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KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#954796

Please record and return to: (Via Inter-Office Mail)
Carol McConway, Administrative Coordinator
Planning Services
1660 Ringling Blvd., 1st Floor
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 at the northwest corner of Albee Road and US 41, Nokomis, in Sarasota County, Florida, owned by Rod Holding, LLC, and described in Resolution No. 2007-154, attached hereto, to allow a property to be used for transient accommodations with an increase in height not to exceed 65 feet in District CG (Commercial General), pursuant to Special Exception Petition No. 1645 filed by Alan Garrett, Agent, and granted by Sarasota County on June 26, 2007, 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. 2007-154, attached hereto)


for Crystal Allred, Manager
Planning Services

**STATE OF FLORIDA
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Crystal Allred, Manager, Planning Services, 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 she acknowledged before me that she executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 15 day of August, 2007.



Cynthia A. Kusner
Commission #DD308088
Expires: May 22, 2008
Bonded Thru
Atlantic Bonding Co., Inc.



Notary Public
State of Florida at Large

This instrument prepared by sfc

RESOLUTION NO. 2007- 154
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1645

WHEREAS, Alan Garrett, agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1645 requesting that a special exception be granted to allow the property, located Northwest corner of Albee Road and U.S. 41 – Nokomis, Sarasota County, Florida, to be used for transient accommodations with an increase in height not to exceed 65 feet in the CG (Commercial General) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 5th day of April, to consider said Special Exception Petition No. 1645, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1645 be granted, and

WHEREAS, this Board, after due public notice, did on the 26th day of June, 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. 1645 does make the following findings:

1. The proposed use is consistent with the intent, goals, objectives, policies, guiding principles and programs of the Comprehensive Plan;
2. The proposed use is compatible with the existing land use pattern and designated future uses;
3. There are adequate public facilities available consistent with the level of service standards adopted in the Comprehensive Plan, and as defined and implemented through the Sarasota County Concurrency Management System Regulations, Chapter 94, Article VII of Exhibit A of the Sarasota County Code;
4. The proposed use, singularly or in combination with other special exceptions, will not be detrimental to the health, safety, morals, order, comfort, convenience, or appearance of the neighborhood or other adjacent uses by reason of any one or more of the following: the number, area, location, height, orientation, intensity or relation to the neighborhood or other adjacent uses;
5. The proposed use will be adequately buffered to effectively separate traffic, visual impact and noise from existing or intended nearby uses;
6. The subject parcel is adequate in shape and size to accommodate the proposed use;
7. The ingress and egress to the subject parcel and internal circulation will not adversely affect traffic flow, safety or control.

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8. The subject property is adequate to accommodate the height and mass of any proposed structure(s).

B. Special Exception Petition No. 1645 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

The legal description of said property in Sarasota County, Florida, being: Northwest corner of Albee Road and U.S. 41-Nokomis. Being more particularly described as follows:

PARCEL 1:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 36; THENCE NORTH 00°25' WEST 678 FEET, THENCE WEST ALONG THE NORTH RIGHT-OF-WAY OF ALBEE ROAD 423 FOR A POINT OF BEGINNING; THENCE NORTH 00°25' WEST 624 FEET; THENCE WEST 236 FEET; THENCE SOUTH 00°25' EAST 624 FEET; THENCE EAST 236 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN O.R. BOOK 694, PAGE 210, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, TO-WIT:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 38 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA; THENCE NORTH 00°17'20" EAST, 678 FEET; THENCE NORTH 89°17'20" WEST 72 FEET TO THE NORTHWEST INTERSECTION OF ALBEE ROAD (50-FOOT R/W) AND STATE ROAD No. 45(204-FOOT R/W) FOR A POINT OF BEGINNING; THENCE CONTINUE NORTH 89°17'20" WEST ALONG THE NORTH LINE OF ALBEE ROAD, 351 FEET; THENCE NORTH 00°13'01" EAST, 205.95 FEET; THENCE SOUTH 89°45'50" EAST, 351.24 FEET TO THE WESTERLY R/W LINE OF STATE ROAD No. 45; THENCE SOUTH 00°17'20" WEST, 208.85 FEET TO THE POINT OF BEGINNING.

ALL LYING AND BEING IN SECTION 36, TOWNSHIP 38 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA.

LESS ADDITIONAL RIGHT-OF-WAY FOR ALBEE ROAD DESCRIBED IN OFFICIAL RECORDS INSTRUMENT #2002148424, & OFFICIAL RECORDS INSTRUMENT # 2002205674 PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

and the same is hereby approved for SE 1645, 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 take place in substantial compliance with the Development Concept Plan dated March 28, 2007. This does not imply or confer any variances from applicable zoning or land development regulations.
2. Development of the subject parcel shall be consistent with all applicable conditions of the Nokomis Center Revitalization Plan (Ordinance No. 2001-008).
3. All buildings or portions of buildings within 100 feet of the subject parcel's east property line abutting U.S. 41 shall have a maximum height of 45 feet. All buildings or portions of buildings located on the subject parcel between 100 feet to 200 feet from the east property line abutting U.S. 41 shall have a maximum height of 57 feet. All other buildings or portions of buildings on the subject parcel shall have a maximum height of 65 feet (not to exceed 5 stories).

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

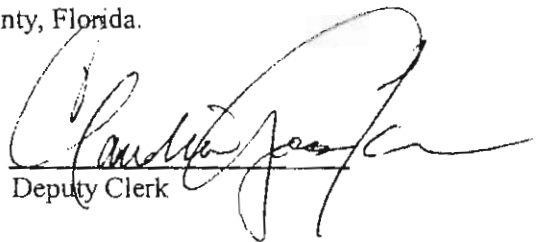
PASSED AND DULY ADOPTED this 26th day of June, 2007.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By: 
Chair

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