

**IN THE CIRCUIT COURT FOR THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR FLAGLER COUNTY, FLORIDA**

PALM COAST HOLDINGS, INC.
and FLORIDA LANDMARK
COMMUNITIES, LLC

Plaintiffs,

CASE NO: 2025 CA 000670
DIVISION: 49

v.

CITY OF PALM COAST,
a Florida municipal corporation,

Defendant.

_____/

PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS

Plaintiff, Florida Landmark Communities, LLC (hereinafter, "Plaintiff"), by and through undersigned counsel and pursuant to Florida Rules of Civil Procedure 1.280 and 1.370, hereby serve this First Request for Admissions to Defendant, City of Palm Coast ("Defendant") to admit or deny the following in writing within thirty (30) days from the date hereof.

Definitions

1. When used herein, the following definitions shall apply:

a. As used herein, "Plaintiff" means and refers to Plaintiff, Florida Landmark Communities, LLC, and its owners, managers, members, agents, predecessors, and representatives.

b. As used herein, "Defendant" or "City" refers to the Defendant, the City of Palm Coast and its managers, members, agents, predecessors, and representatives.

c. As used herein, “2003 DRI Development Order” refers to the 2003 Development of Regional Impact Development Order, effective July 11, 2003, and recorded in the official records of Flagler County, Florida, Book 959, Page 1509.

d. As used herein, “2022 DRI Development Order” refers to the Amended and Restated Development of Regional Impact Development Order, effective July 5, 2022, and recorded in the official records of Flagler County, Florida, Book 2711, Page 1810.

e. As used herein, “2024 DRI Development Order” refers to the Amended and Restated Development of Regional Impact Development Order, effective February 6, 2024, and recorded in the official records of Flagler County, Florida, Book 2874, Page 1215.

Requests for Admissions

1. Admit that in 2003, the City approved the 2003 DRI Development Order for a 1,557-acre mixed use development known as Town Center.

RESPONSE:

2. Admit that the 2003 DRI Development Order was executed between the City and Florida Landmark Communities, Inc.

RESPONSE:

3. Admit that the 2003 DRI Development Order required Florida Landmark Communities, Inc. to fund their share of public infrastructure for Town Center to realize the vested development entitlements set forth in the DRI Development Order.

RESPONSE:

4. Admit that upon execution of the 2003 DRI Development Order, the City vested Florida Landmark Communities, Inc. with the rights for both potable water and wastewater for Phase I of the Town Center DRI.

RESPONSE:

5. Admit that Plaintiff performed all obligations required of them under the 2003 DRI Development Order.

RESPONSE:

6. Admit that Plaintiff performed all obligations required of them under the 2022 DRI Development Order.

RESPONSE:

7. Admit that Plaintiff performed all obligations required of them under the 2024 DRI Development Order.

RESPONSE:

8. Admit that the City has not put Plaintiff on notice of any default or failure to perform under the 2003 DRI Development Order, the 2022 DRI Development Order, or the 2024 DRI Development Order.

RESPONSE:

9. Admit that the associated community development district performed all obligations required of it under the 2003 DRI Development Order.

RESPONSE:

10. Admit that the City acknowledged in the 2022 DRI Development Order that Plaintiff completed all of the required offsite mitigation obligations for the DRI.

RESPONSE:

11. Admit that the City acknowledged again in the 2024 DRI Development Order that Plaintiff completed all of the required offsite mitigation obligations for the DRI.

RESPONSE:

12. Admit that upon execution of the 2022 DRI Development Order, the City vested Florida Landmark Communities, Inc. with the rights for both potable water and wastewater for all phases of the Town Center DRI.

RESPONSE:

13. Admit that the City has not reserved potable water and wastewater capacity for the Town Center DRI as promised in the 2003 Development Order and restated in the 2022 DRI Development Order and 2024 DRI Development Order.

RESPONSE:

14. Admit that the City has annexed additional lands since the approval of the Town Center DRI in 2003.

RESPONSE:

15. Admit that the City has entered into bulk water services agreements with entities outside the City limits since the approval of the Town Center DRI in 2003.

RESPONSE:

16. Admit that the City has entered into wastewater services agreements with entities outside the City limits since the approval of the Town Center DRI in 2003.

RESPONSE:

17. Admit that during a meeting between Plaintiff's representatives and the City on October 15, 2025, Palm Coast Utility Director Brian Roche stated that Plaintiff's land holdings in Town Center are "worthless" without water and sewer entitlements.

RESPONSE:

18. Admit that during a meeting between Plaintiff's representatives and the City on October 15, 2025, Palm Coast City Attorney Marcus Duffy stated that the City concedes that Plaintiff's entitlements set forth in the Town Center DRI Development Order are "vested."

RESPONSE:

Date: January 23, 2026

/s/ D. Kent Safriet

D. Kent Safriet (FBN 174939)

Patrice Boyes (FBN 892520)

Valerie L. Chartier-Hogancamp (FBN 1011269)

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*Counsel for Plaintiffs, Palm Coast Holdings, Inc.
and Florida Landmark Communities, LLC*

CERTIFICATE OF SERVICE

I certify that a copy of this document was filed via Florida Courts E-filing Portal this **23rd**
day of January 2026 which will transmit a copy to all counsel of record.

/s/ D. Kent Safriet

Attorney