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Please record and return to: (Via Inter-Office Mail)

Karen Grasset
Growth Management Business Center
1660 Ringling Boulevard, 5th Floor
Sarasota, FL 34236

RECORDED IN OFFICIAL RECORDS
 INSTRUMENT # 2003050735 7 Pgs
 2003 MAR 17 06:24 PM
 KAREN E. RUSHING
 CLERK OF THE CIRCUIT COURT
 SARASOTA COUNTY, FLORIDA
 KRICE Receipt#291785

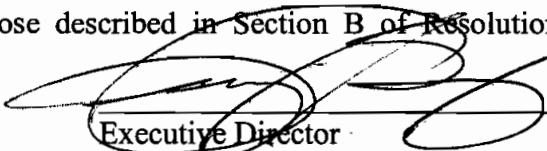


2003050735

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

The following property, located at the southeast corner of Richardson Road and North Cattlemen Road in Sarasota County, Florida, owned by John W. Meshad, Esquire for Sarasota Gateway Associates, Ltd., and described in Resolution No. 2003-034 attached hereto, to allow a Height Increase in the PCD (Planned Commerce Development) zone district, pursuant to Special Exception Petition No. 1554 filed by Bruce Franklin, Agent, and granted by Sarasota County on February 12, 2003, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

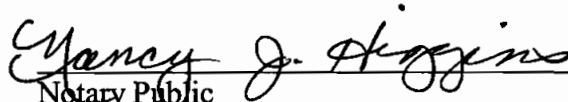
(Stipulations and limitations are those described in Section B of Resolution No. 2003-034, attached hereto)


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 13th day of March, A.D.2003.


Notary Public
State of Florida at Large

This instrument prepared by:
SMA



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

BOARD RESOLVED
FILED FOR RECORD

RESOLUTION NO. 2003-034

OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1554

2003 FEB 20 AM 6:55

CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

WHEREAS, Bruce Franklin, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1554 requesting that a special exception be granted to allow the property, located at the southeast corner of Richardson Road and North Cattlemen Road, Sarasota County, Florida, to be used for a Height Increase in the PCD (Planned Commerce Development) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 3rd day of October, 2002, to consider said Special Exception Petition No. 1554, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1554 be granted, and

WHEREAS, this Board, after due public notice, did on the 12th day of November, 2002, continue the public hearing to February 12, 2003, 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. 1554 does make the following findings:

- (1) The granting of the Special Exception will promote 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";

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- 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. 1554 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

Southeast corner of Richardson Road and North Cattlemen Road, more particularly described as follows;

Tract 38, Parcel 7

A tract of land in Section 24, Township 36 south, Range 18 east, Sarasota County, Florida, described as follows:

Begin at the northeasterly corner of lot 5, Gateway to Sarasota, Phase 1, recorded in Plat Book 39, pages 12 and 12a, Public Records of Sarasota County, Florida; thence S.88°31'43"W., along the northerly line of said lot 5, a distance of 395.22 feet to the northwesterly corner of said lot 5; thence N.00°24'38"E., a distance of 565.04 feet to a point of curve to the right having a radius of 40.00 feet and a central angle of 90°00'00"; thence northeasterly along the arc a distance of 62.83 feet to the southerly right of way line of north cattlemen road, per warranty deed recorded in Official Records book 2993 at page 96, said Public Records, (the following two calls are along said southerly right of way line; thence S.89°35'22"E., a distance of 66.33 feet to a point of curve to the left having a radius of 770.00 feet and a central angle of 66°52'55"; thence northeasterly along the arc a distance of 898.83 feet to a point on the arc of a curve to the left, of which the radius point lies N.06°55'05"E., a radial distance of 785.40 feet; thence easterly along the arc, through a central angle of 02°13'51", a distance of 30.58 feet; thence S.00°11'46"W., a distance of 114.54 feet; thence S.05°28'29"W., a distance of 194.8 feet; thence S.11°47'44"W., a distance of 294.70 feet; thence S.24°26'14"W., a distance of 30.95 feet; thence N.89°49'29"W., a distance of 110.30 feet; thence S.30°45'29"W., a distance of 498.95 feet to the point of beginning. Containing 10.38 acres, more or less.

and the same is hereby approved for 1554, 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. All development on the subject parcel (i.e., preliminary plans, site and development plans, final plats, and construction plans) shall comply with the Development Order for the Gateway to Sarasota DRI, as may be amended.

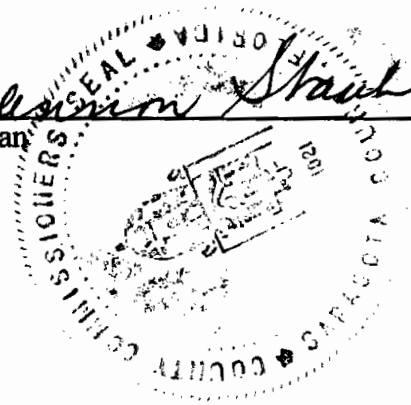
2. All development shall be consistent with the Fruitville Road Corridor Road and the I-75 Corridor Plan, as may be amended.
3. Access shall be as depicted on the development concept plan adopted as part of the Gateway to Sarasota DRI Development Order. In the event modifications are requested due to parcel development requirements, modifications will be received by, and subject to, the approval of the Public Works Business Center.
4. 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 regulation. At that time of final construction plan 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.
5. Development shall take place in substantial compliance with the Development Concept Plan, date-stamped February 5, 2002, and attached hereto as Exhibit "A." This does not imply or confer any variances from applicable zoning or land development regulations.
6. The maximum height of any structures on the subject parcel shall not exceed 80 feet.

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

PASSED AND DULY ADOPTED this 12th day of February, A.D., 2003.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By *Shannon Stach*
Chairman



ATTEST:

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

By *Jim Boyer*
Deputy Clerk

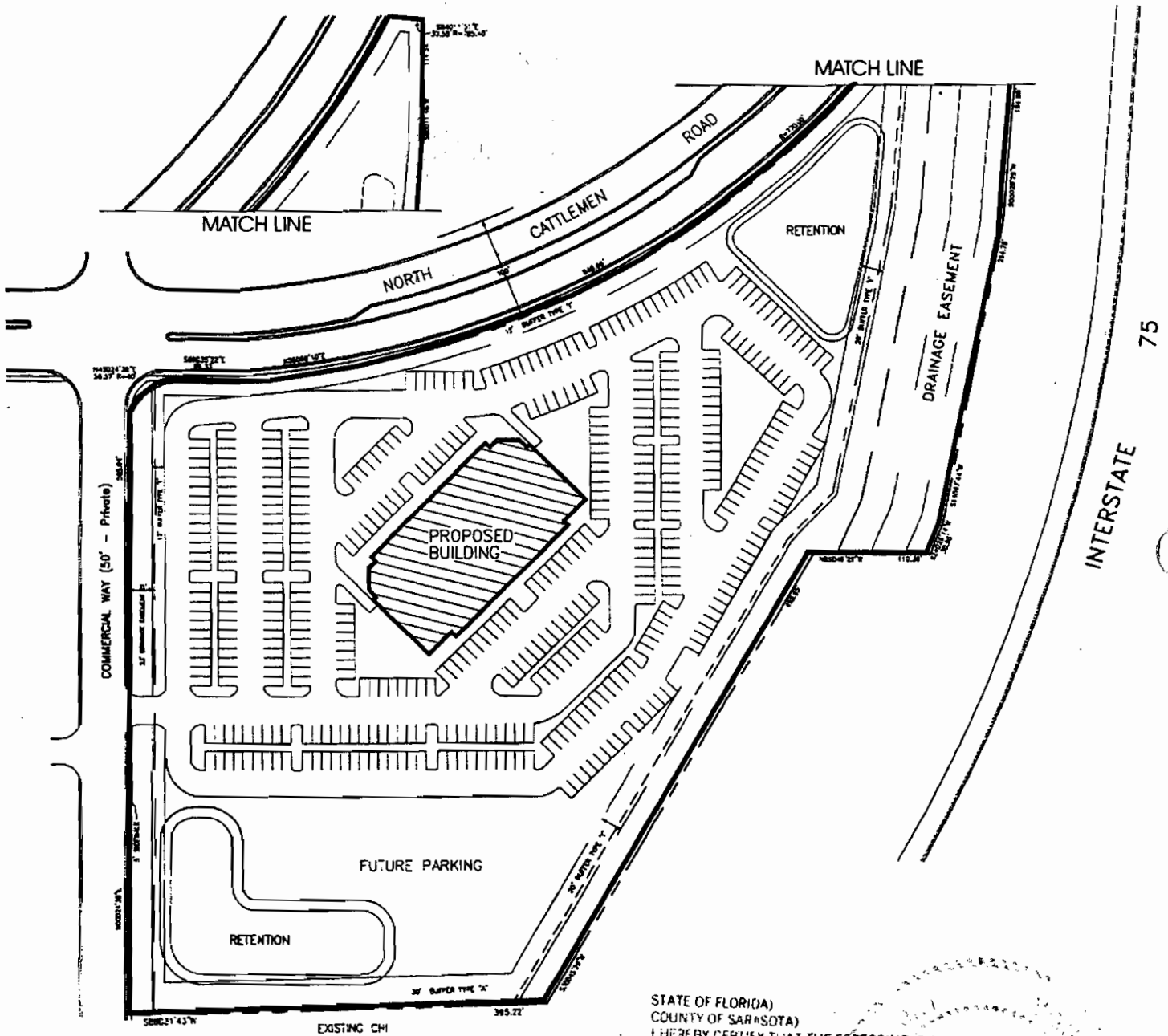
RECEIVED
FEB 20 2003

MAP SERIES/CONCEPT PLAN

INSTRUMENT # 2003050735
7 PGS

Special Exception Petition No. 1554

EXHIBIT "A"



THIS DOCUMENT RECEIVED BY:
GROWTH MANAGEMENT ON FEBRUARY 5, 2002

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 2-20-2003
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
BY: *[Signature]*
DEPUTY CLERK

R2003-034