

Prepared By:

Reserved for Recording Information:

Community Development Department
City of Palm Coast
160 Lake Avenue, Suite 135
Palm Coast, FL 32164

Return To:
City Clerk
City of Palm Coast
160 Lake Avenue, Suite 225
Palm Coast, FL 32164

CITY OF PALM COAST
SUBDIVISION PRELIMINARY PLAT
DEVELOPMENT ORDER APPROVAL
GRAND LANDINGS PHASE 4

On April 11, 2019, the City of Palm Coast issued this Development Order relating to and touching and concerning the following described property:

Part of Tract C, Grand Landings Phase 1, as recorded in Map Book 36, Pages 37 Through 47, Public Records of Flagler County, Florida, and part of Section 20 and 29, Township 12 South, Range 31 East, Flagler County, Florida

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

FINDINGS OF FACT

Property Owner: JTL GRAND LANDINGS DEVELOPMENT LLC
SUITE 1600
16660 DALLAS PARKWAY
DALLAS, TX, 75248

Project Name: GRAND LANDINGS PHASE 4
Project No.: 2018090076
Application Type: SUBDIVISION PRELIMINARY PLAT
Application No. 3775

Requested Development Approval:

Preliminary Plat Approval for Single Family Residential Lots

Zoning District: Master Planned Development Plan

FLUM: Residential

Parcel Nos: 20-12-31-2950-00000-00C0; 20-12-31-0000-01010-0020;

20-12-31-0000-01010-0023; 20-12-31-0000-01010-0040

Site S.F.: 5,959,008

Acres: 136.80

Number Lots/Units Approved with Plat: 186

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 afore described 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):

Reviewing Department Comments

CA1 - CITY ATTORNEY

Comments:

H1. Sheet 1

- Per Note 7, the Title Opinion provided is dated October 1, 2018 and not September 12, 2018.
- The acknowledgment for David West needs to be revised to state that he is the manager of both JLT Grand Landings Development, LLC and JLT Grand Landings Holdings, LLC.
- Access to the private roads by the City needs to be given for code enforcement.
- What "utility easements referenced above" is Note 13 referring to?
- The legal description on the plat does not match the legal in the Title Opinion. See lines 10 and 13 of the plat legal and lines 21 and 26 of the Title Opinion legal. Please correct.
- In the dedication, Tracts P and T seem to be the same use as Tracts A, C, I... and all are dedicated to the Association. Should these two items be combined?
- With regard to the items listed from the title opinion (date should be October 1, 2018), if the item is "not a survey matter" then it can be removed from the plat. If the item is plotted within the plat, then it does not have to be listed. Finally, two of the items are shown as "not affect" however, the title opinion shows these documents as affecting the property, please explain this discrepancy.
- Tract V is now shown on the Key Map, however, it is not included in the Dedication, please correct.

2. Sheet 2

- Where is Tract C? It seems to have been replaced with Tract A but not removed from the dedication.

3. Sheet 8

- Please provide a copy of the recorded 20' RAW Water Easement to the City with the revised plat noting the recording information once complete.

4. Sheet 10

- Please provide a copy of the recorded 40' RAW Water Easement to the City with the revised plat noting the recording information once complete.

5. Sheet 11

- Tract S is shown in a different place on this sheet and is noted as being for "conservation/common area", however in the dedication and on Sheet 9 it is shown as a lift station. Further, this tract is shown as Tract V on the Key Map. Please correct all discrepancies.

SURVEY (Comment from 11.27.18, no revised survey provided with this submittal)

6. The survey should be based on the Title Opinion but it shows easements that are not included in the Title Opinion. Please correct.

TITLE OPINION(Comment from 11.27.18, no response provided with this submittal)

7. Please provide copies of the documents referenced in the Title Opinion.

8. The Survey and the Title Opinion are not consistent, please correct this discrepancy.

OASUR - 2ND PARTY SURVEYOR

Comments:

With regards to Florida Statutes 177.011-177.151

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

46. Sheets 3-13: It appears that the boundary symbols for these sheets are missing.

For information only: Are the lot corners, P.C.P.'s and P.R.M.'s set? I will need to verify that they have been set before the plat is recorded. There is some overlapping text and leaders that should be added to make it clearer.

Albert Dale Bradshaw, PSM 5257

(4) This Development Order touches and concerns the affordability 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 Concurrence.

(7) No construction of any TYPE shall commence until a mandatory pre-construction meeting has been conducted with City Staff.

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

(9) 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 4

Application Name: SUBDIVISION PRELIMINARY PLAT

Application No.: 3775

Project No.: 2018090076

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 4:

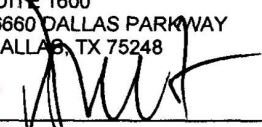
ATTEST:


 Secretary

 Attesting Corporate Official

JTL GRAND LANDINGS DEVELOPMENT LLC

SUITE 1600
 16660 DALLAS PARKWAY
 DALLAS, TX 75248



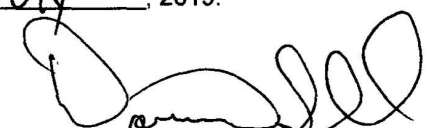
 Authorized Signer

ACKNOWLEDGEMENT

STATE OF Texas
 COUNTY OF Dallas

The foregoing instrument was affirmed and subscribed before me this 9 day of July, 2019, by David West as Manager of JTL GRAND LANDINGS DEVELOPMENT LLC who is personally known to me or has produced _____ (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 9 day of July, 2019.



NOTARY PUBLIC

(SEAL)

NOTARY PUBLIC SIGNATURE

