

Prepared By:
Community Development Department
City of Palm Coast
160 Cypress Point Parkway, Suite B-106
Palm Coast, FL 32164

Reserved for Recording Information:

Return To:
City Clerk
City of Palm Coast
160 Cypress Point Parkway, Suite B-106
Palm Coast, FL 32164

CITY OF PALM COAST
DEVELOPMENT ORDER APPROVAL
SUBDIVISION PRELIMINARY PLAT, GRAND LANDINGS
PHASE I - REPLAT OF LOTS 8-10

On January 9, 2015, the City of Palm Coast issued this Development Order relating to and touching and concerning the following described property:

Lots 8, 9 and 10 of Grand Landings-Phase 1 as per plat recorded in Map Book 36, page 37-47 of the Public Record of Flagler County, Florida.

(The aforescribed property description has been provided to the City of Palm Coast by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: JTL GRAND LANDINGS DEVELOPMENT LLC
4807 W. LOVERS LANE, 2ND FLOOR
DALLAS, TX 75209

Project Name: GRAND LANDINGS PHASE I - REPLAT OF LOTS 8-10
Project No.: 2014110009
Application Type: SUBDIVISION PRELIMINARY PLAT
Application No. 2792

Requested Development Approval:

Preliminary Plat Approval for 5 Lots

Zoning District: MPD

FLUM: Residential

Parcel Nos: 20-12-31-2950-00000-0080; 20-12-31-2950-00000-0090 AND 20-12-31-2950-00000-0100

Site Acres: 2.02

Number Lots Approved with Plat: 5

CONCLUSIONS OF LAW

The Development Approval sought is consistent with the *City of Palm Coast Comprehensive Plan* and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances as set forth in the Code of Ordinances of the City of Palm Coast.

The Owners have expressly agreed to be bound by and subject to the development conditions and commitments stated below and have covenanted and agreed to have such conditions and commitments run with, follow, and perpetually burden the aforescribed property.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for Development Approval is **GRANTED**.

(2) All development of the property shall fully comply with all of the codes and ordinances in effect in the City of Palm Coast at the time of issuance of a development order and/or development permit, including but not limited to, all impact fee ordinances.

(3) The conditions upon this development approval and the commitment made as to this development approval, which have been accepted by and agreed to

by the Owner of the property is as follows (the following comments by staff must be addressed with the Final Plat):

911 - E-911 STAFF

Informational Comments:

Newly created lots 1-5 will be addressed as follows:

Lot 1	100 VIREO DR
Lot 2	102 VIREO DR
Lot 3	104 VIREO DR
Lot 4	106 VIREO DR
Lot 5	108 VIREO DR

CA1 - CITY ATTORNEY

Comments:

1. The September 22, 2014, title opinion states that the 2014 taxes are not paid. I recommend the taxes be paid prior to acceptance of the plat.
2. The language in the dedication could still use tightening up. Are all drainage and utility easements dedicated to the City? I don't understand why JTL is reserving easements when JTL owns fee title. That needs to be set forth.
3. Below are suggested changes to the dedication clause:
4. JTL Grand Landings Development, LLC, a Texas Florida limited liability corporation, ... (Strike reservation to itself)
5. All easements within dedication will be reviewed and commented at Final Plat.

OASUR - 2ND PARTY SURVEYOR

Informational Comments:

With regards to Florida Statutes 177.011-177.151 "Platting," our comments are as follows:

All previous comments have been addressed.

For information only: The Concretes Permanent Reference Monuments have not been set as of last field visit.

UD1 - UTILITY DEPARTMENT (386-986-2350)

Comments:

Fees, agreements and FDEP permits or Engineers letter of determination shall be complete prior to issuance of the site development permit.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or in part by action of the City of Palm Coast by virtue of a document of equal dignity herewith. The Owners have expressly covenanted and agreed to this provision and all other terms and

provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Development Order shall be found to be invalid or illegal then the entire Development Order shall be null and void.

(6) The Development Order shall remain valid for a period of twelve (12) months from the date of issuance. If construction has not commenced or is not continuing in good faith to conclusion during this valid period, this Development Order will expire. The Development Order may be extended, upon request, during the period of three (3) months before the expiration of the valid period. Staff may approve an extension not to exceed (12) months. A maximum of three (3) extensions may be granted provided the development has a valid Certificate of Concurrency.

(7) Utility fees and applicable agreements shall be executed prior to construction.

(8) All required federal, state, county, and/or local permits shall be acquired prior to construction.

Done and Ordered on the date first written above.

**As approved and authorized for execution by the
the City of Palm Coast, through administrative review.**

Attest:

City of Palm Coast, Florida



Virginia Smith, City Clerk



Ray Tyner, Planning Manager

☒ Sign and Record



Development Order Affidavit**OWNER'S/APPLICANT'S CONSENT AND COVENANT:**

Project Name: GRAND LANDINGS PHASE I - REPLAT OF LOTS 8-10

Project No.: 2014110009

Application Name: SUBDIVISION PRELIMINARY PLAT

Application No.: 2792

Parcel No.:

COMES NOW, JTL GRAND LANDINGS DEVELOPMENT LLC, the Owner on behalf of itself and its successors, assigns and transferees of any nature, whatsoever, and consents to and agrees with the covenants to perform and fully abide by the provisions, terms, and conditions, and commitments set forth in this Development Order. Affiant states that he/she accepts the findings, as outlined in this Development Order, and further states that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing the said Development order for GRAND LANDINGS PHASE I - REPLAT OF LOTS 8-10:

ATTEST:

[Signature]
Attesting Corporate Official Mike West

JTL GRAND LANDINGS DEVELOPMENT LLC

4807 W. LOVERS LANE, 2ND FLOOR
DALLAS, TX 75209

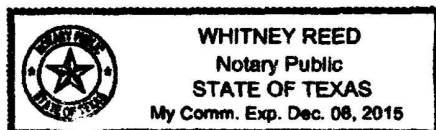
[Signature]
Authorized Signer DAVID WEST

ACKNOWLEDGEMENT

STATE OF Texas
COUNTY OF Dallas

The foregoing instrument was affirmed and subscribed before me this 9th day of JANUARY, 2015, by DAVID WEST as Manager of JTL GRAND LANDINGS DEVELOPMENT LLC who is personally known to me or has produced TX DL (type of identification) as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 9th day of January, 2015.



[Signature]
Notary Public