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CERTIFICATE

I, Peter H. Ramsden, Deputy Clerk of Sarasota County, Florida (the "County"), DO HEREBY CERTIFY as follows:

(a) Attached hereto are true and correct copies of Ordinance Nos. 2006-076 ("Ordinance No. 2006-076") and 2007-096 ("Ordinance No. 2007-096"), adopted at the meetings of the Board of County Commissioners of the County held on October 11, 2006 and November 20, 2007, respectively, which meetings were duly called and held and at which meetings a quorum was present and voted throughout.

(b) No amendments to Ordinance No. 2006-076, except those made by Ordinance No. 2007-096, and no amendments to Ordinance No. 2007-096 have been enacted and no action has been taken to rescind or repeal Ordinance Nos. 2006-076 and 2007-096 and Ordinance Nos. 2006-076 and 2007-096 remain in full force and effect on the date hereof.

WITNESS my hand and seal this 17th day of June, 2009.



Peter H. Ramsden, Deputy Clerk

076
ORDINANCE NO. 2006-~~388~~

AN ORDINANCE OF SARASOTA COUNTY, FLORIDA, ESTABLISHING THE SOUTH SIESTA KEY BEACH RESTORATION DISTRICT; CODIFIED AS A NEW ARTICLE XV OF CHAPTER 110 OF THE SARASOTA COUNTY CODE; PROVIDING FOR CODIFICATION AND A SHORT TITLE; PROVIDING FINDINGS OF FACT; PROVIDING DEFINITIONS; ESTABLISHING AND PROVIDING LEGAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR A GOVERNING BODY; CONFERRING CERTAIN POWERS AND DUTIES UPON THE GOVERNING BODY; PROVIDING AUTHORITY TO LEVY AND COLLECT NON-AD VALOREM ASSESSMENTS; PROVIDING FOR PROPERTY APPRAISER AND TAX COLLECTOR SERVICES AND COMPENSATION; PROVIDING FOR AN ASSESSMENT PROCEDURE; PROVIDING FOR ADMINISTRATION OF FUNDS OF THE DISTRICT; PROVIDING FOR A TERM OF EXISTENCE; PROVIDING FOR CLAIMS AGAINST THE DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. This Ordinance shall be codified as a new Article XV of Chapter 110 of the Sarasota County Code (the "Code") and shall be known and cited as the "South Siesta Key Beach Restoration District" Ordinance.

Section 2. A new Section 110-600 of the Code is hereby created to read as follows:

Sec. 110-600. Findings of fact.

- (a) Pursuant to Section 125.01(1)(q), Florida Statutes and Sarasota County's constitutional home rule authority, to the extent not inconsistent with general or special law, the Board may establish municipal service taxing units (MSTU's) and municipal service benefit units (MSBU's) within which may be provided beach erosion control and other essential facilities and municipal services from funds derived from service charges, special assessments, or taxes within that unit.
- (b) Section 125.01, Florida Statutes, empowers the County to levy and collect taxes or special assessments within an MSTU or MSBU, respectively; and Section 125.01(2), Florida Statutes, provides that the Board shall be the governing body of any MSTU or MSBU.

Ord. 2006-076

BOARD RECORDS
FILED OCT 12 AM 8:19
2006 OCT 12 PM 1:05
SARASOTA COUNTY FLORIDA

- (c) Chapter 2 of *Apexsee: The Sarasota County Comprehensive Plan* incorporates policies and goals for the enhancement of access and use of the beaches within the unincorporated areas of the County, for the protection against flooding and storm damage, for enhancement of the natural environment and the improvement of the quality of life in Sarasota County, and for the enhancement of the use and enjoyment of properties.
- (d) Pursuant to the statewide beach management mandate set forth in Chapter 161, Florida Statutes, the Florida Department of Environmental Protection ("FDEP") has conducted surveys and assembled data to determine which shoreline sections of Florida beaches are "critically eroded", as that term is defined in Rule 62B-36.0002(4), Florida Administrative Code.
- (e) In its *Strategic Beach Management Plan* dated October 2, 2000, as referenced in *The Sarasota/Charlotte County Beach Restoration Study* dated July 22, 2003, the FDEP identified the Gulf shoreline encompassed within the District as "critically eroded."
- (f) Since 1987, the Gulf shoreline of the District has retreated at an average rate of about 2.4 feet per year, with losses at various points in the District as high as 3 or 4 feet per year.
- (g) The shoreline properties located within the District will specially benefit as a result of the Project, by way of example and not limitation, protection against flooding and storm damage and enhanced access and use of the beach, providing for increased property values.

Section 3. A new Section 110-601 of the Code is hereby created to read:

Sec. 110-601 Definitions. When used in this Ordinance, terms shall be as defined below:

- (1) *Assessed Cost* shall mean the amount determined by the Governing Body to be assessed to fund all or any portion of the Project Costs within the District and may also include any costs related to creating, financing and administering the District, including but not limited to administrative costs of the Property Appraiser and Tax Collector and a reasonable amount for contingency and anticipated delinquencies and uncollectible District Assessments. The Assessed Cost shall exclude any amount to be paid from sources other than District Assessments, including but not limited to, grants, contributions, and other county funds, but may include costs related to reimbursement of funds advanced by county funds for the Project.
- (2) *Assessed Property* shall mean all parcels of land within the District that are included on the Assessment Roll.

- (3) *Assessment Period* means the number of years necessary for the County to recover the actual Project Costs.
- (4) *Assessment Roll* means the special assessment roll maintained by the Sarasota County Property Appraiser for the levy and collection of non ad-valorem special assessments.
- (5) *Beach Restoration* means the placement of sand on an eroded beach for the purposes of restoring it as a recreational beach and providing storm protection for upland properties including dune enhancement and vegetation plantings.
- (6) *Board or governing body* means the Board of County Commissioners of Sarasota County, Florida.
- (7) *County* means Sarasota County, Florida.
- (8) *District* means the South Siesta Key Beach Restoration District as established in this article and as may be expanded or modified from time to time.
- (9) *District Assessments* means non-ad valorem assessments imposed within the District to fund all or a portion of the Project Cost.
- (10) *Fiscal Year* means the period commencing on October 1 of each year and continuing through the next succeeding September 30 for the District, or such other period as may be prescribed by law as the Fiscal Year for the County for District Assessments.
- (11) *Location Benefit* means the enhanced value of the property as a result of the property's proximity to restored shoreline.
- (12) *Project* means Beach Restoration improvements to the Gulf Coast shoreline located within the South Siesta Key Beach Restoration District.
- (13) *Project Costs* means the cost of all activities associated with the completion of specific Beach Restoration services and improvements, including, but not limited to, project feasibility study and cost estimate, permitting, specification/design/bid document development and physical completion of improvements in accordance with all applicable plans, specifications, design documents, permits and contracts/purchase orders. Project Costs shall be funded, in part, by special assessments levied within the District.
- (14) *Property Appraiser* means the Sarasota County Property Appraiser.
- (15) *Storm Protection Benefit* means the enhanced protection afforded Assessed Properties from flooding and storm damage as a result of the Project.

- (16) *Uniform Assessment Collection Act* shall mean Sections. 197.3632 and 197.3635, Florida Statutes, or any successor statutes authorizing the collection of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

Section 4. A new Section 600-602 of the Code is hereby created to read as follows:

Sec. 600-602. Establishment of District.

Pursuant to the authority of Section 125.01(1), Florida Statutes, and Sarasota County's constitutional home rule authority, the Board hereby establishes the South Siesta Key Beach Restoration District (the "District"), as a municipal services benefit unit ("MSBU"), the boundaries of which are more particularly described in Exhibit "A", attached hereto and incorporated herein by reference, for purposes of funding Beach Restoration within the boundaries of the District.

Section 5. A new Section 600-603 of the Code is hereby created to read as follows:

Sec. 600-603. Governing Body.

The Governing Body of the District, shall be the Board of County Commissioners, which shall meet from time to time as it may determine. Notice of such meetings shall be published in a newspaper of general circulation as required by general law. The Governing Body may recess any meeting so called to a subsequent fixed time and date. The Clerk of the Board shall keep the minutes of all meetings of the Governing Body and shall keep all records of the District.

Section 6. A new Section 600-604 of the Code is hereby created to read as follows:

Powers and Duties.

- (1) In order to provide for the Beach Restoration within the District, the Governing Body shall have all of the powers granted to the Board by the Sarasota County Charter, the general laws of the State of Florida, and the Florida Constitution as may be necessary or proper to carry out the purpose and intent of this Ordinance. The Governing Body shall, in addition thereto, have the following specific powers and authority:
 - (a) To pay all or any part of the Project Costs, including, but not limited to, costs incurred by the County for Beach Restoration within the District, and reimbursement of costs funded by County prior to or after establishment of the District, including but not limited to, costs related to financing, engineering, project management and construction.
 - (b) To purchase, with or without bids, all property, facilities, and equipment necessary to carry out the purposes of the District and

to purchase and carry standard insurance policies on all such property, facilities, and equipment.

- (c) To purchase all necessary real and personal property.
- (d) To sell surplus real and personal property in the same manner and subject to the same restrictions as provided for such sales by counties.
- (e) To acquire by gift, purchase, grant, dedication, lease, or condemnation, any lands or rights in land as may be necessary for the purposes of the District, including any property whether real or personal as may be necessary, desirable, or convenient for the providing of public improvement services within the District. The exercise of the power of eminent domain shall be in accordance with the provisions of Florida law, Florida Statutes, and the District is hereby specifically conferred with the authority to avail itself of all of the powers as set out in said chapters as same may be from time to time amended.
- (f) To acquire by gift, purchase, or lease, with or without bids, all facilities and equipment necessary to carry out the purposes of the District, and to contract with persons, firms, corporations, or municipal corporations for the acquisition of any other materials, supplies, labor or other things reasonably incidental thereto, including the construction or erection of such facilities or structures as are also reasonably necessary.
- (g) To employ and train such personnel as may be necessary to carry out the purposes of the District, to provide adequate insurance for said employees, and to enter into agreements with consultants, advisors, engineers, attorneys or fiscal, financial, or other experts. All personnel employed by the District shall be employees of Sarasota County.
- (h) To dispose of surplus property and unnecessary books and records of the District after five (5) years from the date said books and records were examined for an annual post audit, except that the Board shall permanently maintain permanent records and payroll records. The fiscal year for the District shall be from October 1 to September 30.

- (i) To enter into contracts with other municipal service taxing or benefit units, special districts, municipalities, and state and federal governmental units, as well as Sarasota County, Florida, for the purposes of obtaining financial aid, assistance or benefits, and for otherwise carrying out the purposes of the District.
- (j) To enter upon any lands, premises, or property within the District for any purpose necessary to carry out the purpose and intent of this Ordinance.
- (k) To hold such public meetings as the business of the District may require. A record shall be kept of all meetings of the Governing Body and concurrence of a majority of said commissioners shall be necessary for any affirmative action taken by the Governing Body.
- (l) To receive grants, gifts or other contributions and enter into contracts for the purpose of receiving same.
- (m) To exercise any other powers provided by ordinance supplemental or amendatory hereto adopted by the Board without referendum.

Section 7. A new Section 600-605 of the Code is hereby created to read as follows:

Sec. 600-605. Authority to Levy and Collect Non-Ad Valorem Assessments.

- (1) The Governing Body shall have the duty, right, power, and authority to levy and collect non-ad valorem assessments for the benefit of all non-governmental real property located within the District in order to reimburse the County for the actual Project Costs or some portion thereof. Subject to pre-payment, the Assessment Period shall be seven (7) years or until all Project Costs have been paid, whichever is later. The provision of Beach Restoration improvements to the District is hereby declared to be of special benefit to all properties located within the boundaries of the District in the form of a Storm Protection Benefit and an enhanced Location Benefit.
- (2) The Governing Body shall by resolution determine the amount of the assessments per parcel located within the District for each fiscal year and shall levy assessments against all non-governmental taxable real property within the territorial bounds of the District in order to provide the required funds.

Section 8. A new Section 600-608 of the Code is hereby created to read as follows:

Sec. 600-608. Property Appraiser and Tax Collector services and compensation.

- (1) Each year, upon certifying to the Board the taxable value within the County, the County Property Appraiser shall also furnish the Governing

Body of said District with a tax roll covering all non-governmental properties within the territorial limits of said District in accordance with said usage upon which roll the Governing Body will place the levy for each parcel of property shown thereon. In conjunction with said budget hearings, the Board of County Commissioners sitting as the Governing Body of the District shall hold public hearings to consider protests of the proposed assessments from any property owners, which protests shall be filed in writing on or before the date of the latter hearing.

- (2) Upon completion of said hearings, the Board of County Commissioners, sitting as the Governing Body, shall adopt a resolution fixing the rates of assessment and shall return the said tax roll to the County Tax Collector, having first noted thereon the levy against each parcel of property described thereon. The County Tax Collector shall then include in the Sarasota County tax roll the assessments thus made by the Governing Body of the District and the same shall be collected in the manner and form as is provided for the collection of County taxes and paid over by the County Tax Collector to said Board monthly. The County Tax Collector and the County Property Appraiser shall each receive compensation for their services regarding such assessments in accordance with Florida Statutes and such compensation is included in Project Costs.
- (3) The assessments authorized by this article shall be a lien upon the land so assessed and shall be collected in the same manner as County ad valorem property taxes. Said lien shall continue until the said assessments have been paid and, if same become delinquent, shall be considered a part of the County tax subject to the same penalties, charges, fees and remedies for enforcement and collection as provided for the collection of County ad valorem property taxes by the laws of the State of Florida. Upon adoption of the Assessment Roll, said assessments shall become liens against the assessed property and shall be deemed perfected. Except as otherwise provided by law, such liens of all State, County, District or municipal taxes and other non ad valorem assessments and shall be superior in dignity to all other liens, titles and claims, until paid.

Section 9. A new Section 600-609 of the Code is hereby created to read as follows:

Sec. 600-609. Assessment Procedure

(a) Establish of assessment rate, roll and liens

- (1) The Board expressly finds that the Beach Restoration improvements to the Gulf Coast shoreline located within the boundaries of the District provide a special benefit to the Assessed Properties in the form of a Location Benefit and Storm Protection Benefit, which provide for enhanced property values.
- (2) The Board has resolved that the Project Costs will be funded by a combination of District Assessments, state grants and tourist

development tax proceeds, and that the District Assessments will fund only a portion of the costs of the Beach Restoration (the "Assessed Cost").

- (3) The Assessed Cost shall be allocated to each Assessed Property using a methodology which allocates approximately forty percent (40%) (Location Benefit) of the Assessed Cost on a flat per parcel basis and allocates approximately sixty percent (60%) of the Assessed Cost (Storm Protection Benefit) based on linear foot shoreline frontage. The assessment may be paid in full anytime.
- (4) This assessment methodology provides an equitable and reasonable method of financing the Assessed Costs and bears a logical relationship to the special benefits provided to the Assessed Properties.
- (5) The Assessed Cost is fairly and reasonably apportioned among the properties that received the special Location and Storm Protection Benefits.
- (6) The District Assessments imposed pursuant to this article are imposed by the Board, not the Clerk, Property Appraiser or Tax Collector. Any activity of the Clerk, Property Appraiser or Tax Collector under the provisions of this article shall be construed as ministerial.

b. *Revisions, irregularities and corrections.*

- (1) If any District Assessment made under the provisions of this article is either in whole or in part annulled, vacated or set aside by the judgment of any court, or if the Board is satisfied that any such District Assessment is so irregular or defective that the same cannot be enforced or collected, or if the Board has omitted to include any property on the District Assessment roll which property should have been so included, the Board may take all necessary steps to impose a new District Assessment against any property benefited by the Project, following, as nearly as may be practicable, the provisions of this article, and in case such second District Assessment is annulled, the Board may obtain and impose other District Assessments until a valid District Assessment is imposed.
- (2) Any informality or irregularity in the proceedings in connection with the levy of any District Assessment under the provisions of this article shall not affect the validity of the same after the approval thereof, and any District Assessment as finally approved shall be competent and sufficient evidence that such District Assessment was duly made and adopted, and that all other proceedings adequate to such District Assessment were duly had, taken and performed as required by this article, and no variance from the directions hereunder shall be held material unless it be clearly shown that the party objecting was materially injured thereby. Notwithstanding

the provisions of this subsection, any party objecting to this article must file an objection with a court of competent jurisdiction within the time periods prescribed herein.

- (3) No act of error or omission on the part of the Property Appraiser, Tax Collector, Clerk, Board, or their deputies or employees shall operate to release or discharge any obligation for payment of any District Assessment imposed by the Board under the provisions of this article.
- (4) All costs, fees, and expenses, including reasonable attorneys' fees and title search expenses, related to any foreclosure action as described herein shall be included in any judgment or decree rendered therein. At the sale pursuant to decree in any such action, the County may be the purchaser to the same extent as an individual person or corporation. The County may join in one foreclosure action the collection of District Assessments against any or all property assessed in accordance with the provisions hereof. All delinquent owners whose property is foreclosed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the County and its agents, including reasonable attorneys' fees, in collection of such delinquent District Assessments, and any other costs incurred by the county as a resolution of such delinquent District Assessments, and the same shall be collectible as a part of or in addition to the costs of the action.
- (5) In lieu of foreclosure, any delinquent District Assessment, and the costs, fees and expenses attributable thereto, may be collected pursuant to the Uniform Assessment Collection Act; provided, however, that notice is provided to the owner of the assessed property in the manner required by law and this article, and any existing lien of record on the affected parcel for the delinquent District Assessment is supplanted by the lien resulting from certification of the assessment roll, as applicable, to the Tax Collector.
- (6) Any County action required in the collection of District Assessments may be by resolution.
- (7) The funds provided by the imposition and collection of District Assessments shall be used to address Project costs and may be used to reimburse funds advanced by the County for the Project.

Section 10. A new Section 600-610 of the Code is hereby created to read as follows:

Sec. 600-610. Funds of the District.

Funds of the District shall be accounted for separately from other funds of the County. No funds of the District shall be used for any purposes other than those authorized by this article and which the County may from time to time determine to be in the best interest of the District.

Section 11. A new Section 600-611 of the Code is hereby created to read as follows:

Sec. 600-611. Term of existence.

The District shall continue to exist until dissolved in accordance with law. Should any part of the lands included in the District established pursuant to this Ordinance be held not to be included therein, then the provisions of this Ordinance shall continue in effect as to the balance of said lands.

Section 12. A new Section 600-612 of the Code is hereby created to read as follows:

Sec. 600-612. Claims against the district.

No suit or action or proceeding shall be instituted or maintained in any court against the District or the Governing Body, or any member of the Governing Body, for or upon any claim, right, or demand, unless the claimant has complied with Sarasota County Ordinance No. 75-25, as same may be from time to time amended.

Section 13. Severability. If any provision of this Ordinance is for any reason finally held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions.

Section 14. Effective Date. This Ordinance shall become effective upon filing with the Office of Secretary of State of the State of Florida.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 11th day of OCTOBER 2006.

Attest:

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

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

By: 
Chairman

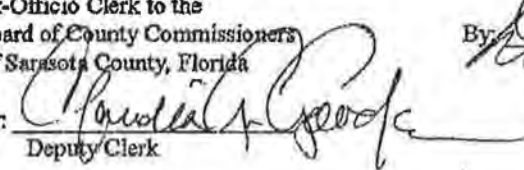
By: 
Deputy Clerk

EXHIBIT "A"

TO SARASOTA COUNTY ORDINANCE NO. 2006 - XXX

LEGAL DESCRIPTION OF THE BOUNDARY OF THE SOUTH SIESTA KEY BEACH
RESTORATION DISTRICT

ALL THAT PART OF THE BARRIER ISLAND KNOWN AS SIESTA KEY LOCATED IN
SECTIONS 29, 32 AND 33, TOWNSHIP 37 SOUTH, RANGE 18 EAST OF SARASOTA
COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL
RECORD INSTRUMENT NUMBER 2003161790 OF THE PUBLIC RECORDS OF
SARASOTA COUNTY, FLORIDA; THENCE RUN SOUTHWESTERLY FOR A DISTANCE
OF 150 FEET MORE OR LESS TO THE MEAN HIGH WATER LINE OF THE GULF OF
MEXICO; THENCE MEANDERING SOUTHERLY ALONG SAID MEAN HIGH WATER
LINE OF THE GULF OF MEXICO FOR A DISTANCE OF 4,525 FEET TO THE
INTERSECTION WITH THE NORTHWEST CORNER OF HIDDEN LAGOON BEACH
CLUB, RECORDED IN CONDOMINIUM BOOK 24, PAGE 32 OF SAID PUBLIC
RECORDS; THENCE CONTINUE SOUTHERLY ALONG SAID MEAN HIGH WATER
LINE FOR A DISTANCE OF 575 FEET, MORE OR LESS TO THE SOUTHWEST CORNER
OF SAID HIDDEN LAGOON BEACH CLUB; THENCE RUN EASTERLY ALONG THE
SOUTHERLY BOUNDARY LINE OF HIDDEN LAGOON BEACH CLUB FOR A
DISTANCE OF 245 FEET MORE OR LESS TO INTERSECTION WITH THE NORTHWEST
CORNER OF BAY TREE CLUB, RECORDED IN CONDOMINIUM BOOK 4, PAGE 19 OF
SAID PUBLIC RECORDS; THENCE RUN SOUTHERLY ALONG THE WESTERLY
BOUNDARY LINE OF SAID BAY TREE CLUB FOR A DISTANCE OF 155 FEET, MORE
OR LESS TO THE INTERSECTION WITH THE NORTHERLY BOUNDARY LINE OF
TORTUGA, A CONDOMINIUM, RECORDED IN CONDOMINIUM BOOK 7, PAGE 41 OF
SAID PUBLIC RECORDS; THENCE RUN WESTERLY ALONG SAID NORTHERLY
BOUNDARY LINE, A DISTANCE OF 40 FEET, MORE OR LESS TO THE NORTHWEST
CORNER OF SAID TORTUGA, A CONDOMINIUM; THENCE RUN SOUTHERLY ALONG
THE WESTERLY BOUNDARY LINE OF TORTUGA, A CONDOMINIUM FOR A
DISTANCE OF 340 FEET, MORE OR LESS TO THE INTERSECTION WITH THE
NORTHERLY BOUNDARY LINE OF ISLAND REEF, SECTION 1, RECORDED IN
CONDOMINIUM BOOK 9, PAGE 1 OF SAID PUBLIC RECORDS; THENCE RUN
WESTERLY ALONG SAID NORTHERLY BOUNDARY LINE, A DISTANCE OF 13 FEET,
MORE OR LESS TO THE NORTHWEST CORNER OF SAID ISLAND REEF, SECTION 1
RECORDED IN CONDOMINIUM BOOK 9, PAGE 1 OF SAID PUBLIC RECORDS;
THENCE RUN SOUTHERLY ALONG THE WESTERLY BOUNDARY LINE OF SAID
ISLAND REEF, SECTION 1 FOR A DISTANCE OF 350 FEET, MORE OR LESS TO THE
INTERSECTION WITH THE NORTHWEST CORNER OF TORTOISE ESTATES,
RECORDED IN PLAT BOOK 24, PAGE 28 OF SAID PUBLIC RECORDS; THENCE RUN
SOUTHERLY ALONG THE WESTERLY BOUNDARY LINE OF SAID TORTOISE
ESTATES FOR A DISTANCE OF 690 FEET, MORE OR LESS TO THE INTERSECTION
WITH THE SOUTHWEST CORNER OF LOT 5, TORTOISE ESTATES RECORDED IN
PLAT BOOK 24, PAGE 28 OF SAID PUBLIC RECORDS; THENCE RUN EASTERLY

ALONG THE SOUTHERLY LOT LINE OF SAID LOT 5 FOR A DISTANCE OF 112.00 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE RUN NORTHERLY WITHIN THE PLAT OF SAID TORTOISE ESTATES THE NEXT THREE CALLS; RUN NORTHERLY ALONG THE EASTERLY LOT LINE OF SAID LOT 5 FOR A DISTANCE OF 112 FEET, MORE OR LESS TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF HORIZON VIEW DRIVE; THENCE RUN NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 499 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHEAST CORNER OF LOT 10; THENCE RUN NORTHERLY ALONG THE EASTERLY LOT LINE OF SAID LOT 10 FOR A DISTANCE OF 136 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHERLY BOUNDARY LINE OF SAID ISLAND REEF, SECTION 1 AND ALSO BEING THE NORTHERLY BOUNDARY LINE OF SAID TORTOISE ESTATES; THENCE RUN EASTERLY ALONG SAID SOUTHERLY BOUNDARY LINE FOR A DISTANCE OF 340 FEET, MORE OR LESS TO THE INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY LINE OF MIDNIGHT PASS ROAD; THENCE RUN NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 728 FEET MORE OR LESS TO THE INTERSECTION WITH THE SOUTHEAST CORNER OF THAT PORTION OF BAY TREE CONDOMINIUM, RECORDED IN CONDOMINIUM BOOK 4 PAGE 19 OF SAID PUBLIC RECORDS, LYING WESTERLY OF MIDNIGHT PASS ROAD; THENCE CONTINUE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF MIDNIGHT PASS ROAD FOR A DISTANCE OF 60 FEET, MORE OR LESS; THENCE RUN EAST 53 FEET, MORE OR LESS TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF SAID MIDNIGHT PASS ROAD FOR A DISTANCE OF 53 FEET, MORE OR LESS AND SAID POINT BEING THE SOUTHWEST CORNER OF THAT PORTION OF BAY TREE CONDOMINIUM LYING EASTERLY OF MIDNIGHT PASS ROAD; THENCE RUN EASTERLY ALONG THE SOUTHERLY BOUNDARY LINE OF SAID BAY TREE CONDOMINIUM FOR A DISTANCE OF 725 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SHORE OF LITTLE SARASOTA BAY; THENCE MEANDER NORTHWESTERLY ALONG SAID SHORE FOR A DISTANCE OF 355 FEET, MORE OR LESS; THENCE RUN WESTERLY ALONG THE NORTHERLY BOUNDARY LINE OF SAID BAY TREE CONDOMINIUM FOR A DISTANCE OF 600 FEET, MORE OR LESS TO THE INTERSECTION WITH SAID EASTERLY RIGHT-OF-WAY LINE OF MIDNIGHT PASS ROAD; THENCE CONTINUE WESTERLY FOR A DISTANCE OF 51 FEET, MORE OR LESS TO THE INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY LINE OF MIDNIGHT PASS ROAD AND BEING THE NORTHEAST CORNER OF THAT PORTION OF BAY TREE CONDOMINIUM LYING WESTERLY OF MIDNIGHT PASS ROAD; THENCE RUN NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF MIDNIGHT PASS ROAD FOR A DISTANCE OF 380 FEET, MORE OR LESS TO THE INTERSECTION WITH THE NORTHEAST CORNER OF SAID HIDDEN LAGOON BEACH CLUB; THENCE CONTINUE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF MIDNIGHT PASS ROAD FOR A DISTANCE OF 800 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 2071 PAGE 1801 OF SAID PUBLIC RECORDS; THENCE RUN WESTERLY FOR A DISTANCE OF 400 FEET, MORE OR LESS TO THE INTERSECTION WITH THE EASTERLY WATERS OF HERON LAGOON AND BEING THE NORTHWEST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 1669, PAGE 0497 OF SAID PUBLIC RECORDS; THENCE MEANDER SOUTHERLY ALONG SAID WESTERLY WATERS OF HERON LAGOON FOR A DISTANCE OF 830 FEET, MORE OR LESS TO

THE INTERSECTION WITH THE NORTHERLY BOUNDARY LINE OF SAID HIDDEN LAGOON BEACH CLUB; THENCE RUN WESTERLY ALONG SAID BOUNDARY LINE FOR A DISTANCE OF 41 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHEAST CORNER OF LOT 17, HERON LAGOON LODGES, RECORDED IN PLAT BOOK 7, PAGE 75 OF SAID PUBLIC RECORDS; THENCE RUN NORTHERLY ALONG THE WESTERLY WATERS OF SAID HERON LAGOON FOR A DISTANCE OF 4,750 FEET, MORE OR LESS TO THE INTERSECTION WITH THE NORTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 1999172474 OF SAID PUBLIC RECORDS; THENCE RUN SOUTHWESTERLY FOR A DISTANCE OF 140 FEET, MORE OR LESS TO THE INTERSECTION WITH THE EASTERLY BOUNDARY LINE OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 2497, PAGE 1076 OF SAID PUBLIC RECORDS; THENCE RUN NORTHERLY ALONG THE EASTERLY BOUNDARY OF SAID PARCEL FOR A DISTANCE OF 300 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF SAID PARCEL RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 2003161790 AND ALSO BEING THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING LOCATED IN SECTION 32 AND 33, TOWNSHIP 37 SOUTH, RANGE 18 EAST OF SAID SARASOTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGIN AT THE NORTHEAST CORNER OF FISHERMAN'S COVE, RECORDED IN PLAT BOOK 2, PAGE 44 OF SAID PUBLIC RECORDS; THENCE RUN WESTERLY ALONG THE NORTHERLY BOUNDARY LINE OF FISHERMAN'S COVE FOR A DISTANCE OF 252 FEET, MORE OR LESS TO THE MEAN HIGH WATER LINE OF THE GULF OF MEXICO; THENCE RUN SOUTHERLY ALONG SAID MEAN HIGH WATER LINE FOR A DISTANCE OF 448 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF FISHERMAN'S COVE, FIRST ADDITION, RECORDED IN PLAT BOOK 3, PAGE 33 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTHERLY ALONG SAID MEAN HIGH WATER LINE FOR A DISTANCE OF 473 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF FISHERMAN'S HAVEN, RECORDED IN PLAT BOOK 8, PAGE 32 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTHERLY ALONG SAID MEAN HIGH WATER LINE FOR A DISTANCE OF 200 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF A PARCEL AS RECORDED IN OFFICIAL RECORD BOOK 895, PAGE 452 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTHERLY ALONG SAID MEAN HIGH WATER LINE OF THE GULF OF MEXICO FOR A DISTANCE OF 1,220 FEET, MORE OR LESS TO SOUTHWEST CORNER OF A PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 2634, PAGE 72 OF SAID PUBLIC RECORDS; THENCE RUN EASTERLY ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL FOR A DISTANCE OF 470 FEET, MORE OR LESS TO THE INTERSECTION WITH THE WESTERLY WATERS EDGE OF BLIND PASS; THENCE MEANDER NORTHERLY ALONG SAID WATERS EDGE FOR A DISTANCE OF 426 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 1414, PAGE 965 OF SAID PUBLIC RECORDS; THENCE RUN SOUTHWESTERLY AND THENCE NORTHERLY ALONG THE SOUTHERLY AND WESTERLY BOUNDARY LINE OF SAID PARCEL FOR A DISTANCE OF 357 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHERLY BOUNDARY LINE OF A PARCEL RECORDED IN OFFICIAL RECORDS INSTRUMENT NUMBER 2003067449 OF SAID PUBLIC RECORDS; THENCE RUN EASTERLY AND THENCE NORTHERLY ALONG SAID SOUTHERLY AND THE EASTERLY BOUNDARY LINE OF SAID PARCEL FOR A DISTANCE OF 89 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHERLY BOUNDARY LINE OF A PARCEL

RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 2003234540, OF SAID PUBLIC RECORDS; THENCE RUN EASTERLY ALONG THE SAID SOUTHERLY BOUNDARY LINE FOR A DISTANCE OF 179 FEET, MORE OR LESS TO THE INTERSECTION WITH SAID WATER EDGE OF BLIND PASS; THENCE MEANDER NORTHERLY ALONG SAID WATERS EDGE FOR A DISTANCE OF 100 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 1303, PAGE 1352 OF SAID PUBLIC RECORDS; THENCE RUN WESTERLY AND THEN NORTHERLY ALONG THE SOUTHERLY AND WESTERLY BOUNDARY LINE OF SAID PARCEL FOR A DISTANCE OF 265 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 2002021695 OF SAID PUBLIC RECORDS; THENCE RUN NORTHERLY FOR A DISTANCE OF 100 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 2001138083 OF SAID PUBLIC RECORDS ; THENCE RUN NORTHERLY, WESTERLY AND THENCE NORTHERLY FOR A DISTANCE OF 214 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHERLY BOUNDARY LINE OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 3101, PAGE 2068 OF SAID PUBLIC RECORDS; THENCE RUN EASTERLY ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL FOR A DISTANCE OF 260 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SAID WESTERLY WATERS EDGE OF BLIND PASS; THENCE MEANDER NORTHERLY ALONG SAID WATERS EDGE OF BLIND PASS FOR A DISTANCE OF 1,570 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF SAID FISHERMAN'S COVE AND ALSO BEING THE POINT OF BEGINNING.

End of legal description



021006-076

BOARD RECORD
FILED FOR

NOV 21 AM 1:54

ORDINANCE NO. 2007-096

AN ORDINANCE OF SARASOTA COUNTY, FLORIDA, RELATING TO THE SOUTH SIESTA KEY BEACH RESTORATION DISTRICT ("DISTRICT"), AMENDING ORDINANCE NO. 2006-076, CODIFIED AS ARTICLE XV OF CHAPTER 110 OF THE SARASOTA COUNTY CODE ("CODE"); AMENDING SECTION 110-602 OF THE CODE PROVIDING FOR ESTABLISHMENT OF THE DISTRICT; REPLACING EXHIBIT A TO ORDINANCE NO. 2006-076 DEPICTING LEGAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance 2006-076 established the South Siesta Key Beach Restoration District for purposes of funding Beach Restoration within the boundaries of the District; and,

WHEREAS, since the adoption of Ordinance 2006-076, it has been determined that a revision of the legal boundaries of the District is necessary to reflect the removal of two properties, which have been determined do not benefit from Beach Restoration.

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

SECTION 1. This Ordinance hereby amends Ordinance No. 2006-076, as codified in Chapter 110, Article XV of the Sarasota County Code (the "Code"). In this Ordinance, new text is indicated by underlining and deleted text is indicated by ~~striketrough~~.

SECTION 2. Section 110-602 of the Code is hereby amended to read as follows:

Sec. 110-602. Establishment of District.

Pursuant to the authority of F.S. § 125.01(1) and Sarasota County's constitutional home rule authority, the Board ~~hereby establishes~~ has authorized establishment of the South Siesta Key Beach Restoration District (the "District"), as a municipal service benefit unit ("MSBU"), the boundaries of which are more particularly described in Revised Exhibit "A", attached hereto to Ordinance No. 2006-076 and incorporated herein by reference, replacing in its entirety Exhibit A to Ordinance 2006-076, for purposes of funding Beach Restoration within the boundaries of the District.

SECTION 3. Severability

If any provision of this Ordinance is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance or Article as a whole, or any part thereof other than the part declared to be invalid.

SECTION 4. Effective Date

This Ordinance shall become effective upon filing with the Office of Secretary of State of the State of Florida.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 20th day of November, 2007.

**BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA**

ATTEST:

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

By: Paula J. Mintman
Deputy Clerk

By: Nora Patterson
Chair

REVISED EXHIBIT A

**SOUTH SIESTA KEY BEACH
RESTORATION DISTRICT**

ALL THAT PART OF THE BARRIER ISLAND KNOWN AS SIESTA KEY LOCATED IN SECTIONS 29, 32 AND 33, TOWNSHIP 37 SOUTH, RANGE 18 EAST OF SARASOTA COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 1999172474 OF THE PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA; THENCE RUN SOUTHWESTERLY ALONG THE NORTHERLY BOUNDARY LINE OF SAID PARCEL FOR A DISTANCE OF 135 FEET MORE OR LESS; THENCE RUN SOUTHERLY FOR A DISTANCE OF 60 FEET MORE OR LESS TO THE INTERSECTION WITH THE NORTHEAST CORNER OF SAID PARCEL RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 1999172474 LYING WESTERLY OF SANDERLING ROAD; THENCE RUN SOUTHWESTERLY ALONG THE NORTHERLY BOUNDARY LINE OF SAID PARCEL FOR A DISTANCE OF 340 FEET MORE OR LESS TO THE INTERSECTION WITH THE MEAN HIGH WATER LINE AND EROSION CONTROL LINE AS RECORDED IN THE COASTAL CONSTRUCTION CONTROL LINE BOOK 2 PAGE 17 OF SAID PUBLIC RECORDS; THENCE RUN SOUTHERLY ALONG SAID MEAN HIGH WATER LINE AND EROSION CONTROL LINE FOR A DISTANCE OF 4160 FEET TO THE INTERSECTION WITH THE NORTHERLY BOUNDARY LINE OF HIDDEN LAGOON BEACH CLUB, RECORDED IN CONDOMINIUM BOOK 24, PAGE 32 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTHERLY ALONG SAID MEAN HIGH WATER LINE AND EROSION CONTROL LINE FOR A DISTANCE OF 575 FEET, MORE OR LESS TO THE SOUTHERLY BOUNDARY LINE OF SAID HIDDEN LAGOON BEACH CLUB; THENCE RUN EASTERLY ALONG SAID SOUTHERLY BOUNDARY LINE OF HIDDEN LAGOON BEACH CLUB FOR A DISTANCE OF 245 FEET MORE OR LESS TO INTERSECTION WITH THE NORTHWEST CORNER OF BAY TREE CLUB, RECORDED IN CONDOMINIUM BOOK 4, PAGE 19 OF SAID PUBLIC RECORDS; THENCE RUN SOUTHERLY ALONG THE WESTERLY BOUNDARY LINE OF SAID BAY TREE CLUB FOR A DISTANCE OF 155 FEET, MORE OR LESS TO THE INTERSECTION WITH THE NORTHERLY BOUNDARY LINE OF TORTUGA, A CONDOMINIUM, RECORDED IN CONDOMINIUM BOOK 7, PAGE 41 OF SAID PUBLIC RECORDS; THENCE RUN WESTERLY ALONG SAID NORTHERLY BOUNDARY LINE, A DISTANCE OF 40 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF SAID TORTUGA, A CONDOMINIUM; THENCE RUN SOUTHERLY ALONG THE WESTERLY BOUNDARY LINE OF TORTUGA, A CONDOMINIUM FOR A DISTANCE OF 340 FEET, MORE OR LESS TO THE INTERSECTION WITH THE NORTHERLY BOUNDARY LINE OF ISLAND REEF, SECTION 1, RECORDED IN CONDOMINIUM BOOK 9, PAGE 1 OF SAID PUBLIC RECORDS; THENCE RUN WESTERLY ALONG SAID NORTHERLY BOUNDARY LINE, A DISTANCE OF 13 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF SAID ISLAND REEF, SECTION 1 RECORDED IN CONDOMINIUM BOOK 9, PAGE 1 OF SAID PUBLIC RECORDS; THENCE RUN SOUTHERLY ALONG THE WESTERLY BOUNDARY LINE OF SAID ISLAND REEF, SECTION 1 FOR A DISTANCE OF 350 FEET, MORE OR LESS TO THE INTERSECTION WITH THE NORTHWEST CORNER OF TORTOISE ESTATES, RECORDED IN PLAT BOOK 24, PAGE 28 OF SAID PUBLIC RECORDS; THENCE RUN SOUTHERLY ALONG THE WESTERLY BOUNDARY LINE OF SAID

TORTOISE ESTATES FOR A DISTANCE OF 690 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHWEST CORNER OF LOT 5, TORTOISE ESTATES RECORDED IN PLAT BOOK 24, PAGE 28 OF SAID PUBLIC RECORDS; THENCE RUN EASTERLY ALONG THE SOUTHERLY LOT LINE OF SAID LOT 5 FOR A DISTANCE OF 112.00 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE RUN NORTHERLY WITHIN THE PLAT OF SAID TORTOISE ESTATES THE NEXT THREE CALLS; RUN NORTHERLY ALONG THE EASTERLY LOT LINE OF SAID LOT 5 FOR A DISTANCE OF 112 FEET, MORE OR LESS TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF HORIZON VIEW DRIVE; THENCE RUN NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 499 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHEAST CORNER OF LOT 10; THENCE RUN NORTHERLY ALONG THE EASTERLY LOT LINE OF SAID LOT 10 FOR A DISTANCE OF 136 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHERLY BOUNDARY LINE OF SAID ISLAND REEF, SECTION 1 AND ALSO BEING THE NORTHERLY BOUNDARY LINE OF SAID TORTOISE ESTATES; THENCE RUN EASTERLY ALONG SAID SOUTHERLY BOUNDARY LINE FOR A DISTANCE OF 340 FEET, MORE OR LESS TO THE INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY LINE OF MIDNIGHT PASS ROAD; THENCE RUN NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 728 FEET MORE OR LESS TO THE INTERSECTION WITH THE SOUTHEAST CORNER OF THAT PORTION OF BAY TREE CONDOMINIUM, RECORDED IN CONDOMINIUM BOOK 4 PAGE 19 OF SAID PUBLIC RECORDS, LYING WESTERLY OF MIDNIGHT PASS ROAD; THENCE CONTINUE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF MIDNIGHT PASS ROAD FOR A DISTANCE OF 60 FEET, MORE OR LESS; THENCE RUN EAST 53 FEET, MORE OR LESS TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF SAID MIDNIGHT PASS ROAD FOR A DISTANCE OF 53 FEET, MORE OR LESS AND SAID POINT BEING THE SOUTHWEST CORNER OF THAT PORTION OF BAY TREE CONDOMINIUM LYING EASTERLY OF MIDNIGHT PASS ROAD; THENCE RUN EASTERLY ALONG THE SOUTHERLY BOUNDARY LINE OF SAID BAY TREE CONDOMINIUM FOR A DISTANCE OF 725 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SHORE OF LITTLE SARASOTA BAY; THENCE MEANDER NORTHWESTERLY ALONG SAID SHORE FOR A DISTANCE OF 355 FEET, MORE OR LESS; THENCE RUN WESTERLY ALONG THE NORTHERLY BOUNDARY LINE OF SAID BAY TREE CONDOMINIUM FOR A DISTANCE OF 600 FEET, MORE OR LESS TO THE INTERSECTION WITH SAID EASTERLY RIGHT-OF-WAY LINE OF MIDNIGHT PASS ROAD; THENCE CONTINUE WESTERLY FOR A DISTANCE OF 51 FEET, MORE OR LESS TO THE INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY LINE OF MIDNIGHT PASS ROAD AND BEING THE NORTHEAST CORNER OF THAT PORTION OF BAY TREE CONDOMINIUM LYING WESTERLY OF MIDNIGHT PASS ROAD; THENCE RUN NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF MIDNIGHT PASS ROAD FOR A DISTANCE OF 380 FEET, MORE OR LESS TO THE INTERSECTION WITH THE NORTHEAST CORNER OF SAID HIDDEN LAGOON BEACH CLUB; THENCE CONTINUE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF MIDNIGHT PASS ROAD FOR A DISTANCE OF 685 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 2071 PAGE 1801 OF SAID PUBLIC RECORDS; THENCE RUN WESTERLY FOR A DISTANCE OF 365 FEET, MORE OR LESS TO THE INTERSECTION WITH THE EASTERLY WATERS OF HERON LAGOON AND BEING THE NORTHWEST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 1669, PAGE 0497 OF SAID PUBLIC RECORDS; THENCE MEANDER SOUTHERLY ALONG SAID WESTERLY WATERS OF HERON LAGOON FOR A DISTANCE OF

700 FEET, MORE OR LESS TO THE INTERSECTION WITH THE NORTHERLY BOUNDARY LINE OF SAID HIDDEN LAGOON BEACH CLUB; THENCE RUN WESTERLY ALONG SAID BOUNDARY LINE FOR A DISTANCE OF 41 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHEAST CORNER OF LOT 17, HERON LAGOON LODGES, RECORDED IN PLAT BOOK 7, PAGE 75 OF SAID PUBLIC RECORDS; THENCE RUN NORTHERLY ALONG THE WESTERLY WATERS OF SAID HERON LAGOON FOR A DISTANCE OF 4,750 FEET, MORE OR LESS TO THE INTERSECTION WITH THE NORTHEAST CORNER OF SAID PARCEL RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 1999172474 OF SAID PUBLIC RECORDS AND ALSO BEING THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING LOCATED IN SECTION 32 AND 33, TOWNSHIP 37 SOUTH, RANGE 18 EAST OF SAID SARASOTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGIN AT THE NORTHEAST CORNER OF FISHERMAN'S COVE, FIRST ADDITION, RECORDED IN CONDOMINIUM BOOK 3, PAGE 33 OF SAID PUBLIC RECORDS; THENCE RUN WESTERLY ALONG THE NORTHERLY BOUNDARY LINE OF SAID FISHERMAN'S COVE, FIRST ADDITION FOR A DISTANCE OF 250 FEET, MORE OR LESS TO THE TO THE INTERSECTION WITH THE MEAN HIGH WATER LINE AND EROSION CONTROL LINE AS RECORDED IN THE COASTAL CONSTRUCTION CONTROL LINE BOOK 2 PAGE 17 OF SAID PUBLIC RECORDS; THENCE RUN SOUTHERLY ALONG SAID MEAN HIGH WATER LINE AND EROSION CONTROL LINE FOR A DISTANCE OF 445 FEET, MORE OR LESS TO THE INTERSECTION WITH THE NORTHERLY BOUNDARY LINE OF FISHERMAN'S COVE, RECORDED IN CONDOMINIUM BOOK 2, PAGE 44 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTHERLY ALONG SAID MEAN HIGH WATER LINE AND EROSION CONTROL LINE FOR A DISTANCE OF 470 FEET, MORE OR LESS TO THE INTERSECTION WITH THE NORTHERLY BOUNDARY LINE OF FISHERMAN'S HAVEN, RECORDED IN CONDOMINIUM BOOK 8, PAGE 32 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTHERLY ALONG SAID MEAN HIGH WATER LINE AND EROSION CONTROL LINE FOR A DISTANCE OF 200 FEET, MORE OR LESS TO THE INTERSECTION WITH THE NORTHERLY BOUNDARY LINE OF A PARCEL AS RECORDED IN OFFICIAL RECORD BOOK 895, PAGE 452 OF SAID PUBLIC RECORDS; THENCE CONTINUE SOUTHERLY ALONG SAID MEAN HIGH WATER LINE AND EROSION CONTROL LINE FOR A DISTANCE OF 1,200 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHERLY BOUNDARY LINE OF A PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 2634, PAGE 72 OF SAID PUBLIC RECORDS; THENCE RUN EASTERLY ALONG SAID SOUTHERLY BOUNDARY LINE OF SAID PARCEL FOR A DISTANCE OF 470 FEET, MORE OR LESS TO THE INTERSECTION WITH THE WESTERLY WATERS EDGE OF BLIND PASS; THENCE MEANDER NORTHERLY ALONG SAID WATERS EDGE FOR A DISTANCE OF 426 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 1414, PAGE 965 OF SAID PUBLIC RECORDS; THENCE RUN SOUTHWESTERLY AND THENCE NORTHERLY ALONG THE SOUTHERLY AND WESTERLY BOUNDARY LINE OF SAID PARCEL FOR A DISTANCE OF 357 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHERLY BOUNDARY LINE OF A PARCEL RECORDED IN OFFICIAL RECORDS INSTRUMENT NUMBER 2003067449 OF SAID PUBLIC RECORDS; THENCE RUN EASTERLY AND THENCE NORTHERLY ALONG SAID SOUTHERLY AND THE EASTERLY BOUNDARY LINE OF SAID PARCEL FOR A DISTANCE OF 89 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHERLY BOUNDARY LINE OF A PARCEL RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 2003234540, OF SAID

PUBLIC RECORDS; THENCE RUN EASTERLY ALONG THE SAID SOUTHERLY BOUNDARY LINE FOR A DISTANCE OF 179 FEET, MORE OR LESS TO THE INTERSECTION WITH SAID WATER EDGE OF BLIND PASS; THENCE MEANDER NORTHERLY ALONG SAID WATERS EDGE FOR A DISTANCE OF 100 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 1303, PAGE 1352 OF SAID PUBLIC RECORDS; THENCE RUN WESTERLY AND THEN NORTHERLY ALONG THE SOUTHERLY AND WESTERLY BOUNDARY LINE OF SAID PARCEL FOR A DISTANCE OF 265 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 2002021695 OF SAID PUBLIC RECORDS; THENCE RUN NORTHERLY FOR A DISTANCE OF 100 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF A PARCEL RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 2001138083 OF SAID PUBLIC RECORDS ; THENCE RUN NORTHERLY, WESTERLY AND THENCE NORTHERLY FOR A DISTANCE OF 214 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SOUTHERLY BOUNDARY LINE OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 3101, PAGE 2068 OF SAID PUBLIC RECORDS; THENCE RUN EASTERLY ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL FOR A DISTANCE OF 260 FEET, MORE OR LESS TO THE INTERSECTION WITH THE SAID WESTERLY WATERS EDGE OF BLIND PASS; THENCE MEANDER NORTHERLY ALONG SAID WATERS EDGE OF BLIND PASS FOR A DISTANCE OF 1,570 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF SAID FISHERMAN'S COVE, FIRST ADDITION AND ALSO BEING THE POINT OF BEGINNING.

