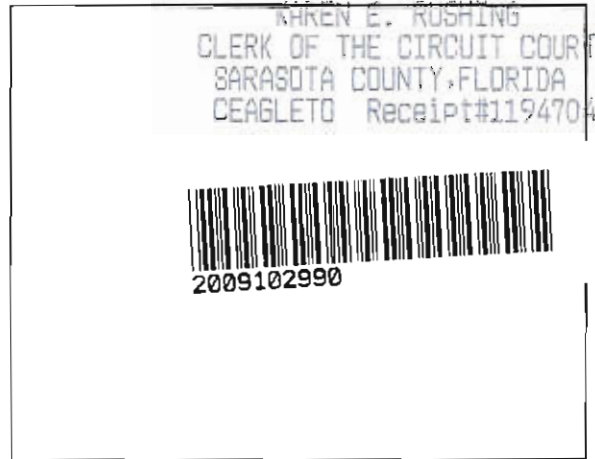


RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2009102990 4 PGS
2009 AUG 19 04:37 PM

Please record and return to: **(Via Inter-Office Mail)**
Carol McConway, Administrative Specialist
Planning Services
1660 Ringling Boulevard
Sarasota, FL 34236



Charge to: Planning Services
Account# 51800100500489

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

The following property, located on the southwest corner of Tamiami Trail and Albee Road in Sarasota County, Florida, owned by Eric Collin, Finergy Nokomis, LLC, and described in Resolution No. 2009-150 attached hereto, requesting a Time Extension for Special Exception Petition No. 1641 to allow transient accommodations and additional building height not to exceed 55 feet on approximately 4.64 acres in a CG (Commercial General) zoning district, filed by Charles D. Bailey, III, Agent, and granted by Sarasota County on July 21, 2009, 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. 2009-150, attached hereto)


Tate Taylor, Principal Planner II

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Tate Taylor, Principal Planner II, 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 August, 2009.




Notary Public
State of Florida at Large

This instrument prepared by: cm

BOARD RECORDS
FILED FOR RECORD

2009 JUL 23 AM 9:47

RESOLUTION NO. 2009- 150

KAREN E. RUSHING
CLERK OF CIRCUIT COURT
SARASOTA COUNTY, FL

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA**

RE: EXTENSION OF TIME LIMITS FOR SPECIAL EXCEPTIONS

WHEREAS, Charles Bailey, agent for Finergy Nokomis Development LLC., owner of the property located east at the southwest corner of Tamiami Trail and Albee Road in Nokomis, has requested a Time Extension for Special Exception No. 1641, approved by Resolution No. 2007-209; and

WHEREAS, Section 3.16.8.a. of the Sarasota County Zoning Regulations, Ordinance No. 2003-052, as amended and as codified in Appendix A of the Sarasota County Code, authorizes the Board to grant a time extension for a special exception when the applicant demonstrates that the commencement of the use is being actively pursued by evidence of a petition for a building permit, preliminary plat, or site and development plan, or other evidence satisfactory to the Sarasota County Commission; and

WHEREAS, the Board has conducted a public hearing and considered the request, the staff analysis, and other pertinent information,

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

1. The Time Extension Request for a Special Exception is approved, subject to the limitations set forth in the Zoning Regulations, other applicable regulations, and this Resolution.
2. The Special Exception shall expire February 28, 2011, should the use for which the special exception was granted not be commenced as provided in the Zoning Regulations.
3. This Resolution shall become effective immediately upon adoption by the Sarasota County Commission.
4. Development shall take place in substantial compliance with the Development Concept Plan dated February 16, 2007. This does not imply or confer any variances from applicable zoning or land development regulations.

This Resolution shall become effective immediately upon adoption by the Sarasota County

This Resolution shall become effective immediately upon adoption by the Sarasota County Commission.

PASSED AND DULY ADOPTED BY THE SARASOTA COUNTY COMMISSION OF SARASOTA COUNTY, FLORIDA THIS 21st DAY OF July, 2009.

ATTEST:

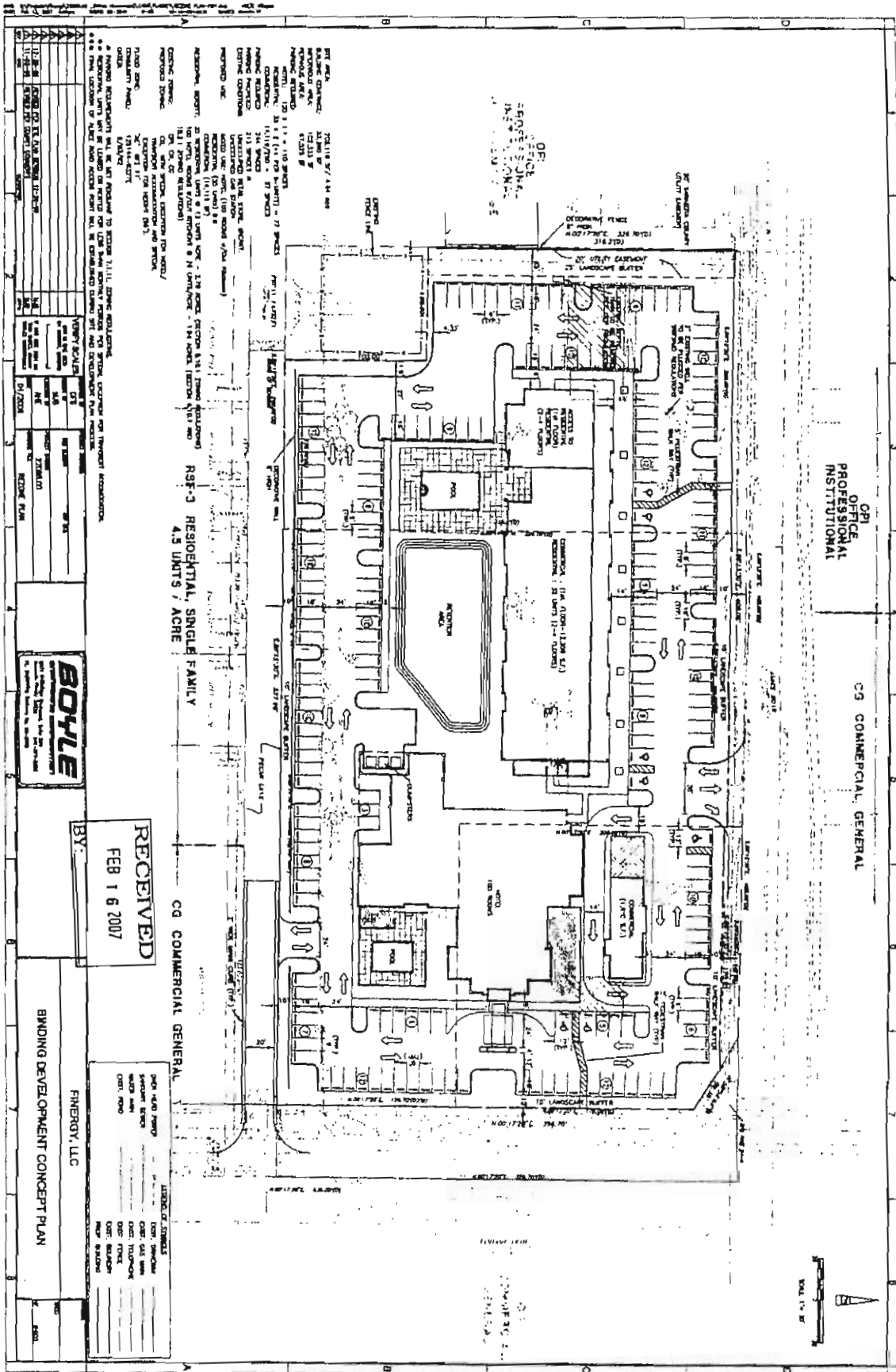
KAREN E. RUSHING, Clerk of the
Circuit Court and Ex-Officio Clerk of the
Board of County Commissioners of
Sarasota County, Florida

BY: Paula J. Clinton
Deputy Clerk

**BOARD OF COUNTY
COMMISSIONERS OF SARASOTA
COUNTY, FLORIDA**

BY: [Signature]

Chairman



OFFICE
PROFESSIONAL
INSTITUTIONAL

CG COMMERCIAL GENERAL

RSP-3 RESIDENTIAL, SINGLE FAMILY
4.5 UNITS / ACRE

CG COMMERCIAL GENERAL

RECEIVED
FEB 16 2007

BY: _____

FINERGY, LLC

BINDING DEVELOPMENT CONCEPT PLAN

| NO. | DESCRIPTION | DATE | BY | CHKD. |
|-----|--------------------------|---------|-------|-------|
| 1 | PRELIMINARY CONCEPT PLAN | 1/15/07 | _____ | _____ |
| 2 | REVISED CONCEPT PLAN | 1/25/07 | _____ | _____ |
| 3 | FINAL CONCEPT PLAN | 1/30/07 | _____ | _____ |



| NO. | DESCRIPTION | DATE | BY | CHKD. |
|-----|--------------------------|---------|-------|-------|
| 1 | PRELIMINARY CONCEPT PLAN | 1/15/07 | _____ | _____ |
| 2 | REVISED CONCEPT PLAN | 1/25/07 | _____ | _____ |
| 3 | FINAL CONCEPT PLAN | 1/30/07 | _____ | _____ |