

DECLARATION OF RESTRICTIONS OF OPEN SPACE
FOR THE MEADOWS, UNIT 4

845833

TAYLOR WOODROW HOMES LIMITED, a corporation organized under the laws of the United Kingdom and duly authorized to transact business in the State of Florida, hereinafter referred to as "Developer", does hereby declare the following restrictions applicable to that portion of the open space reflected in the plat of The Meadows, Unit 4, as is more particularly hereinafter described.

W I T N E S S E T H :

WHEREAS, upon petition by Developer, the County of Sarasota has heretofore rezoned certain lands located in Sections 2, 11, 12, 14, and 15, Township 36 South, Range 18 East, to a zoning classification of "R-2S PUD", such rezoning being evidenced by that certain Resolution and Development Order dated November 13, 1974, recorded in O.R. Book 1063, Page 1070, Public Records of Sarasota County, Florida; and

WHEREAS, Developer is proceeding with the development of said lands as a planned unit development known as "The Meadows" and in connection therewith has recorded a Declaration of Maintenance Covenants and Restrictions on the Commons in Official Record Book 1113, Page 715, Public Records of Sarasota County, Florida; and

WHEREAS, the zoning ordinance of the County of Sarasota pertaining to planned unit developments requires a minimum open space equal to fifty (50) percent of the total gross acreage of the planned unit development; and

WHEREAS, such ordinance further provides that usable open space shall include active and passive recreational areas; and

WHEREAS, said zoning ordinance and the aforesaid Resolution and Development Order provide that the lands within such development which are to be designated as usable open space will be restricted by appropriate legal instrument mutually satisfactory to Developer and the County as open space perpetually or for a period of not less than 99 years; and

WHEREAS, simultaneously herewith Developer has submitted to County for final approval a plat of certain lands in The Meadows to be known as "The Meadows, Unit 4", and the County has approved said plat which is being recorded simultaneously herewith in Plat Book 25, Page 9-9D, Public Records of Sarasota County, Florida; and

WHEREAS, Developer, by this instrument, desires to restrict the lands hereinafter described as open space perpetually after date hereof, subject to the terms and provisions hereof.

NOW, THEREFORE, in consideration of the premises, Developer does hereby declare as follows:

1. The following described lands shall henceforth be restricted as open space in The Meadows whether owned by Developer or its successors or assigns, to-wit:

Tracts XLVI, XLVII, XLVIII and L.

2. Usage of said open space may include both active and passive recreational usage.

(a) Active recreation areas shall include playgrounds, tennis courts, golf courses, shuffleboard courts, archery ranges, swimming pools and other similar uses, together with improvements accessory thereto.

(b) Passive recreation areas shall include boating on waterways, lakes and lagoons; hiking on nature trails; horseback riding on bridle paths; parks; picnic areas; and

other similar uses, together with improvements accessory thereto.

(c) Other usage of the land areas designated as open space shall include agricultural use, raising of plants, trees, shrubs and flowers, and other similar uses.

(d) The enumeration of the foregoing uses is for illustrative purposes only and shall not be deemed to prohibit other uses properly falling within the intent of the ordinance. Determination of the usage to be made from time to time of each of the aforementioned tracts shall be made by the fee simple owner thereof.

3. Nothing contained herein shall be deemed to prohibit Developer from transferring the title to all or any portion of the aforesaid Tracts of land, but the restrictions hereinabove set forth shall be binding upon Developer's successors and assigns.

4. Recognizing that from time to time hereafter it may be necessary or desirable to modify these restrictions as to one or more of the aforesaid Tracts of land, full right and authority is hereby reserved by Developer to apply to the County until Developer has completed development of The Meadows to so modify these restrictions in whole or in part upon mutual agreement of the parties or, if Developer has theretofore conveyed ownership of any such tract, then by agreement between the County and the owner of such tract; provided, however, that nothing contained in this paragraph shall be deemed to permit any increase in the overall density of development of The Meadows or any decrease in the required amount of open space.

5. In the event of the violation of the foregoing restrictions by Developer or by its successors or assigns, the County of Sarasota may bring suit to recover damages or to otherwise enforce such restrictions.

IN WITNESS WHEREOF, Developer has caused this agreement to be executed by its undersigned duly authorized officers this 11th day of May, 1978.

Signed, sealed and delivered in the presence of TAYLOR WOODROW HOMES LIMITED

David Nash No. in Seal Register 300 BY David Nash As Director & Agent

Attest: Thomas Brown As Assistant Secretary

ACCEPTED BY THE COUNTY OF SARASOTA THIS ___ DAY OF ___, 1978.

COUNTY OF SARASOTA

By _____ As Chairman of the Board of County Commissioners

[SEAL]

Attest: _____ As Clerk of the Circuit Court

845833

FILED AND RECORDED
IN THE OFFICE OF THE CLERK
OF THE COUNTY OF SARASOTA
FLA.
JUN 12 10 25 AM '78

STATE OF FLORIDA

COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 11th day of May, 1978, by DAVID NASH, as Director and Agent, and by THOMAS BROWN, as Assistant Secretary, of TAYLOR WOODROW HOMES LIMITED, a corporation under the laws of the United Kingdom, acting on behalf of said corporation.

Kathy Smute
Notary Public

My Commission Expires: Notary Public, State of Florida at Large
My Commission Expires April 18, 1981
Bonded by Aetna Casualty & Surety Co.

STATE OF FLORIDA

COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this ___ day of ___, 1978, by ANDREW SANDEGREN, as Chairman of the Board of County Commissioners, and by R. H. HACKNEY, JR., as Clerk of the Circuit Court.

Notary Public

My Commission Expires: