

Prepared by:
Catherine D. Reischmann, Esq.
111 N. Orange Ave., Suite 2000
Orlando, FL 32801

Return to:
Michael D. Chiumento III, Esq.
Chiumento Law PLLC
145 City Place, Suite 301
Palm Coast, FL 32164

Folio No.: 281030-4290-00000-00B0

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 5th day of September, 2024, by the **CITY OF PALM COAST, FLORIDA**, a Florida municipal corporation, ("**Grantor**") whose address is 160 Lake Avenue, Palm Coast, Florida 32164, to **Byrndog PCP, LLC**, a Florida limited liability company, ("**Grantee**") whose address is 180 Brookhaven Court S., Palm Coast, FL 32164.

WITNESSETH:

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it in hand paid by Grantee, the receipt and adequacy whereof is hereby acknowledged, has granted, bargained, remised, released, conveyed, confirmed and sold to Grantee, its successors and assigns, all right, title and interest in and to, the land situate and being in Flagler County, Florida, and more particularly described on Exhibit "A" attached hereto and made a part hereof (the "**Property**").

Grantor hereby releases any right, title or interest it may have to all reservations pursuant to Florida Statute 270.11.

Together with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

This conveyance is subject only to (a) taxes and assessments for the current year and subsequent years, governmental charges or levies not yet due and payable; (b) any state or facts which an accurate survey would show; and (c) zoning and building laws, ordinances or regulations and easements and other restrictions of record, but this reference shall not operate to reimpose same.

Grantor hereby covenants with the Grantee that it is lawfully seized of the Property in fee simple; that it has good right and lawful authority to sell and convey the Property; and that it hereby fully warrants the title to the Property, and will defend the same against the lawful claims of all persons whomsoever claiming by or through Grantor.

TO HAVE AND TO HOLD unto Grantee and to the successors and assigns of Grantee in fee simple forever.

IN WITNESS WHEREOF, the Grantor has executed this instrument on the day and year first above written.

WITNESSES:

(signature)

(print name)

Address: 160 Lake Ave., Palm Coast, FL 32164

(signature)

(print name)

Address: 160 Lake Ave., Palm Coast, FL 32164

CITY OF PALM COAST, FLORIDA, a Florida municipal corporation

By:

David Alfin, Mayor

ATTEST:

Kaley Cook, City Clerk

Date:

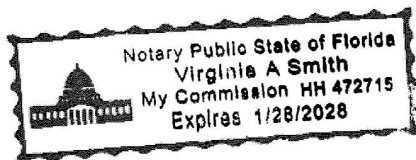
9/3/2024

(SEAL)

Address: 160 Lake Avenue, Palm Coast, FL 32164

STATE OF FLORIDA
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 3 day of September, 2024, by David Alfin, Mayor, of the City of Palm Coast, Florida, who is personally known to me.



Notary Public

Print Name:

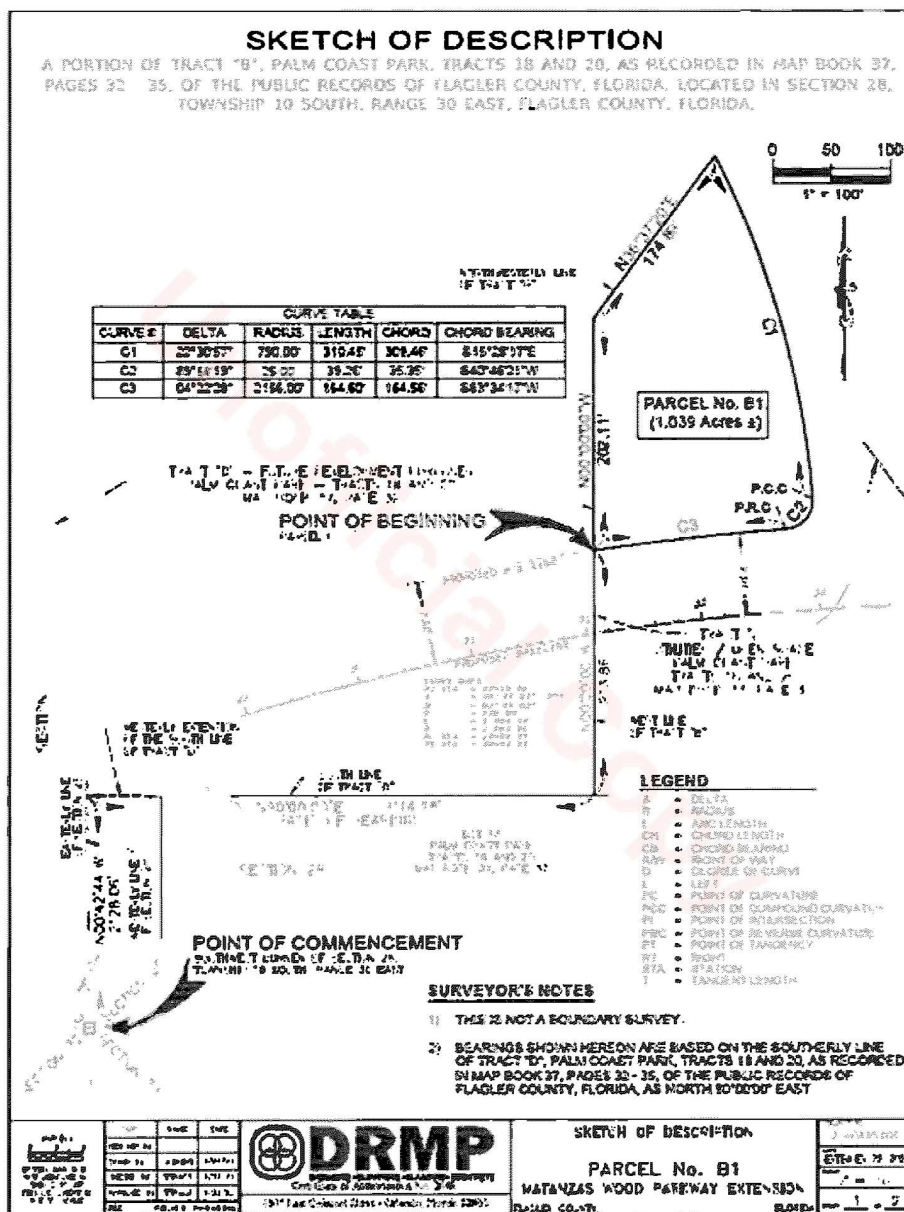
My Commission expires:

EXHIBIT "A"

A portion of Tract "B", Palm Coast Park, Tracts 18 and 20, as recorded in Map Book 37, Pages 32-35, of the public records of Flagler County, Florida, located in Section 28, Township 10 South, Range 30 East, said Flagler County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Section 28; thence North 00 degrees 42 minutes 44 seconds West, along the Westerly line of said Section 28, a distance of 2,128.08 feet to the Westerly extension of the South line of said Tract "D", Palm Coast Park, Tracts 18 and 20, as recorded in Map Book 37, Pages 32 through 35, of the public records of Flagler County, Florida; thence North 90 degrees 00 minutes 00 seconds East along said Westerly extension, and along said South line of Tract "D", a distance of 1114.28 feet to the Westerly line of Tract "B", of said Palm Coast Park; thence North 00 degrees 00 minutes 00 seconds West, along said Westerly line of Tract "B", a distance of 213.86 feet to the Point of Beginning; Thence continue North 00 degrees 00 minutes 00 seconds West along said Westerly line of Tract "B", a distance of 202.11 feet to the Northwesternly line of said Tract "B"; thence North 36 degrees 37 minutes 20 seconds East, along said Northwesternly line, a distance of 174.89 feet to a point on a non tangent curve; thence Southeasterly along the arc of said curve, concave Southwesterly, having a radius of 790.00 feet, through a central angle of 22 degrees 30 minutes 57 seconds, an arc length of 310.45 feet, said curve being subtended by a chord bearing and distance of South 15 degrees 28 minutes 17 seconds East, 308.46 feet to a point of compound curvature; thence Southwesterly along the arc of a curve, concave Northwesternly, having a radius of 25.00 feet, through a central angle of 89 degrees 55 minutes 19 seconds, an arc distance of 39.26 feet, said arc being subtended by a chord bearing and distance of South 40 degrees 46 minutes 21 seconds West, 35.35 feet to a point of reverse curvature, thence Southwesterly along the arc of a curve, concave Southeasterly, having a radius of 2156.00 feet, through a central angle of 04 degrees 22 minutes 28 seconds, an arc distance of 164.60 feet, said arc being subtended by a chord bearing and distance of South 83 degrees 34 minutes 17 second West, 154.56 feet to the Point of Beginning.

Exhibit A



SKETCH OF DESCRIPTION

A PORTION OF TRACT "B", PALM COAST PARK, TRACTS 18 AND 20, AS RECORDED IN MAP BOOK 37, PAGES 32 - 35 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, LOCATED IN SECTION 28, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA.

DESCRIPTION

PARCEL No. B1

A Portion Of Tract "B", Palm Coast Park, Tracts 18 And 20, As Recorded In Map Book 37, Pages 32 - 35, Of The Public Records Of Flagler County, Florida, Located In Section 28, Township 10 South, Range 30 East, Said Flagler County, Florida, Being More Particularly Described As Follows:

Commence At The Southwest Corner Of Said Section 28; Thence North $00^{\circ}42'44''$ West, Along The Westerly Line Of Said Section 28, A Distance Of 2,126.06 Feet To The Westerly Extension Of The South Line Of Said Tract "D", Palm Coast Park, Tracts 18 And 20, As Recorded In Map Book 37, Pages 32 Through 35, Of The Public Records Of Flagler County, Florida; Thence North $00^{\circ}00'00''$ East, Along Said Westerly Extension, And Along Said South Line Of Tract "D", A Distance Of 1,114.28 Feet To The Westerly Line Of Tract "E" Of Said Palm Coast Park; Thence North $00^{\circ}00'00''$ West, Along Said Westerly Line Of Tract "E", A Distance Of 213.68 Feet To The Point Of Beginning; Thence Continue North $00^{\circ}00'00''$ West, Along Said Westerly Line Of Tract "E", A Distance Of 202.11 Feet To The Northwestern Line Of Said Tract "E"; Thence North $36^{\circ}37'20''$ East, Along Said Northwestern Line, A Distance Of 174.89 Feet To A Point On A Non Tangent Curve; Thence Southeastery Along The Arc Of Said Curve, Concave Southeastery, Having A Radius Of 700.00 Feet, Through A Central Angle Of $22^{\circ}30'57''$, An Arc Length Of 310.45 Feet, Said Arc Being Subtended By A Chord Bearing And Distance Of South $15^{\circ}28'17''$ East, 306.48 Feet To A Point Of Compound Curvature; Thence Southwestery Along The Arc Of A Curve, Concave Northwestery, Having A Radius Of 25.00 Feet, Through A Central Angle Of $89^{\circ}58'10''$, An Arc Distance Of 38.26 Feet, Said Arc Being Subtended By A Chord Bearing And Distance Of South $40^{\circ}46'21''$ West, 35.35 Feet To A Point Of Reverse Curvature; Thence Southwestery Along The Arc Of A Curve, Concave Southeastery, Having A Radius Of 2156.00 Feet, Through A Central Angle Of $04^{\circ}22'28''$, An Arc Distance Of 164.50 Feet, Said Arc Being Subtended By A Chord Bearing And Distance Of South $83^{\circ}34'17''$ West, 164.56 Feet To The Point Of Beginning.

Containing 1.039 Acres, More, Or Less.

Thomas F. Tract
Florida Professional Surveyor And Mapper No. 6338
8001 Belfort Parkway, Suite 200
Jacksonville, Florida, 32256
(904) 641-0123

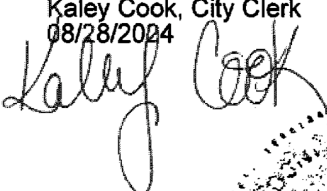


This Description And Copies Thereof Are Not Valid Without The Surveyor's Signature And Original Seal.

	DATE 05/18/11	TIME 1:15 PM	SKETCH OF DESCRIPTION PARCEL No. B1 MATANZAS WOOD PARKWAY EXTENSION FLAGLER COUNTY, FLORIDA	DRAWN BY T. F. TRACT
	CHECKED BY T. F. TRACT	APPROVED BY T. F. TRACT	DATE 05/18/11	SCALE AS SHOWN

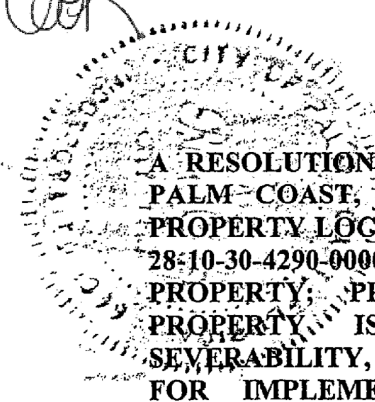
I hereby certify this to be a true
and correct copy of the original.

Kaley Cook, City Clerk
08/28/2024



Inst No: 2024026912 6/27/2024 3:11 PM
BK:2880 PG:602 PAGES:4
RECORDED IN THE RECORDS OF
Tom Bexley Clerk of the Circuit Court & Comptroller
Flagler FL

**RESOLUTION 2024-82
SURPLUS PROPERTY**



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PALM COAST, FLORIDA, DESIGNATING SURPLUS REAL
PROPERTY LOCATED WEST OF US 1, A PORTION OF PARCEL
28-10-30-4290-00000-00B0, TO ENABLE THE SALE OF SAID
PROPERTY; PROVIDING FOR RECISSION IF THE
PROPERTY IS NOT CONVEYED; PROVIDING FOR
SEVERABILITY, PROVIDING FOR CONFLICTS, PROVIDING
FOR IMPLEMENTING ACTIONS, AND PROVIDING AN
EFFECTIVE DATE**

WHEREAS, the City desires to declare that a portion of City-owned real property located west of US 1 as more particularly described in Exhibit "A," as surplus in order to sell said real property.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF PALM COAST, FLORIDA:

SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS. The above recitals (whereas clauses) are hereby adopted as the findings of the City Council of the City of Palm Coast.

SECTION 2. SURPLUS LAND DESIGNATION.

A. The City Council of the City of Palm Coast hereby approves designating a portion of Parcel 28-10-30-4290-00000-00B0 located west of US 1, as described in Exhibit "A," as surplus real property to enable the sale of said property to Byrndog PCP, LLC.

B. However, should the aforementioned land not be conveyed to Byrndog PCP, LLC within six (6) months of the date of this Resolution, this Resolution will be deemed automatically rescinded without further action of the City Council.

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impart the validity, force or effect of any other section or part of the Resolution.

SECTION 4. CONFLICTS. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed.

SECTION 5. DIRECTIONS TO THE CITY CLERK. City Council hereby directs the City Clerk to record this Resolution in the Public Records of Flagler County, Florida.

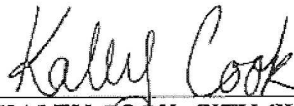
SECTION 6. IMPLEMENTING ACTIONS. The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

SECTION 7. EFFECTIVE DATE/RECISSION DATE. This Resolution shall become effective immediately upon its adoption by the City Council. This Resolution will be deemed rescinded on 31st day of December 2024 if the referenced conveyance does not occur.

DULY PASSED AND ADOPTED by the City Council of the City of Palm Coast, Florida, on the 18th day of June 2024.

ATTEST:

CITY OF PALM COAST


KALEY COOK, CITY CLERK


DAVID ALFIN, MAYOR

APPROVED AS TO FORM AND LEGALITY

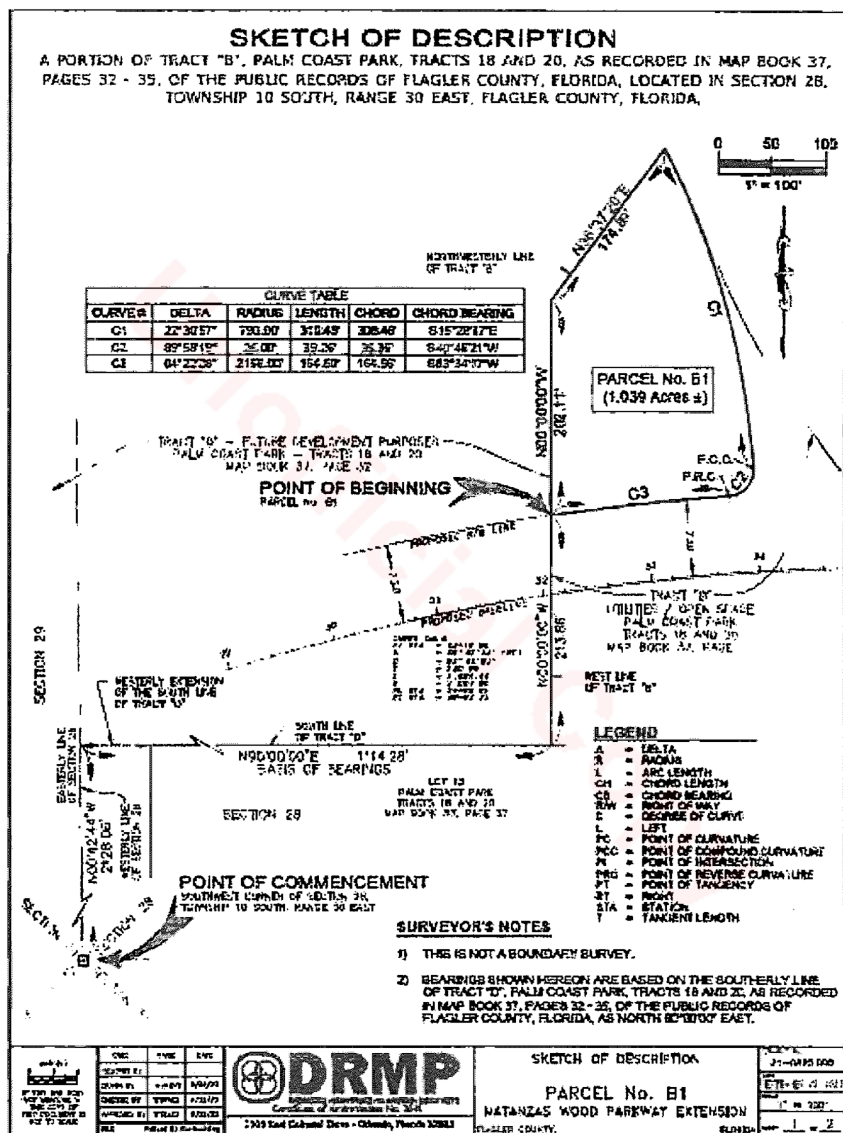

MARCUS DUFFY, CITY ATTORNEY



Attachment: Exhibit "A" - Legal Description of Surplus Property

EXHIBIT "A"

[LEGAL DESCRIPTION]



SKETCH OF DESCRIPTION

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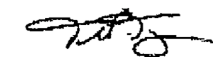
DESCRIPTION

PARCEL No. B1

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Commence At The Southwest Corner Of Said Section 28; Thence North $00^{\circ}42'44''$ West, Along The Westerly Line Of Said Section 28, A Distance Of 2,128.08 Feet To The Westerly Extension Of The South Line Of Said Tract "D", Palm Coast Park, Tracts 18 And 20, As Recorded In Map Book 37, Pages 32 Through 35, Of The Public Records Of Flagler County, Florida; Thence North $80^{\circ}00'00''$ East, Along Said Westerly Extension, And Along Said South Line Of Tract "D", A Distance Of 1114.28 Feet To The Westerly Line Of Tract "B" Of Said Palm Coast Park; Thence North $00^{\circ}00'00''$ West, Along Said Westerly Line Of Tract "B", A Distance Of 213.86 Feet To The Point Of Beginning; Thence Continue North $00^{\circ}00'00''$ West, Along Said Westerly Line Of Tract "B", A Distance Of 202.11 Feet To The Northwestern Line Of Said Tract "B"; Thence North $38^{\circ}37'20''$ East, Along Said Northwestern Line, A Distance Of 174.88 Feet To A Point On A Non Tangent Curve; Thence Southeasterly Along The Arc Of Said Curve, Concave Southwesterly, Having A Radius Of 780.00 Feet, Through A Central Angle Of $22^{\circ}37'57''$, An Arc Length Of 316.45 Feet, Said Arc Being Subtended By A Chord Bearing And Distance Of South $15^{\circ}28'17''$ East, 508.46 Feet To A Point Of Compound Curvature; Thence Southwesterly Along The Arc Of A Curve, Concave Northwesterly, Having A Radius Of 25.00 Feet, Through A Central Angle Of $89^{\circ}58'10''$, An Arc Distance Of 38.26 Feet, Said Arc Being Subtended By A Chord Bearing And Distance Of South $43^{\circ}48'21''$ West, 35.35 Feet To A Point Of Reverse Curvature; Thence Southwesterly Along The Arc Of A Curve, Concave Southeasterly, Having A Radius Of 2158.00 Feet, Through A Central Angle Of $04^{\circ}22'28''$, An Arc Distance Of 184.60 Feet, Said Arc Being Subtended By A Chord Bearing And Distance Of South $83^{\circ}34'17''$ West, 184.56 Feet To The Point Of Beginning.

Containing 1.039 Acres, More, Or Less.



Thomas P. Tracz Date
Florida Professional Surveyor And Mapper No. 8039
6001 Belfort Parkway, Suite 200
Jacksonville, Florida, 32256
(904) 644-0123



This Description And Copies Thereof Are Not Valid Without The Surveyor's Signature And Original Seal.

		SKETCH OF DESCRIPTION		1:100000000
DRAWN BY CHECKED BY DESIGNED BY APPROVED BY	DATE SCALE SHEET NO.		PARCEL No. B1 MATANZAS WOOD PARKWAY EXTENSION	SHEET NO. 1 OF 2 N/A 2 OF 2
1101 S.W. 10th Ave. - Orlando, Florida 32802		PLANNED - 200-001		PLAT NO.