF-3 (Residential, Multi-Family, 13 units/acre) with stipulations and District OUE-1 (Open Use, Estate, 1 unit/5 acres) to District RMF-3 (Residential, Multi-Family, 13 units/acre) with amended stipulations, on the following property: for the following described property located in Sarasota County, Florida

FILED
2000 FEB 4 PM 1:07
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

RECEIVED
FEB 27 2000
BY GROWTH MANAGEMENT

Southeast corner of Pine Street and Crestwood Road, more particularly described as follows

From District RMF-3 with stipulations and District OUE-1 to District RMF-3 with amended stipulations:

Lots 569 and 570, Englewood Gardens, Unit number 6, as recorded in Plat Book 4, Page 75, Public Records of Sarasota County, Florida Being in Section 32, Township 40 South, Range 20 East

And

From District RMF-3 to District OPI

Lots number 571, 572, 573, 574, Englewood Gardens, Unit number 6 as Recorded in Plat Book 4, Page 75, Public Records of Sarasota County, Florida Being in Section 32, Township 40 South, Range 20 East

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:

The following stipulations shall apply to the entire 21.2 acre ± subject parcel:

- 1 All development shall comply with the Pine Street/Deerborn Street and South River Road Sector Plans (Ordinance No. 93-059, as may be amended)
- 2 Prior to or concurrent with development on the subject parcel, Crestwood Road providing direct access to the subject parcel shall be widened to 22 feet, in accordance with Appendix D2 of the Land Development Regulations (LDR), from Pine Street to the most easterly access point of the subject parcel on Crestwood Road The entire pavement width shall be resurfaced for the entire length of the roadway where the widening is required The improvements shall be included in the construction plans
- 3 Prior to or concurrent with development on the subject parcel, a northbound right turn lane on Pine Street at the main access shall be built in accordance with the appropriate FDOT indices. The improvements shall be included in the construction plans
- 4 Prior to or concurrent with development on the subject parcel, a westbound left turn lane on Crestwood Road at Pine Street shall be built in accordance with the appropriate FDOT indices The improvements shall be included in the construction plans

5. Prior to or concurrent with development on the subject parcel, a southbound left turn lane on Pine Street at Crestwood Road shall be built in accordance with the appropriate FDOT indices. The improvements shall be included in the construction plans.
6. Prior to or concurrent with development on the subject parcel, a southbound left turn lane on Pine Street at the main access shall be built in accordance with the appropriate FDOT indices. The improvements shall be included in the construction plans.
7. Nuisance and invasive vegetation shall be removed from the property and properly disposed of in an approved landfill or other method approved by the Resource Protection Unit.
8. Exterior lighting on the site shall be directed only toward the subject site and away from adjacent properties and streets.
9. Outdoor refuse areas shall be set back a minimum of 50 feet from the property line and shall be screened in accordance with Section 11.6.f of the Zoning Ordinance.
10. The Property 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.

The following stipulations shall apply to the entire 9.9 acre ± RMF zoned portion of the subject parcel:

11. Recreation areas such as clubhouses, swimming pools, tennis, volleyball or basketball courts shall not be located within 200 feet of the north, east, and south property lines.
12. Outdoor recreation areas shall not be illuminated after 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday.
13. No structures shall be located within 30 feet of the north, east, and south property lines.
14. No structures or portions of structures, within 200 feet of the north, east and south property lines shall exceed 35 feet in height (including in-structure parking).
15. All parking lot, driveway, and security lights within 50 feet of the north, east and south property lines shall not exceed 6 feet in height.

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 25th day of January, A.D., 2000

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

[Signature]
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 [Signature]
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 1-31-00
KAREN E RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
By [Signature]
DEPUTY CLERK

