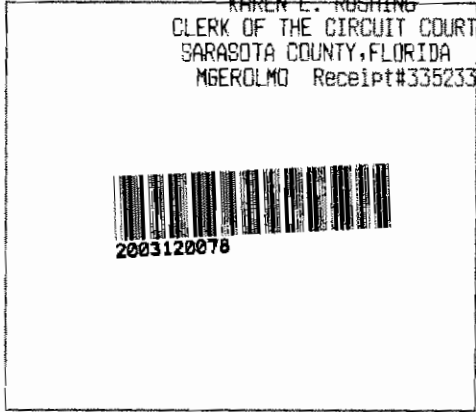


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RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2003120078 5 PGS  
2003 JUN 18 06:30 PM  
KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
MGEROLMO Receipt#335233

✓  
Please record and return to: (Via Inter-Office Mail)  
Karen Grassett  
Growth Management Business Center  
1660 Ringling Boulevard, 5<sup>th</sup> Floor  
Sarasota, FL 34236



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

The following property located North of Webber Road and 2,000 feet ± east of Palmer Boulevard, Sarasota County, Florida, owned by Copeland Development Co., and described in Ordinance No. 2003-032 attached hereto, has been rezoned from OUR (Open Use, Rural, 1 unit/10 acres) to an RE-1 (Residential, Estate, 1 unit/2 acres) zone district pursuant to Rezone Petition No. 99-45 filed by Robert Medred, Agent, and granted by Sarasota County on May 13, 2003, 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. 2003-032, 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 16<sup>th</sup> day of June, A.D. 2003.

Nancy J. Higgins  
Notary Public  
State of Florida at Large

This instrument prepared by:  
CF



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

ORDINANCE NO. 2003-032

2003 MAY 16

CLERK OF COUNTY  
SARASOTA COUNTY

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.

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. 99-45, 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 44 acres ± from OUR (Open Use, Rural, 1 unit/10 acres to RE-1 (Residential, Estate, 1 unit/2 acres for the following described property located in Sarasota County, Florida:

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2003 MAY 16 PM 3:18  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

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North of Webber road and 2,000 feet  $\pm$  east of Palmer Boulevard, more particularly described as follows:

Tracts 2, 3, 4 and 5, Block 28, Palmer Farms, Third Unit, as per Plat thereof recorded in Plat Book 3, Page 39, of the Public Records of Sarasota County, Florida. Also the following described property: Begin at the southwest corner of Lot 1, Block 28, Palmer Farms, Third Unit, a subdivision as recorded in Plat Book 3, Page 39, of the Public Records of Sarasota County, Florida; Thence north 83°23'41" east along the north right-of-way line of Webber Road (50 feet wide), 324.73 feet to the Principal Place of Beginning; Thence north 2°02'00" east, parallel to the east line of said Lot 1, Block 28, 706.98 feet; Thence north 67°22'10" east along the north line of said Lot 1, Block 28, 304.91 feet; Thence south 2°02'00" west along the east line of said Lot 1, Block 28, 792.12 feet; Thence south 83°23'41" west along the north right-of-way line of said Webber Road, 208.27 feet to the Principal Place of Beginning.

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 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.
2. The subject property shall connect to a central sewer system within ninety (90) days of availability and notification thereof. This stipulation shall be included in the Declaration of Covenants and Restrictions for the development.
3. Prior to the issuance of the "first letter", as defined by the Sarasota County Land Development Regulations, for the subject parcel, Webber road shall be improved to Sarasota County standards for a local roadway between the intersection of Palmer Boulevard and a point just beyond the easternmost driveway access to the subject parcel. The improvements shall be included in the construction plans for the subject parcel.

4. All residential lots including yards, driveways and finished floors shall be constructed above the expected flood elevation for the 100-year storm event of 10 inches of rain over 24 hours.
5. The Applicant shall not make improvements to Main A Canal as part of the design of this subdivision as this portion of the drainage system was dedicated to the County as part of the Right-of-Way Exchange during the development of an existing subdivision.
6. The Applicant shall submit a Stormwater Management Plan 30 days prior to submittal of the Preliminary/Site and Development Plan.
7. The Declaration of Covenants and Restrictions for the development shall include acknowledgement that the development was knowingly constructed in the 100-year floodplain.
8. The Applicant shall provide certified surveys in support of any revisions proposed to the existing conditions model.
9. The Applicant shall assure that all roads leading to the proposed development are accessible up to and including the 100-year design storm.
10. The Applicant shall verify the model assumptions for the stormwater pumps serving the Orange Grove operation upstream. A written report shall be provided documenting discussions with the pump operators.

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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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 5/14/03  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS SARASOTA COUNTY FLORIDA

*Claudia G. Good*  
DEPUTY CLERK

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 13<sup>th</sup> day of MAY, A.D., 2003.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

By: Sharon Stair  
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: Claudia R. Poole  
Deputy Clerk

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