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Linda Spurling, Administrative Coordinator  
Planning Services  
1301 Cattlemen Road, Bldg. A  
Sarasota, FL 34232

RECEIVED

DEC 05 2005

KAREN E. RUSHING  
CLERK OF THE CIRCUIT COURT  
SARASOTA COUNTY, FLORIDA  
MMARSH Receipt#717061

Charge to: Planning Services  
Account# 51800100500489

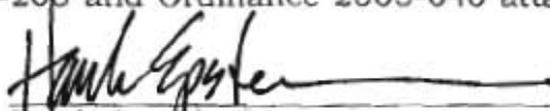
By: Sarasota County Planning



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

The following property, located at the southwest corner of University Parkway and I-75 in Sarasota County, Florida, owned by Benderson Development, has been 1.) Rezoned to the following zone districts: CHI (Commercial Highway Interchange), PID (Planned Industrial Development), PCD (Planned Commerce Development), CG (Commercial General) and RMF-3 (Residential Multi-Family, 13 units/acre) with amended stipulations, pursuant to Rezone Petition No. 03-29, and described in Ordinance No. 2005-037 and 2.) A Special Exception, No. 1593, to allow: Retail Sales over 60,000 S.F. of gross floor area in a single occupant building and Garden Center with outside merchandise in the CG (Commercial General) zone district, described in Resolution 2005-205 and 3.) An amendment to the Development Order for the Sarasota Interstate Park of Commerce Development of Regional Impact, Notice of Proposed Change 03-02, as described in Ordinance 2005-040 and filed by Edward Vogler, II, Agent, and granted by Sarasota County on September 27, 2005 is subject to the following stipulations and limitations, violations of which shall constitute a violation of the Sarasota County Zoning Code:

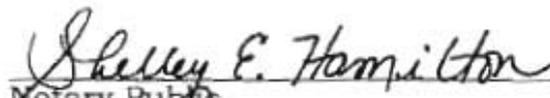
(Stipulations and limitations are those described in Section 3 of Ordinance No. 2005-037, Resolution No. 2005-205 and Ordinance 2005-040 attached hereto)

  
Hank Epstein, Manager  
Planning Services

**STATE OF FLORIDA  
COUNTY OF SARASOTA**

Before me, the undersigned Notary Public, personally appeared Hank Epstein, 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 he acknowledged before me that he executed the same.

Witness my hand and official seal at Sarasota County, Florida, this 22<sup>nd</sup> day of November, 2005.

  
Notary Public  
State of Florida at Large

This instrument prepared by: sma



Shelley E. Hamilton  
MY COMMISSION # DD23335 EXPIRES  
August 10, 2007  
BONDED THROUGH TROY FAIR INSURANCE, INC.

RECEIVED

SEP 30 2005

BOARD RECORDS  
FILED FOR RECORD

By: Sarasota County Planning

RESOLUTION NO. 2005-205

2005 SEP 28 PM 1:20

OF THE BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA  
SPECIAL EXCEPTION NO. 1593

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

WHEREAS, Edward Vogler, agent for the owner of the hereinafter described real property has filed **Special Exception Petition No. 1593** requesting that a special exception be granted to allow the property, located at the southwest corner of University Parkway and I-75, Sarasota County, Florida, to be used for: Retail Sales over 60,000 S.F. of gross floor area in a single occupant building and Garden Center with outside merchandise 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 **16th day of June 2005** to consider said **Special Exception Petition No. 1593**, and

WHEREAS, the said Planning Commission did submit and report its findings and recommendations to this Board that said **Special Exception Petition No. 1593** be **DENIED**, and

WHEREAS, this Board, after due public notice, did on the **27th day of July, 2005** 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. 1593** 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. The proposed use is consistent with the intent, goals, objectives, policies, guiding principles and programs of the Comprehensive Plan;
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. 1593** 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: Southwest corner of University Parkway and I-75, being more particularly described as follows; A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ½ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1 A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE LEAVING SAID WEST LINE RUN NORTH 82°30'15" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY, A DISTANCE OF 96.38 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE RUN SOUTH 07°29'45" EAST, A DISTANCE OF 34.05 FEET TO THE POINT OF BEGINNING; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 386.10 FEET; THENCE NORTH 75°50'29" EAST, A DISTANCE OF 111.03 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT WHOSE CENTER BEARS SOUTH 66°19'23" EAST, A DISTANCE OF 59.90 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 59.90 FEET. AND A CENTRAL ANGLE OF 66°23'13", A DISTANCE OF 69.40 FEET TO THE POINT OF TANGENCY; THENCE NORTH 90°00'00"

EAST, A DISTANCE OF 281.41 FEET; THENCE SOUTH 00°39'53" EAST, A DISTANCE OF 480.05 FEET; THENCE SOUTH 12°42'32" WEST, A DISTANCE OF 370.96 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1559.38 FEET, AND A CENTRAL OF 12°52'21", A DISTANCE OF 350.34 FEET TO THE END OF SAID CURVE; THENCE SOUTH 89°47'27" WEST, A DISTANCE OF 533.94 FEET; THENCE NORTH 00°04'15" EAST; A DISTANCE OF 155.55 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 92.71 FEET AND A CENTRAL ANGLE OF 46°23'36", THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 75.07 FEET TO THE POINT OF TANGENCY; THENCE NORTH 55°59'44" WEST, A DISTANCE OF 139.16 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 56°30'21" THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 73.97 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00°30'37" EAST, A DISTANCE OF 770.41 FEET TO THE POINT OF BEGINNING.

and the same is hereby approved for 1593, 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. All development on the subject property (i.e., preliminary plans, site and development plans, final plats, and construction plans) shall comply with the Development Order for Sarasota Interstate Park of Commerce (SIPOC) Development of Regional Impact (DRI), as amended.
  2. All development shall occur in substantial accordance with the Development Concept Plan received by Planning and Development Services May 5, 2005 (and attached hereto as Exhibit "A"). This does not imply or confer any deviations from applicable zoning or land development regulations.
  3. The east side of the garden center shall be screened from view.
- C. This Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED this 27<sup>th</sup> day of SEPTEMBER, 2005.

BOARD OF COUNTY COMMISSIONERS OF  
SARASOTA COUNTY, FLORIDA

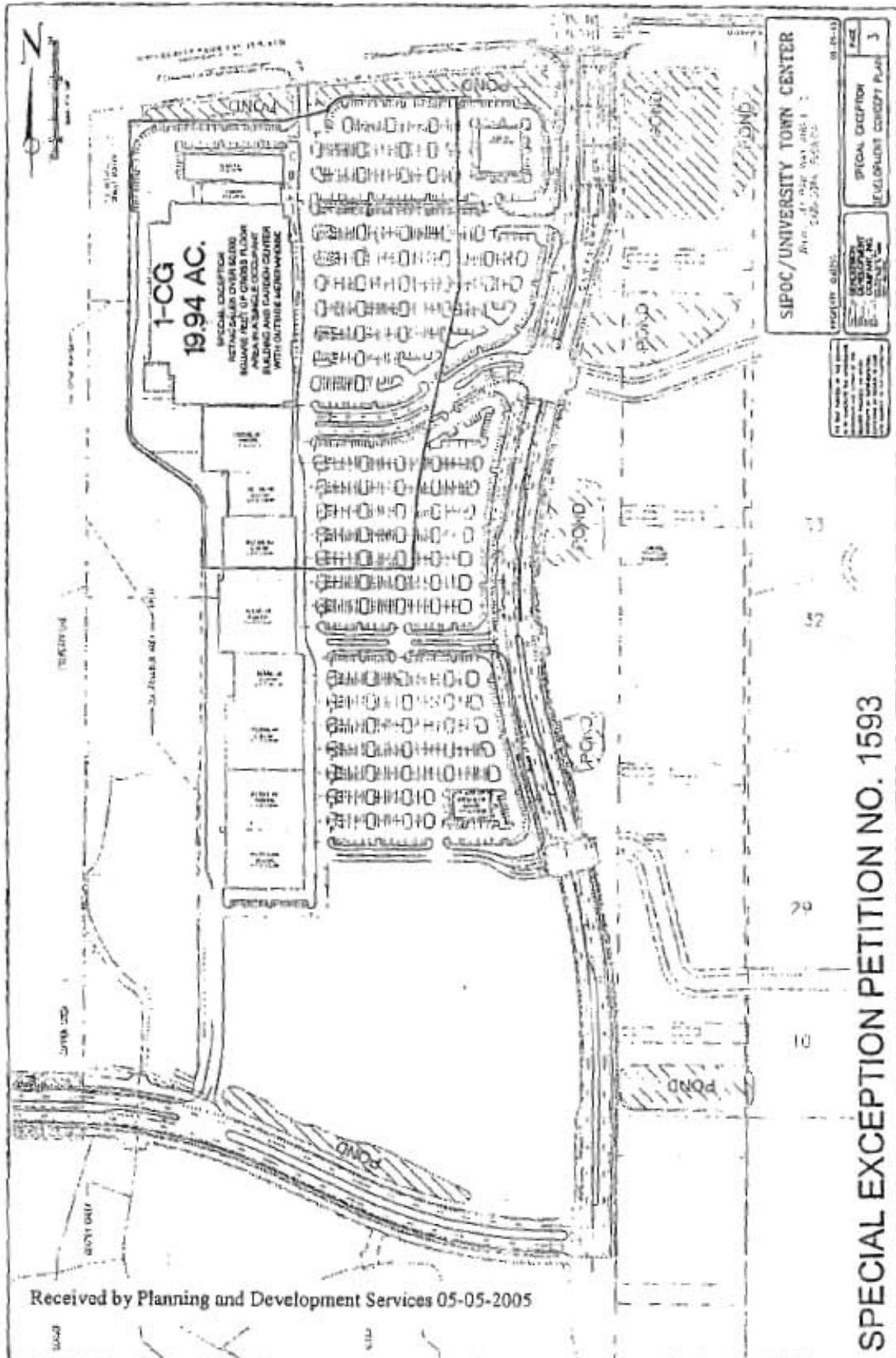
By:   
Chair

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

**Exhibit A**  
**Development Concept Plan (Binding) for Special Exception 1593 and**  
**Rezone 03-29 Commercial General Zone District**



RECEIVED

OCT 12 2005

By: Sarasota County Planning

ORDINANCE NO. 2005-037

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS, AS PART OF SARASOTA COUNTY ORDINANCE NO. 2003-052, CODIFIED IN APPENDIX A TO THE SARASOTA COUNTY CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF SARASOTA COUNTY; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT OF THE ZONING ATLAS; PROVIDING RESTRICTIONS, STIPULATIONS AND SAFEGUARDS; AND PROVIDING AN EFFECTIVE DATE.

MAUREN E. RUSSELL  
CLERK OF CIRCUIT COURT  
SARASOTA COUNTY FL

2005 SEP 28 PM 1:30

BOARD RECORDS  
FILED FOR RECORD

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

Section 1. Findings. The Board of County Commissioners, hereinafter referred to as the "Board," hereby makes the following findings:

A. The Board has received and considered the report of the Sarasota County Planning Commission concerning Rezoning Petition No. 03-29, requesting rezoning of the property described herein.

B. The Board has held a public hearing on the proposed rezoning of the property described herein in accordance with the requirements of Sarasota County Ordinance No. 2003-052, codified in Appendix A of the Sarasota County Code (hereinafter "the Zoning Ordinance"), and has considered the information received at said public hearing.

C. The rezoning herein granted is consistent with the Sarasota County Comprehensive Plan and meets the requirements of the Zoning Ordinance.

D. Pursuant to the provisions of Article VII of Chapter 94 of the Sarasota County Code, an evaluation has been completed of the impacts that the proposed rezoning of the property described herein will have on the levels of service for parks, drainage, solid waste, roads, mass transit and water and sewer systems. With the exception of the provisions of Section 3 of this Ordinance, adequate levels of service are anticipated to be available.

Section 2. Amendment of the Zoning Ordinance. The Official Zoning Atlas, adopted under Article 4 of the Zoning Ordinance, is hereby amended by changing the zoning district classification for 72.80 acres ± from CHI (Commercial Highway Interchange), PID (Planned Interstate District), and PCD (Planned Commercial Development) to CG (Commercial General), CHI (Commercial Highway Interchange), and PCD (Planned Commercial Development) for the following described property located in Sarasota County, Florida:

The legal description of said property in Sarasota County, Florida being: The southwest corner of I-75 and University Parkway, being more particularly described as follows:

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11/11/05 BY 60322/UC/STP

2005 OCT -3 PM 11:55

FILED

0-2005-037

**PARCEL 1: From PCD (Planned Commerce Development) to  
CG (Commercial General)**

A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ¼ OF THE NORTHWEST ¼ OF SECTION 1 A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE LEAVING SAID WEST LINE RUN NORTH 82°30'15" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY, A DISTANCE OF 96.38 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE RUN SOUTH 07°29'45" EAST, A DISTANCE OF 34.05 FEET TO THE POINT OF BEGINNING; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 386.10 FEET; THENCE NORTH 75°50'29" EAST, A DISTANCE OF 111.03 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT WHOSE CENTER BEARS SOUTH 66°19'23" EAST, A DISTANCE OF 59.90 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 59.90 FEET, AND A CENTRAL ANGLE OF 66°23'13", A DISTANCE OF 69.40 FEET TO THE POINT OF TANGENCY; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 281.41 FEET; THENCE SOUTH 00°39'53" EAST, A DISTANCE OF 480.05 FEET; THENCE SOUTH 12°42'32" WEST, A DISTANCE OF 370.96 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1559.38 FEET, AND A CENTRAL OF 12°52'21", A DISTANCE OF 350.34 FEET TO THE END OF SAID CURVE; THENCE SOUTH 89°47'27" WEST, A DISTANCE OF 533.94 FEET; THENCE NORTH 00°04'15" EAST; A DISTANCE OF 155.55 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 92.71 FEET AND A CENTRAL ANGLE OF 46°23'36", THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 75.07 FEET TO THE POINT OF TANGENCY; THENCE NORTH 55°59'44" WEST, A DISTANCE OF 139.16 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00

FEET AND A CENTRAL ANGLE OF 56°30'21" THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 73.97 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00°30'37" EAST, A DISTANCE OF 770.41 FEET TO THE POINT OF BEGINNING.

**PARCEL 2: From PCD (Planned Commerce Development) and CHI (Commercial Highway Interchange) with stipulations to CHI (Commercial Highway Interchange) with amended stipulations.**

A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ¼ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING 2 CALLS: NORTH 82°30'15" EAST, A DISTANCE OF 560.40 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 5611.58 FEET AND A CENTRAL ANGLE 3°50'03", THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 375.53 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY OF UNIVERSITY PARKWAY THE FOLLOWING 5 CALLS: CONTINUE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5611.58 FEET AND A CENTRAL ANGLE OF 4°15'45", A DISTANCE OF 417.46 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89°23'57" EAST, A DISTANCE OF 7.36 FEET; THENCE SOUTH 89°22'13" EAST, A DISTANCE OF 441.06 FEET; THENCE SOUTH 00°19'34" WEST, A DISTANCE OF 20.02 FEET; THENCE SOUTH 89°26'14" EAST, A DISTANCE OF 315.09 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY RUN SOUTH 00°01'32" EAST, A DISTANCE OF 193.03 FEET; THENCE NORTH 89°55'54" WEST, A DISTANCE OF 930.55 FEET; THENCE SOUTH 00°13'55" WEST, A DISTANCE OF 100.34 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 936.00 FEET

AND A CENTRAL ANGLE OF 12°28'34"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 203.81 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 12°42'32" WEST, A DISTANCE OF 453.61 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1558.00 FEET AND A CENTRAL ANGLE OF 11°13'47"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 305.36 FEET TO A POINT ON A NON-TANGENT LINE; THENCE SOUTH 89°47'27" WEST, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 204.10 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT WHOSE CENTER BEARS SOUTH 89°56'48" EAST, A DISTANCE OF 1559.38 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1559.38 FEET AND A CENTRAL ANGLE OF 12°52'21", A DISTANCE OF 350.34 FEET TO THE POINT OF TANGENCY; THENCE NORTH 12°42'32" EAST, A DISTANCE OF 370.96 FEET; THENCE NORTH 00°39'53" WEST, A DISTANCE OF 547.85 FEET TO THE POINT OF BEGINNING.

**PARCEL 3: From CHI (Commercial Highway Interchange) to PCD (Planned Commerce Development).**

COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ¼ OF THE NORTH WEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ¼ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY THE FOLLOWING 4 CALLS: NORTH 82°30'15" EAST, A DISTANCE OF 560.40 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 5611.58 FEET AND A CENTRAL ANGLE OF 8°05'48", A DISTANCE OF 792.99 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89°23'57" EAST, A DISTANCE OF 7.36 FEET; THENCE SOUTH 89°22'13" EAST, A DISTANCE OF 441.06 FEET TO THE END OF SAID SOUTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY AND THE BEGINNING OF LIMITED ACCESS RIGHT-OF-WAY OF STATE ROAD NO. 93 (INTERSTATE I-75), AS RECORDED IN ROAD PLAT BOOK 2,

PAGE 28B, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE THE FOLLOWING 2 CALLS: SOUTH 00°19'34" WEST, A DISTANCE OF 20.02 FEET; THENCE SOUTH 89°26'14" EAST, A DISTANCE OF 315.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE THE FOLLOWING 5 CALLS: THENCE SOUTH 89°26'14" EAST, A DISTANCE OF 175.86 FEET; THENCE SOUTH 85°35'54" EAST, A DISTANCE OF 462.87 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 456.00 FEET AND A CENTRAL ANGLE OF 57°52'45"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 460.64 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 27°45'49" EAST, A DISTANCE OF 566.49 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 4489.66 FEET AND A CENTRAL ANGLE OF 1°14'04"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 96.74 FEET TO A POINT THENCE LEAVING SAID LIMITED ACCESS RIGHT-OF-WAY LINE RUN SOUTH 63°08'53" WEST, A DISTANCE OF 309.80 FEET; THENCE NORTH 72°16'42" WEST, A DISTANCE OF 296.89 FEET; THENCE SOUTH 00°01'32" EAST, A DISTANCE OF 130.00 FEET; THENCE SOUTH 89°58'28" WEST, A DISTANCE OF 1345.00 FEET; THENCE NORTH 00°01'32" WEST, A DISTANCE OF 854.92 FEET; THENCE SOUTH 89°55'54" EAST, A DISTANCE OF 590.48 FEET; THENCE NORTH 00°01'32" WEST, A DISTANCE OF 193.03 FEET TO THE POINT OF BEGINNING.

**PARCEL 4: From PID (Planned Industrial Development) with stipulations to PID (Planned Industrial Development) with amended stipulations.**

COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ½ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY THE FOLLOWING 4 CALLS: NORTH 82°30'15" EAST, A DISTANCE OF 560.40 FEET TO THE POINT OF CURVATURE

OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 5611.58 FEET AND A CENTRAL ANGLE OF  $8^{\circ}05'48''$ , A DISTANCE OF 792.99 FEET TO THE POINT OF TANGENCY; THENCE SOUTH  $89^{\circ}23'57''$  EAST, A DISTANCE OF 7.36 FEET; THENCE SOUTH  $89^{\circ}22'13''$  EAST, A DISTANCE OF 441.06 FEET TO THE END OF SAID SOUTHERLY RIGHT-OF-WAY OF UNIVERSITY PARKWAY AND THE BEGINNING OF LIMITED ACCESS RIGHT-OF-WAY OF STATE ROAD NO. 93 (INTERSTATE 1-75), AS RECORDED IN ROAD PLAT BOOK 2, PAGE 28B, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE THE FOLLOWING 5 CALLS: SOUTH  $00^{\circ}19'34''$  WEST, A DISTANCE OF 20.02 FEET; THENCE SOUTH  $89^{\circ}26'14''$  EAST, A DISTANCE OF 490.95 FEET; THENCE SOUTH  $85^{\circ}35'54''$  EAST, A DISTANCE OF 462.87 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 456.00 FEET AND A CENTRAL ANGLE OF  $57^{\circ}52'45''$ ; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 460.64 FEET TO THE POINT OF TANGENCY; THENCE SOUTH  $27^{\circ}45'49''$  EAST, A DISTANCE OF 566.49 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 4489.66 FEET AND A CENTRAL ANGLE OF  $1^{\circ}14'04''$ ; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 96.74 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE THE FOLLOWING 3 CALLS: THENCE CONTINUING SOUTHEASTERLY ALONG THE PREVIOUSLY DESCRIBED CURVE TO THE RIGHT HAVING A RADIUS OF 4489.66 FEET AND A CENTRAL ANGLE OF  $11^{\circ}42'49''$ , A DISTANCE OF 917.87 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 11084.25 FEET AND A CENTRAL ANGLE OF  $4^{\circ}35'55''$ , A DISTANCE OF 889.65 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 7373.09 FEET AND A CENTRAL ANGLE OF  $0^{\circ}27'02''$ ; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 58.00 FEET; THENCE LEAVING SAID LIMITED ACCESS RIGHT-OF-WAY LINE RUN NORTH  $89^{\circ}19'15''$  WEST, A DISTANCE OF 2598.67 FEET; THENCE NORTH  $20^{\circ}34'02''$  WEST, A DISTANCE OF 330.67 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1540.00 FEET AND A CENTRAL ANGLE OF  $10^{\circ}53'53''$ ; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 292.92 FEET TO A POINT ON A NON-TANGENT LINE; THENCE NORTH  $00^{\circ}01'32''$  WEST, A DISTANCE OF 1204.35 FEET; THENCE NORTH

89°58'28" EAST, A DISTANCE OF 1345.00 FEET; THENCE NORTH 00°01'32" WEST, A DISTANCE OF 130.00 FEET; THENCE SOUTH 72°16'42" EAST, A DISTANCE OF 296.89 FEET; THENCE NORTH 63°08'53" EAST, A DISTANCE OF 309.82 FEET TO THE POINT OF BEGINNING.

**PARCEL 5A: From PCD (Planned Commerce Development) with stipulations to PCD (Planned Commerce Development) with amended stipulations.**

A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE CONTINUE SOUTH 00°30'37" WEST ALONG SAID WEST LINE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 1, A DISTANCE OF 1146.74 FEET; THENCE LEAVING SAID WEST LINE RUN SOUTH 89°29'23" EAST, A DISTANCE OF 299.64 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°47'27" EAST, A DISTANCE OF 729.21 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 88°31'15" EAST, A DISTANCE OF 1558.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1558.00 FEET AND A CENTRAL ANGLE OF 16°54'29", A DISTANCE OF 459.77 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 15°25'44" EAST, A DISTANCE OF 256.09 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1938.00 FEET AND A CENTRAL ANGLE OF 2°13'53"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 75.47 FEET TO A POINT ON A NON-TANGENT LINE; THENCE SOUTH 76°14'15" WEST, A DISTANCE OF 39.04 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 103.72 FEET AND A CENTRAL ANGLE OF 51°26'54", A DISTANCE OF 93.13 FEET TO THE

POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 120.69 FEET AND A CENTRAL ANGLE OF 37°41'43", A DISTANCE OF 79.40 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 423.58 FEET; THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 71.86 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 251.92 FEET; THENCE NORTH 00°16'29" EAST, A DISTANCE OF 810.17 FEET TO THE POINT OF BEGINNING.

**PARCEL 5B: From PCD (Planned Commerce Development) and PID (Planned Industrial Development) with stipulations to PCD (Planned Commerce Development) with amended stipulations.**

A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ¼ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 2 CALLS: NORTH 82°30'15" EAST, A DISTANCE OF 560.40 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 5611.58 FEET AND A CENTRAL ANGLE OF 3°50'03"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 375.53 FEET THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE RUN SOUTH 00°39'53" EAST, A DISTANCE OF 67.80 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 281.41 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 59.90 FEET AND CENTRAL ANGLE OF 66°23'13"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 69.40 FEET TO A POINT ON A NON-TANGENT LINE; THENCE ALONG SAID NON-TANGENT LINE SOUTH 75°50'29" WEST, A DISTANCE OF 111.03 FEET; THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 386.10 FEET; THENCE SOUTH 00°30'37" WEST, A

DISTANCE OF 770.41 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF  $56^{\circ}30'21''$ ; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 73.97 FEET TO THE POINT OF TANGENCY; THENCE SOUTH  $55^{\circ}59'44''$  EAST, A DISTANCE OF 139.16 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 92.71 FEET AND A CENTRAL ANGLE OF  $46^{\circ}23'36''$ ; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 75.07 FEET TO THE POINT OF TANGENCY; THENCE SOUTH  $00^{\circ}04'15''$  WEST, A DISTANCE OF 155.55 FEET; THENCE NORTH  $89^{\circ}47'27''$  EAST, A DISTANCE OF 8.83 FEET; THENCE SOUTH  $00^{\circ}16'29''$  WEST, A DISTANCE OF 310.17 FEET; THENCE SOUTH  $90^{\circ}00'00''$  EAST, A DISTANCE OF 251.92 FEET; THENCE NORTH  $00^{\circ}00'00''$  WEST, A DISTANCE OF 71.86 FEET; THENCE NORTH  $90^{\circ}00'00''$  EAST, A DISTANCE OF 423.58 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; HAVING A RADIUS OF 120.69 FEET AND A CENTRAL ANGLE OF  $37^{\circ}41'43''$ ; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 79.40 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 103.72 FEET AND A CENTRAL ANGLE OF  $51^{\circ}26'54''$ ; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 93.13 FEET TO THE POINT OF TANGENCY; THENCE NORTH  $76^{\circ}14'15''$  EAST, A DISTANCE OF 39.04 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH  $76^{\circ}48'09''$  WEST A DISTANCE OF 1938.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1938.00 FEET AND A CENTRAL ANGLE OF  $2^{\circ}13'53''$ , A DISTANCE OF 75.47 FEET TO THE POINT OF TANGENCY; THENCE NORTH  $15^{\circ}25'44''$  WEST, A DISTANCE OF 256.09 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1558.00 FEET AND CENTRAL ANGLE OF  $28^{\circ}08'16''$ ; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 765.13 FEET TO THE POINT OF TANGENCY; THENCE NORTH  $12^{\circ}42'32''$  EAST, A DISTANCE OF 453.61 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 936.00 FEET AND A CENTRAL ANGLE OF  $12^{\circ}28'34''$ ; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 203.81 FEET TO THE POINT OF TANGENCY; THENCE NORTH  $00^{\circ}13'55''$  EAST, A DISTANCE OF 100.34 FEET; THENCE SOUTH  $89^{\circ}55'54''$  EAST, A DISTANCE OF 340.06 FEET; THENCE SOUTH  $00^{\circ}01'32''$  EAST, A DISTANCE OF 2059.27 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH  $05^{\circ}59'16''$

EAST A DISTANCE OF 1540.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1540.00 FEET AND A CENTRAL ANGLE OF 10°53'53", A DISTANCE OF 292.92 FEET TO A POINT ON A NON-TANGENT LINE; THENCE SOUTH 20°34'02" EAST, A DISTANCE OF 330.67 FEET TO THE SOUTH LINE OF THE NORTHEAST ¼ OF SECTION 1; THENCE ALONG SAID SOUTH LINE NORTH 89°19'15" WEST, A DISTANCE OF 19.18 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST ¼ OF SECTION 1; THENCE SOUTH 00°31'52" WEST ALONG THE EAST LINE OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 1, A DISTANCE OF 261.39 FEET; THENCE NORTH 88°56'05" WEST, A DISTANCE OF 583.88 FEET; THENCE NORTH 53°58'33" WEST, A DISTANCE OF 400.21 FEET; THENCE NORTH 85°52'24" WEST, A DISTANCE OF 444.33 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE NORTH 00°30'37" EAST ALONG THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 2509.53 FEET TO THE POINT OF BEGINNING.

**PARCEL 6: From PID (Planned Industrial Development) with stipulations to PID (Planned Industrial Development) with amended stipulations.**

A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ½ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE CONTINUE ALONG SAID WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, SOUTH 00°30'37" WEST, A DISTANCE OF 2509.53 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 1 FOR A POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE RUN SOUTH 85°52'24" EAST, A DISTANCE OF 444.33 FEET; THENCE SOUTH 53°58'33" EAST, A DISTANCE OF 400.21 FEET; THENCE SOUTH 88°56'05" EAST, A DISTANCE

OF 583.88 FEET TO THE EAST LINE OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID EAST LINE SOUTH 00°31'52" WEST, A DISTANCE OF 939.66 FEET; THENCE LEAVING SAID EAST LINE RUN NORTH 53°46'55" WEST, A DISTANCE OF 324.24 FEET; THENCE NORTH 57°13'34" WEST, A DISTANCE OF 301.54 FEET; THENCE NORTH 64°16'04" WEST, A DISTANCE OF 292.47 FEET, THENCE NORTH 89°15'50" WEST, A DISTANCE OF 1246.49 FEET TO THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID EAST LINE NORTH 00°30'49" EAST, A DISTANCE OF 728.46 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG THE NORTH LINE OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 1 SOUTH 89°17'16" EAST, A DISTANCE OF 676.60 FEET TO THE POINT OF BEGINNING.

**PARCEL 7: From RMF-3 (Residential Multi-Family, 13 units/acre) with stipulations to RMF-3 (Residential Multi-Family, 13 units/acre) with amended stipulations.**

A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ½ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE CONTINUE ALONG SAID WEST LINE OF THE EAST ½ OF NORTHWEST ¼ OF SECTION 1, SOUTH 00°30'37" WEST, A DISTANCE OF 2509.53 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID NORTH LINE NORTH 89°17'16" WEST, A DISTANCE OF 676.58 FEET TO THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID WEST LINE SOUTH 00°30'49" WEST, A DISTANCE OF 728.46 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID WEST LINE RUN

SOUTH 89°15'50" EAST, A DISTANCE OF 1246.49 FEET; THENCE SOUTH 64°16'04" EAST, A DISTANCE OF 292.47 FEET; THENCE SOUTH 57°13'34" EAST, A DISTANCE OF 301.54 FEET; THENCE SOUTH 53°46'55" EAST, A DISTANCE OF 324.24 FEET TO THE EAST LINE OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID EAST LINE RUN SOUTH 00°31'52" WEST, A DISTANCE OF 135.21 FEET TO THE SOUTH LINE OF THE NORTH ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID SOUTH LINE NORTH 89°14'16" WEST, A DISTANCE OF 2029.36 FEET TO THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID WEST LINE RUN NORTH 00°30'55" EAST, A DISTANCE OF 606.03 FEET TO THE POINT OF BEGINNING.

Section 3. Restrictions, Stipulations and Safeguards. As used in the stipulations hereinafter set forth, the term "Owner" shall refer to the owner or owners of the property described in Section 2 and their successors and assigns. Upon recording in the public records of Sarasota County, these stipulations shall be covenants running with the land. The use of the property described in Section 2 of this Ordinance, in addition to the applicable restrictions imposed by the Zoning Ordinance, is hereby further limited by and subject to the following restrictions, stipulations and safeguards:

1. All development on the subject property (i.e., preliminary plans, site and development plans, final plats, and construction plans) shall comply with the Development Order for Sarasota Interstate Park of Commerce (SIPOC) Development of Regional Impact (DRI), as amended.
2. All development shall occur in substantial accordance with the Development Concept Plan received by Planning and Development Services May 5, 2005 (and attached hereto as Exhibit "A"). This does not imply or confer any deviations from applicable zoning or land development regulations.

Section 4. Effective Date. This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Secretary of State of Florida that this Ordinance has been filed with said office.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 27<sup>th</sup> day of SEPTEMBER, 2005.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

*Paul A. Mercier*  
Chair

ATTEST:

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

By: *Karen E. Rushing*  
Deputy Clerk



RECEIVED

OCT 19 2005

By: Sarasota County Planning

ORDINANCE NO. 2005-040

AN ORDINANCE OF THE COUNTY OF SARASOTA FLORIDA, AMENDING THE DEVELOPMENT OF REGIONAL IMPACT (DRI) KNOWN AS THE SARASOTA INTERSTATE PARK OF COMMERCE (SIPOC) ORIGINALLY ADOPTED BY SARASOTA COUNTY ORDINANCE NO. 93-049 AND FURTHER AMENDED AND RESTATED BY ORDINANCE NO. 98-084 AND AMENDED BY ORDINANCE 2002-090; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING AMENDMENT TO SECTION 1.3, SECTION 5.1, SECTION 5.2, SECTION 9.2 AND SECTION 10.2 OF ORDINANCE NO. 98-084, AS AMENDED; PROVIDING AMENDMENT TO DEVELOPMENT ORDER CONDITIONS CONTAINED IN EXHIBIT B OF ORDINANCE NO. 98-084, AS AMENDED; PROVIDING AMENDMENT TO THE MASTER DEVELOPMENT PLAN MAP, MAP C-3, (EXHIBIT B) AND THE HABITAT PRESERVATION, ALTERATION & MITIGATION PLAN, MAP F-2, (EXHIBIT C) OF THE DRI CONTAINED IN ORDINANCE NO. 98-084, AS AMENDED; PROVIDING FOR THE RATIFICATION OF TERMS, CONDITIONS, STIPULATIONS, EXHIBITS AND AGREEMENTS CONTAINED IN SARASOTA COUNTY ORDINANCE NO. 98-084; PROVIDING FOR SERVICE AND RECORDING, PROVIDING FOR CONSENT TO PROVISIONS OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

2005 OCT -16 AM 11:12  
FILED

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

**SECTION 1. Findings of Fact and Conclusions of Law.** The Board of County Commissioners of Sarasota County, Florida, hereinafter referred to as the "Board," hereby makes the following findings of fact and conclusions of law:

1.1 On July 28, 2003, the Sarasota Associates A-I, LLC, Sarasota Associates B-II, LLC, Sarasota Associates C-III, LLC, Sarasota Associates D-IV, LLC, Sarasota Associates E-V, LLC, DeSoto Road Associates I, LLC, and Honore Associates I, LLC, c/o Benderson Development Company, Inc, and through their authorized agent Edward Vogler, (hereinafter referred to as the "Applicant"), submitted to Sarasota County an application for a Notification of Proposed Change (NOPC) for the Sarasota Interstate Park of Commerce (SIPOC) Development of Regional Impact (DRI), consisting of approximately 276 acres ±, as described in Exhibit "A" attached hereto, and located in the southwest quadrant of the I-75/University Parkway interchange.

1.2 The proposed change involves the following:

- Collapsing the mixed land uses of Phase I into 633,888 square feet of retail
- Modification of Map "H" (C-3) to reflect revised Phase I development proposal for the area west of the proposed North Cattlemen Road.
- Revision of Map "F-2" to reflect revision to wetland and mesic hammock areas.
- Extension of the buildout date from December 28, 2005 to March 22, 2010.
- Extension of the Facility Reservation Period from December 28, 2003 to December 31, 2005.
- Extension of the commencement date from July 21, 2003 to December 28, 2007.

KAREN E. PUSKAS  
CLERK OF COUNTY COURT  
SARASOTA COUNTY, FL

2005 SEP 30 AM 11: 59  
BOARD RECORDS  
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- Extension of the date the property shall not be subject to down-zoning, unit density reduction or intensity reduction from December 28, 2005 to March 22, 2010.
- Modifications to the Ordinance and DO Conditions to reflect the proposed changes.

1.3 Copies of the NOPC have been submitted to the Southwest Florida Regional Planning Council (SWFRPC) and to the Division of Community Planning, Bureau of Local Planning of the Florida Department of Community Affairs (DCA) pursuant to Chapter 380.06, Florida Statutes, as amended.

1.4 Pursuant to Subsection 380.06(19)(f)(3), Florida Statutes, the notice of public hearing was published in the Sarasota Herald Tribune on July 15, 2005, and was provided to the DCA, the SWFRPC, and other persons designated by the DRI rules.

1.5 The Board, after due public notice, did on July 27, 2005 hold a public hearing to consider all matters relevant to the proposed changes to the SIPOC DRI, including the testimony of the general public, as to whether said application constitutes a substantial deviation and therefore causes the development to be subject to further development of regional impact review pursuant to Section 380.06(19), Florida Statutes.

1.6 The proposed change to the SIPOC DRI is consistent with the Sarasota County Comprehensive Plan, and is not in conflict with other local land development regulations.

1.7 Board approval of the proposed change is required because of State regulations contained in Chapter 380.06, Florida Statutes. The proposed change does not constitute a substantial deviation pursuant to Section 380.06(19), Florida Statutes and therefore does not require further DRI review.

**SECTION 2. Approval of Amendment to the Development Order for Sarasota County Interstate Business Center DRI (Ordinance No. 98-084, as Amended).**

2.1 The Board of County Commissioners of Sarasota County, Florida hereby approves, adopts and incorporates by reference as an amendments to the Sarasota County Interstate Park of Commerce DRI Development Order (Ordinance No. 98-084, as amended) the following:

- a revised Master Development Plan (Exhibit C of Ordinance No. 98-084, as amended) of approved land uses attached hereto as Exhibit B of this Ordinance;
- a revised Map F-2, Habitat Preservation, Alteration & Mitigation Plan attached hereto as Exhibit C; and
- amendment to the Development Order language as specified in Section 3 of this Ordinance.

**SECTION 3. Amendments to Ordinance 98-084, as Amended.** Ordinance No. 98-084, as amended, is hereby amended as follows (deletions are shown in ~~strikeout~~ format and additions are shown in underline format, and Section number references are to the comparable section numbers in Ordinance No. 98-084, as amended).

## Revisions to Ordinance Sections

### Section 1.9

The SIPOC DRI will be developed as a business and commerce park, and will include the following development: ~~39 acres~~ 11 acres ± of CHI commercial development; ~~212 acres~~ 220 acres ± of Major Employment Center (MEC) and Interstate Regional Office Park (IROP) development; 20 acres ± of Commercial General development; and 24.4 acres ± of multi-family residential development. The CHI parcel (~~39 acres~~ 11 acres ±) consists of CHI zoned lands that will provide services to the traveling public and others, that include retail service stations, fast food uses, highway commercial uses, restaurants, hotels, and financial uses. The MEC/IROP parcel (~~212 acres~~ 220 acres ±) consists of PID zoned lands that include light industrial uses, office uses, and those other permitted principal uses in the PID Zoning District. Also included are PCD zoned lands that will provide for retail and service needs (~~PCD Group 5 and PCD Group 4~~). In order to provide some housing opportunities in proximity to the MEC/IROP lands, 220-multi-family dwelling units will also be built on 24.4 acres ± of RMF-3 zoned lands.

The SIPOC DRI includes approximately 146.41 acres of open space, including approximately 30.5 acres of lakes. Phase I development shall consist of ~~446,320 square feet of retail commercial/commercial highway retail/office/light industrial development, and 250 hotel rooms~~ 633,888 square feet of retail development. Phase II development shall consist of 1,003,680 square feet of retail commercial/commercial highway retail/office/light industrial development, 500 hotel rooms, and 220 multi-family dwelling units.

### Section 5.1

The buildout date of this Development Order is ~~December 28, 2005~~ March 22, 2010, provided, however additional analyses may be required in accordance with the provisions contained in Exhibit B. If buildout does not occur by ~~December 28, 2005~~ March 22, 2010, pursuant to Chapter 380.06, Florida Statutes, the Applicant shall file a Notification of Proposed Change with Sarasota County, the SWFRPC, and DCA to extend the buildout.

### Section 5.2

The SIPOC Development Order shall remain in effect until ~~December 28, 2005~~ March 22, 2010, unless the buildout date and termination date in Section 5.1 is extended by Sarasota County.

### Section 9.2

Notwithstanding any provisions to the contrary contained herein, in the event the Applicant does not commence site development of some portion of the property on or before ~~July 21, 2003~~ December 31, 2009, this Development Order shall be deemed to be terminated and of no further force and effect.

### Section 10.2

The SIPOC DRI shall not be subject to down-zoning, unit density reduction or intensity reduction prior to ~~December 28, 2005~~ March 22, 2010, unless Sarasota County can demonstrate that substantial changes in the conditions underlying the approval of this Development Order have occurred, or that the Development Order was based on substantially

inaccurate information provided by the Applicant or that the change is clearly established by Sarasota County to be essential to the public health, safety or welfare.

### Revisions to Exhibit B Development Order Conditions

#### Section A. General

10.d. "Facility Reservation Period" shall mean the time period commencing on the effective date of this Development Order and expiring on the earlier of:

- i. December 31, 2005 ~~December 28, 2003~~, or
- ii. ~~at such time as the amount of SIPOC development, for which the Final Development Orders have been issued, generates the equivalent of 886 p.m. peak hour external vehicle trips, of which 601 represent net new p.m. peak hour external vehicle trips unless a separate southbound to westbound right turn lane is constructed at the intersection of Honore Avenue and 17<sup>th</sup> Street; or after a separate southbound to westbound right turn lane has been constructed at the intersection of Honore Avenue and 17<sup>th</sup> Street, at such time as the amount of SIPOC development, for which Final Development Orders have been issued, generates the equivalent of 1,363 p.m. peak hour vehicles trips, of which 1,078 represent net new p.m. peak hour external vehicle trips.~~ at such time as cumulative SIPOC development, for which Final Development Orders have been issued, generates more than 1,811 gross p.m. peak hour trip ends, or more than 1,370 net new p.m. peak hour trip ends.

#### Section B. Land Use/Housing

3. The SIPOC development shall occur in two phases as listed below.
  - a. ~~Phase I, extending from 1993 to December 28, 2002, includes up to 345,000 gross square feet of light industrial (750 parking spaces and 38.45 acres ±), 3,1250 gross square feet of retail uses (14,750 gross square feet of general retail uses, 6,000 gross square feet of service station uses, and 10,500 gross square feet of restaurant/fast food uses) (140 parking spaces and 45.62 acres ±), 70,070 gross square feet of office uses (300 parking spaces and 19.76 acres ±), 250 hotel rooms (300 parking spaces and 9.126 acres ±), and a capacity reservation of 886 p.m. peak hour external vehicle trips, of which 601 represent net new p.m. peak hour external vehicle trips, until a separate southbound to westbound right turn lane has been constructed at the intersection of Honore Avenue and 17<sup>th</sup> Street; or after a separate southbound to westbound right turn lane has been constructed at the intersection of Honore Avenue and 17<sup>th</sup> Street, 1,363 p.m. peak hour external vehicle trips, of which 1,078 represent net new p.m. peak hour external vehicle trips. Any of the light industrial, retail, office, or hotel uses in Phase I may be converted to any one or more of the other uses identified and approved for Phase I development (e.g., office may be converted to retail), as long as the cumulative traffic, potable water, wastewater, and affordable housing impact intensities from Phase I set out below are not exceeded. In the conversion there may be a minimum of 25,000 gross square feet and a maximum of 345,000 gross square feet of light industrial uses, a minimum of 15,000 gross square feet and a maximum of 120,000 gross square feet of retail uses, a minimum of 15,000 gross square feet and a maximum of 70,070 gross square feet of office uses, and a~~

minimum of 0 and a maximum of 250 hotel rooms. These uses may be developed on any of the CHL, PCD, or PID zoning district lands within the SIPOC development to the extent the underlying zoning district allows the use proposed.

- a. Phase I, extending from 2005 to December 28, 2007, includes up to 633,888 gross square feet of retail uses on approximately 147.3 acres ±, together with a maximum of 3,169 parking spaces.

~~Traffic impact intensities for SIPOC Phase I development shall not exceed 886 p.m. peak hour external vehicle trips, of which 601 represent net new p.m. peak hour external vehicle trips, until a separate southbound to westbound right turn lane has been constructed at the intersection of Honore Avenue and 17<sup>th</sup> Street; or after a separate southbound to westbound right turn lane has been constructed at the intersection of Honore Avenue and 17<sup>th</sup> Street, 1,363 p.m. peak hour external vehicle trips, of which 1,078 represent net new p.m. peak hour external vehicle trips.~~

Traffic impact intensities for SIPOC Phase I development shall not exceed 1,811 gross p.m. peak hour trip ends or 1,370 net new p.m. peak hour trip ends.

Potable water impact intensities for SIPOC Phase I development shall not exceed 0.090233 million gallons per day (m.g.d.) of potable water capacity.

Wastewater impact intensities for SIPOC Phase I development shall not exceed 0.09233 m.g.d. of wastewater capacity.

Affordable housing impact intensities for SIPOC Phase I development shall not generate a need for more than 163 low and very low income housing units based upon the demand methodology and analysis used in the SWFRPC Regional Assessment, and the data in the ADA and associated documents incorporated into this Development Order. The analysis and mitigation shall be performed for any new phase requiring a Notice of Propose Change or Substantial Deviation to the Development Order. The impacts of any Phase I development as proposed or built shall be included in the analysis and any required mitigation programs.

~~The Applicant shall provide notice thirty (30) days prior to any conversion pursuant to this condition to Sarasota County, DGA, and the SWFRPC, along with demonstration that the cumulative impacts of Phase I development with the conversion does not exceed the impact intensities in this condition for traffic, potable water, wastewater, and affordable housing.~~

- c. Any submissions for Phase II approvals, including comprehensive plan amendments, substantial deviations or Notices of Proposed Changes (NOPCs) to the Development of Regional Impact (DRI), rezones, special exceptions, or site and development plans shall incorporate the design elements shown in Exhibit D attached hereto. The land uses east of N. Cattlemen Rd. as shown on Exhibit D are not currently allowed by the County's Comprehensive Plan and land use regulations. Approval of this Ordinance does not indicate or imply that the approvals necessary to make those uses lawful must be granted.

Notwithstanding any other section of this ordinance, Phase II shall include

no fewer than 750 residential units. Community housing requirements identified in the affordable housing study required as part of Phase II shall not be less than the greater of: (i) 188 units or (ii) 2.5% of approved residential units, all to be located on site.

Within 60 days of the effective date of this ordinance, the Applicant shall file a Phase II amendment application with Sarasota County and other appropriate regulatory agencies for any required comprehensive plan amendments, NOPCs or substantial deviations, and rezones (including binding development concept plans) to amend the master development plan in accordance with the above requirements. No additional development orders for Phase I shall be issued prior to the submittal of the aforementioned application.

5. Before the initiation of Phase II any new phase of the project requiring a Notice of Change or Substantial Deviation to this Development Order, the Applicant or project employers shall undertake an affordable housing study based on a methodology approved by the County, DCA and the SWFRPC. The results of the study must be approved by Sarasota County, DCA, and the SWFRPC. If this study indicates that the development will create a need for affordable housing that is not being provided on-site or by other residential developments reasonably accessible to the SIPOC Development, then the Applicant shall prepare a Housing Affordability and Implementation Plan (HAIP) whose methodology and results have been approved by the County, DCA, and the SWFRPC, and have the HAIP adopted by the Board of County Commissioners as an amendment to this Development Order. The adoption of the HAIP as an amendment to this Development Order shall not be deemed to constitute a substantial deviation pursuant to Chapter 380.06, Florida Statutes. The HAIP shall comply with the goals and standards established by the SWFRPC's Regional Policy Plan in effect on the date of issuance of this Development Order, and all applicable rules established by DCA at the time of preparation of the HAIP. The analysis and any required mitigation will include the impacts of any Phase I development as proposed or built.

#### Section C. Native Habitats/Rare and Endangered Species

- ~~4. All on-site wetland types shall be preserved in accordance with the Native Habitat Preservation, Alteration, & Mitigation Plan (Map F-2), attached hereto as Exhibit D. The total area of wetland habitat preserve may be reduced resulting from unavoidable impacts necessitated by roadway, utility, and other infrastructure requirements as identified by the Applicant at the time of Preliminary Plan, Site and Development Plan, or Construction Plan submittal upon review and approval of the County Natural Sciences Division. All alterations in wetlands which result in a loss of habitat shall be mitigated on a one-to-one basis for wet prairies and marshes and a three-to-one basis for swamps and heads.~~

~~Any request to reduce the total area of wetland habitat preserve shall be addressed as part of the appropriate Preliminary Plan, Site and Development Plan, or Construction Plan. The rationale for alteration and the alternatives that were investigated to either limit or eliminate the need for wetland alterations shall be provided by the Applicant at the Preliminary Plan, Site and Development Plan, or Construction Plan stage. Specific details of any wetland modifications/alterations and appropriate mitigation monitoring and maintenance plans shall be submitted to the County Natural Sciences Division for review and approval. Said alterations~~

and/or required mitigation shall be consistent with the Management Guidelines of the Apoxsee Environment Chapter, and the approved mitigation monitoring and maintenance plans, subject to the review and approval of the County Natural Sciences Division.

1. Onsite wetland habitat, wetland mitigation areas, associated wetland buffers, and mesic hammock habitat, not approved for impact shall be designated as preserve areas on submitted site and development plans and plats, and maintained consistent with the Guiding Principles of Apoxsee. All activities including, but not limited to, filling, excavating, altering vegetation (including trimming of trees and understory), and storing of materials shall be prohibited within preserve areas unless written approval is first obtained from Sarasota County Resource Protection. Exception may be granted by Resource Protection to facilitate implementation of approved resource management plans.
2. ~~Prior to the submittal of a Preliminary Plan, Site and Development Plan, or Construction Plan for the multi-family residential parcel, an environmental impact and alternative analysis report for access to the parcel shall be submitted to the County Natural Sciences Division, Transportation Department, and Planning Department for review and approval.~~
3. ~~Upland vegetative buffers consisting of mesic hammocks, a minimum 50 feet in width, shall be provided in areas of existing upland habitat adjacent to preserved wetlands. All other required buffers adjacent to existing wetlands shall be a minimum of 30 feet in width. Wetland buffers around mitigation areas shall be evaluated for each mitigation area and shall be implemented where practical.~~
4. ~~All mesic hammock areas shall be preserved as shown on the Native Habitat Preservation, Alteration, & Mitigation Plan (Map F-2), attached hereto as Exhibit D. The total area of mesic hammock habitat preserve may be reduced resulting from unavoidable impacts necessitated by roadway, utility, and other infrastructure requirements as identified by the Applicant at the time of Preliminary Plan, Site and Development Plan, or Construction Plan submittal subject to review and approval of the County Natural Sciences Division in accordance with Apoxsee Management Guideline VII.A.2.b.~~

~~With each Preliminary Plan, Site and Development Plan, or Construction Plan submittal, any request to remove portions of mesic hammocks shall be addressed. The rationale for the alteration and the alternatives investigated to either limit or eliminate the need for mesic hammock clearance shall be provided. Said alterations shall be consistent with the Management Guidelines of Apoxsee, subject to review and approval by the Natural Sciences Division.~~

5. ~~All undisturbed wetlands, mitigation areas, required upland vegetative buffers and mesic hammocks shall be maintained as Preservation Easement Areas, labeled as Preservation Easement Areas on all plans and whenever practical, recorded as separate tracts on final plats. All Preservation Easement Areas shall be maintained in compliance with the Resource Management Plans (including identification of responsible entity) prepared pursuant to Environmental Principle VI.A.2.b. and Environmental Principle VIII.A.2.b. of Apoxsee which shall be consistent with the Wildlife Management Plan prepared pursuant to Condition C-14. The Resource Management Plans shall be submitted as part of appropriate Preliminary Plans, Site and Development Plans, or Construction Plans, and shall be subject to review and approval by the County Natural Sciences Division.~~

2. A resource management plan that is consistent with the Guiding Principles of Apoxee and maintains the functions and values of onsite preservation areas, conservation areas, and wildlife corridors, shall be submitted to Sarasota County Resource Protection with site and development plans.
  
- ~~6. A contiguous buffer corridor along Cooper Creek, consisting of native habitat and detention lakes, shall be provided as shown on the Master Development Plan (Map C-3), attached hereto as Exhibit C.~~
  
- ~~7.2. The multi-family residential component shall be developed on approximately 11.3 acres which are designated pine flatwoods. With the exception of necessary improvements to DeSoto Road, the 33.13 acres zoned PID and the 24.41 acres zoned RMF-3, located in the southwest portion of the SIPOC DRI, shall be preserved in their entirety remaining 13.2 acres of the parcel, comprised of wetlands, retention/detention areas, and hammocks, shall be retained as either native habitat in open space or mitigation area, conservation and/or preservation easement areas, as applicable.~~
  
- ~~8. Stormwater runoff from the proposed multi-family residential development shall be pre-treated in a wet detention system within the multi-family residential parcel prior to discharging into Cooper Creek or associated wetlands.~~
  
- ~~9.4. The channelized ditch (Cooper Creek) existing in the southwest portion of the subject property between Mitigation Sites Nos. 4 and 5, as shown on the Amended Native Habitat Preservation, Alteration, & Mitigation Plan (Map F-2, dated May 5, 2005), attached hereto as Exhibit D, shall be retained. The technical aspects of integrating portions of Cooper Creek into the mitigation proposals sites shall be addressed by the Applicant at the appropriate Preliminary Plan, Site and Development Plan, or Construction Plan stage.~~
  
- ~~10. Prior to the submittal of the first Preliminary Plan, Site and Development Plan, or Construction Plan, an Environmental and Surface Water Management, Maintenance, and Monitoring Manual shall be submitted for review and approval to the County Natural Sciences Division. This manual shall include the following:
 
  - ~~○ an analysis of how the pre-development hydrological conditions of those wetlands on-site that will be preserved will be maintained. The maintenance of Wetland H and the remaining portions of Wetland J, as depicted on the Habitat Preservation, Alteration, and Mitigation Plan (Map F-2), attached hereto as Exhibit D, shall be accomplished by incorporating these wetlands into the master drainage system;~~
  - ~~○ a description of the wetland vegetation monitoring and maintenance program in accordance with commitments provided in the ADA; and,~~
  - ~~○ a design of the hydroperiod elevations for Wetlands K and H, as depicted on the Habitat Preservation, Alteration, and Mitigation Plan (Map F-2), attached hereto as Exhibit D.~~~~
  
- ~~11. Prior to submittal of the first Preliminary Plan, Site and Development Plan, or Construction Plan, a detailed manual on Best Management Practices (BMP's) for the protection of Preservation Easement Areas prior to and during construction, shall be submitted to the County Natural Sciences Division for review and approval. This manual shall be incorporated into the~~

SIPOC Declaration of Protective Covenants, Conditions and Restrictions. This manual shall include:

~~Q~~ Measures to protect preserved wetlands prior to and during construction in accordance with the commitments provided in the ADA;

~~Q~~ A monitoring program that evaluates the effects of construction on Wetlands J and H, as depicted on the Habitat Preservation, Alteration, and Mitigation Plan (Map F-2), attached hereto as Exhibit D.

~~12. Preservation Easement Areas shall be defined as lands perpetually maintained (except as otherwise provided herein) in their natural condition that may be used by the Applicant in meeting open space and similar site planning requirements. Only activity approved as part of a Resource Management Plan by the County Natural Sciences Division (which shall be consistent with the Wildlife Management Plan prepared pursuant to Condition C.14.) for a preservation easement area is permitted. A Preservation Easement Area shall be subject to the requirements of Sec. 704.06, Florida Statutes, except that roads, on-site utilities and drainage infrastructure, and a bicycle/pedestrian trail to link the multi-family development with the planned commercial and office/light industrial development on the site, and activities approved as part of a Resource Management Plan approved by the County Natural Resources Division may be permitted in the Preservation Easement Area. Prior to recordation, the preservation easement shall be approved by Sarasota County and the DCA. Upon recordation, copies of the recordation of the Preservation Easement Area shall be forwarded to Sarasota County, DCA, the SWTRPC, and the FGFWFC. The Applicant shall be entitled to include the areas included within the Preservation Easement Areas for the purpose of satisfying the requirements, criteria and standards of the Sarasota County Zoning Ordinance.~~

13.5. A wildlife corridor shall be provided in accordance with the Amended Native Habitat Preservation, Alteration, & Mitigation Plan (Map F-2, dated May 5, 2005) Exhibit E, revised June, 1993. Their entirety of the wildlife corridor area shall be labeled as preservation easement area on all future development plans. The following impacts may occur within the wildlife corridor, subject to review and approval by the county Resource Permitting Division: Possible impacts include the DeSoto Road extension, a road access to the multi-family parcel on the site, the location of utility infrastructure to serve the onsite development, and a bicycle/pedestrian trail to link the multi-family development with the planned commercial and office/light industrial development on the site. All activities including, but not limited to, filling, excavating, altering of vegetation (including trimming of trees and understory), and storing of materials shall be prohibited within the wildlife corridor preserve area unless written approval is first obtained from Sarasota County Resource Protection. Exception may be granted by Resource Protection to facilitate implementation of approved resource management plans. All lighting adjacent to the wildlife corridor shall be directed into the development.

14.6. A Wildlife Management Plan has been prepared for the SIPOC development and approved by the FWFWFC Florida Fish and Wildlife Conservation Commission (FFWCC) which is attached hereto as Exhibit H and incorporated herein by reference. The Wildlife Management Plan shall also be subject to the following conditions:

a. Wildlife crossings shall be provided where appropriate under roadways that cross the floodplain of Cooper Creek and shall include the ~~FGFWFC~~ FFWCC in design

review. The final wildlife crossing designs and maintenance plans shall be appended to the Wildlife Management Plan. County Site and development plans shall include engineered details for said wildlife crossings and shall provide for movement of aquatic and terrestrial fauna underneath the roadway.

- b. The use of herbicides within the preservation easement areas shall be prohibited, except for cases where exotic invasive plant removal or eradication is required, and only by a licensed applicator.
- c. Upland habitat wildlife survey periods will immediately follow the pine flatwood burn/mechanical disturbance cycle. Other listed species such as indigo snakes encountered during surveys shall be noted in the monitoring reports.
- ~~d. Preservation easement areas as identified on the Native Habitat Preservation, Alteration, & Mitigation Plan (Map F-2) for SBPG shall be established consistent with Condition C.12 of this Development Order.~~
- ~~e.d.~~ Upon review of the monitoring data and habitat conditions that result from the proposed site management, the FGFWFG FWCC and Sarasota County Resource Protection shall have the opportunity to recommend for ~~consideration~~, management plan amendments to the entity responsible for preserve management, if the objectives set down in the management plan are not being achieved.

~~15. Any modification to a Preservation Easement Area that allows impacts to wetlands pursuant to Native Habitat Condition C.4 or removal of portions of mesic hammocks pursuant to Native Habitat Condition C.4, shall be subject to review and approval by the County Natural Sciences Division and adopted by the Board of County Commissioners by Resolution.~~

7. During development of the subject properties, all vegetative species contained within Section 54-621 of Sarasota County's Exotic Plant Code, state regulations (Chapters 5B-57.007 and 62C-52.011, FAC), and the Florida Exotic Pest Plant Council's list of Category I and II invasive species, as appropriate to this geographic region, shall be eradicated or removed from the property. Any such vegetation eradicated or removed from required landscape buffers shall be replaced with native species as part of an approved landscape plan, and any such vegetation eradicated or removed from preserve areas shall be replaced in accordance with a County-approved resource management plan. Removed vegetation shall be disposed of in a County-approved landfill or by another method approved by Resource Protection.

8. Prior to or concurrent with submittal of site and development plans, listed species surveys shall be conducted at the subject property by an appropriate environmental professional using State-accepted sampling techniques to identify endangered, threatened, and species of special concern. The results of the surveys, including details of the methodologies used (location of transects, dates and times of surveys, etc.), shall be submitted to Resource Protection along with any documentation from appropriate regulatory agencies regarding listed species issues associated with the site.

Section H. Transportation

1. No Construction Plan approval shall be issued for any Phase-I SPOC development until such time as contracts for construction of the following intersection improvements have been executed, and, no final-approved Certificates of Occupancy shall be issued until such time as these improvements have been accepted by Sarasota County.

a. ~~Construction of separate eastbound and westbound right turn lanes on University Parkway at the University Parkway @ Brown at North Cattleman Road intersection, including the following turn lane additions:~~

- ~~(1) one eastbound right turn lane for a total of one;~~
- ~~(2) one westbound left turn lane for a total of two;~~
- ~~(3) two northbound left turn lanes for a total of two;~~
- ~~(4) two northbound through lanes for a total of two; and~~
- ~~(5) two northbound right turn lanes for a total of two.~~

~~These improvements have been identified as being required in order to provide adequate traffic circulation.~~

~~Nothing herein shall be interpreted in such a way as to require that the Applicant, or Sarasota County, construct these intersection improvements.~~

2. ~~When Honore Avenue has been extended to University Parkway, and the cumulative amount of SPOC Phase I development having Construction Plan approval generates the equivalent of 450 or more p.m. peak hour external vehicle trips, the execution of construction contracts for the following improvements shall occur prior to the approval of any additional Construction Plan(s) for the Project.~~

~~Construction of separate eastbound, westbound, and northbound right turn lanes on the appropriate approaches to the University Parkway @ Honore Avenue intersection, or other improvements recommended by the Applicant and approved by the Sarasota County Transportation Department that provide comparable transportation system capacities.~~

~~Nothing herein shall be interpreted in such a way as to require that the Applicant, or Sarasota County, construct these road improvements.~~

~~The Master Development Plan, attached hereto as Exhibit C, reflects Sarasota County's approved alignment for Brown Road and DeSoto Road through the SPOC development with the caveat that the Brown Road corridor can be subject to minor variations to the east or west as part of the final survey and design process and the Brown Road/DeSoto Road intersection, and approaches, can be slightly modified so that all turning movements will approximate as close to 90-degree turning movements as are reasonably feasible at the intersection, including the flaring of the right-of-way as necessary. The final design geometries of the Brown Road/DeSoto Road intersection will be determined at the site and development review stage, or as part of the final design of Brown Road, whichever occurs first.~~

b. ~~The intersection of Brown Road and SIPOC Circle North, as identified on the Master Development Plan attached hereto as Exhibit C, shall be a minimum of 655 feet from the intersection of Brown Road and University Parkway (Stop-Bar to Stop-Bar).~~

c. ~~The internal street system shall be consistent with the Master Development Plan attached hereto as Exhibit G.~~

2. When the cumulative amount of SIPOC development having Construction Plan approval generates the equivalent of 714 or more net new p.m. peak hour external vehicle trips, the execution of construction contracts for the following improvements shall occur prior to the approval of any additional Construction Plan(s) for the Project:

a. Construction of DeSoto Road from Honore Avenue to North Cattlemen Road as a two-lane arterial roadway; and

b. Construction of North Cattlemen Road from DeSoto Road to University Parkway as a four lane arterial roadway.

Nothing herein shall be interpreted in such a way as to require that the Applicant or Sarasota County, construct these road improvements.

3. d. ~~Access onto Brown Road within the Project shall be as follows. Access to Parcels 1, 2A, 2B, and 3C shall be provided at the intersection of Brown Road and SIPOC Circle. A second access point shall be provided south of the Brown Road/DeSoto Road intersection for the multi-family parcel. A median cut shall be provided at each of these access points on Brown Road. A third access point will be provided for Parcels 3 and 4 to Brown Road between SIPOC Circle and DeSoto Road. There shall be no further limitations on access to parcels in the Project, except as may be provided in any applicable laws, ordinances, rules and regulations. Prior to construction plan approval, an access management plan for the proposed development shall be submitted. The access management plan shall depict all access points for the subject development to all existing and proposed roadways. The plan shall be consistent with the Florida Department of Transportation's Access management standards and applicable engineering practice.~~

4. Sarasota County acknowledges that with construction of the improvements listed in Transportation Conditions H.1 and H.2, a sufficient amount of road facility capacity is projected to be available to accommodate Phase I development at or above the adopted levels of service for the transportation facilities needed to accommodate SIPOC Phase I development generating up to 1,370 net new p.m. peak hour trip end through 2005. Therefore, Sarasota County shall reserve for SIPOC that amount of p.m. peak-hour road capacity necessary to accommodate the equivalent of 1,440 p.m. ~~811 p.m.~~ peak-hour external vehicle trips, of which 1,428 ~~370~~ represent net new p.m. peak-hour external vehicle trips, through expiration of the Facility Reservation Period, provided that:

c. The following intersections shall be monitored as part of the annual traffic monitoring program during the Phase I capacity reservation period:

(1) University Parkway at Interstate 75 (east side);

- (2) University Parkway at Interstate 75 (west side);
- (3) University Parkway at Honore Avenue;
- (4) University Parkway at North Cattlemen Road/Cooper Creek Boulevard;
- (5) North Cattlemen Road at Site Access;
- (6) North Cattlemen Road at any on-site intersections;
- (7) DeSoto Road at Honore Avenue;
- (8) DeSoto Road at North Cattlemen Road; and
- (9) DeSoto Road at any on-site intersections.

If in the Annual Traffic Monitoring Report, the level of service on any of the intersections or intersection approaches fall below the adopted level of service, no further site and development plan approval shall be issued unless the required improvement(s) are made by the Applicant, or, Funding Commitments for the improvement(s) have been provided by the Applicant, another private person, or a responsible entity. Furthermore, if in the Annual Traffic Monitoring Report, any of the unsignalized intersections meet the criteria for traffic signal warrants as stated in the latest Manual of Uniform Traffic Control Devices, no further site and development plan approval shall be issued unless the intersections meeting signal warrants are signalized by the Applicant, or Funding Commitments for the signalization have been provided by the Applicant, another private person, or a responsible entity, or such measures are taken that eliminate the need for the signal.

Nothing herein shall be interpreted in such a way as to require that Sarasota County construct any intersection improvement(s) identified pursuant to the requirements herein.

In accordance with the capacity reservation provision above, Sarasota County shall reserve the following net new pm peak-hour external vehicle trips of road capacity for SIPOC in the amounts and on the segments set forth below:

(This remainder is intentionally left blank.)

Road Segment	Equivalent PM Peak Hour Road Capacity to Be Reserved
University Parkway	
US-301 to Tuttle Ave	— 61 vehicle trips
Tuttle Ave to Lockwood Ridge Rd	— 86 vehicle trips
Lockwood Ridge Rd to Whitfield Ave	— 164 vehicle trips
Whitfield Ave to Longwood Blvd	— 223 vehicle trips
Longwood Blvd to Honore Ave	— 269 vehicle trips
Honore Ave to Cooper Creek Rd	— 269 vehicle trips
Cooper Creek Rd to I-75	— 501 vehicle trips
Honore Avenue	
University Parkway to Project Entrance	— 27 vehicle trips
Project Entrance to Longmeadow	— 264 vehicle trips
Longmeadow to 17th Street	— 236 vehicle trips
17th St to Richardson Rd	— 99 vehicle trips
Richardson Rd to Fruitville Rd	— 31 vehicle trips
Interstate I-75	
University Parkway to Fruitville Rd	— 132 vehicle trips
Fruitville Rd	
Honore Ave to Cattlemen Rd	— 15 vehicle trips
Cattlemen Rd to I-75	— 12 vehicle trips
McIntosh Rd to Honore Ave	— 51 vehicle trips
North Cattlemen Rd	
University Pkwy to DeSoto Rd	— 1,363 vehicle trips
17th Street	
Beneva Rd to Prudence	— 83 vehicle trips
Prudence to Longmeadow Rd	— 123 vehicle trips
Longmeadow Rd to Honore Ave	— 123 vehicle trips
Lockwood Ridge Rd	
DeSoto Rd to University Pkwy	— 40 vehicle trips

<u>Road Segment</u>	<u>Equivalent PM Peak Hour Road Capacity to be Reserved</u>
<b><u>University Parkway</u></b>	
<u>Whitfield Avenue to Longwood Run Blvd.</u>	175 vehicle trips
<u>Longwood Run Blvd. to Honore Avenue</u>	332 vehicle trips
<u>Honore Avenue to Cooper Creek Blvd.</u>	286 vehicle trips
<u>Cooper Creek Blvd. to I-75</u>	624 vehicle trips
<b><u>DeSoto Road</u></b>	
<u>Honore Avenue to No. Cattlemen Road</u>	104 vehicle trips
<b><u>Honore Avenue</u></b>	
<u>University Parkway to DeSoto Road</u>	104 vehicle trips
<u>DeSoto Road to Longmeadow</u>	234 vehicle trips
<u>Longmeadow to 17<sup>th</sup> Street</u>	175 vehicle trips
<u>17<sup>th</sup> Street to Richardson Road</u>	58 vehicle trips
<b><u>Interstate 75</u></b>	
<u>University Parkway to Fruitville Road</u>	260 vehicle trips
<b><u>North Cattlemen Road</u></b>	
<u>University Parkway to DeSoto Road</u>	1,811 vehicle trips
<b><u>17<sup>th</sup> Street</u></b>	
<u>Beneva Road to Honore Avenue</u>	65 vehicle trips

In order to ensure that the adopted levels of service are maintained on these and the other roads and intersections in the traffic impact area during buildout of the remaining development, the review of all Development Order applications for Phase-I development submitted after expiration of the Facility Reservation Period, and all Phase-II development, shall be subjected to the provisions and concurrency standards contained in the County's County's Concurrency Management Regulations (Ordinance No. 89-103, as may be amended), attached hereto as Exhibit G, as modified in Condition No. 5 below.

- The Applicant shall establish an annual traffic monitoring program pursuant to and consistent with the provisions and standards contained in the Annual Traffic Monitoring Program Methodology attached hereto as Exhibit F. Development Order applications, including Final Development Order applications, for any portion of the development submitted shall not be approved if until annual monitoring reports are not are submitted as scheduled.

The annual traffic monitoring program will be used to monitor the cumulative impacts of the development on the roadways, intersections, and intersection approaches in the traffic impact area. The findings of the annual monitoring program shall be submitted in an annual report, required pursuant to Section 3.4 of this Ordinance-93-049. The annual traffic monitoring report shall also include the findings of the annual TSM assessment required in Condition No. 10.

The first and all subsequent annual traffic monitoring reports shall be submitted to the Sarasota County ~~Transportation Department~~ Public Works Business Center and DCA for approval no later than the anniversary of the effective date of this Development Order. The Sarasota County ~~Transportation Department~~ Public Works Business Center and DCA shall have forty-five (45) calendar days after receipt of an annual traffic monitoring report to review and either approve or reject the findings of that report. In the event that an annual traffic monitoring report is rejected, the Sarasota County ~~Transportation Department~~ Public Works Business Center or DCA shall identify the specific reasons for the rejection and the specific modifications or measures necessary to deem the report acceptable at the time said report is rejected. If an annual traffic monitoring report is rejected, Sarasota County may, in consultation with DCA and if it is acceptable to the Applicant, prepare necessary modifications and issue a revised annual traffic monitoring report within an additional twenty (20) calendar days. If the necessary modifications to the annual traffic monitoring report are not prepared by Sarasota County, the SIPOC developer shall have the opportunity to revise and/or modify the annual traffic monitoring report. After each revised annual traffic monitoring report is prepared, Sarasota County and DCA shall have twenty (20) calendar days to review and either approve or reject the annual traffic monitoring report. The Applicant shall coordinate the initial preparation of each annual traffic monitoring report with the Sarasota County ~~Transportation Department~~ Public Works Business Center and DCA, in a time frame deemed appropriate by the Applicant in order to meet the prescribed review approval time frames set forth herein. In the event any review agency shall fail to timely respond within the review deadlines set forth herein, that review agency shall conclusively be deemed to have approved the annual traffic monitoring report.

6. Development Order applications, including Final Development Order applications, for any portion of the development submitted during the annual concurrency evaluation period in effect for a given monitoring report, shall not be approved if the annual concurrency evaluation contained in that report indicates that traffic resulting from the approval of said Development Order will impact any road, intersection, or intersection approach in the traffic impact area that is operating (or projected to operate) below the adopted level of service for that facility.

Notwithstanding the above, a Development Order application may be approved if one of the following mitigative mitigation actions, or both in combination, are committed to by the Applicant (as a condition of approval for that Development Order), or, by another responsible entity:

- a. other traffic impact reduction measures are implemented, including but not limited to transportation system management (TSM) strategies, intended to eliminate the impact of SIPOC development traffic on the deficiently operating facility(ies). These alternative measures identified in Condition H.6.b. shall be reviewed and approved by the Sarasota County ~~Transportation Department~~ Public Works Business Center, and approved by the Board of County Commissioners as an amendment to this Development Order pursuant to Chapter 380.06(19), Florida Statutes.
7. Prior to the approval of any Development Order for development after the subsequent phase expiration of the SIPOC development (Phase II as identified in Section B.3 hereof, and the Master Development Plan attached hereto as Exhibit C) facility reservation period development, the Applicant shall be responsible for preparing a revised traffic analysis for the remaining SIPOC development. The revised traffic analysis shall be used to identify the potential traffic

impacts associated with the subsequent phase of SIPOC development, the extent and timing of improvements required to maintain the adopted levels of service on those roads and intersections in the impact area for the subsequent ~~subject~~ phase of development. In conducting evaluations of whether the subsequent ~~phase of SIPOC development~~ generates substantial/adverse impacts on any road facility in the traffic impact area, ~~Phase I project cumulative SIPOC development~~ traffic impacts shall be included in the traffic analysis. The revised traffic analysis shall also be used as the basis for approving additional and/or revised conditions and traffic monitoring requirements associated with the subsequent phase of development.

The revised traffic analysis shall address the subsequent ~~phase of SIPOC development~~ for which the Applicant is seeking approval under this, or a revised DRI Development Order, and any remaining development not subject to an ~~approved approval~~ and valid Final Development Order. The revised traffic analysis shall be submitted to the review agencies in accordance with the ~~Notice Notification~~ of Proposed Change procedures ~~outlined~~ outlined in Chapter 380.06(19), Florida Statutes.

Development Order applications for SIPOC ~~Phase I~~ development that are submitted after expiration of the Facility Reservation Period, shall not be approved unless or until the development for which said Development Orders have been submitted is the subject of, or included in, a revised traffic analysis as required in this condition.

8. The Applicant shall work jointly with the Sarasota County Area Transit (SCAT) System to establish ~~mass and accommodate future~~ transit service for the project during ~~Phase I~~ development.
9. The initial traffic impact assessment for the development as documented in the ADA was performed without consideration of the effects of any Transportation Systems Management (TSM) program. Accordingly, the road and intersection improvements listed in the conditions above may reflect a "worst case" scenario in terms of potential impact from the development on the adjacent road network. The Applicant shall prepare and subsequently implement an appropriate TSM program which shall endeavor to divert and/or reduce p.m. peak-hour traffic generation from the development. The TSM program shall be reviewed and approved by the Sarasota County ~~Transportation Department~~ Public Works Business Center, the Sarasota-Manatee Metropolitan Planning Organization (MPO), and the FDOT. The TSM program shall be submitted as part of the next annual traffic monitoring report after a cumulative amount of SIPOC development generating 1,000 or more p.m. peak-hour external vehicle trips, has received Final Development Order approval.

~~The TSM program shall include an annual assessment of the success and achievement of the p.m. peak-hour vehicle diversion/reduction strategies. Findings of the annual assessment shall be included as part of the annual traffic monitoring report. The findings of the annual TSM assessment may serve as the basis for the Applicant and/or review agencies to request amendments to the Development Order. The TSM program shall seek to further the TSM objectives and policies set forth in the Florida Transportation Plan and shall include, but not be limited to, the following strategies: (The remainder of this condition remains the same.)~~

- a. ~~Promote ride sharing by public and private sector employees;~~

- b. ~~Increase urban area peak hour automobile occupancy rates through expanded ride sharing efforts;~~
- e. ~~Increase peak hour occupancy rates for transit and other high occupancy vehicles; and~~
- d. ~~Other appropriate trip diversion/reduction strategies and measures.~~
10. The issuance of Development Orders, including Final Development Orders, as defined by Sarasota County Ordinance No. 89-103, ~~attached hereto as Exhibit G~~ may be amended, for Phase I and Phase II of the development, shall be subject to the requirements of the Sarasota County Concurrency System Regulations (Ordinance No. 89-103, as may be amended), ~~attached hereto as Exhibit G~~, with respect to the provision of adequate mass transit facilities and levels of service for such facilities.
11. If it is determined ~~after completion of Phase I, that loop ramps in the northeast and southeast quadrants of the~~ that ramp modifications at the I-75/University Parkway interchange (as identified in the FDOT study of the I-75/University Parkway interchange) are needed to accommodate the traffic volumes at the adopted level of service, the Applicant, to the extent required by law, shall be required to make a fair share contribution for the costs associated with these loop-ramp improvements, based on trips generated by the SIPOC development using the loop-ramps in comparison to the total traffic using the loop-ramps.
12. Prior to submission of the first Site and Development Plan for vertical development of the first Phase I lot, the Applicant shall provide a master bicycle and pedestrian plan which includes the following unless modified by a variance or another accepted procedure:
- a. All bicycle lanes and sidewalks required by the Land Development Regulations; and
- b. A bikeway and pedestrian system on all internal roadways within the project; and
- Any variance request (or other accepted procedure) shall also be submitted to the Planning Department and Development Services Business Center for review and comment.
- ~~Concurrent with submission of the first preliminary plan for Phase II, or increments of Phase II development, as they may be submitted, the Master Plan shall be updated to incorporate the above requirements for Phase II development.~~
13. Unless at the time any Subdivision Plan or Site and Development Plan is approved for the SIPOC development, Sarasota County has acquired the right-of-way for and completed the construction of the segments of ~~Brown~~ North Cattlemen Road and ~~DeSoto~~ DeSoto Road within the area proposed for development, by the Subdivision Plan or Site and Development Plan, the Applicant shall dedicate the rights-of-way and construct the road segment for ~~Brown~~ North Cattlemen Road and/or ~~DeSoto~~ DeSoto Road that is within the Subdivision Plan or Site and Development Plan being approved, subject to the following standards:
- a. Right-of-way dedicated on ~~DeSoto~~ DeSoto Road (west of ~~Brown~~ North Cattlemen Road) shall be in the amount of ~~60~~ 80 feet (corresponding to ~~LDR requirements for a local road~~ with a reservation of an additional 40' to be acquired by Sarasota County at a subsequent date. Any additional right-of-way at the Brown Road intersection required in order to accommodate an appropriate alignment for the eastern extension of ~~DeSoto~~ DeSoto

~~Road will be dedicated at no cost to Sarasota County a two-lane arterial road with closed drainage).~~

- b. ~~Right-of-way dedicated on Brown~~North Cattlemen Road shall be in the amount of ~~70~~120 feet (corresponding to ~~LEDR~~ requirements for a collector~~four-lane~~ arterial road) with a reservation of an additional ~~35'~~ to be acquired by Sarasota County at a subsequent date. ~~Additional right-of-way required to accommodate turning lanes at University Parkway and SIPOC Circle will be dedicated at no cost to Sarasota County~~closed drainage).
- c. The Applicant shall be responsible for construction of the following road and intersection improvements which are directly necessitated by the development (on-site capital road improvements): SIPOC Circle, Road D, Road E, and the access road to the multi-family parcel. Any additional right-of-way at the Brown Road/DeSoto Road intersection required in order to accommodate an appropriate alignment for the extension of DeSoto Road will be dedicated by the Applicant at no cost to the County. Additional right-of-way required to accommodate additional lanes along Brown Road at SIPOC Circle and University Parkway to serve the traffic generated by the SIPOC development will be dedicated at no cost to Sarasota County. All intersection improvements including turning lanes and other traffic control devices at the intersections of Brown Road and SIPOC Circle, DeSoto Road, the access road to the multi-family parcel and any other parcel access points in the SIPOC development which improvements are required to serve the traffic generated by the SIPOC development shall be constructed by the Applicant at its cost or expense.
- ~~d. In the event the Applicant dedicates right-of-way for or constructs portions of either Brown Road or DeSoto Road (west of Brown Road) within the boundaries of the SIPOC development prior to the time the County advances the construction of these facilities, the Applicant shall be eligible for impact fee credits for the right-of-way dedicated for such roadways and construction costs, provided these facilities are included in the County's 5-Year Capital Improvements Program.~~

~~Sarasota County and the Applicant shall enter into an impact fee credit agreement or Capital Contribution Front-Ending Agreement pursuant to Section 380.06(16), Florida Statutes, or both, prior to the first Site and Development Plan or Subdivision Plan approval for the project. Approval of either the impact fee credit agreement or the Capital Contribution Front-Ending Agreement shall be made as a worklist item by the Board of County Commissioners without public hearing and shall not be deemed an amendment to this Development Order. Any right-of-way dedication or road construction along Brown Road at the intersection of Brown Road/SIPOC Circle and Brown Road/DeSoto Road for acceleration/deceleration lanes, turn lanes, curb cuts, other alignments, and any other site-related improvements for the purpose of accommodating SIPOC development traffic shall not be eligible for impact fee credits. Valuation of rights of way for purposes of impact fee credits shall be based on the pre-development condition of the property to the extent not prohibited by law.~~

- a. In the event the Applicant dedicates right-of-way for or constructs portions of either North Cattlemen Road or DeSoto Road (west of North Cattlemen Road) within the boundaries of the SIPOC development prior to the time the County advances the construction of these facilities, the Applicant shall be eligible for impact fee credits

for the right-of-way dedication for such roadways and construction costs, provided these facilities are included in the County's 5-Year Capital Improvements Program,

Sarasota County and the Applicant shall enter into an impact fee credit agreement or Capital Contribution Front Ending Agreement pursuant to Section 380.06(16), Florida Statutes, or both, prior to the first Site and Development or Subdivision Plan approval for the project. Approval of either the impact fee credit agreement or the Capital Contribution Front Ending Agreement shall be made as a work list item by the Board of County Commissioners without public hearing and shall not be deemed an amendment to this Development Order. Any right-of-way dedication or road construction along North Cattlemen Road at the intersection of North Cattlemen Road/SIPOC Circle and North Cattlemen Road/DeSoto Road for acceleration/deceleration lanes, turn lanes, curb cuts, other alignments, and any other site related improvements for the purpose of accommodating SIPOC development traffic shall not be eligible for impact fee credits. Valuation of rights-of-way for purposes of impact fee credits shall be based on the pre-development condition of the property to the extent not prohibited by law.

- b. The requirements of a through d, as stated above, shall be considered minimum requirements and shall not preclude the County from entering into agreements with the developer which requires additional right-of-way dedication and improvements and eliminates the ability to receive impact fee credits for the dedication of improvements,

~~15. Prior to approval of the first Site and Development Plan for vertical construction, the Applicant shall submit traffic signal warrant studies to Sarasota County and the FDOT for the University Parkway intersections of I-75 northbound and southbound ramps, and Brown Road/Cooper Creek Road, providing there are no funding commitments existing for such installations. If the studies indicate the warrants for signalization have not been met, the analysis shall be resubmitted with each annual report as part of the annual traffic monitoring program.~~

~~In the event there is an existing commitment for any such signalization, the Applicant shall be fully responsible for any modifications necessitated by the SIPOC development and shall provide a commitment for said modifications prior to any Site and Development Plan approval.~~

~~At such time as the signal(s) are warranted at the Brown Road/Cooper Creek intersection or the I-75 northbound and southbound ramps, along with any necessary geometric improvements, no additional Site and Development Plan approval shall be granted until the necessary funding commitments have been provided.~~

**SECTION 4. Ratification of the terms, conditions, stipulations, exhibits, and agreements contained in Ordinance No. 98-084.**

4.1 Except as modified by this Ordinance, the terms, conditions, stipulations, exhibits and agreements contained in Ordinance No. 98-084 prior to this amendment remain in full force and effect, and are hereby ratified and affirmed.

**SECTION 5. Non-Exemption from County Regulations.** This Ordinance shall not be construed as an agreement on the part of Sarasota County to exempt the Applicant, its successors and assigns, from the operation of any Ordinance or regulations hereinafter adopted by Sarasota County for the purpose of protection of public health, welfare and safety, which said Ordinance or regulation shall be generally and equally applicable throughout Sarasota County and which said Ordinance or regulation is not calculated to impair or otherwise frustrate the Development herein approved.

**SECTION 6. Service and Recording.** The Clerk to the Board is hereby directed to record this Ordinance in the Official Record Book of the Clerk of the Circuit Court. All costs associated with the recording of this Ordinance shall be borne by the Applicant. This Ordinance shall be binding upon the Applicant, its successors and assigns and upon Sarasota County. Notice of the adoption of this Ordinance shall be recorded by the Applicant in accordance with Chapter 380.06 (15) (f), Florida Statutes.

6.1 The Sarasota County Clerk shall certify the date upon which certified copies of this Ordinance are deposited in the U.S. Mail for the State of Florida Department of Community Affairs, the Southwest Florida Regional Planning Council, and the Applicant.

**SECTION 7. Consent to the Provisions of the Ordinance.** The Applicant, by signing this document in the space hereinafter provided, signifies its approval and assent to the provisions of the Ordinance.

**SECTION 8. Effective Date.** This Ordinance shall take effect immediately upon receipt of official acknowledgment from the Office of the Secretary of State of Florida that this Ordinance has been filed with said office.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Sarasota County, Florida,  
this 2<sup>nd</sup> day of SEPTEMBER, 2005.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

By: *Paul H. ...*  
Chairman

ATTEST:

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

By: *Karen E. Rushing*  
Deputy Clerk

The Applicants, the Sarasota Associates A-I, LLC, Sarasota Associates B-II, LLC, Sarasota Associates C-III, LLC, Sarasota Associates D-IV, LLC, Sarasota Associates E-V, LLC, DeSoto Road Associates I, LLC, and Honore Associates I, LLC, c/o Benderson Development Company, Inc., do hereby approve and assent to all terms, conditions, and provisions of the foregoing Ordinance and do acknowledge that its provisions are binding upon the Applicants, their successors and assigns and shall run as covenants with the land. The Applicants further consent to the recording of this Ordinance in the public records of Sarasota County.

Sarasota Associates A-I, LLC  
Sarasota Associates B-II, LLC  
Sarasota Associates C-III, LLC  
Sarasota Associates D-IV, LLC  
Sarasota Associates E-V, LLC  
DeSoto Road Associates I, LLC  
Honore Associates I, LLC

By: David H. Baldauf  
David H. Baldauf

Witnesses:

Paula J. Clintman  
Witness

Paula J. Clintman  
Print Name of Witness

Tricia Granger  
Witness

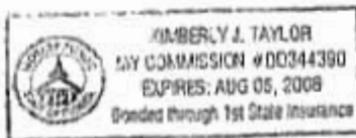
Tricia Granger  
Print Name of Witness

STATE OF FLORIDA  
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of September, 2005, by  
David H. Baldwin, as Manager, Sarasota  
Associates A-I, LLC; Sarasota Associates B-II, LLC; Sarasota Associates C-III, LLC; Sarasota Associates  
D-IV, LLC; Sarasota Associates E-V, LLC; DeSoto Associates I, LLC; and Honore Associates I, LLC.  
He/She is personally know to me or has produced \_\_\_\_\_ as identification.

(NOTARY SEAL)

Kimberly J. Taylor  
NOTARY PUBLIC, STATE OF FLORIDA



Kimberly J. Taylor  
Print Name of Notary Public

DD344390

Commission Number

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a certified copy of the foregoing Ordinance was deposited in the U.S. Mail to the Florida Department of Community Affairs, the Southwest Florida Regional Planning Council, Sarasota Associates A-I, LLC, Sarasota Associates B-II, LLC, Sarasota Associates C-III, LLC, Sarasota Associates D-IV, LLC, Sarasota Associates E-V, LLC, DeSoto Associates I, LLC, and Honore Associates I, LLC, on this 30<sup>th</sup> day of September, 2005.

Maudia G. Gavelson  
Deputy Clerk

**Exhibit A**  
**Legal Description**

## EXHIBIT A - LEGAL DESCRIPTION

The legal description of said property in Sarasota County, Florida being: The southwest corner of I-75 and University Parkway, being more particularly described as follows:

PARCEL 1: From PCD (Planned Commerce Development) to CG (Commercial General)

A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ½ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1 A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE LEAVING SAID WEST LINE RUN NORTH 82°30'15" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY, A DISTANCE OF 96.38 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE RUN SOUTH 07°29'45" EAST, A DISTANCE OF 34.05 FEET TO THE POINT OF BEGINNING; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 386.10 FEET; THENCE NORTH 75°50'29" EAST, A DISTANCE OF 111.03 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT WHOSE CENTER BEARS SOUTH 66°19'23" EAST, A DISTANCE OF 59.90 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 59.90 FEET, AND A CENTRAL ANGLE OF 66°23'13", A DISTANCE OF 69.40 FEET TO THE POINT OF TANGENCY; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 281.41 FEET; THENCE SOUTH 00°39'53" EAST, A DISTANCE OF 480.05 FEET; THENCE SOUTH 12°42'32" WEST, A DISTANCE OF 370.96 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1559.38 FEET, AND A CENTRAL OF 12°52'21", A DISTANCE OF 350.34 FEET TO THE END OF SAID CURVE; THENCE SOUTH 89°47'27" WEST, A DISTANCE OF 533.94 FEET; THENCE NORTH 00°04'15" EAST; A DISTANCE OF 155.55 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 92.71 FEET AND A CENTRAL ANGLE OF 46°23'36", THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 75.07 FEET TO THE POINT OF TANGENCY; THENCE NORTH 55°59'44" WEST, A DISTANCE OF 139.16 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 56°30'21" THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 73.97 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00°30'37" EAST, A DISTANCE OF 770.41 FEET TO THE POINT OF BEGINNING.

PARCEL 2: From PCD (Planned Commerce Development) and CHI (Commercial Highway Interchange) with stipulations to CHI (Commercial Highway Interchange) with amended stipulations

A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ½ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA;

THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING 2 CALLS: NORTH 82°30'15" EAST, A DISTANCE OF 560.40 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 5611.58 FEET AND A CENTRAL ANGLE 3°50'03", THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 375.53 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY OF UNIVERSITY PARKWAY THE FOLLOWING 5 CALLS: CONTINUE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5611.58 FEET AND A CENTRAL ANGLE OF 4°15'45", A DISTANCE OF 417.46 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89°23'57" EAST, A DISTANCE OF 7.36 FEET; THENCE SOUTH 89°22'13" EAST, A DISTANCE OF 441.06 FEET; THENCE SOUTH 00°19'34" WEST, A DISTANCE OF 20.02 FEET; THENCE SOUTH 89°26'14" EAST, A DISTANCE OF 315.09 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY RUN SOUTH 00°01'32" EAST, A DISTANCE OF 193.03 FEET; THENCE NORTH 89°55'54" WEST, A DISTANCE OF 930.55 FEET; THENCE SOUTH 00°13'55" WEST, A DISTANCE OF 100.34 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 936.00 FEET AND A CENTRAL ANGLE OF 12°28'34"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 203.81 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 12°42'32" WEST, A DISTANCE OF 453.61 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1558.00 FEET AND A CENTRAL ANGLE OF 11°13'47"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 305.36 FEET TO A POINT ON A NON-TANGENT LINE; THENCE SOUTH 89°47'27" WEST, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 204.10 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT WHOSE CENTER BEARS SOUTH 89°56'48" EAST, A DISTANCE OF 1559.38 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1559.38 FEET AND A CENTRAL ANGLE OF 12°52'21", A DISTANCE OF 350.34 FEET TO THE POINT OF TANGENCY; THENCE NORTH 12°42'32" EAST, A DISTANCE OF 370.96 FEET; THENCE NORTH 00°39'53" WEST, A DISTANCE OF 547.85 FEET TO THE POINT OF BEGINNING.

PARCEL 3: From CHI (Commercial Highway Interchange) to PCD (Planned Commerce Development)  
COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ½ OF THE NORTH WEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY THE FOLLOWING 4 CALLS: NORTH 82°30'15" EAST, A DISTANCE OF 560.40 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 5611.58 FEET AND A CENTRAL ANGLE OF 8°05'48", A DISTANCE OF 792.99 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89°23'57" EAST, A DISTANCE OF 7.36 FEET; THENCE SOUTH 89°22'13" EAST, A DISTANCE OF 441.06 FEET TO THE END OF SAID SOUTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY AND THE BEGINNING OF LIMITED ACCESS RIGHT-OF-WAY OF STATE ROAD NO. 93 (INTERSTATE I-75), AS RECORDED IN ROAD PLAT BOOK 2, PAGE 28B, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE THE FOLLOWING 2 CALLS: SOUTH 00°19'34" WEST, A DISTANCE OF 20.02 FEET; THENCE SOUTH 89°26'14" EAST, A DISTANCE OF 315.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE THE FOLLOWING 5 CALLS: THENCE SOUTH 89°26'14" EAST, A DISTANCE OF 175.86 FEET; THENCE SOUTH 85°35'54" EAST, A DISTANCE OF 462.87 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF

456.00 FEET AND A CENTRAL ANGLE OF 57°52'45"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 460.64 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 27°45'49" EAST, A DISTANCE OF 566.49 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 4489.66 FEET AND A CENTRAL ANGLE OF 1°14'04"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 96.74 FEET TO A POINT THENCE LEAVING SAID LIMITED ACCESS RIGHT-OF-WAY LINE RUN SOUTH 63°08'53" WEST, A DISTANCE OF 309.80 FEET; THENCE NORTH 72°16'42" WEST, A DISTANCE OF 296.89 FEET; THENCE SOUTH 00°01'32" EAST, A DISTANCE OF 130.00 FEET; THENCE SOUTH 89°58'28" WEST, A DISTANCE OF 1345.00 FEET; THENCE NORTH 00°01'32" WEST, A DISTANCE OF 854.92 FEET; THENCE SOUTH 89°55'54" EAST, A DISTANCE OF 590.48 FEET; THENCE NORTH 00°01'32" WEST, A DISTANCE OF 193.03 FEET TO THE POINT OF BEGINNING.

PARCEL 4: From PID (Planned Industrial Development) with stipulations to PID (Planned Industrial Development) with amended stipulations

COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ¼ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF UNIVERSITY PARKWAY THE FOLLOWING 4 CALLS: NORTH 82°30'15" EAST, A DISTANCE OF 560.40 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 5611.58 FEET AND A CENTRAL ANGLE OF 8°05'48", A DISTANCE OF 792.99 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 89°23'57" EAST, A DISTANCE OF 7.36 FEET; THENCE SOUTH 89°22'13" EAST, A DISTANCE OF 441.06 FEET TO THE END OF SAID SOUTHERLY RIGHT-OF-WAY OF UNIVERSITY PARKWAY AND THE BEGINNING OF LIMITED ACCESS RIGHT-OF-WAY OF STATE ROAD NO. 93 (INTERSTATE 1-75), AS RECORDED IN ROAD PLAT BOOK 2, PAGE 28B, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE THE FOLLOWING 5 CALLS: SOUTH 00°19'34" WEST, A DISTANCE OF 20.02 FEET; THENCE SOUTH 89°26'14" EAST, A DISTANCE OF 490.95 FEET; THENCE SOUTH 85°35'54" EAST, A DISTANCE OF 462.87 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 456.00 FEET AND A CENTRAL ANGLE OF 57°52'45"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 460.64 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 27°45'49" EAST, A DISTANCE OF 566.49 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 4489.66 FEET AND A CENTRAL ANGLE OF 1°14'04"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 96.74 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID LIMITED ACCESS RIGHT-OF-WAY LINE THE FOLLOWING 3 CALLS: THENCE CONTINUING SOUTHEASTERLY ALONG THE PREVIOUSLY DESCRIBED CURVE TO THE RIGHT HAVING A RADIUS OF 4489.66 FEET AND A CENTRAL ANGLE OF 11°42'49", A DISTANCE OF 917.87 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 11084.25 FEET AND A CENTRAL ANGLE OF 4°35'55", A DISTANCE OF 889.65 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 7373.09 FEET AND A CENTRAL ANGLE OF 0°27'02"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 58.00 FEET; THENCE LEAVING SAID LIMITED ACCESS RIGHT-OF-WAY

LINE RUN NORTH 89°19'15" WEST, A DISTANCE OF 2598.67 FEET; THENCE NORTH 20°34'02" WEST, A DISTANCE OF 330.67 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1540.00 FEET AND A CENTRAL ANGLE OF 10°53'53"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 292.92 FEET TO A POINT ON A NON-TANGENT LINE; THENCE NORTH 00°01'32" WEST, A DISTANCE OF 1204.35 FEET; THENCE NORTH 89°58'28" EAST, A DISTANCE OF 1345.00 FEET; THENCE NORTH 00°01'32" WEST, A DISTANCE OF 130.00 FEET; THENCE SOUTH 72°16'42" EAST, A DISTANCE OF 296.89 FEET; THENCE NORTH 63°08'53" EAST, A DISTANCE OF 309.82 FEET TO THE POINT OF BEGINNING.

PARCEL 5A: From PCD (Planned Commerce Development) with stipulations to PCD (Planned Commerce Development) with amended stipulations

A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ¼ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE CONTINUE SOUTH 00°30'37" WEST ALONG SAID WEST LINE OF THE EAST ¼ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 1146.74 FEET; THENCE LEAVING SAID WEST LINE RUN SOUTH 89°29'23" EAST, A DISTANCE OF 299.64 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°47'27" EAST, A DISTANCE OF 729.21 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 88°31'15" EAST, A DISTANCE OF 1558.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1558.00 FEET AND A CENTRAL ANGLE OF 16°54'29", A DISTANCE OF 459.77 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 15°25'44" EAST, A DISTANCE OF 256.09 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1938.00 FEET AND A CENTRAL ANGLE OF 2°13'53"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 75.47 FEET TO A POINT ON A NON-TANGENT LINE; THENCE SOUTH 76°14'15" WEST, A DISTANCE OF 39.04 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 103.72 FEET AND A CENTRAL ANGLE OF 51°26'54", A DISTANCE OF 93.13 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 120.69 FEET AND A CENTRAL ANGLE OF 37°41'43", A DISTANCE OF 79.40 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 423.58 FEET; THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 71.86 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 251.92 FEET; THENCE NORTH 00°16'29" EAST, A DISTANCE OF 810.17 FEET TO THE POINT OF BEGINNING.

PARCEL 5B: From PCD (Planned Commerce Development) and PID (Planned Industrial Development) with stipulations to PCD (Planned Commerce Development) with amended stipulations

A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ¼ OF THE NORTHWEST ¼ OF SAID

SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ¼ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 2 CALLS: NORTH 82°30'15" EAST, A DISTANCE OF 560.40 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 5611.58 FEET AND A CENTRAL ANGLE OF 3°50'03"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 375.53 FEET THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE RUN SOUTH 00°39'53" EAST, A DISTANCE OF 67.80 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 281.41 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 59.90 FEET AND CENTRAL ANGLE OF 66°23'13"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 69.40 FEET TO A POINT ON A NON-TANGENT LINE; THENCE ALONG SAID NON-TANGENT LINE SOUTH 75°50'29" WEST, A DISTANCE OF 111.03 FEET; THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 386.10 FEET; THENCE SOUTH 00°30'37" WEST, A DISTANCE OF 770.41 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 75.00 FEET AND A CENTRAL ANGLE OF 56°30'21"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 73.97 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 55°59'44" EAST, A DISTANCE OF 139.16 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 92.71 FEET AND A CENTRAL ANGLE OF 46°23'36"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 75.07 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 00°04'15" WEST, A DISTANCE OF 155.55 FEET; THENCE NORTH 89°47'27" EAST, A DISTANCE OF 8.83 FEET; THENCE SOUTH 00°16'29" WEST, A DISTANCE OF 810.17 FEET; THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 251.92 FEET; THENCE NORTH 00°00'00" WEST, A DISTANCE OF 71.86 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 423.58 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; HAVING A RADIUS OF 120.69 FEET AND A CENTRAL ANGLE OF 37°41'43"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 79.40 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 103.72 FEET AND A CENTRAL ANGLE OF 51°26'54"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 93.13 FEET TO THE POINT OF TANGENCY; THENCE NORTH 76°14'15" EAST, A DISTANCE OF 39.04 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 76°48'09" WEST A DISTANCE OF 1938.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1938.00 FEET AND A CENTRAL ANGLE OF 2°13'53", A DISTANCE OF 75.47 FEET TO THE POINT OF TANGENCY; THENCE NORTH 15°25'44" WEST, A DISTANCE OF 256.09 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1558.00 FEET AND CENTRAL ANGLE OF 28°08'16"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 765.13 FEET TO THE POINT OF TANGENCY; THENCE NORTH 12°42'32" EAST, A DISTANCE OF 453.61 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 936.00 FEET AND A CENTRAL ANGLE OF 12°28'34"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 203.81 FEET TO THE POINT OF TANGENCY; THENCE NORTH 00°13'55" EAST, A DISTANCE OF 100.34 FEET; THENCE SOUTH 89°55'54" EAST, A DISTANCE OF 340.06 FEET; THENCE SOUTH 00°01'32" EAST, A DISTANCE OF 2059.27 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT WHOSE CENTER BEARS SOUTH 05°59'16" EAST A DISTANCE OF 1540.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1540.00 FEET AND A CENTRAL ANGLE OF 10°53'53", A DISTANCE OF 292.92 FEET TO A POINT ON A NON-

TANGENT LINE; THENCE SOUTH 20°34'02" EAST, A DISTANCE OF 330.67 FEET TO THE SOUTH LINE OF THE NORTHEAST ¼ OF SECTION 1; THENCE ALONG SAID SOUTH LINE NORTH 89°19'15" WEST, A DISTANCE OF 19.18 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST ¼ OF SECTION 1; THENCE SOUTH 00°31'52" WEST ALONG THE EAST LINE OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 1, A DISTANCE OF 261.39 FEET; THENCE NORTH 88°56'05" WEST, A DISTANCE OF 583.88 FEET; THENCE NORTH 53°58'33" WEST, A DISTANCE OF 400.21 FEET; THENCE NORTH 85°52'24" WEST, A DISTANCE OF 444.33 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE NORTH 00°30'37" EAST ALONG THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 2509.53 FEET TO THE POINT OF BEGINNING.

PARCEL 6: From PID (Planned Industrial Development) with stipulations to PID (Planned Industrial Development) with amended stipulations

A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ½ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 610 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE CONTINUE ALONG SAID WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, SOUTH 00°30'37" WEST, A DISTANCE OF 2509.53 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 1 FOR A POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE RUN SOUTH 85°52'24" EAST, A DISTANCE OF 444.33 FEET; THENCE SOUTH 53°58'33" EAST, A DISTANCE OF 400.21 FEET; THENCE SOUTH 88°56'05" EAST, A DISTANCE OF 583.88 FEET TO THE EAST LINE OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID EAST LINE SOUTH 00°31'52" WEST, A DISTANCE OF 939.66 FEET; THENCE LEAVING SAID EAST LINE RUN NORTH 53°46'55" WEST, A DISTANCE OF 324.24 FEET; THENCE NORTH 57°13'34" WEST, A DISTANCE OF 301.54 FEET; THENCE NORTH 64°16'04" WEST, A DISTANCE OF 292.47 FEET; THENCE NORTH 89°15'50" WEST, A DISTANCE OF 1246.49 FEET TO THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID EAST LINE NORTH 00°30'49" EAST, A DISTANCE OF 728.46 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG THE NORTH LINE OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 1 SOUTH 89°17'16" EAST, A DISTANCE OF 676.60 FEET TO THE POINT OF BEGINNING.

PARCEL 7: From RMF-3 (Residential Multi-Family, 13 units/acre) with stipulations to RMF-3 (Residential Multi-Family, 13 units/acre) with amended stipulations

A PARCEL OF LAND BEING IN SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 36 SOUTH, RANGE 18 EAST, THENCE SOUTH 89°23'57" EAST, ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 1353.05 FEET TO THE NORTHWEST CORNER OF THE EAST ½ OF THE NORTHWEST ¼ OF SAID SECTION 1; THENCE SOUTH 00°30'37" WEST, ALONG THE WEST LINE OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, A DISTANCE OF 161.87 FEET TO A POINT ON THE SOUTHERLY

RIGHT-OF-WAY LINE OF STATE ROAD NO. 510 (UNIVERSITY PARKWAY), AS RECORDED IN ROAD PLAT BOOK 2, PAGES 41E-41F, PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE CONTINUE ALONG SAID WEST LINE OF THE EAST ¼ OF NORTHWEST ¼ OF SECTION 1, SOUTH 00°30'37" WEST, A DISTANCE OF 2509.53 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID NORTH LINE NORTH 89°17'16" WEST, A DISTANCE OF 676.58 FEET TO THE WEST LINE OF THE EAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID WEST LINE SOUTH 00°30'49" WEST, A DISTANCE OF 728.46 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID WEST LINE RUN SOUTH 89°15'50" EAST, A DISTANCE OF 1246.49 FEET; THENCE SOUTH 64°16'04" EAST, A DISTANCE OF 292.47 FEET; THENCE SOUTH 57°13'34" EAST, A DISTANCE OF 301.54 FEET; THENCE SOUTH 53°46'55" EAST, A DISTANCE OF 324.24 FEET TO THE EAST LINE OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID EAST LINE RUN SOUTH 00°31'52" WEST, A DISTANCE OF 135.21 FEET TO THE SOUTH LINE OF THE NORTH ½ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID SOUTH LINE NORTH 89°14'16" WEST, A DISTANCE OF 2029.36 FEET TO THE WEST LINE OF THE EAST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 1; THENCE ALONG SAID WEST LINE RUN NORTH 00°30'55" EAST, A DISTANCE OF 606.03 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

Master Development Plan, Map C-3



**EXHIBIT C**

**Habitat Preservation, Alteration & Mitigation Plan**

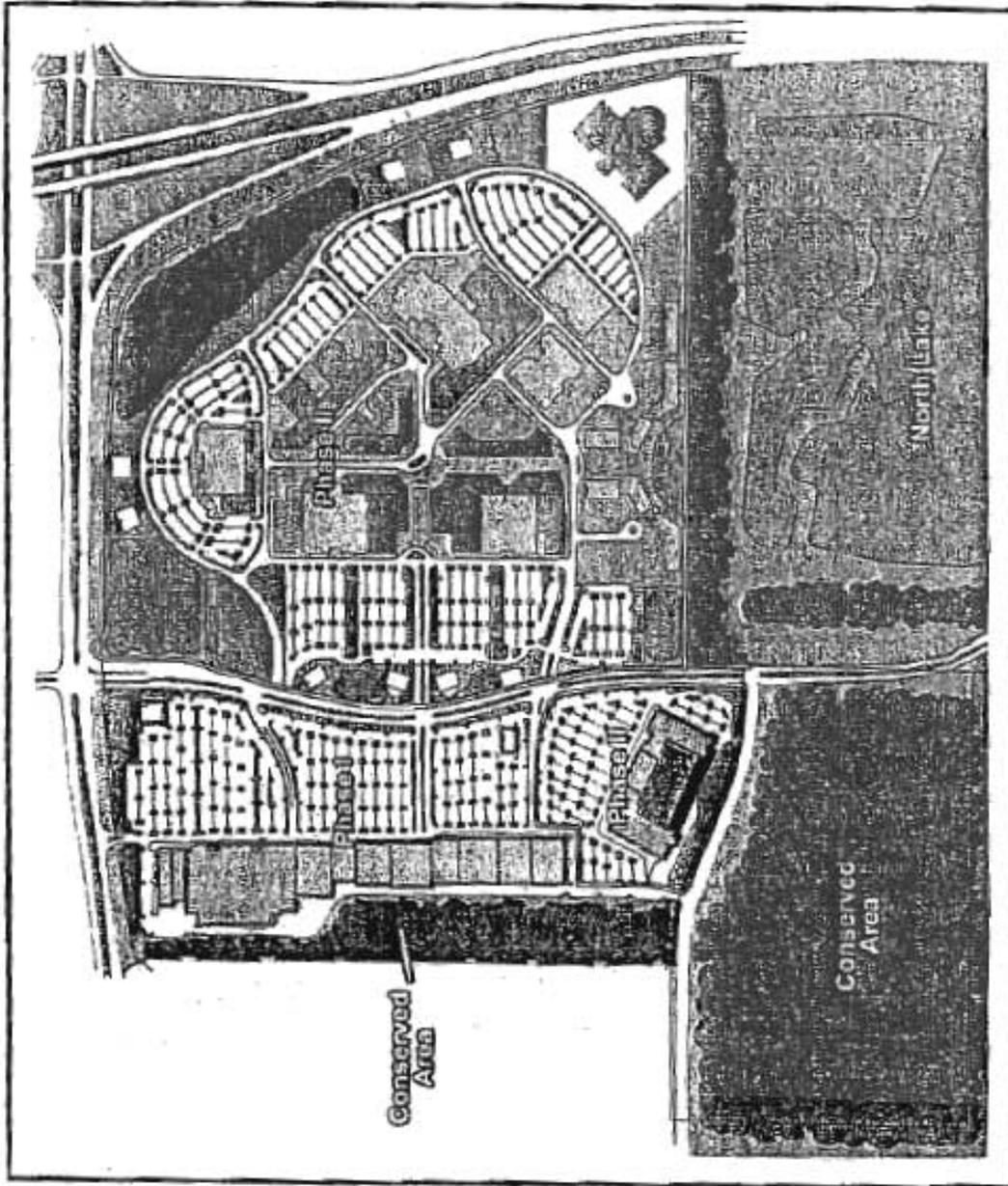


**EXHIBIT D**

**Phase II Design Concept Plan**

# Architectural Theme / Connectivity

## EXHIBIT D



*Conceptual Site Plan*

STATE OF FLORIDA  
 COUNTY OF SARASOTA  
 I HEREBY CERTIFY THAT THE FOREGOING IS A  
 TRUE AND CORRECT COPY OF THE ORIGINAL FILES  
 IN THIS OFFICE WITNESS MY HAND AND OFFICIAL

SEAL THIS DATE 9/30/05  
 KAREN RUSHING, CLERK OF THE CIRCUIT COURT  
 EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
 COMMISSIONERS, SARASOTA COUNTY, FLORIDA

BY Claudia G. Grew  
 DEPUTY CLERK

**COUNTY OF SARASOTA, FLORIDA**

Board of County Commissioners  
Sarasota County Planning and Development Services Business Center

Date: November 22, 2005  
*mailed*

**MEMORANDUM TO:**

Mr. Ed Vogler, II  
Vogler & Ashton  
1001 Third Ave. West # 420  
Bradenton, FL 34205

Community Services, Parks & Recreation  
Emergency Services, Fire Department (Jane Ross)  
Environmental Services, Utilities (John Saraniero)  
Environmental Services, Water Resources (Mike Mylett)  
Health/Human Services (Mike Berry)  
History Center (Dan Hughes)  
Planning & Development Services, Code Enforcement (Jim LeGay)  
Planning & Development Services, County Surveyor (Gayle Fosness)  
Planning & Development Services, Land Dev. (Isaac Brownman)  
Planning & Development Services, Land Dev. (Mary Stephens)  
Planning & Development Services, Landscape (Martha Horton)  
Planning & Development Services (Steve Brown)  
Planning & Development Services, Res. Protection (Todd Hershfeld)  
Property Appraiser (Jim Todora)  
Public Works, Watershed (Candace Hendrickson)  
Public Works, Transportation (Lorraine Branzei)  
School Board (Ken Marsh)

**SUBJECT:** Rezone 03-29  
Special Exception 1593  
NOPC 03-02

**PLANNER:**  
Tina Crawford

**ORDINANCE NO.'s**  
2005-037 and 2005-040  
Resolution 2005-205

**PID#:** 0014-00-1000

**ACTION TAKEN ON ABOVE SUBJECT IS AS FOLLOWS:**

On **September 27, 2005** the Sarasota County Board of County Commissioners **GRANTED** Rezone Petition No. 03-29 and NOPC 03-02 to rezone 276.2 acres  $\pm$  located at the southwest corner of University Parkway and I-75 in Sarasota County, Florida to CHI (Commercial Highway Interchange), PID (Planned Industrial Development), PCD (Planned Commerce Development), CG (Commercial General) and RMF-3 (Residential Multi-Family, 13 units/acre) with stipulations and 19.94 acres  $\pm$  for Special Exception 1593, to allow: Retail Sales over 60,000 S.F. of gross floor area in a single occupant building and Garden Center with outside merchandise in the CG (Commercial General) zone district

Copies of **Ordinance No's. 2005-037 and 2005-040**, plus **Resolution No. 2005-205** are attached for your information.