

Record \$

Prepared by and return to:
Jeffrey A. Grebe, Esq.
Williams, Parker, Harrison, Dietz & Getzen
200 South Orange Avenue
Sarasota, Florida 34236
(941) 366-4800

AMENDMENT TO RESTRICTION

THIS AMENDMENT TO RESTRICTION is made by **THE SCHOOL BOARD OF SARASOTA COUNTY** (the "School Board").

RECITALS:

A. By virtue of a Quit Claim Deed dated August 19, 2003, recorded in the Official Records as Instrument #2003194261, Public Records of Sarasota County, Florida (the "Deed"), the School Board conveyed to Sarasota County, a political subdivision of the State of Florida ("Sarasota County"), certain real property legally described on Exhibit "A" attached hereto (the "Property"); and

B. The Deed placed restrictions on the future use of the Property, by providing that the conveyance was for the purpose of the construction and maintenance of a Sarasota County stormwater improvement facility on the Property (the "Restriction"); and

C. Sarasota County has requested that the School Board amend the Restriction to permit Sarasota County to lease the Property to the Community Housing Trust to construct affordable housing residences on a portion of the Property; and

D. The School Board is agreeable to such request, provided that the affordable housing residences are constructed on the Property in substantial compliance with the preliminary site plan (the "Site Plan") attached as Exhibit "B" hereto;

NOW, THEREFORE, in consideration of \$1.00 and other valuable consideration, receipt of which is hereby acknowledged, the School Board does hereby amend the Restriction to permit construction of affordable housing residences on a portion of the Property in substantial compliance with the Site Plan. Nothing contained herein shall otherwise limit the School Board from enforcement of the Restriction, as herein amended, related to uses not permitted by the Restriction.

IN WITNESS WHEREOF, the School Board has executed this Amendment of Restriction effective January ____, 2008.

WITNESSES:

THE SCHOOL BOARD OF SARASOTA COUNTY

Signature of Witness

By: _____

Print Name of Witness

Print Name: _____

As its _____

Signature of Witness

Print Name of Witness

STATE OF FLORIDA
COUNTY OF SARASOTA

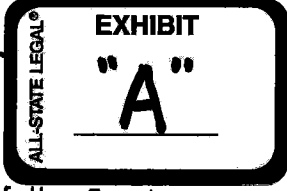
The foregoing instrument was acknowledged before me this ____ day of January 2008 by _____, as _____ of **THE SCHOOL BOARD OF SARASOTA COUNTY**, on behalf of the School Board. The above-named person is personally known to me or has produced _____ as identification. If no type of identification is indicated, the above-named person is personally known to me.

(Notary Seal)

Signature of Notary Public

Print Name of Notary Public

I am a Notary Public of the State of Florida, and my commission expires on _____.



DESCRIPTION - SARASOTA COUNTY RIGHT-OF-WAY

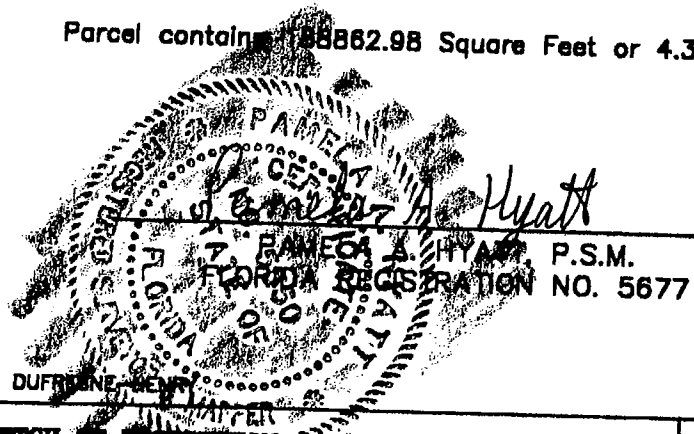
A variable width Tract of land, for the purpose of the Construction and Maintenance of a Sarasota County Stormwater Improvement, said Tract is comprised of a portion of Block 21 portions of Lots 1 through 11, Block 17; Lot 1, and portions of Lots 1 through 12, Block 18 of the Avon Heights Subdivision as recorded in Plat Book 2, page 204 Public Records of Sarasota County, Florida and also lying within Section 29, Township 36 South, Range 18 East, Sarasota County, Florida and being particularly described as follows:

Commencing at the Northwest Corner of Block 21, Avon Heights Subdivision, Plat Book 2, Page 204, Public Records of Sarasota County, Florida for a Point of Beginning:

Thence along the East Line of School Avenue (a 60 foot wide Public Road) South South.00°47'37" East, a distance of 60.31 feet to the point of curvature of a curve to the left, having: a radius of 21.75 feet, a central angle of 90°00'00", a tangent length of 21.75 feet, a chord bearing of South 45°47'37" East and a chord length of 30.76 feet; thence along the arc of said curve, an arc length of 34.16 feet to the point of tangency of said curve also lying on the northerly line of Hatton Street a variable width Public Road as recorded in O.R.B. 3076, Page 1001, Public Record of Sarasota County, Florida; thence North 89°12'23" East, a distance of 72.75 feet to the point of curvature of a curve to the right, having: a radius of 205.50 feet, a central angle of 33°22'30", a tangent length of 61.60 feet, a chord bearing of South 74°06'22" East and a chord length of 118.02 feet; thence along the arc of said curve, an arc length of 119.70 feet to the point of tangency of said curve; thence South 57°25'07" East, a distance of 50.92 feet to the point of curvature of a curve to the left, having: a radius of 154.50 feet, a central angle of 32°51'24", a tangent length of 45.55 feet, a chord bearing of South 73°50'49" East and a chord length of 87.39 feet; thence along the arc of said curve, an arc length of 88.60 feet to the end of said curve; thence North 89°43'06" East, a distance of 894.78 feet, to its intersection with the West Line of Shade Avenue, (at this point, a 60 foot wide Public Road); and leaving said northerly line of Hatton Street; thence North 00°09'12" West, a distance of 109.29 feet; thence North 89°34'17" East, a distance of 5.00 feet, along the West line of Shade Avenue (at this point a 50 foot wide Public Road); thence North 00°09'12" West, a distance of 61.73 feet, to it's intersection with the North line of Block 21, Avon Heights Subdivision; thence along said North line, South 89°30'20" West, a distance of 1235.36 feet to the Point of Beginning

Bearing are on an assumed datum and are based on the North line of Hatton Street being North 89°50'17 East.

Parcel contains 188862.98 Square Feet or 4.34 acres, more or less.



3/6/03

DATE

THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

FOR: DUFRESNE-HENRY

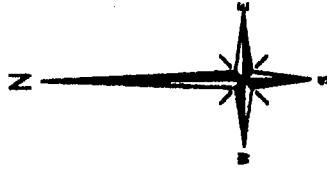
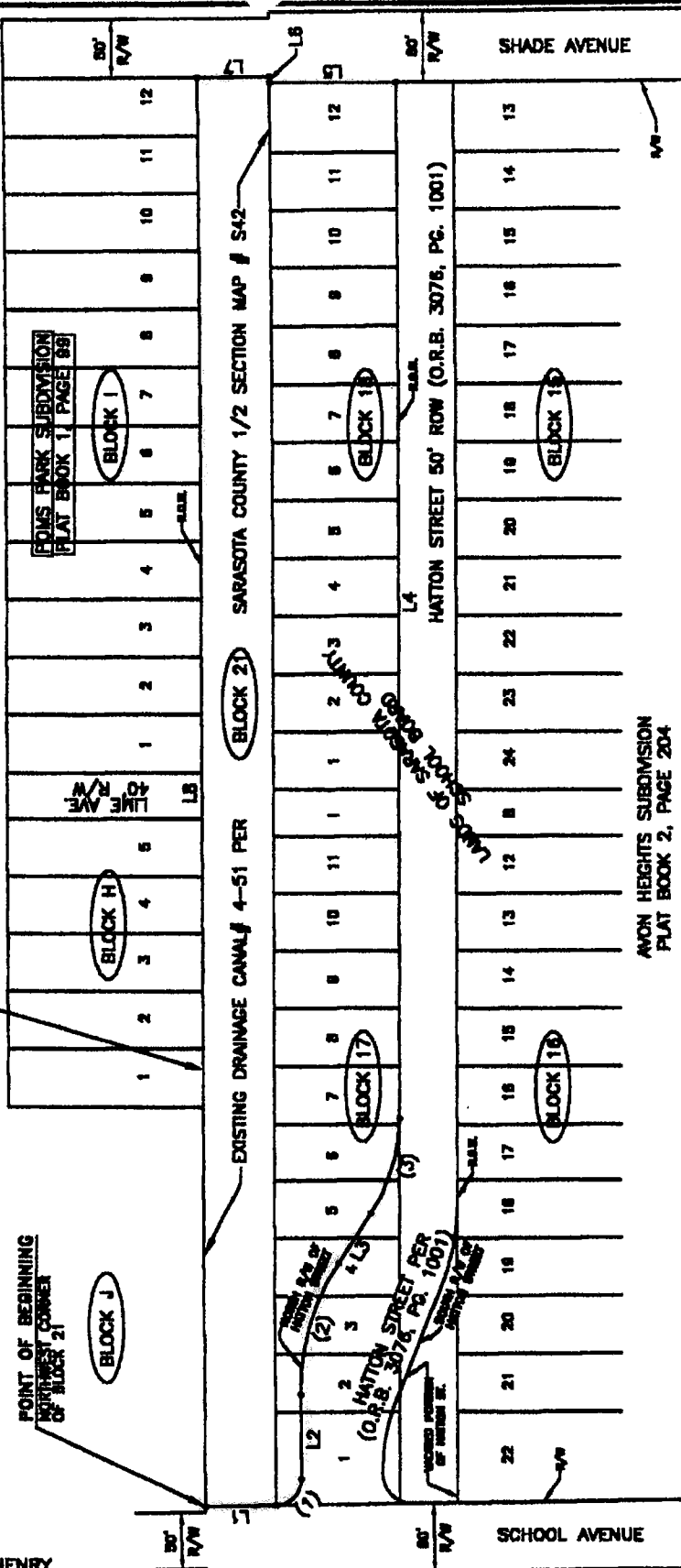
SKETCH OF DESCRIPTION
SARASOTA COUNTY RIGHT-OF-WAY
Parcel = 4.34 ACRES ±

Hyatt Survey Services, Inc.
LB No.: 7203
Geographic Data Specialists
11007 8th Avenue East Bradenton, Florida 34212
Phone (941) 748-4693 Fax (941) 744-1643

| | | | | | | | | | |
|--|----------|---------------|------------------|---------------|-----------------|-----------------|-----------------|--------------------------|-----------------|
| DUFRESNE-HENRY JOB NUMBER 8881381.01 | REVISION | SECTION 29 | TOWNSHIP 36 S | RANGE 18 E | SCALE N.T.S. | DATE 1-13-03 | DRAWN BY PAH | FILE NAME 10592A7EREV | SHEET 1 OF 2 |
|--|----------|---------------|------------------|---------------|-----------------|-----------------|-----------------|--------------------------|-----------------|

INSTRUMENT # 2003194261
3 PGS

NORTH LINE OF AVON HEIGHTS SUBDIVISION



LINE TABLE

| Line | Bearing | Distance |
|------|--------------|----------|
| L1 | S.00°47'37\" | 60.31' |
| L2 | N.00°12'30\" | 72.76' |
| L3 | S.07°25'07\" | 58.00' |
| L4 | N.08°43'08\" | 69.47' |
| L5 | N.00°08'15\" | 108.50' |
| L6 | N.00°54'17\" | 53.00' |
| L7 | N.00°08'15\" | 81.75' |
| L8 | S.00°30'50\" | 1208.30' |

CURVE TABLE

| NO. | BEARING | CHORD BEARING | CHORD | TANGENT | ARC | ANGLE | PI |
|-----|---------|---------------|---------|---------|---------|--------|--------|
| 1 | 00.31' | 00.31' | 110.00' | 67.50' | 110.00' | 90.00' | 1.5708 |
| 2 | 72.76' | 72.76' | 110.00' | 67.50' | 110.00' | 90.00' | 1.5708 |
| 3 | 58.00' | 58.00' | 110.00' | 67.50' | 110.00' | 90.00' | 1.5708 |

NOTES:
 1. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF HATTON STREET (ASSUMED DATUM)
 2. THIS IS NOT A SURVEY

LEGEND:
 R/W RIGHT OF WAY
 O.R.B. OFFICIAL RECORDS BOOK
 PG. PAGE
 SEC. SECTION
 TWP. TOWNSHIP
 RANG. RANGE
 C# CURVE NUMBER
 L# LINE NUMBER

INSTRUMENT # 2003194261
 3 PGS

THIS DRAWING IS A DESCRIPTION SKETCH ONLY AND DOES NOT REPRESENT A FIELD SURVEY OF THE PARCEL DESCRIBED.
 THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

FOR: DUFRESNE-HENRY

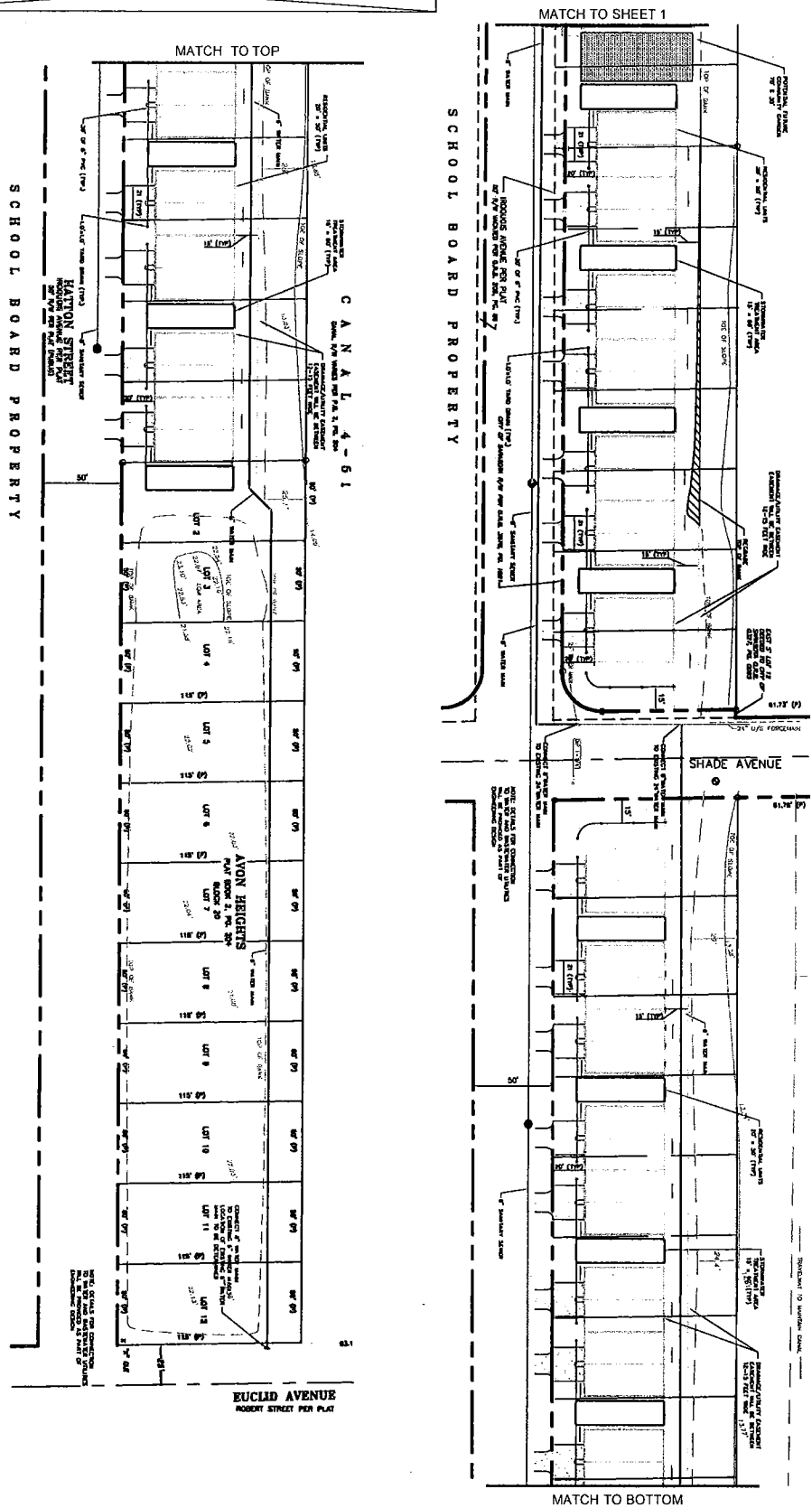
SKETCH OF DESCRIPTION
SARASOTA COUNTY RIGHT-OF-WAY

Parcel = 4.34 ACRES ±

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|--|----------|---------------|------------------|---------------|-----------------|-----------------|-----------------|--------------------------|-----------------|
| DUFRESNE-HENRY JOB NUMBER 8661391.01 | REVISION | SECTION 29 | TOWNSHIP 36 S | RANGE 18 E | SCALE N.T.S. | DATE 1-13-03 | DRAWN BY PAH | FILE NAME 10592A7EREV | SHEET 2 OF 2 |
|--|----------|---------------|------------------|---------------|-----------------|-----------------|-----------------|--------------------------|-----------------|

Hyatt Survey Services, Inc.
 LB No.: 7203
 Geographic Data Specialists
 11007 8th Avenue East Bradenton, Florida 34212
 Phone (941) 748-4693 Fax (941) 744-1643

This document, together with the separate and separate drawings, shall constitute the entire contract between the client and the architect. No part of this document shall be construed as a contract unless it is signed by the architect and the client. The architect shall be responsible for the accuracy of the information provided in this document. The architect shall not be responsible for the accuracy of the information provided in this document unless it is signed by the architect and the client.



HATTON STREET PROJECT
COMMUNITY
HOUSING TRUST
FLORIDA

PRELIMINARY
SITE PLAN

SCALE
DESIGNED BY
DRAWN BY
CHECKED BY

NOT APPROVED
FOR
CONSTRUCTION

Kimley-Horn and Associates, Inc.
© 2007 KIMLEY-HORN AND ASSOCIATES, INC.
2900 CALLENDAR ROAD, SUITE 200, WILMINGTON, FL 34223
PHONE: 811-222-8181 FAX: 811-222-2381
WWW.KIMLEY-HORN.COM CA 00000000

| NO. | REVISIONS | DATE | BY |
|-----|-----------|------|----|
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