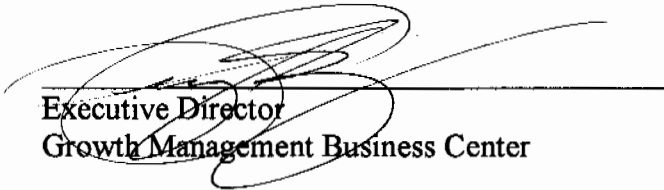


NOTICE OF STIPULATIONS AND LIMITATIONS ENCUMBERING
REAL PROPERTY PURSUANT TO THE SARASOTA COUNTY ZONING CODE

The following property located in Sarasota County, Florida, owned by James L. Turner, and described in Resolution No. 2000-031 attached hereto, to allow a Transmission Tower in the OUR (Open Use, Rural, 1 unit/10 acres) zone district, pursuant to Special Exception Petition No. 1487 filed by Laura Belflower, Agent, and granted by Sarasota County on February 8, 2000, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

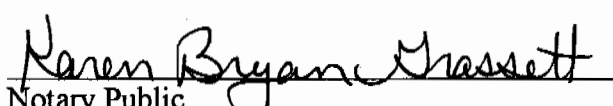
(Stipulations and limitations are those described in Section B of Resolution No. 2000-031, attached hereto)


Executive Director
Growth Management Business Center

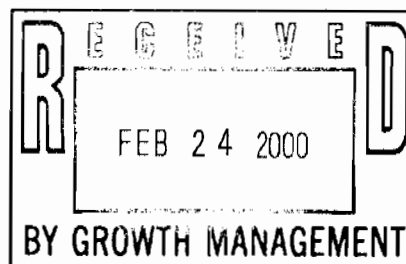
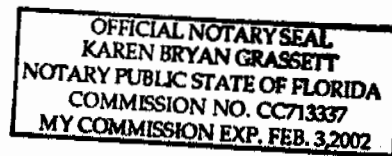
STATE OF FLORIDA
COUNTY OF SARASOTA

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 15th day of February
A.D. 2000.


Notary Public
State of Florida at Large

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



RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2000020431 8 P00
2000 FEB 18 11:08 AM
KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
VBROTHER Receipt#012838

BOARD RECORDS
FILED FOR RECORD

2000 FEB -9 AM 11:31

KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FLRESOLUTION NO. 2000-031
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1487

WHEREAS, Laura Belflower, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1487 requesting that a special exception be granted to allow the property, located 2 ¼ miles ± south of Fruitville Road and 5 ¾ miles ± east of I-75, in Sarasota County, Florida, to be used for a Transmission Tower in the OUR (Open Use, Rural, 1 unit/10-acres) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 6th day of January, 2000, to consider said Special Exception Petition No. 1487, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1487 be granted, and

WHEREAS, this Board, after due public notice, did on the 8th day of February, 2000, hold a public hearing to consider said special exception petition, the recommendation of the Planning Commission and all matters relevant to said petition.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sarasota County, Florida, in public meeting assembled:

A. This Board, after having considered the report of the Planning Commission, the testimony of the applicant, evidence entered into the record, public comment on the petition and all things brought to its attention with regard to said Special Exception Petition No. 1487 does make the following findings:

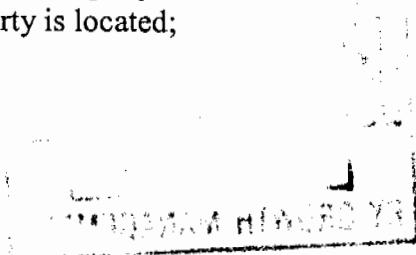
(1) The granting of the Special Exception will not adversely affect the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare;

(2) All the requirements of the Sarasota County Zoning Regulations and the Comprehensive Plan for Sarasota County, Florida, have been met and satisfied;

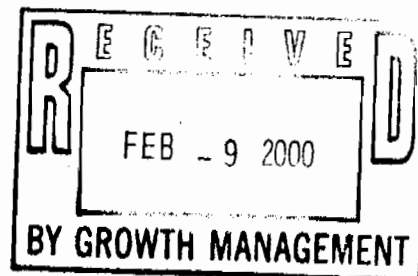
(3) That the requirements of the District Regulations governing this Special Exception have been met; and

(4) The following standards have or have not been met as indicated:

a. The proposed use is consistent with the intent, goals, objectives, policies and programs of the Sarasota County comprehensive plan for the area in which the property is located;



- b. The intensity of the proposed use is consistent with the intended future use of the area in which the property is located, in accordance with the programs of the "Future Land Use Plan";
- c. The proposed use singularly or in combination with other special exceptions does not change the character of the general vicinity, as shown on the locator map;
- d. The intensity of the proposed use is harmonious with the character of other uses in the general vicinity, as shown on the locator map;
- e. The height and orientation of the proposed structure(s) or use is compatible with the existing neighboring structures and uses;
- f. The subject parcel is sufficient and adequate in shape and size to accommodate the proposed use, and would provide for the appropriate separation between neighboring uses;
- g. The proposed use is adequately screened and buffered to effectively separate traffic, light and noise from the existing or intended abutting uses;
- h. The loading and refuse areas would not impose negative visual, odor, or noise impacts on abutting uses and thoroughfares;
- i. The size and location of the proposed sign(s) would conform to the character of existing neighboring uses;
- j. The exterior lighting would be harmonious with the existing character of existing neighboring uses, in terms of glare;
- k. The ingress and egress to the subject parcel and the structures involved, if any, would not adversely affect traffic flow, safety and control;
- l. The access and internal circulation is adequate in case of fire or emergency;
- m. The proposed use would not cause excessive traffic impacts on the surrounding roadway system;
- n. The location, type and availability of potable water for the proposed use is compatible with neighboring uses;
- o. The location, type and availability of the proposed wastewater system is compatible with neighboring uses; and



p. The proposed use **would not** cause or intensify flooding of neighboring uses.

B. Special Exception Petition No. 1487 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

South of Fruitville Road 2 ¼ miles more or less East of 1-75, and 5 ¼ miles more or less, more particularly described as follows:

Nextel's Parent Tract:

A parcel of land lying and being in Section 1, Township 37 South, Range 19 East, Sarasota County, Florida. Being more particularly described as follows:

For a POINT OF REFERENCE, commence at the Southwest corner of said Section 1-37-19, thence run South 86°46'55" East, 2634.83 feet along the south boundary of said Section 1, thence departing said south boundary run North 03°13'05" East, 1615.87 feet to a POINT OF BEGINNING; thence run North 31°50'09" East, 300.00 feet; thence run South 58°09'51" East, 1452.00 feet; thence run South 31°50'09" West, 300.00 feet; thence North 58°09'51" West, 1452.00 feet to the POINT OF BEGINNING.

and the same is hereby approved for 1487, subject to the stipulations as set forth below. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section B and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations shall be covenants running with the land.

1. Development shall comply with all provisions of Ordinance No. 98-001, as may be amended.
2. Development shall take place in substantial accordance with the Development Concept Plans date-stamped December 9, 1999 and attached hereto as Exhibits "A" and "B", except that any agricultural uses permitted in the underlying zoning district are allowed without amendment to the Development Concept Plan for this Special Exception, processed pursuant to Section 20 of the Zoning Ordinance, as long as said permitted uses do not require the issuance of a building permit. This does not imply or confer any variances from applicable zoning, or land development regulations or applicable provisions of Ordinance No. 98-001.
3. The transmission tower shall be of self-support construction and shall not exceed 263' in height. Any increase in height pursuant to Section 8 of Ordinance No. 98-001 shall require the processing of a Special Exception.

4. Landscape buffers shall comply with Section 6.J. of Ordinance No. 98-001. Existing vegetation shall be preserved to the maximum extent practicable and may be used as a substitute or to supplement the landscape buffer requirements.
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 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.
6. Access for the facility shall not be required to be paved.

C. This Resolution shall take effect immediately upon its adoption.

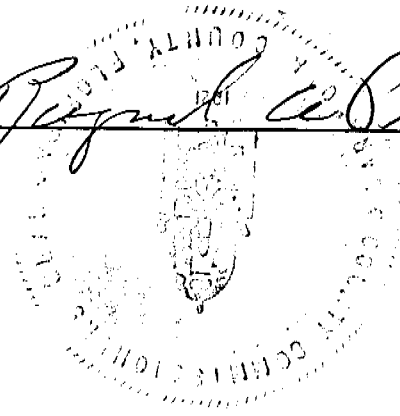
PASSED AND DULY ADOPTED this 8th day of February, A.D., 2000.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By

Chairman

Reginald A. Clark



ATTEST:

KAREN E. RUSHING, Clerk
of Circuit Court and ex officio
Clerk of the Board of County
Commissioners of Sarasota
County, Florida.

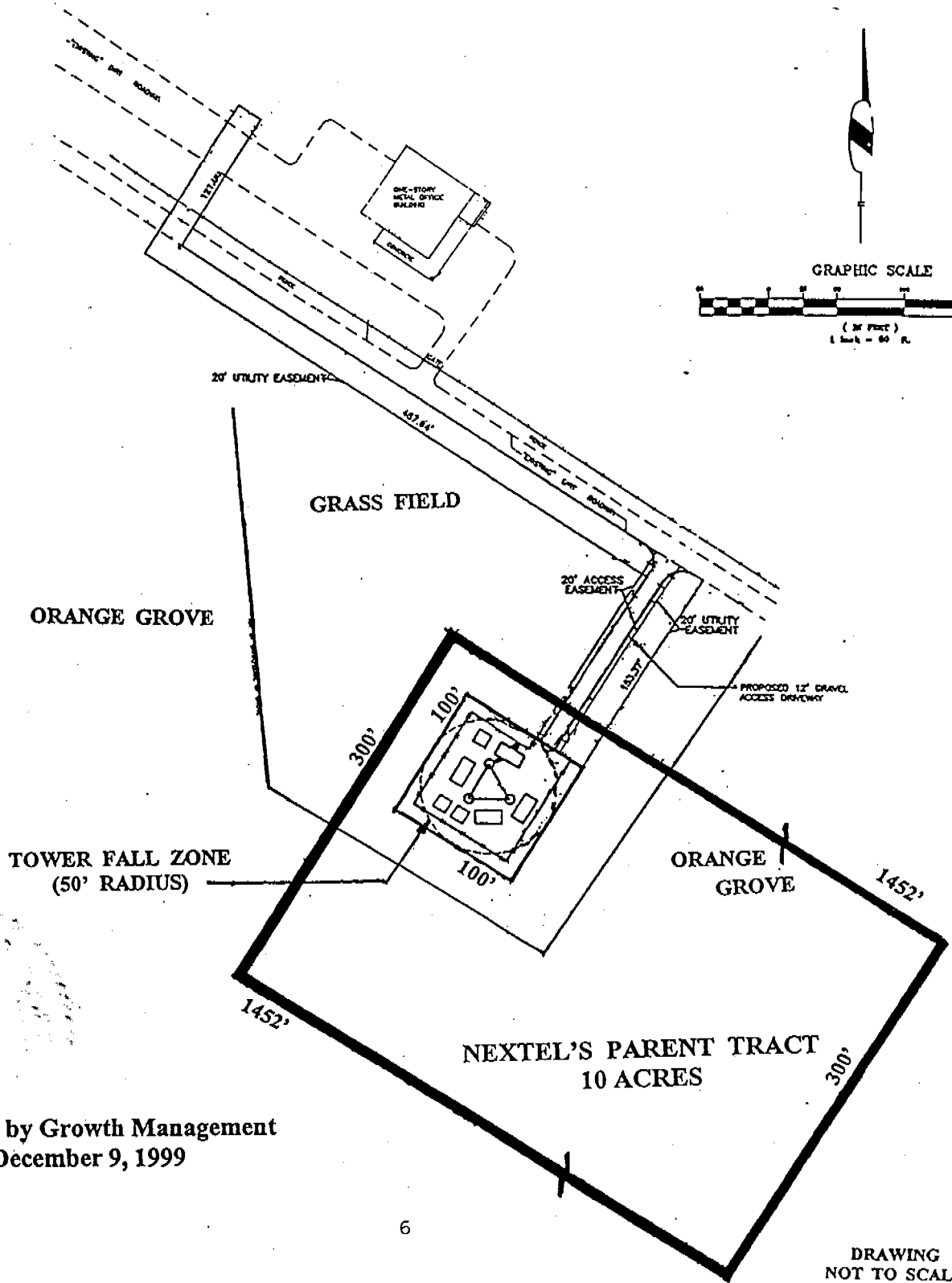
By

Deputy Clerk

Janice Gray

EXHIBIT "A"

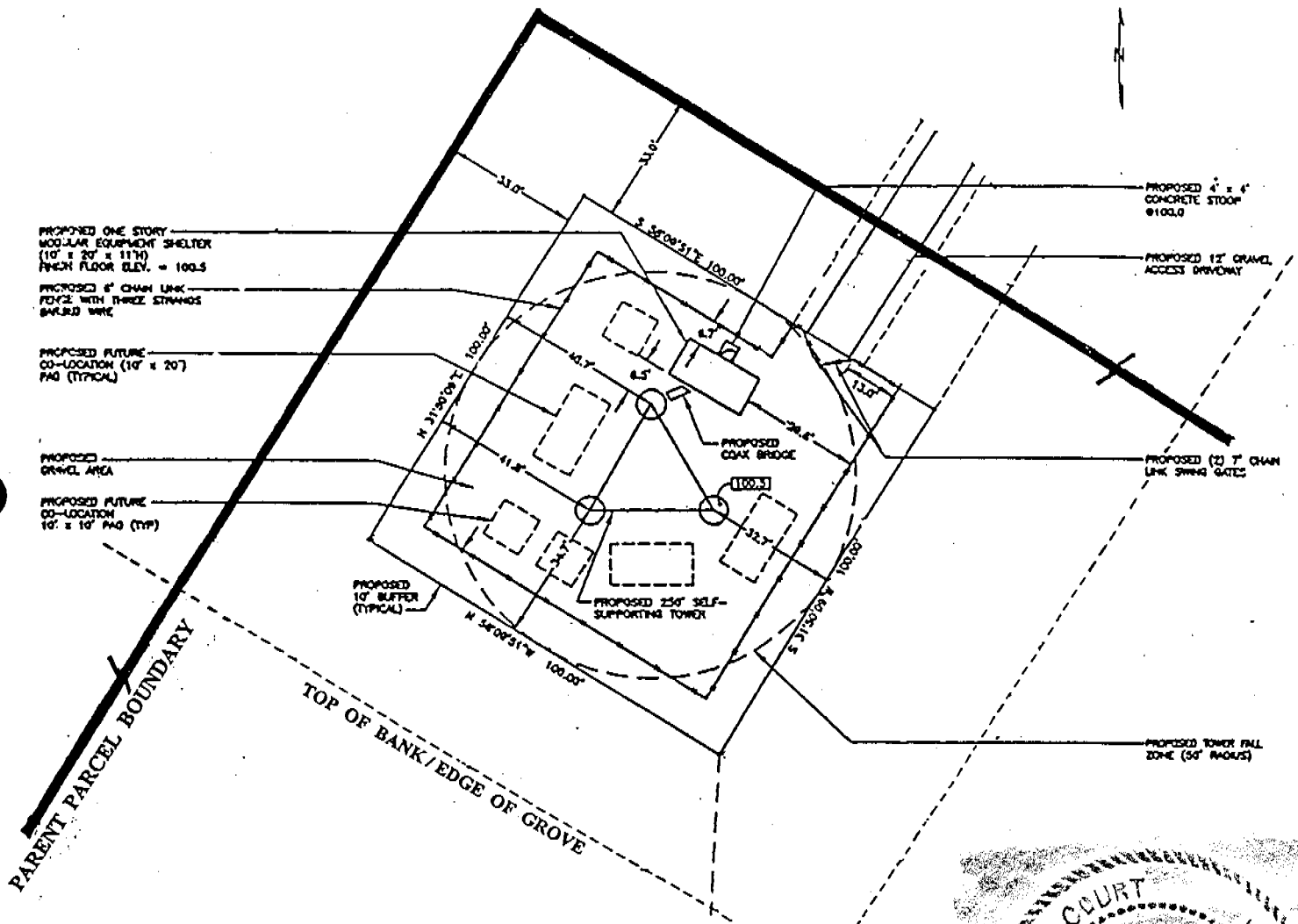
MAP SERIES / CONCEPT PLAN



Received by Growth Management
December 9, 1999

EXHIBIT "B"

MAP SERIES / ENLARGED CONCEPT PLAN



PROPOSED ONE STORY
MODULAR EQUIPMENT SHELTER
(10' x 20' x 11')
FINISH FLOOR ELEV. = 100.5

PROPOSED 4" CHAIN LINK
FENCE WITH THREE STRANDES
BARBED WIRE

PROPOSED FUTURE
CO-LOCATION (10' x 20')
PAG (TYPICAL)

PROPOSED
GRAVEL AREA

PROPOSED FUTURE
CO-LOCATION (10' x 10')
PAG (TYP)

PROPOSED
10' BUFFER
(TYPICAL)

ENLARGED SITE PLAN
SCALE: 1" = 20'

Received by Growth Management
December 9, 1999

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 12-9-99
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY *[Signature]*
DEPUTY CLERK