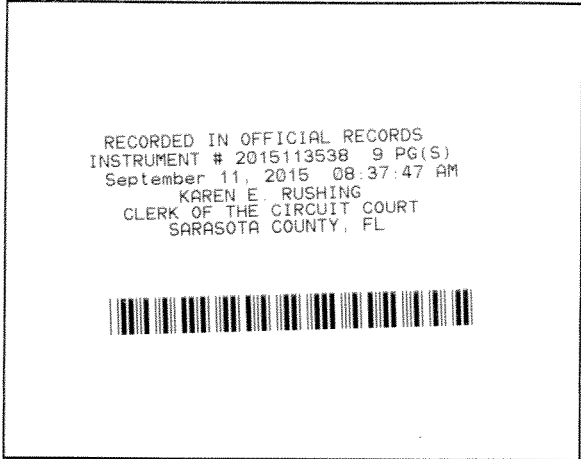


Please record and return to: *(Via Inter-Office Mail)*
Cynthia Spraggins, Administrative Specialist
Planning Services
1660 Ringling Boulevard
Sarasota, FL 34236

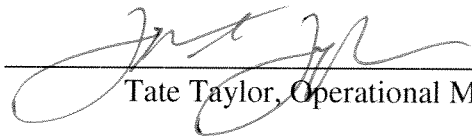
Customer ID# 5223
Charge to: Planning Services
Account# 51810000500489

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



The following property located at 7091 Myakka Valley Trail, in Sarasota County, Florida, owned by Florida Tower Partners, LLC (FTP), and described in Resolution No. 2015-163 attached hereto, to allow a 180 foot telecommunications tower in an OUR (Open Use, Rural, 1 unit/10 acres) zone district, pursuant to Special Exception Petition No. 1736, filed by Lauralee Westine P.A., Agent, and granted by Sarasota County on August 25, 2015, is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

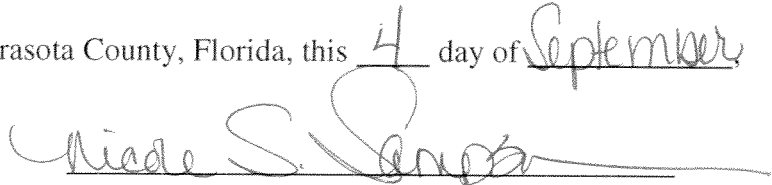
(Stipulations and limitations are those described in Section B of Resolution No. 2015-163, attached hereto)


Tate Taylor, Operational Manager

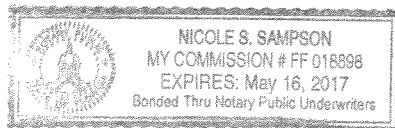
**STATE OF FLORIDA
COUNTY OF SARASOTA**

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 4 day of September 2015.


Notary Public
State of Florida at Large

This instrument prepared by:
CMS



RESOLUTION NO. 2015- 163
OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA
SPECIAL EXCEPTION NO. 1736

KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
2015 AUG 27 PM 3:22
FILED FOR THE RECORD

WHEREAS, Lauralee Westine, Agent for the owner of the hereinafter described real property has filed Special Exception Petition No. 1736 requesting that a special exception be granted to allow a 180 foot telecommunications tower in an OUR (Open Use, Rural, 1unit/10 acres) zone district, located at 7091 Myakka Valley Trail, Sarasota County, Florida, and

WHEREAS, the Planning Commission of Sarasota County, after due public notice, did hold a public hearing on the 9th day of July, 2015, to consider said Special Exception Petition No. 1736, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said Special Exception Petition No. 1736 be granted, and

WHEREAS, this Board, after due public notice, did on the 25th day of August , 2015, 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. 1736 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;

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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.

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

B. Special Exception Petition No. 1736 is hereby granted for the following described property, said property being in Sarasota County, Florida, to-wit:

7091 Myakka Valley Trail, Sarasota County, Florida AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(PER INSTRUMENT# 2005114013 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA)

PARCEL ONE:

THE EAST 841.70 FEET OF THE FOLLOWING DESCRIBED PARCEL:

A PARCEL OF LAND LYING AND BEING IN THE NORTH 1/2 OF SECTION 20, TOWNSHIP 37 SOUTH, RANGE 20 EAST, SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 20, AS SHOWN ON THE PLAT OF MYAKKA VALLEY RANCHES, UNIT NO. 1, RECORDED IN PLAT BOOK 19, PAGES 19 AND 19A, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA;

THENCE S00°17'17"E, ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 1379.64 FEET TO A CONCRETE MONUMENT MARKING THE MOST SOUTHWESTERLY CORNER OF SAID MYAKKA VALLEY RANCHES, UNIT NO. 1, FOR A POINT OF BEGINNING;

THENCE CONTINUE S00°17'17"E, ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 1179.64 FEET;

THENCE EAST, PARALLEL TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 20, AND 100.0 FEET THEREFROM, A DISTANCE OF 1828.57 FEET;

THENCE N00°17'17"W, PARALLEL TO SAID WEST LINE OF SECTION 20, A DISTANCE OF 1192.86 FEET;

THENCE S89°53'57"W, PARALLEL TO THE SOUTH LINE OF LOT 75, MYAKKA VALLEY RANCHES, UNIT NO. 1 AND 40 FEET THEREFROM A DISTANCE OF 1797.95 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MYAKKA VALLEY TRAIL;

THENCE S44°42'43"W, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 14.10 FEET TO A CONCRETE MONUMENT;

THENCE S89°53'57"W, ALONG THE SOUTH LINE OF SAID MYAKKA VALLEY TRAIL A DISTANCE OF 20.64 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS EXTENDING FROM SAID WEST LINE OF SECTION 20 TO THE EASTERLY LINE OF THE ABOVE DESCRIBED PARCEL, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 20, AS SHOWN ON THE PLAT OF MYAKKA VALLEY RANCHES, UNIT NO. 1, RECORDED IN PLAT BOOK 19, PAGES 19 AND 19A, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA;

THENCE S00°17'17"E, ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 1379.64 FEET TO A CONCRETE MONUMENT MARKING THE MOST SOUTHWESTERLY CORNER OF SAID MYAKKA VALLEY RANCHES, UNIT NO. 1;

THENCE CONTINUE S00°17'17"E, ALONG SAID WEST LINE A DISTANCE OF 30.00 FEET;

THENCE N89°53'57"E PARALLEL TO THE SOUTH LINE OF LOT 75, SAID MYAKKA VALLEY RANCHES, UNIT NO. 1 AND 50.00 FEET THEREFROM A DISTANCE OF 1828.56 FEET;

THENCE N00°17'17"W, PARALLEL TO SAID WEST LINE OF SECTION 20 A DISTANCE OF 40.00 FEET;

THENCE S89°53'57"W, PARALLEL TO SAID SOUTH LINE OF LOT 75 AND 40.00 FEET THEREFROM A DISTANCE OF 1797.95 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MYAKKA VALLEY TRAIL;

THENCE S44°42'43"W ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 14.10 FEET TO A CONCRETE MONUMENT;

THENCE S89°53'57"W ALONG THE SOUTH LINE OF SAID MYAKKA VALLEY TRAIL A DISTANCE OF 20.64 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH EASEMENTS FOR INGRESS AND EGRESS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1066, PAGE 956, AND OFFICIAL RECORDS BOOK 1404, PAGE 2180, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

PARCEL TWO:

A PARCEL OF LAND LYING AND BEING IN THE NORTH 1/2 OF SECTION 20, TOWNSHIP 37 SOUTH, RANGE 20 EAST, SARASOTA COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 20 AS SHOWN ON THE PLAT OF MYAKKA VALLEY RANCHES, UNIT NO. 1, RECORDED IN PLAT BOOK 19, PAGES 19 AND 19A, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA;

THENCE S00°17'17"E ALONG THE WEST LINE OF SAID SECTION 20, A DISTANCE OF 1379.64 FEET TO A CONCRETE MONUMENT MARKING THE MOST SOUTHWESTERLY CORNER OF SAID MYAKKA VALLEY RANCHES, UNIT NO. 1;

THENCE N89°53'57"E ALONG THE SOUTH LINE OF SAID MYAKKA VALLEY TRAIL, A DISTANCE OF 20.64 FEET;

THENCE N44°42'43"E ALONG SAID SOUTHEASTERLY

RIGHT-OF-WAY LINE A DISTANCE OF 14.10 FEET TO POINT OF BEGINNING;

THENCE N89°53'57"E PARALLEL TO THE SOUTH LINE OF LOT 75, MYAKKA VALLEY RANCHES, UNIT NO. 1, AND 40.00 FEET THEREFROM A DISTANCE OF 1201.18 FEET;

THENCE NORTHERLY 40.00 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID LOT 75;

THENCE S89°53'57"W ALONG THE SOUTH LINE OF SAID LOT 75, A DISTANCE OF 1232.11 FEET;

THENCE S44°42'43"W ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MYAKKA VALLEY TRAIL A DISTANCE OF 56.38 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1066, PAGE 956 AND OFFICIAL RECORDS BOOK 1404, PAGE 2180, OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA.

and the same is hereby approved for Special Exception No. 1736, 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.

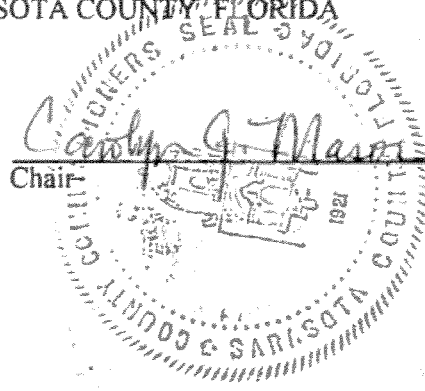
1. Development shall take place in substantial compliance with the Development Concept Plan date stamped April 14, 2015, and attached hereto as Exhibit "A." This does not imply or confer any variances from applicable zoning or land development regulations.
2. The Master Surface Water Management Plan shall be consistent with the Upper Myakka River Basin Master Plan.
3. The owner shall install two fences. The first shall enclose the tower compound area. The second shall protect the landscape buffering surrounding the tower compound area.
4. The maximum height of the telecommunications tower shall not exceed 180 feet.

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

PASSED AND DULY ADOPTED this 25 day of August, 2015.

BOARD OF COUNTY COMMISSIONERS OF
SARASOTA COUNTY, FLORIDA

By: Carolyn J. Mason
Chair



ATTEST:

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

By: [Signature]
Deputy Clerk

R 2015-163

Florida Tower Partners
1101 1st Avenue West
Suite 110
Birmingham, AL 35202
TEL: 205.253.2010

Kimley-Horn
418 North University Blvd., Suite 100
Birmingham, AL 35226
Phone: 205.253.1600
www.kimley-horn.com

KIMLEY-HORN ENGINEERS, INC.
REGISTERED PROFESSIONAL ENGINEERS
No. 73088
APR 23 2015
SINCE 1911
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