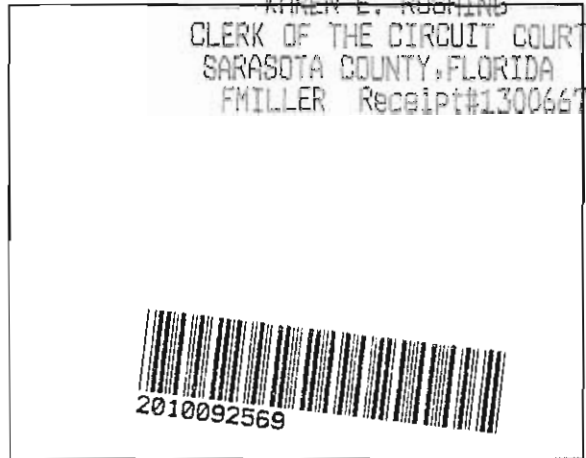


RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2010092569 7 Pgs
2010 JUL 30 10:38 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
FMILLER Receipt#1300667

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 east of U.S. 41 and approximately 550 feet north of Oneida Road in Sarasota County, Florida, owned by Sengly Eng, and described in Resolution No. 2010- attached hereto, to allow a 128 foot Alternative Tower Structure in a CSC (Commercial Shopping Center) zone district, pursuant to Special Exception Petition No. 1695 filed by Laura B. Bellflower, Agent, and granted by Sarasota County on July 13, 2010, 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. 2010-146, attached hereto)


Tate Taylor, Planner Professional

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Tate Taylor, Planner Professional, 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 28th day of July, 2010.




Cynthia A Kusner
Notary Public
State of Florida at Large

This instrument prepared by: cm

RESOLUTION NO. 2010-146
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1695

WHEREAS, Laura Bellflower, Agent for the Owner of the hereinafter described real property has filed Special Exception Petition No. 1695 requesting that a special exception be granted to allow the property, located at 1765 S. Tamiami Trail, Sarasota, Florida, to be used to construct a 128 foot alternative tower structure in the CSC (Commercial Shopping) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 20th day of May, 2010, to consider said Special Exception Petition No. 1695; and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1695 be granted; and

WHEREAS, this Board, after due public notice, did on the 13th day of July 2010 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. 1695 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. That the proposed tower is consistent with the requirements of Chapter 118, Sarasota County Code governing telecommunications towers and cellular telecommunications facilities;
5. The proposed use is compatible with the existing land use pattern and designated future uses;
6. 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

BOARD RECORDS
FILED FOR RECORD

MAINTENANCE
COMMUNITY DEVELOPMENT
PLANNING

County Concurrency Management System Regulations, Chapter 94, Article VII of Exhibit A of the Sarasota County Code;

7. 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;
8. The proposed use will be adequately buffered to effectively separate traffic, visual impact and noise from existing or intended nearby uses;
9. The subject parcel is adequate in shape and size to accommodate the proposed use; and
10. The ingress and egress to the subject parcel and internal circulation will not adversely affect traffic flow, safety or control.

B. Special Exception Petition No. 1695 is hereby **GRANTED** for the following described property, said property being in Sarasota County, Florida, to-wit:

East of U.S. 41 and approximately 550 feet north of Oneida Road and being more particularly described as follows:

A PARCEL OF LAND IN SECTION 20, TOWNSHIP 39 SOUTH, RANGE 19 EAST, SARASOTA COUNTY, FLORIDA:

COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF THE OLD 100 FOOT WIDE U.S. 41 AND THE SOUTHERLY RIGHT OF WAY LINE OF THE 200 FOOT WIDE SHAMROCK BOULEVARD, AS SHOWN ON PLAT OF VENICE GARDENS SUBDIVISION, UNIT 1, AS RECORDED IN PLAT BOOK 9, PAGE 54, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, SAID INTERSECTION LYING S 57°39'20"W, 295.0 FEET FROM A PERMANENT REFERENCE MONUMENT AT THE EASTERLY END OF SAID 200 FOOT WIDE SHAMROCK BOULEVARD; THENCE N 57°39'20"E ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF SHAMROCK BOULEVARD, A DISTANCE OF 82.0 FEET TO THE EASTERLY RIGHT OF WAY LINE OF U.S. 41; THENCE S 32°20'40"E ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1151.8 FEET; THENCE S 57°39'20"W ALONG U.S. 41 RIGHT OF WAY, A DISTANCE OF 72.0 FEET; THENCE S 32°20'40"E ALONG SAID U.S. 41 RIGHT OF WAY, A DISTANCE OF 480.3 FEET TO THE NORTHWESTERLY LINE OF PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 972, PAGE 1112 OF THE AFOREMENTIONED PUBLIC RECORDS FOR A POINT OF BEGINNING; THENCE N 57°39'20"E ALONG SAID NORTHWESTERLY LINE A

DISTANCE OF 474.83 FEET TO THE WEST LINE OF VENICE GARDENS UNIT 9, AS RECORDED IN PLAT BOOK 9, PAGE 83 OF THE AFOREMENTIONED PUBLIC RECORDS; THENCE NORTH ALONG SAID WEST LINE, A DISTANCE OF 147.96 FEET; THENCE S 57°39'20"W, A DISTANCE OF 553.99 FEET TO THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF U.S. 41; THENCE S 32°20'40"E ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING.

and the same is hereby approved for Special Exception 1695, 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.

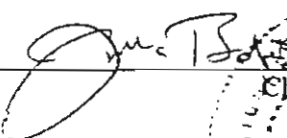
1. Development shall take place in substantial compliance with the Development Concept Plan date stamped April 1, 2010, and attached hereto as Exhibit "A". This does not imply or confer any variances from applicable zoning or land development regulations.
2. The telecommunications tower shall be of a flagless flagpole, alternative tower structure, designed with a white finish and shall not exceed 128 feet in height. Any increase in height pursuant to Section 118-35 of the Transmission Tower Code, Article II, Chapter 118, Sarasota County Code, shall require the processing of a new special exception petition.
3. No above ground or below ground improvements shall be located within 5 feet of the existing sanitary sewer line located on the northern portion of the property. Prior to receiving Construction Authorization, the Developer shall identify the location of the existing sanitary sewer line to ensure that any improvements comply with this stipulation. The sanitary sewer line may be relocated at the Developer's expense, but any relocation must be in accordance with all applicable County and State standards and review procedures.

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

PASSED AND DULY ADOPTED this 13th day of July, 2010.


BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

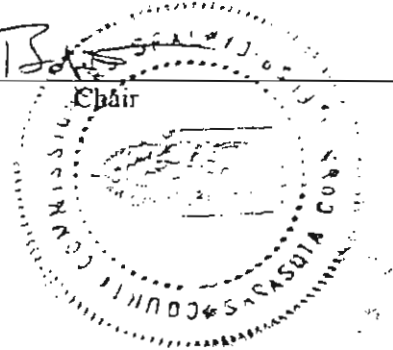
By


Chair

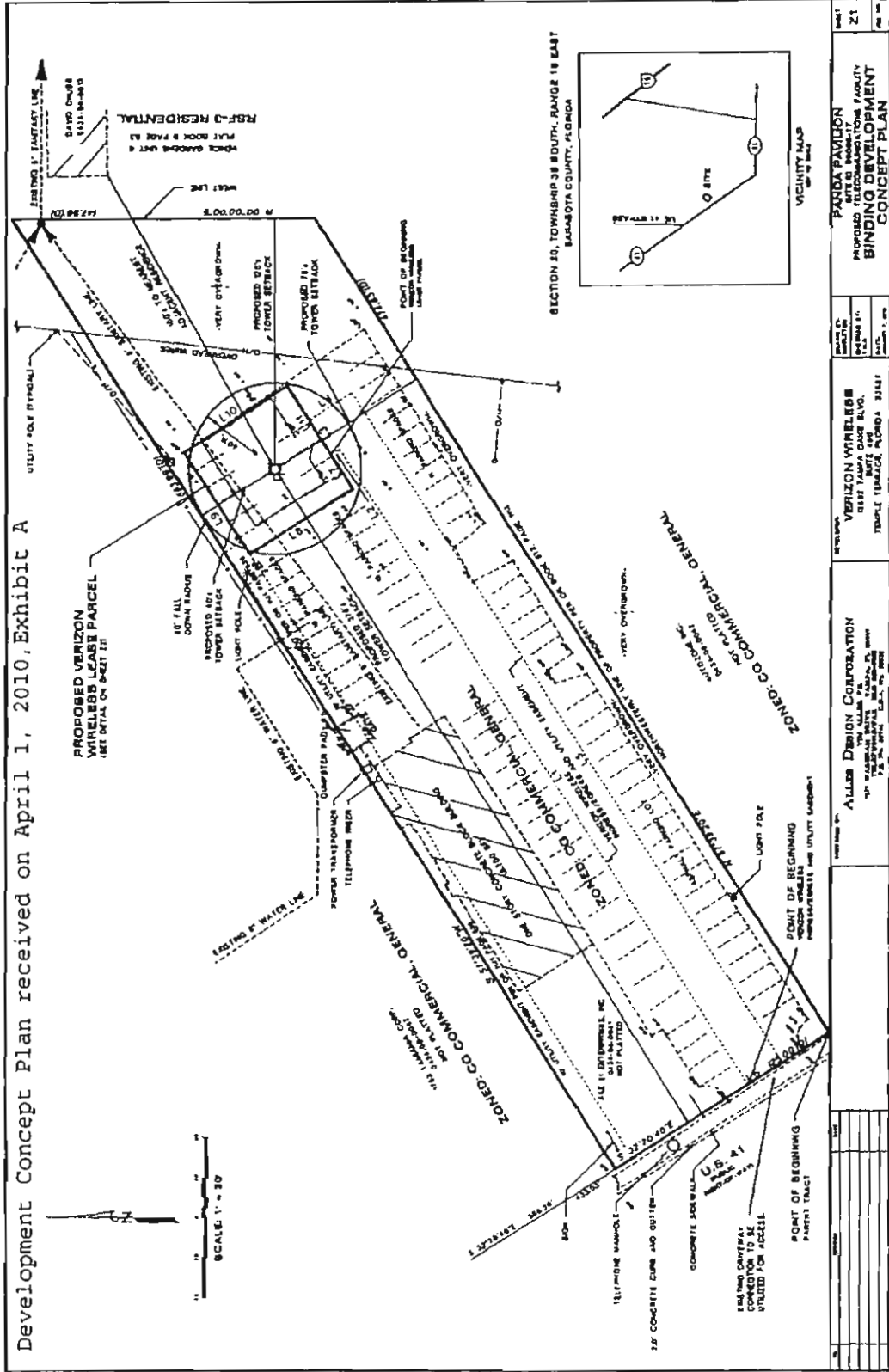
ATTEST:

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


Deputy Clerk

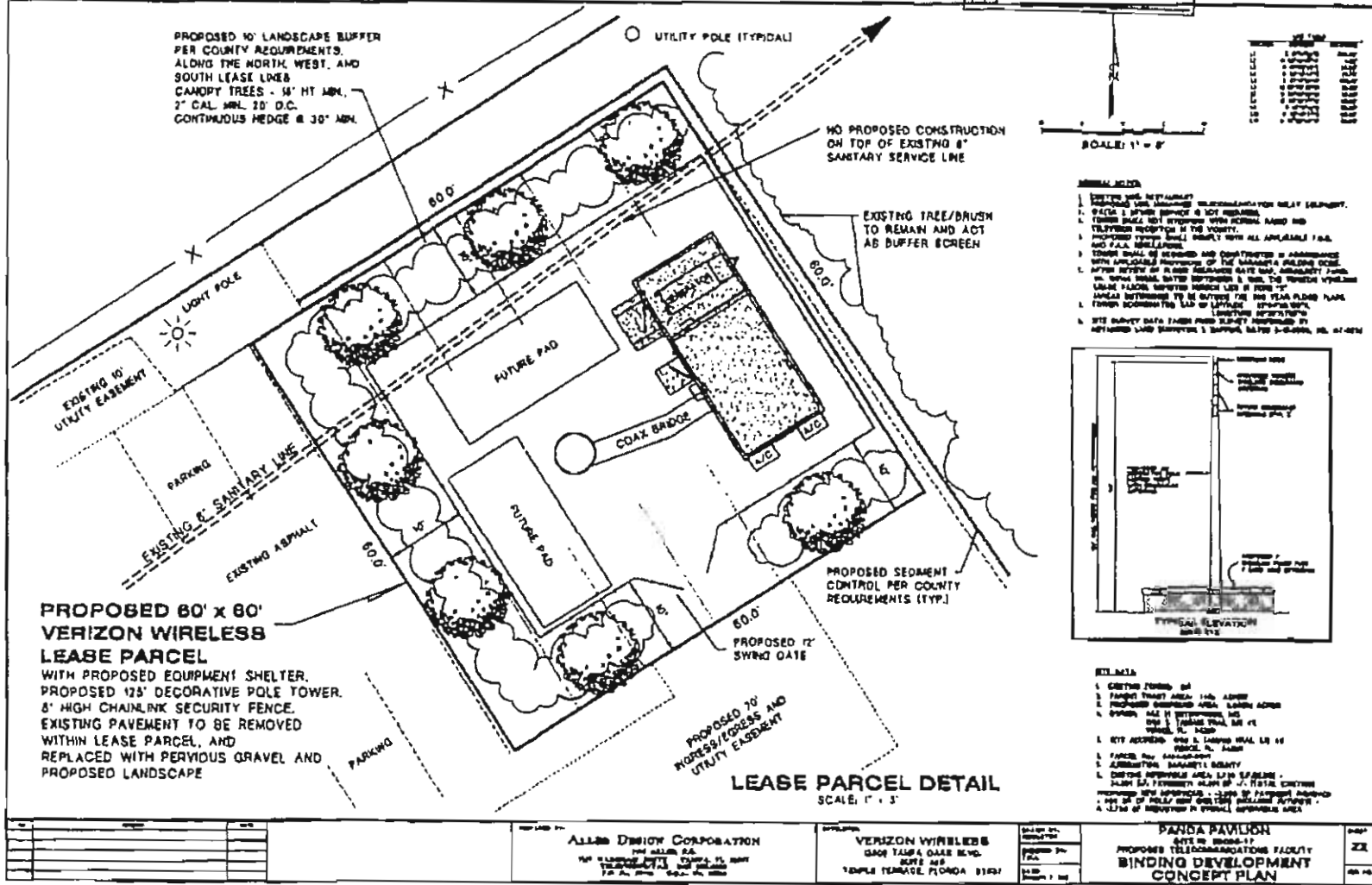


Development Concept Plan received on April 1, 2010, Exhibit A



Development Concept Plan received on April 1, 2010, Exhibit A

RY.



NO.	REVISION	DATE

ALLEN DESIGN CORPORATION
 1000 W. UNIVERSITY BLVD.
 SUITE 100
 TAMPA, FL 33606
 TEL: 813.288.1111
 FAX: 813.288.1112

VERIZON WIRELESS
 6000 TAMPA DIXIE BLVD.
 SUITE 400
 TAMPA, FLORIDA 33607

DATE: 04/01/10
 DRAWN BY: JAC
 CHECKED BY: JAC
 SCALE: 1" = 3'

PANDA PAVILION
 PROPOSED TELECOMMUNICATIONS FACILITY
 BINDING DEVELOPMENT
 CONCEPT PLAN

0001
 0002