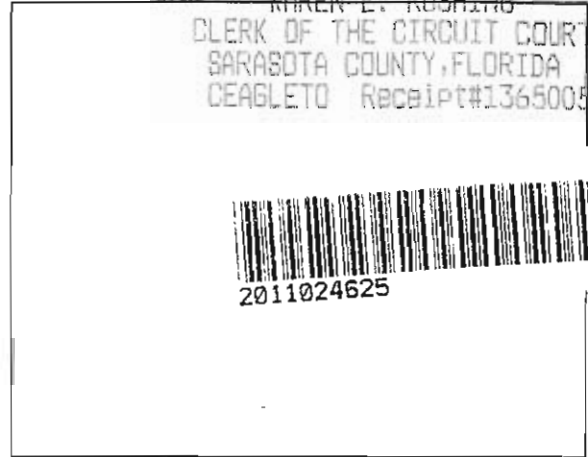


RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2011024625 6 PGS
2011 MAR 02 12:32 PM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
CEAGLETO Receipt#1365005

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 north of Clark Road and approximately 1.9 miles west of Sarasota/Desoto county line in Sarasota County, Florida, owned by Jan Lopilato, and described in Resolution No. 2011-041 attached hereto, to allow a telecommunications tower in an OUA (Open Use Agricultural, 1 unit/160 acres) zone district, pursuant to Special Exception Petition No. 1697 filed by Laura B. Belflower, Agent, and granted by Sarasota County on February 22, 2011, 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. 2011-041, attached hereto)


Tate Taylor, Operational Manager

STATE OF FLORIDA
COUNTY OF SARASOTA

Before me, the undersigned Notary Public, personally appeared Tate Taylor, Operational Manager, 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 23 day of February, 2011.


Notary Public
State of Florida at Large

This instrument prepared by:
cm



RESOLUTION NO. 2011-041
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1697

WHEREAS, Laura Bellflower, Agent for the Owner of the hereinafter described real property has filed Special Exception Petition No. 1697 requesting that a special exception be granted to allow the property located north of S.R. 72 and approximately 1.9 miles west of the Sarasota/DeSoto County line to be used to construct a 257 foot telecommunications tower in the OUA (Open Use Agriculture) zone district; and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 18th day of November, 2010, to consider said Special Exception Petition No. 1697; and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1697 be granted; and

WHEREAS, this Board, after due public notice, did on the 22nd day of February 2011 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. 1697 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 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. 1697 is hereby **GRANTED** for the following described property, said property being in Sarasota County, Florida. to-wit:

North of S.R. 72 and approximately 1.9 miles west of Sarasota/Desoto County Line and being more particularly described as follows:

PARENT TRACT

PARCEL 2: THE EAST 1/2 OF THE SW 1/4 AND THE SE 1/4 OF SECTION 3, TOWNSHIP 38 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA. LESS RIGHT OF WAY TO STATE ROAD NO. 72; AND

PARCEL 3: THE NORTH 1/2 OF SECTION 3, TOWNSHIP 38 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA. LESS THE NORTH 1/2 OF THE NORTH 1/2 OF THE NE 1/4 OF THE NE 1/4, AND ALSO LESS THE NORTH 1/2 OF THE NE 1/4 OF THE NW 1/4 OF THE NE 1/4.

and the same is hereby approved for Special Exception 1697, 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 January 27, 2011, 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 lattice construction and shall not exceed 257 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. The proposed access drive shall be located to avoid impacts to the adjacent wetland, its associated buffers and the removal of any existing native trees.
4. The tower shall be self-supported and not use guy wires.

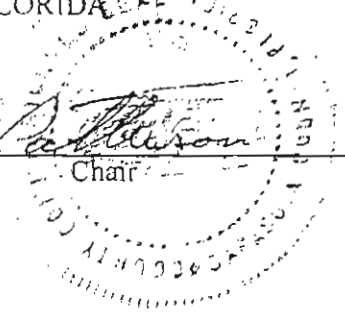
C. This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED this 22nd day of February, 2011.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By

Nora Patterson
Chair



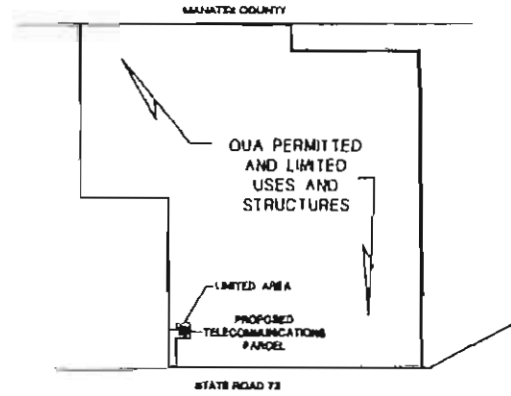
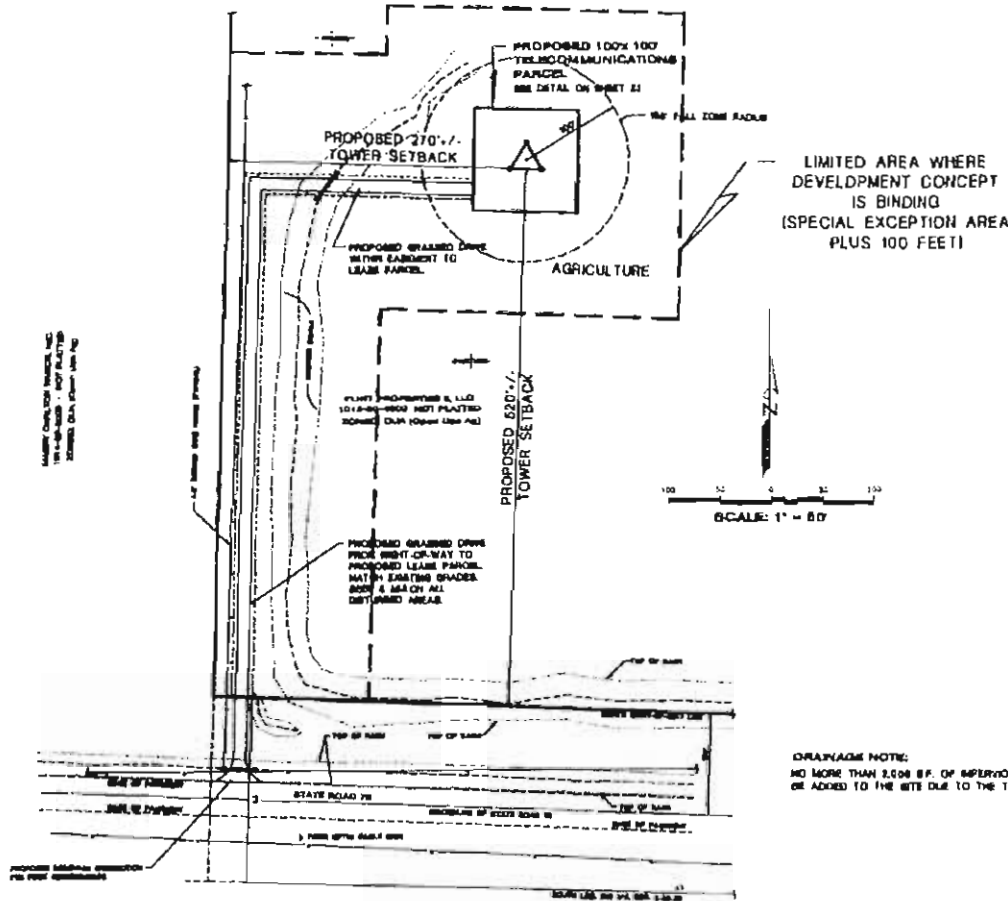
ATTEST:

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

Karen E. Rushing
Deputy Clerk

R2011-041

SECTION 3, TOWNSHIP 38 SOUTH, RANGE 22 EAST
SARASOTA COUNTY, FLORIDA



SITE NOTES:

1. EXISTING USE: FORESTRY/AGRICULTURE
2. PROPOSED USE: UNMANNED TELECOMMUNICATION RELAY EQUIPMENT.
3. WATER & SEWER SERVICE IS NOT REQUIRED.
4. TRAFFIC GENERATION: APPROXIMATELY 1 TRIP PER MONTH PER CARRIER
5. TOWER SHALL NOT INTERFERE WITH NORMAL RADIO AND TELEVISION RECEPTION IN THE VICINITY.
6. PROPOSED TOWER SHALL COMPLY WITH ALL APPLICABLE F.A.A. AND F.C.C. REGULATIONS.
7. TOWER SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH APPLICABLE PROVISIONS OF STANDARD EJA/TIA 222.
8. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 12814403000, DATED MAY 1, 1984, THE SUBJECT SITE APPEARS TO BE IN FLOOD ZONE "C".
9. TOWER COORDINATES: NAD 83 LATITUDE 27°11'42.570"N LONGITUDE 82°06'03.880"W.

SITE DATA:

1. EXISTING ZONING: OUA
2. PARENT TRACT AREA: 842± ACRES
3. PROPOSED LEASE AREA: 0.23± ACRES
4. OWNER: FLINT PROPERTIES II, LLC
9180 NW LILLY AVENUE
ARCADIA, FL 34288
5. SITE ADDRESS: 28451 SR 72
SDELL, FL 34288
6. PARCEL No: 1013-00-4000
7. JURISDICTION: SARASOTA COUNTY

Development Concept Plan received on January 27, 2011 - EXHIBIT 2.

NO.	REVISION	DATE

ALLIED DESIGN CORPORATION

THE PALMWOOD DRIVE • TAMPA, FL 33611
TELEPHONE 813-974-8888
P.O. BOX 84143 • D.C.A. #19 89018

VERIZON WIRELESS

13652 TAMPA DUNE BLVD.
SUITE 450
TEMPLE TERRACE, FLORIDA 33617

FLINT PROPERTIES
SITE NO. 87385-A
PROPOSED TELECOMMUNICATIONS FACILITY
BINDING DEVELOPMENT
CONCEPT PLAN

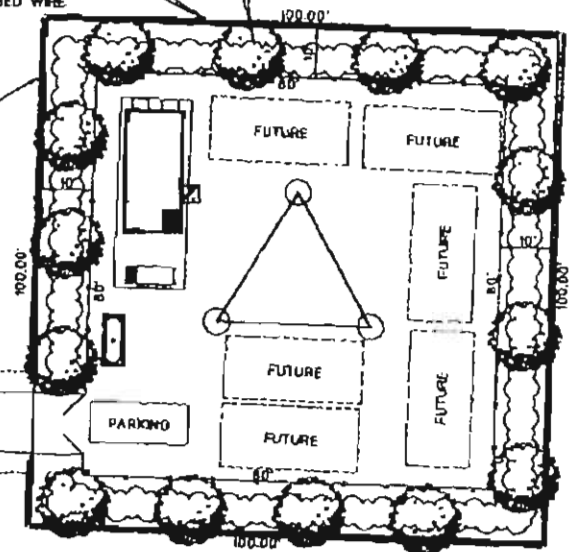
Sheet
Z1
JOB NO.

PROPOSED 100' X 100' TELECOMMUNICATIONS PARCEL AND 80' X 80' FENCED COMPOUND
 W/ 250' SELF SUPPORT LATTICE TOWER, VERIZON WIRELESS 12' X 40' CONDO, SLAB, WITH SHELTER AND GENERATOR, PROPANE TANK, 4 FUTURE CARRIER PADS, 8' HIGH CHAIN LINK FENCE W/ BARBED WIRE. COMPOUND AREA TO BE GRAVELED MATCH EXISTING GRADES.

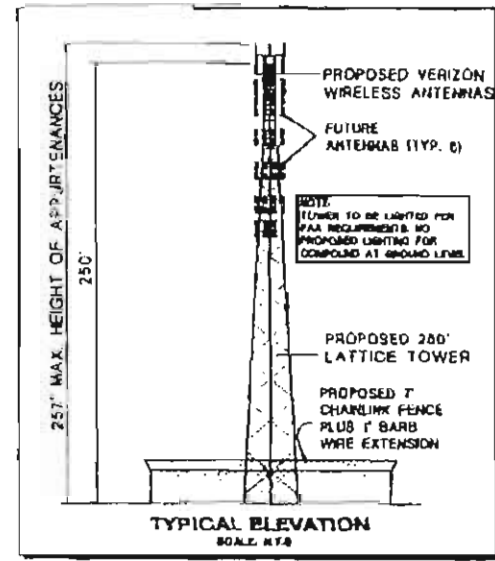
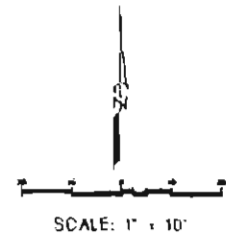
PROPOSED LANDSCAPE BUFFER PER COUNTY REQUIREMENTS, CANOPY TREES - 15' HT MIN, 2" CAL. MIN., 20' O.C., CONTINUOUS HEDGE @ 30" MIN.

PROPOSED SEDIMENT CONTROL PER COUNTY REQUIREMENTS

PROPOSED GRASSED DRIVE FROM RIGHT-OF-WAY TO PROPOSED LEASE PARCEL MATCH EXISTING GRADES, SEED & MULCH ALL DISTURBED AREAS.



TELECOMMUNICATIONS PARCEL DETAIL
 SCALE: 1" = 10'



TYPICAL ELEVATION
 SCALE: NTS

R2211-C41

Development Concept Plan received on January 27, 2011 - EXHIBIT A

	ALLEN DESIGN CORPORATION THE WASHINGTON DRIVE TAMPA, FL 33607 TEL: 813-281-1111 FAX: 813-281-1112 P.O. BOX 2011 TAMPA, FL 33601	VERIZON WIRELESS 9505 TAMPA GARDEN BLVD. SUITE 200 TAMPA TERRACE, FLORIDA 33627	MUNY PROPERTIES 875 N. ALFORD AVE PROPOSED TELECOMMUNICATIONS FACILITY BINDING DEVELOPMENT CONCEPT PLAN	SHEET 22 OF 40
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