Additional General Business Item for Consideration:

QUASI-JUDICIAL – Application #3233 – Request for Final Plat Approval and Acceptance of a Performance Bond and a Maintenance Bond for Plantation Bay Section 2A-F Unit 13; 63.19+/- acres. Owners: Volusia Residential Construction, LLC, and CP and HG Residential Lots, LLC; Agent: Jerry K. Finley, P.E., Finley Engineering Solutions, Inc. (Application #3233/Project #PLAT-000299-2020): Staff’s review of the request indicates that the required submittals have been received and the final plat for Unit 13 is consistent with: the previously-approved changes to the PUD development standards and the PUD Site Development Plan; the Comprehensive Plan; the Land Development Code; and the Plantation Bay Development of Regional Impact (DRI) Development Order (D.O.). Options for the Board are: 1) Approve; 2) Deny; or 3) Table. (Requested by Adam Mengel, Planning Director)
SUBJECT: QUASI-JUDICIAL – Application #3233 – Request for Final Plat Approval and Acceptance of a Performance Bond and a Maintenance Bond for Plantation Bay Section 2A-F Unit 13; 63.19+/- acres. Owners: Volusia Residential Construction, LLC, and CP and HG Residential Lots, LLC; Agent: Jerry K. Finley, P.E., Finley Engineering Solutions, Inc. (Application #3233/Project #PLAT-000299-2020).

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: This request is quasi-judicial in nature and requires disclosure of ex parte communication. This request will plat 63.19+/- acres in Parcel No. 09-13-31-0000-00000-0001, 09-13-31-0000-00000-0002, and 09-13-31-0000-00000-0003 as Plantation Bay Section 2A-F Unit 13. The subject parcel lies South of Old Dixie Highway between U.S. Highway 1 to the West and Interstate-95 to the East:
The agent on behalf of the owners submitted a final plat application and supporting documents to the County on September 18, 2020. Through the submittal, the applicant is seeking approval of the final plat for 132 attached single-family dwelling units to be provided within 33 quadplex buildings.

On November 4, 2019, the Board of County Commissioners approved the Preliminary Plat for Unit 13 (Application #3196). Also at the November 4, 2019 meeting, the Board approved adoption of the PUD Site Development Plan and amendment of the supplemental development criteria (referenced as “Specific Development Standards”) to add development criteria for Unit 13 (Application #3195). These development criteria are provided in Ordinance No. 2019-07, which was recorded on November 22, 2019 at Official Records Book 2400, Page 1080, Public Records of Flagler County, Florida.

Documents have been drafted by the applicant reflecting the Non-exclusive Grant of Easement, the General Warranty Deed, and the Bill of Sale related to the conveyance of water and sanitary sewer utilities within Unit 13 to the County. These documents require acceptance by the County, and will facilitate the conveyance of the Plantation Bay Utility System to the Florida Governmental Utility Authority (FGUA).

**BCC review authority:** Section 4.05.03, LDC, requires that no plat may be recorded unless and until the plat has been approved by the Board of County Commissioners.

This agenda item is:

- ____X____ quasi-judicial, requiring disclosure of ex-parte communication; or
- ______ legislative, not requiring formal disclosure of ex-parte communication.

Public notice has been completed consistent with the requirements of Section 2.07.00, Flagler County Land Development Code.

**DEPARTMENT CONTACT:** Planning & Zoning / Adam Mengel / 386-313-4065

**OPTIONS FOR THE BOARD:** Staff’s review of the request indicates that the required submittals have been received and the final plat for Unit 13 is consistent with: the previously-approved changes to the PUD development standards and the PUD Site Development Plan; the Comprehensive Plan; the Land Development Code; and the Plantation Bay Development of Regional Impact (DRI) Development Order (D.O.). Options for the Board are:

**Option 1 – Approval:** The Board of County Commissioners approves Application #3233, the final plat for Plantation Bay Section 2A-F Unit 13, and:

a. accepts the performance bond in the amount of $25,512.75 for remaining improvements, and the two-year maintenance bond in the amount of $352,809.38, and conditioned upon the provision of as-builts and verification of improvements prior to release of the performance bonds by the County;

b. acceptance of the Non-exclusive Grant of Easement, the General Warranty Deed, and the Bill of Sale for the water and sewer utilities related to the Unit 13 final plat approval;

c. waives on a temporary basis the Land Development Code’s maximum cul-de-sac length of 1,320 feet (LDC Sec. 4.06.02.I.1); and
d. waives on a temporary basis the Land Development Code's paved two points of ingress/egress (LDC Sec. 4.06.02.A.4) and secondary means of emergency access (LDC Sec. 4.06.02.M).

**Option 2 – Denial:** The Board of County Commissioners denies Application #3233, the final plat for Plantation Bay Section 2A-F Unit 13.

**Option 3 – Table:** The Board of County Commissioners tables Application #3233, the final plat for Plantation Bay Section 2A-F Unit 13, to a time and date certain.

**ATTACHMENTS:**
1. Technical Staff Report (TSR)
2. Application and supporting documents
3. Final Plat
4. Performance Bond (Bond No. PB00057700120) for completion of remaining improvements in the amount of $25,512.75
5. Maintenance Bond (Bond No. PB00057700121) in the amount of $352,809.38
6. Plat Letter (Opinion of Title) dated September 4, 2020
7. Proof of Taxes Paid
8. Applicant’s Representative Certification dated September 18, 2020
9. Engineer’s Certification of bond amounts dated September 10, 2020
10. Engineer’s Certification of final cost of improvements dated September 10, 2020
11. Reviewing Surveyor’s Letter dated September 15, 2020
12. Utility Related Documents:
   a. Grant of Easement (Non-Exclusive) from WL Residential Land, LLC, to Flagler County Board of County Commissioners
   b. General Warranty Deed from WL Residential Land, LLC, to Flagler County Board of County Commissioners
   c. Bill of Sale from WL Residential Land, LLC, to Flagler County Board of County Commissioners
Chapter 177, Florida Statutes, includes statewide platting requirements, while LDC Section 4.05.02 provides for minimum plat submittal requirements. The Comprehensive Plan does not specifically address platting requirements, but does include provisions related to concurrency and public facilities.

**Plat Specific Review**

The plat is limited to 132 attached single-family lots.

Reservations and dedications are primarily for four separate entities:

- Creekside Townhomes at Westlake Property Owners Association, Inc.;
- Westlake at Plantation Bay Property Owners Association, Inc.;
- Flagler County; and
- Tomoka Community Development District.

The specific reservations and dedications from the face of the preliminary plat were as follows:

**Reservations and Dedications**

<table>
<thead>
<tr>
<th>Tract</th>
<th>Entity</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel “A”</td>
<td>Westlake at Plantation Bay Property Owners Association, Inc.</td>
<td>Private road purposes</td>
</tr>
<tr>
<td>Parcels “B” and “C”</td>
<td>Tomoka Community Development District</td>
<td>Common area, conservation, drainage, recreation, monument signage, and hardscape purposes</td>
</tr>
<tr>
<td>Parcel “D”</td>
<td>Tomoka Community Development District</td>
<td>Common area, drainage, and recreation purposes</td>
</tr>
</tbody>
</table>

Additionally, the following easements are specifically listed on the plat:

**Easements**

<table>
<thead>
<tr>
<th>Tract</th>
<th>Entity</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over Parcel “A”</td>
<td>Emergency vehicles, government services (including the Tomoka CDD), and utility providers</td>
<td>Ingress-egress purposes</td>
</tr>
<tr>
<td>Tract</td>
<td>Entity</td>
<td>Purpose</td>
</tr>
<tr>
<td>-----------------------</td>
<td>------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Over Parcel “A”</td>
<td>Tomoka CDD, AT&amp;T, Florida Power and Light, Charter Communications, and Flagler County BOCC</td>
<td>Utility installation and maintenance purposes</td>
</tr>
<tr>
<td>Over Parcels “B” and “C” (portion)</td>
<td>St. Johns River Water Management District</td>
<td>Conservation purposes (conservation easement)</td>
</tr>
<tr>
<td>Over Parcels “B” and “C”</td>
<td>Creekside Townhomes at Westlake POA, Inc.</td>
<td>Landscape, hardscape, and irrigation maintenance purposes</td>
</tr>
<tr>
<td>Over Parcel “D”</td>
<td>Creekside Townhomes at Westlake POA, Inc.</td>
<td>Landscape and irrigation installation and maintenance purposes</td>
</tr>
<tr>
<td>Retention Area (within Parcel “D”)</td>
<td>Tomoka CDD</td>
<td>Maintenance responsibility for the retention area</td>
</tr>
<tr>
<td>10-foot wide non-exclusive transferable easement running parallel and adjacent to private roads (Parcel “A”)</td>
<td>Flagler County BOCC</td>
<td>Utility easement purposes (in addition to utility easements shown graphically on the plat)</td>
</tr>
<tr>
<td>Drainage and utility easements</td>
<td>Creekside Townhomes at Westlake POA, Inc.</td>
<td>Drainage and utility easement purposes (unless otherwise shown hereon)</td>
</tr>
</tbody>
</table>

Text is included in both the Dedications and Reservations and the Notes Regarding Easements and Buffers on the plat’s cover sheet indicating that Flagler County will not be responsible for maintenance within Unit 13. From the Dedications and Reservations:

“Flagler County shall not be responsible for maintenance of Parcel A.”

and

“[Creekside Townhomes at Westlake POA, Inc. to have easement in Parcels “B” and “C”] for landscape, hardscape, and irrigation maintenance and shall be obligated to perform perpetual maintenance without recourse to Flagler County.”

From the Notes Regarding Easements and Buffers:

“6. Flagler County shall not be responsible for drainage or road maintenance within this plat boundary.”
Public Services and Utilities
The development anticipates water and sewer service by Flagler County through the County-owned utilities. It is anticipated that potable water and sanitary sewer assets within Unit 13 will be conveyed by the County to the Florida Governmental Utility Authority (FGUA) as part of the conveyance of the Plantation Bay Utility System. Due to timing of this plat (and the timing of the overall conveyance of the Plantation Bay Utility System), this may require a separate instrument to convey the County’s water and sewer assets to FGUA. Text included in the General Notes supports the future conveyance:

“1. The term ‘utilities’ as used on this plat shall include, but not be limited to sewer, security, telephone, electric, cable television systems, potable water and drainage structures. Sanitary sewer, and potable water mains shall be owned and maintained by the Flagler County Board of County Commissioners, its successors and/or assigns.”

Electric is provided by Florida Power and Light. Fire and EMS services are available from Volusia County’s Station 16 located in Halifax Plantation (through Mutual Aid Agreement), with fire water supply provided through the development’s central water system with the supply water provided by Flagler County and hydrants located a minimum of 400 feet from any single family residence. The Flagler County Sheriff’s Office responds to calls for law enforcement services in this area. Solid waste service is provided by WastePro and billed by Flagler County with disposal in Volusia County.

Vehicular and Pedestrian Access
The development will have a main access connection from Bay Drive to the South and Stirling Bridge to the North. Access to each lot is provided by Parcel “A”, a 50-foot wide private roadway tract totaling 4.68 acres in area.

The permitting of Bay Drive Extension to connect to U.S. Highway 1 is underway now, with the applicant in the process of completing FDOT connection permitting. A Flagler County Right-of-Way permit has been issued for Bay Drive Extension.

A minimum of two acres of passive open space located east of Bay Drive is proposed.

DRI Obligations
The area proposed as Unit 13 corresponds to a cluster designated on the adopted Map H-1 for Medium Density Residential (6-8 du/ac) development. Density is calculated as 4.46 units per acre based on 29.62+/- gross residential acres. Note that the adopted Development Order (D.O.) identifies “Single Family Estate Homes, Single Family Homes, Multi-Family Townhouses, Single Family Attached (Duplexes), Single Family/Zero Lot Line and Condominiums” as permissible housing units within the DRI.

School concurrency is vested through the DRI approval. This subdivision plat is not age-restricted and each lot would be subject to prevailing impact fee payment at the time of permit issuance.
Future Land Use Map
Flood Zone Map
# APPLICATION FOR FINAL PLAT

**FLAGLER COUNTY, FLORIDA**  
1703 E. Moody Blvd, Blug 2, Suite 105  
Bunnell, FL 32110  
Telephone: (386) 313-4009  
Fax: (386) 313-4109

**Application/Project #:** 3233 / PLAT-000299-2020

## PROPERTY OWNER(S)

<table>
<thead>
<tr>
<th>Name(s):</th>
<th>Volusia Residential Construction LLC by IOI Homes Residential Holdings, LLC and CP and HG Residential Lots LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td>2379 BEVILLE ROAD</td>
</tr>
<tr>
<td>City:</td>
<td>DAYTONA BEACH</td>
</tr>
<tr>
<td>State:</td>
<td>FL</td>
</tr>
<tr>
<td>Zip:</td>
<td>32119</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:dsmith@ichomes.com">dsmith@ichomes.com</a></td>
</tr>
<tr>
<td>Telephone #:</td>
<td>(386-236-4163)</td>
</tr>
<tr>
<td>Fax #:</td>
<td>( )</td>
</tr>
</tbody>
</table>

## APPLICANT/AGENT

| Name(s): | Jerry K. Finley, P.E.  
Finley Engineering Solutions, Inc. |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address:</td>
<td>3959 S Nova Road, Suite B34</td>
</tr>
<tr>
<td>City:</td>
<td>Port Orange</td>
</tr>
<tr>
<td>State:</td>
<td>FL</td>
</tr>
<tr>
<td>Zip:</td>
<td>32127</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:jfinley@finleyengineers.com">jfinley@finleyengineers.com</a></td>
</tr>
<tr>
<td>Telephone #:</td>
<td>(386) 756-8676</td>
</tr>
<tr>
<td>Fax #:</td>
<td>( )</td>
</tr>
</tbody>
</table>

## SUBJECT PROPERTY

**SITE LOCATION (street address):** Bay Drive north of Unit 7

**LEGAL DESCRIPTION: (briefly describe, do not use “see attached”):**

Parcel #: 09-13-31-0000-00000-0001; 09-13-31-0000-00000-0002; and 09-13-31-0000-00000-0003

| Parcel Size: | 63.19 acres |
| Number of Miles of New Road(s): | .75 miles |
| Current Zoning Classification: | PUD-DRI |
| Current Future Land Use Designation: | YES |

**PURPOSE OF SUBMISSION / PROJECT DATA:** Final plat and recording approval

**Signature of Owner(s) or Applicant/Agent:**  
Charlene B. Irland, Vice President

**DATE:** 9/18/20

**OFFICIAL USE ONLY**

**BOARD OF COUNTY COMMISSIONERS ACTION:**  
APPROVED [ ]  
*APPROVED WITH CONDITIONS [ ]  
DENIED [ ]

**Signature of Chairman:**

**Date:** __________________________  
*approved with conditions, see attached.*
SPECIAL WARRANTY DEED

[WESTLAKE 13]

THIS SPECIAL WARRANTY DEED is made and executed as of the 15th day of June, 2020, by WL RESIDENTIAL LAND, LLC, a Florida limited liability company ("Grantor"), whose address is 2379 Beville Road, Daytona Beach, Florida 32119 to VOLUSIA RESIDENTIAL CONSTRUCTION, LLC, a Florida limited liability company ("Grantee"), whose address is 2379 Beville Road, Daytona Beach, Florida 32119.

WITNESSETH:

That in consideration of the sum of Ten Dollars ($10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants, bargains, sells, conveys and confirms to Grantee and its successors and assigns, all of the real property in Flagler County, Florida, more particularly described on Exhibit "A" attached hereto and made a part of this Deed (the "Property"), together with all tenements, hereditaments, and appurtenances pertaining to the Property and subject to the restrictions, easements, agreements, reservations and other matters set forth on Exhibit "B" attached hereto and made a part hereof and other matters of record (the "Permitted Exceptions").

TO HAVE AND TO HOLD the same in fee simple forever.

Grantor hereby covenants to Grantee that the Property is free from all encumbrances placed on the Property by Grantor (except for the Permitted Exceptions) and that Grantor will warrant and defend Grantee's title against lawful claims of all persons claiming by, through or under Grantor (except claims made pursuant to the Permitted Exceptions) but against none other.

[This space intentionally left blank.]
IN WITNESS WHEREOF, Grantor and Grantee have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTOR:

WL RESIDENTIAL LAND, LLC, a Florida limited liability company

By: Morteza Hosseini-Kargar
Its: President

STATE OF FLORIDA

COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of physical presence this 15th day of June, 2020, by Morteza Hosseini-Kargar, the President of WL RESIDENTIAL LAND, LLC, a Florida limited liability company, on behalf of the company.

NOTARY PUBLIC

Carrie Beth Janssen
State of Florida at Large
Commission # GG160693
My Commission Expires: 11/15/2021
Personally Known or Produced I.D. [check one of the above]
Type of Identification Produced
EXHIBIT "A"
TO SPECIAL WARRANTY DEED
PROPERTY

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN SECTIONS 16, TOWNSHIP 13 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF PLANTATION BAY SECTION 2A-F, UNIT 7, PER MAP BOOK 38, PAGES 68-70, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE N54°05'18"E, ALONG THE WEST LINE OF SAID PLANTATION BAY, SECTION 2A-F, UNIT 7 PLAT, 766.62 FEET TO THE POINT OF BEGINNING; THENCE S89°21'17"W, 273.94 FEET; THENCE N00°38'58"W, 159.69 FEET; THENCE N20°42'00"W, 1337.02 FEET; THENCE N71°59'01"E, 170.65 FEET; THENCE S15°56'03"E, 22.01 FEET; THENCE N76°08'52"E, 125.22 FEET; THENCE N76°01'16"E, 87.06 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 652.00 FEET, A CENTRAL ANGLE OF 58°36'14" AND A CHORD BEARING OF N45°27'12"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 666.89 FEET; THENCE N16°09'04"E, 191.05 FEET; THENCE N87°38'29"E, TO A POINT ON THE WEST LINE OF PLANTATION BAY SECTION 2A-F, UNIT 6, PER MAP BOOK 38, PAGES 57-61, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; 727.48 FEET; THENCE ALONG SAID WEST LINE OF SAID UNIT 6 THE FOLLOWING 6 COURSES, S02°21'31"E, 496.60 FEET; THENCE S03°02'09"E, 417.93 FEET; THENCE S01°18'21"E, 214.10 FEET; THENCE S03°50'29"E, 210.98 FEET; THENCE S01°36'59"E, 456.77 FEET; THENCE S02°49'17"E, TO A POINT ON THE NORTH LINE OF PLANTATION BAY, SECTION 2A-F, UNIT 7, PER MAP BOOK 38, PAGES 68-70, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; 416.79 FEET; THENCE ALONG THE NORTH LINE OF SAID UNIT 7 THE FOLLOWING 4 COURSES, S85°59'55"W, ALONG THE NORTH LINE 127.67 FEET; THENCE S89°19'33"W, 504.63 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 630.00 FEET, A CENTRAL ANGLE OF 28°53'07", AND A CHORD BEARING OF N76°12'17"W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 317.61 FEET; THENCE S89°21'17"W, 18.74 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 62.66 ACRES (2,729,468 SQUARE FEET), MORE OR LESS.

LESS AND EXCEPT

NORTH AREA
LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN SECTIONS 16, TOWNSHIP 13 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF PLANTATION BAY SECTION 2A-F, UNIT 7, PER MAP BOOK 38, PAGES 68-70, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE N54°05'18"E, ALONG THE WEST LINE OF SAID PLANTATION BAY, SECTION 2A-F, UNIT 7 PLAT, 766.62 FEET; THENCE S89°21'17"W, 273.94 FEET; THENCE N00°38'58"W, 159.69 FEET; THENCE N20°42'00"W, 1337.02 FEET; THENCE N71°59'01"E ALONG SAID NORTH LINE, 170.65 FEET; THENCE S15°56'03"E, 22.01 FEET; THENCE N76°08'52"E, 125.22 FEET; THENCE N76°01'16"E, 87.06 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 652.00 FEET, A CENTRAL ANGLE OF 58°36'14" AND A CHORD BEARING OF N45°27'12"E; THENCE NORTHEASTERLY
ALONG THE ARC OF SAID CURVE 666.89 FEET; THENCE N16°09'04"E, 152.86 FEET TO THE POINT OF BEGINNING; THENCE N16°09'04"E, 38.19 FEET; THENCE N87°38'29"E TO A POINT ON THE WEST LINE OF PLANTATION BAY SECTION 2A-F, UNIT 6, PER MAP BOOK 38, PAGES 57-61, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; 727.48 FEET; THENCE ALONG SAID WEST LINE OF SAID UNIT 6, S02°21'31"E, 496.60 FEET; THENCE S03°02'09"E, 188.54 FEET; THENCE S86°57'51"W, 186.24 FEET; THENCE N70°54'34"W, 191.79 FEET; THENCE N75°10'35"W, 280.00 FEET; THENCE N04°13'49"W, 180.17 FEET; THENCE N20°24'40"W, 334.68 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 9.63 ACRES (419,605 SQUARE FEET), MORE OR LESS.

AND

SOUTH AREA
LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN SECTIONS 16, TOWNSHIP 13 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF PLANTATION BAY SECTION 2A-F, UNIT 7, PER MAP BOOK 38, PAGES 68-70, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE N54°05'18"E, ALONG THE WEST LINE OF SAID PLANTATION BAY, SECTION 2A-F, UNIT 7 PLAT, 766.62 FEET TO THE POINT OF BEGINNING; THENCE S89°21'17"W, 273.94 FEET; THENCE N00°38'58"W, 159.69 FEET; THENCE N20°42'00"W, 81.66 FEET; THENCE N67°56'24"E, 226.40 FEET; THENCE N87°04'14"E, 229.87 FEET; THENCE S02°55'46"E, 125.00 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 275.00 FEET, A CENTRAL ANGLE OF 13°35'35" AND A CHORD BEARING OF N03°52'01"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 65.24 FEET; THENCE S10°39'49"W, 129.29 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 85°36'35" AND A CHORD BEARING OF S53°28'45"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 37.36 FEET TO THE POINT OF COMPOUND CURVATURE CONCAVE NORTHERLY HAVING A RADIUS OF 630.00 FEET, A CENTRAL ANGLE OF 06°55'58" AND A CHORD BEARING OF N87°10'51"W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 76.23 FEET; THENCE S89°20'53"W, 18.75 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 2.98 ACRES (129,814 SQUARE FEET), MORE OR LESS.
EXHIBIT “B”
TO SPECIAL WARRANTY DEED

All recording references below are to the public records of Flagler County, Florida.

PREPARED BY:
J. ANDREW HAGAN, ESQUIRE
2379 BEVILLE ROAD
DAYTONA BEACH, FLORIDA 32119

SPECIAL WARRANTY DEED

[WESTLAKE 13]

THIS SPECIAL WARRANTY DEED is made and executed as of the 15th day of June, 2020, by WL RESIDENTIAL LAND, LLC, a Florida limited liability company ("Grantor"), whose address is 2379 Beville Road, Daytona Beach, Florida 32119 to CP AND HG RESIDENTIAL LOTS, LLC, a Florida limited liability company ("Grantee"), whose address is 2379 Beville Road, Daytona Beach, Florida 32119.

WITNESSETH:

That in consideration of the sum of Ten Dollars ($10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants, bargains, sells, conveys and confirms to Grantee and its successors and assigns, all of the real property in Flagler County, Florida, more particularly described on Exhibit “A” attached hereto and made a part of this Deed (the “Property”), together with all tenements, hereditaments, and appurtenances pertaining to the Property and subject to the restrictions, easements, agreements, reservations and other matters set forth on Exhibit “B” attached hereto and made a part hereof and other matters of record (the “Permitted Exceptions”).

TO HAVE AND TO HOLD the same in fee simple forever.

Grantor hereby covenants to Grantee that the Property is free from all encumbrances placed on the Property by Grantor (except for the Permitted Exceptions) and that Grantor will warrant and defend Grantee’s title against lawful claims of all persons claiming by, through or under Grantor (except claims made pursuant to the Permitted Exceptions) but against none other.

[This space intentionally left blank.]
IN WITNESS WHEREOF, Grantor and Grantee have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTOR:

WL RESIDENTIAL LAND, LLC, a Florida limited liability company

By: Morteza Hosseini-Kargar
Its: President

STATE OF FLORIDA  )
COUNTY OF VOLUSIA  )SS

The foregoing instrument was acknowledged before me by means of physical presence this 15th day of June, 2020, by Morteza Hosseini-Kargar, the President of WL RESIDENTIAL LAND, LLC, a Florida limited liability company, on behalf of the company.

(Put name of Notary Public)
Owner's Authorization for Applicant/Agent
FLAGLER COUNTY, FLORIDA
1769 E. Moody Boulevard, Suite 105
Bunnell, FL 32110
Telephone: (386) 313-4009 Fax: (386) 313-4109

Application/Project # ______________

Jerry Finley and Richard D Smith ______________, is hereby authorized TO ACT ON BEHALF
OF Volusia Residential Construction LLC and CP and HG Residential Lots LLC ______________, the owner(s) of those lands described
within the attached application, and as described in the attached deed or other such
proof of ownership as may be required, in applying to Flagler County, Florida for an
application for Final plat for Plantation Bay Section 2A-F Unit 13 (aka Westlake 13) ______________.

(ALL PERSONS, WHO'S NAMES APPEAR ON THE DEED MUST SIGN)

By: ________________________________

Signature of Owner

Charlene B. Irland, Vice President
Printed Name of Owner / Title (if owner is corporation or partnership)

Signature of Owner

Printed Name of Owner

Address of Owner:
2379 Beville Road
Mailing Address
Daytona Bch FL 32119
City State Zip

Telephone Number (incl. area code) 386-236-4163

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing was acknowledged before me this day of __________, 20__ by ________________________________ and ________________________________,
who is/are personally known to me or who has produced as identification, and who (did) / (did not) take an oath.

______________________________
Signature of Notary Public

Revised 5/08
EXHIBIT "A"
TO SPECIAL WARRANTY DEED
PROPERTY

NORTH AREA
LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN SECTIONS 16, TOWNSHIP 13 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF PLANTATION BAY SECTION 2A-F, UNIT 7, PER MAP BOOK 38, PAGES 68-70, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE N54°05'18"E, ALONG THE WEST LINE OF SAID PLANTATION BAY, SECTION 2A-F, UNIT 7 PLAT, 766.62 FEET; THENCE S89°21'17"W, 273.94 FEET; THENCE N00°38'58"W, 159.69 FEET; THENCE N20°42'00"W, 1337.02 FEET; THENCE N71°59'01"E ALONG SAID NORTH LINE, 170.65 FEET; THENCE S15°56'03"E, 22.01 FEET; THENCE N76°08'52"E, 125.22 FEET; THENCE N76°01'16"E, 87.06 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 652.00 FEET, A CENTRAL ANGLE OF 58°36'14" AND A CHORD BEARING OF N45°27'12"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 666.89 FEET; THENCE N16°09'04"E, 152.86 FEET TO THE POINT OF BEGINNING; THENCE N16°09'04"E, 38.19 FEET; THENCE N87°38'29"E TO A POINT ON THE WEST LINE OF PLANTATION BAY SECTION 2A-F, UNIT 6, PER MAP BOOK 38, PAGES 57-61, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; 727.48 FEET; THENCE ALONG SAID WEST LINE OF SAID UNIT 6, S02°21'31"E, 495.60 FEET; THENCE S03°02'09"E, 188.54 FEET; THENCE S86°57'51"W, 186.24 FEET; THENCE N70°54'34"W, 191.79 FEET; THENCE N75°10'35"W, 280.00 FEET; THENCE N04°13'49"W, 180.17 FEET; THENCE N20°24'40"W, 334.68 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 9.63 ACRES (419,605 SQUARE FEET), MORE OR LESS.

AND

SOUTH AREA
LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN SECTIONS 16, TOWNSHIP 13 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF PLANTATION BAY SECTION 2A-F, UNIT 7, PER MAP BOOK 38, PAGES 68-70, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE N54°05'18"E, ALONG THE WEST LINE OF SAID PLANTATION BAY, SECTION 2A-F, UNIT 7 PLAT, 766.62 FEET TO THE POINT OF BEGINNING; THENCE S89°21'17"W, 273.94 FEET; THENCE N00°38'58"W, 159.69 FEET; THENCE N20°42'00"W, 81.66 FEET; THENCE N67°56'24"E,
236.40 FEET; THENCE N87°04'14"E, 229.87 FEET; THENCE S02°55'46"E, 125.00 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 275.00 FEET, A CENTRAL ANGLE OF 13°35'35" AND A CHORD BEARING OF N03°52'01"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 65.24 FEET; THENCE S10°39'49"W, 129.29 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 85°36'35" AND A CHORD BEARING OF S53°28'45"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 37.36 FEET TO THE POINT OF COMPOUND CURVATURE CONCAVE NORTHERLY HAVING A RADIUS OF 630.00 FEET, A CENTRAL ANGLE OF 06°55'58" AND A CHORD BEARING OF N87°10'51"W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 76.23 FEET; THENCE S89°20'53"W, 18.75 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 2.98 ACRES (129,814 SQUARE FEET), MORE OR LESS.

EXHIBIT "B"

TO SPECIAL WARRANTY DEED

All recording references below are to the public records of Flagler County, Florida.


Attachment 3
PERFORMANCE BOND

NOW ALL MEN BY THESE PRESENTS:

Bond No. PB00057700120

That We, Volusia Residential Construction, LLC and CP & HG Residential Lots, LLC, hereinafter called PRINCIPAL, and Philadelphia Indemnity Insurance Company, a surety company authorized to do business in the State of Florida, hereinafter referred to as SURETY, are held and firmly bound unto Flagler County, a political subdivision of the State of Florida, hereinafter called COUNTY, in the full and just sum of Twenty Five Thousand Five Hundred Twelve Dollars and 75/100 ($25,512.75) lawful money of the United States of America, to be paid to the Flagler County Board of County Commissioners, to which payment will be truly be made, we bid and assigns, jointly and severally, firmly be these presents:

WHEREAS, the above bound PRINCIPAL, has, received approval of COUNTY for recording of a certain Subdivision Plat known as Plantation Bay, Section 2A-F, Unit 13 prior to completion of construction of the Required Improvements per the attached Engineer’s certification of cost of remaining work dated September 10, 2020, as prescribed by the Subdivision, Subdivision Plat, Plat Agreement, Platting and Required Improvements Regulations, Land Development Code of Flagler County, Florida hereinafter the REGULATIONS, pertaining to said subdivision; and

WHEREAS, PRINCIPAL has been issued Land Development Permit No. LD-002497-2020, hereinafter the PERMIT, for construction of said Required Improvements, a copy of which PERMIT is attached hereto and by reference made a part hereof, and

WHEREAS, it was one of the conditions of said REGULATIONS and PERMIT that this bond be executed:

NOW, THEREFORE, the conditions of this obligation are such that if the above bound PRINCIPAL shall in all respects comply with the terms and conditions of the PERMIT, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

THE SURETY UNCONDITIONALLY COVENANTS AND AGREES that if the PRINCIPAL fails to perform all or any part of the constructions work required by said PERMIT and REGULATIONS, within the time specified, the SURETY, upon thirty (30) days written notice from COUNTY, or its authorized agent or officer, of the default, will forthwith perform and complete the aforesaid construction work and pay the cost thereof, including but not limited to, engineering, legal and contingent costs. Should the SURETY fail or refuse to perform and complete the said improvements, COUNTY, in view of the public interest, health, safety and welfare factors involved and the inducement in approving and filing the said Plat, shall have the right to resort to any and all legal

(From P-5)
Page 1 of 3
remedies against the PRINCIPAL and SURETY, or either both at law and in equity including specifically specific performance, to which the PRINCIPAL and SURETY unconditionally agree.

THE PRINCIPAL AND SURETY FURTHER JOINTLY AND SEVERALLY AGREE that the COUNTY, at its option, shall have the right to construct or, pursuant to public advertisement and receipt of bids, cause to be constructed the aforesaid improvements in case of the PRINCIPAL should fail or refuse to do so in accordance with the terms of said PERMIT. In the event COUNTY should exercise and give effect to such right, the PRINCIPAL and SURETY shall be jointly and severally liable hereunder to reimburse COUNTY the total cost thereof, including, but not limited to, engineering, legal and contingent costs, together with any damages, either direct or consequential, which may be sustained on account of the failure of the PRINCIPAL to carry out and execute all the obligations for construction of Required Improvements pursuant to the REGULATIONS and PERMIT.

IN WITNESS WHEREOF, the PRINCIPAL and SURETY has executed the presents this 2nd day of December, 2020.

(CORPORATE PRINCIPAL)

Volusia Residential Construction, LLC
By: ICI Homes Residential Holdings, LLC

PRINCIPAL

BY:

CHARLENE B. IRLAND, Vice President

ATTEST:

Niloofar Hosseini Lupoli, Vice President

DATE: 12/2/2020

ADDRESS: 2379 Beville Road
Daytona Beach, FL 32119

(Form P-5)
Page 2 of 3
CP & HG Residential Lots, LLC
By: Volusia Residential Construction, LLC, its sole member
By: ICI Homes Residential Holdings, LLC, its sole member

PRINCIPAL

BY: [Signature]
CHARLENE B. IRLAND, VICE PRESIDENT

ATTEST:

[Impression Corporate Seal]

DATE: 12/2/2020

ADDRESS: 2379 Beville Road
Daytona Beach, FL 32119

(INDIVIDUAL PRINCIPAL)

WITNESS: ___________________________  BY: ___________________________
(typed name)  PRINCIPAL

ADDRESS: ___________________________

(SURETY SIGNATURE BLOCK)

Philadelphia Indemnity
Insurance Company, SURETY

WITNESS: ___________________________  BY: ___________________________
Steve P. Farmer  Tyler D. DeBord, its attorney-in-fact
& Resident Agent

ADDRESS: 220 S. Ridgewood Ave
Daytona Beach, FL 32114

(Form P-5)
Page 3 of 3
PHILADELPHIA INDEMNITY INSURANCE COMPANY
One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint Tyler D. DeBord, Pamela J. Thompson, and Stephen P. Farmer of Brown & Brown of Florida, Inc., its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed $25,000,000.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14th of November, 2016.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 27th DAY OF OCTOBER, 2017.

(Seal)

Robert D. O’Leary Jr., President & CEO
Philadelphia Indemnity Insurance Company

On this 27th day of October, 2017, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

(Notary Seal)

Notary Public: Morgan Knopp
residing at: Bala Cynwyd, PA
My commission expires: September 25, 2021

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto on this 27th day of October, 2017 are true and correct and are still in full force and effect. I do further certify that Robert D. O’Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY,

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 2nd day of December, 2016

Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY
September 10, 2020

Susan Graham
Flagler County Engineering
1769 East Moody
Bunnell, Fl. 32110

Re: Plantation Bay Section 2A-F, Unit 13 (Westlake Unit 13)

I hereby certify that the final cost of improvements at Plantation Bay Section 2A-F, Unit 13 is $3,528,093.74. This includes:

Mobilization and Erosion Control ........................................... $ 48,939.14
Clearing........................................................................... $ 323,000.00
Excavation and Grading ....................................................... $ 1,114,682.27
Curbs and, Roadway............................................................... $ 396,869.13
Common Area Sidewalk......................................................... $ 35,540.28
Sidewalks Adjacent to Lots (141’ x 6’ x # 3.70/lf) ..................... $ 3,130.20 *
Sod, Seed & Mulch................................................................. $ 198,031.92
Sanitary Sewer System (w/ Lift Station & Forcemain) ................ $ 686,587.60
Water Distribution System...................................................... $ 242,244.00
Storm Drainage System.......................................................... $ 324,548.80
Irrigation Sleeves................................................................. $ 5,000.00
Survey Monuments and Permanent Control Points .................... $ 3,645.00
Survey Lot Corners.............................................................. $ 17,280.00 *
Striping and Signage............................................................ $ 7,533.75
Staking, Testing & As-Builts.................................................. $ 121,061.65

TOTAL .......................................................... $ 3,528,093.74

Items shown with a "*" are not completed and are to be covered under a Performance Bond; the total amount is to be used for a Maintenance Bond.

Respectfully submitted,

Jerry K. Finley

Digitally signed by Jerry K Finley
Date: 2020.09.10
11:03:44 -04'00'

Jerry K. Finley, P.E.
FINLEY ENGINEERING SOLUTIONS, INC.
3959 So. Nova Road, Suite B-34
Port Orange, Florida 32127
(386)756-8676

September 10, 2020

Susan Graham
Flagler County Engineering
1769 East Moody
Bunnell, Fl. 32110

Re: Plantation Bay Section 2A-F, Unit 13 (Westlake Unit 13) – Bond Amounts

Based on the attached certified estimate of final costs, I hereby certify that the following Bond amounts are appropriate for the recording of the Plat of Plantation Bay Section 2A-F, Unit 8:

Performance Bond: 125% x ($3,130.20 + $17,280.00) = $25,512.75

Maintenance Bond: 10% x $3,528,093.74 = $352,809.38

Respectfully submitted,

Jerry K. Finley

[Signature]

Jerry K. Finley, P.E.
MAINTENANCE BOND
Bond No. PB00057700121

KNOW ALL MEN BY THESE PRESENTS, That we Volusia Residential Construction, LLC and CP & HG Residential Lots, LLC, hereinafter called PRINCIPAL, and Philadelphia Indemnity Insurance Company, as surety company authorized to do business in the State of Florida, hereinafter referred to as SURETY, are held and firmly bound unto Flagler County, a political subdivision of the State of Florida, hereinafter called COUNTY, in the penal sum of Three Hundred Fifty Two Thousand Eight Hundred Nine Dollars and 38/100 ($352,809.38) to which payment will truly be made, we bind ourselves and assigns, jointly and severally, firmly by these presents:

WHEREAS, the said Principal has guaranteed to the Surety the maintenance of certain obligations and improvements identified by the Plat, Development Plans, Engineer’s Estimate of Construction Costs and Land Development Permit No. LD-002497-2020 related to Plantation Bay Section 2A-F Unit 13; and

WHEREAS, said Principal has completed construction of certain improvements identified by the Plat, Development Plans, Engineer’s Estimate of Construction Costs and Land Development Permit; and

WHEREAS, County regulations require that the Principal will furnish a bond conditioned to guarantee for a period of two (2) years from the date of plat recordation and after approval of the construction on said job against all defects in workmanship and materials which may become apparent or exist during said period.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that if the Principal shall guarantee that work will be free of any defective materials or workmanship which became apparent or exists during the period of two (2) years following acceptance of all improvements identified by the Plat, Development Plans, Engineer’s Estimate of Construction Costs and Land Development Permit No. LD-002497-2020 related to Plantation Bay Section 2A-F Unit 13, then this obligation shall be void when approved by Flagler County Board of County Commissioners, otherwise to remain in full force and effect.

Principal shall guarantee, indemnify and save harmless and defend COUNTY, its agents, servants and employees from and against any claim, demand or cause of action of whatsoever kind or nature arising out of error, omission defect in materials and/or workmanship or negligent act of its agents, servants or employees in the performance of said obligations and improvements referenced herein.

Principal further agrees to guarantee, indemnify, save harmless and defend COUNTY, its agents, servants and employees from and against any claim, demand or cause of action of whatever kind or nature arising out of any conduct or misconduct of the Principal not included above and for which the COUNTY, its agents, servants or employees are alleged to be liable.

The exclusive jurisdiction and venue for resolving all issues relating to this Bond shall be
the Circuit Court of Flagler County, Florida.

IN WITNESS WHEREOF, the PRINCIPAL and SURETY has executed the presents this 2nd day of December, 2020.

(CORPORATE PRINCIPAL)

Volusia Residential Construction, LLC

By: ICI Homes Residential Holdings, LLC

DEVELOPER

PRINCIPAL

BY: CHARLENE B. IRLAND, Vice President

ATTEST:

DATE: 12/2/2020

Niloufar Hosseini Lupoli, Vice President

ADDRESS: 2379 Beville Road
Daytona Beach, FL 32119

CP & HG Residential Lots, LLC

By: Volusia Residential Construction, LLC, its sole member

By: ICI Homes Residential Holdings, LLC, its sole member

PRINCIPAL

BY: CHARLENE B. IRLAND, Vice President

ATTEST:

DATE: 12/2/2020

Niloufar Hosseini Lupoli, Vice President

ADDRESS: 2379 Beville Road
Daytona Beach, FL 32119
ATTACHMENT

BONDING COMPANY CERTIFICATE

SUBMIT DRAFT BOND DOCUMENT FOR COUNTY REVIEW
PRIOR TO FINALIZING BOND

(INDIVIDUAL PRINCIPAL)

WITNESS: PRINCIPAL

__________________________________________ BY: ________________________________

(typed name)

__________________________________________ ADDRESS:

(SURETY SIGNATURE BLOCK)

Philadelphia Indemnity
Insurance Company, SURETY

WITNESS: ___________________________ BY: ___________________________

Steve P. Farmer
Tyler D. DeBord, its attorney-in-fact & Resident Agent

ADDRESS: 220 S. Ridgewood Ave
Daytona Beach, FL 32114

(Power of Attorney for Surety must be attached)
PHILADELPHIA INDEMNITY INSURANCE COMPANY
One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint Tyler D. DeBord, Pamela J. Thompson, and Stephen P. Farmer of Brown & Brown of Florida, Inc., its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed $25,000,000.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14th of November, 2016.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 27TH DAY OF OCTOBER, 2017.

(Seal)

Robert D. O'Leary Jr., President & CEO
Philadelphia Indemnity Insurance Company

On this 27th day of October, 2017, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

Notary Public: Morgan Knopp
residing at: Bala Cynwyd, PA
My commission expires: September 25, 2021

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto on this 27th day of October, 2017 are true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 2nd day of December, 2017.

Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
121 W. FORSYTH STREET, SUITE 500
JACKSONVILLE, FLORIDA 32202
904-354-7112

PLAT LETTER
FLAGLER COUNTY, FLORIDA

Reference: Plantation Bay Section 2A-F, Unit 13
September 4, 2020
ORNT File No. 19094748
To: ICI Homes
2379 Beville Road
Daytona Beach, Florida 32119

A search of the public records of Flagler County, Florida through August 31, 2020 at 5:00 PM reveals the following with respect to the legal description attached hereto as Exhibit “A” and made a part hereof.

A. Last Grantee of Record:
Volusia Residential Construction, LLC.; CP and HG Residential Lots, LLC.

B. Unsatisfied Mortgage or Liens encumbering said property are as follows:

OR 2459, PAGE 3 NOC
OR 2459, PAGE 4 NOC
OR 2459, PAGE 5 NOC
OR 2459, PAGE 6 NOC
OR 2459, PAGE 7 NOC
OR 2459, PAGE 8 NOC
OR 2459, PAGE 9 NOC
C. Easements, Restrictions and other matters affecting said property are as follows:

OR 595, PAGE 1971 NOTICE OF RIGHTS
OR 600, PAGE 60 NOTICE OF RIGHTS
OR 995, PAGE 843 NOTICE OF CDD
OR 1020, PAGE 409 NOTICE OF ASSESSMENTS
OR 808, PAGE 1604 NOTICE OF RIGHTS
OR 582, PAGE 366 TEMPORARY EASEMENT
OR 2190, PAGE 1565 NOTICE OF ASSESSMENTS
OR 2190, PAGE 1570 DECLARATION OF CONSENT
OR 2190, PAGE 1576 COLLATERAL ASSIGNMENT
D. Ad valorem taxes on said property as follows:

Taxes for the year 2019 are paid under RE#03133100000101-00020

Sincerely,

[Signature]

Kevin Baldwin/Vice President
EXHIBIT "A"

A PARCEL OF LAND SITUATED IN SECTION 9, TOWNSHIP 13 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF PLANTATION BAY SECTION 2A-F, UNIT 7, PER MAP BOOK 38, PAGES 68-70, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE N54°05'18"E, ALONG THE WEST LINE OF SAID PLANTATION BAY, SECTION 2A-F, UNIT 7 PLAT, 766.62 FEET TO THE POINT OF BEGINNING; THENCE S89°21'17"W, 273.94 FEET; THENCE N00°38'58"W, 159.69 FEET; THENCE N20°42'00"W, 1337.02 FEET; THENCE N71°59'01"E, 170.65 FEET; THENCE S15°56'03"E, 22.01 FEET; THENCE N76°08'52"E, 125.22 FEET; THENCE N76°01'16"E, 87.06 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 652.00 FEET, A CENTRAL ANGLE OF 58°36'14" AND A CHORD BEARING OF N45°27'12"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 666.89 FEET; THENCE N16°00'04"E, 191.05 FEET; THENCE N87°38'29"E, TO A POINT ON THE WEST LINE OF PLANTATION BAY SECTION 2A-F, UNIT 6, PER MAP BOOK 38, PAGES 57-61, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; 727.48 FEET; THENCE ALONG SAID WEST LINE OF SAID UNIT 6 THE FOLLOWING 6 COURSES, S02°21'31"E, 496.60 FEET; THENCE S03°02'09"E, 417.93 FEET; THENCE S01°18'21"E, 214.10 FEET; THENCE S03°50'29"E, 210.98 FEET; THENCE S01°36'59"E, 456.77 FEET; THENCE S02°49'17"E, TO A POINT ON THE NORTH LINE OF PLANTATION BAY, SECTION 2A-F, UNIT 7, PER MAP BOOK 38, PAGES 68-70, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, 416.79 FEET; THENCE ALONG THE NORTH LINE OF SAID UNIT 7 THE FOLLOWING 4 COURSES, S85°59'55"W, ALONG THE NORTH LINE 127.67 FEET; THENCE S89°19'33"W, 504.63 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 630.00 FEET, A CENTRAL ANGLE OF 28°53'07" AND A CHORD BEARING OF N76°12'17"W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 317.61 FEET; THENCE S89°21'17"W, 18.74 FEET TO THE POINT OF BEGINNING.
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<th>DISCOUNT</th>
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<td>2020 vrc RE tax</td>
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**CHECK Total:** 342,077.42 .00 342,077.42

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ICI Homes Residential Holdings, LLC
2379 Beville Road
Daytona Beach, FL 32119

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</tr>
</tbody>
</table>

**CHECK Total:** 342,077.42 .00 342,077.42

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ICI Homes Residential Holdings, LLC
2379 Beville Road
Daytona Beach, FL 32119

Ameris Bank
64-175/612

**DATE**
11/20/20

**CHECK NO.**
021879

**CHECK AMOUNT**

**THREE HUNDRED FORTY-TWO THOUSAND SEVENTY-SEVEN AND 42/100 DOLLARS**

**TO THE ORDER OF**
Suzanne Johnston Flagler County Tax
P O Box 846
Bunnell, FL 32110-0846

**AUTHORIZED SIGNATURE**
**SUZANNE JOHNSTON** Flagler County Tax Collector  
**Notice of Ad Valorem Tax and Non-Ad Valorem Assessments**  
**2020 Real Estate**

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<th>TAX YEAR</th>
<th>ACCOUNT NUMBER</th>
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VOLUSIA RESIDENTIAL CONSTRUCTION LLC  
2379 BEVILLE ROAD  
DAYTONA BEACH, FL  32119  

ORMOND BEACH 32174  

50.09 AC POR NW CRNR  
PLANTATION BAY SEC 2A-F  
UNIT 7 THENCE NE 786.62 TO  
PDB SW 273.94' NW 159.69'  
NW 1337.02' NE 170.69' SE  
22.01'NE 125.22' NE 87.06

### AD VALOREM TAXES

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<th>TAXING AUTHORITY</th>
<th>TELEPHONE</th>
<th>ASSESSED VALUE</th>
<th>MILLAGE RATE</th>
<th>EXEMPTION AMOUNT</th>
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**TOTAL MILLAGE** 14.8474  
**TOTAL AD VALOREM TAXES** $6,321.49

### NON-AD VALOREM ASSESSMENTS

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**TOTAL NON-AD VALOREM TAXES** $0.00

**TOTAL COMBINED TAXES AND ASSESSMENTS** $6,321.49

If Paid By  
Please Pay  
Nov 30, 2020  
Dec 31, 2020  
Jan 31, 2021  
Feb 28, 2021  
Mar 31, 2021

Make checks payable to:  
**Suzanne Johnston**  
**Flagler County Tax Collector**  
PO Box 846 Bunnell, FL 32110  
386-313-4160

Pay online at [www.Flaglertax.com](http://www.Flaglertax.com)

Payments in U.S. funds from a U.S. bank

RETURN WITH PAYMENT

DO NOT FOLD, Staple, OR Mutilate
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|-----------------|-------------------|----------------------------|-------|------|-----------|----|-----|------|-------------------| 143x |
| Flagler         | Westlake 6        | Parcel 053                 | 10-13-31-5120-2AFO6-053C | 281 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 054                 | 10-13-31-5120-2AFO6-054C | 279 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 055                 | 10-13-31-5120-2AFO6-0550 | 277 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 056                 | 10-13-31-5120-2AFO6-0560 | 275 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 057                 | 10-13-31-5120-2AFO6-0570 | 273 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 058                 | 10-13-31-5120-2AFO6-0580 | 271 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 059                 | 10-13-31-5120-2AFO6-0590 | 269 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 060                 | 10-13-31-5120-2AFO6-0600 | 267 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 061                 | 10-13-31-5120-2AFO6-0610 | 265 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 062                 | 10-13-31-5120-2AFO6-0620 | 263 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 063                 | 10-13-31-5120-2AFO6-063C | 261 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 064                 | 10-13-31-5120-2AFO6-0640 | 259 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 065                 | 10-13-31-5120-2AFO6-0650 | 257 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 066                 | 10-13-31-5120-2AFO6-0660 | 255 Stirling Bridge | $2,399.97 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 067                 | 10-13-31-5120-2AFO6-0670 | 202 Edgewood      | $2,418.70 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 068                 | 10-13-31-5120-2AFO6-0680 | 204 Edgewood      | $2,439.86 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 071                 | 10-13-31-5120-2AFO6-0710 | 205 Edgewood      | $2,437.42 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 072                 | 10-13-31-5120-2AFO6-0720 | 203 Edgewood      | $2,474.87 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 6        | Parcel 073                 | 10-13-31-5120-2AFO6-0730 | 201 Edgewood      | $2,474.87 | 001 | 111 | 125 | W8 |
| Flagler         | Westlake 7        | Parcel 095                 | 16-13-31-5120-2AFO7-0950 | 1900 Bay          | $17.13    | 001 | 111 | 070 | 07040950 |
| Flagler         | Westlake 7        | Parcel 116                 | 16-13-31-5120-2AFO7-1160 | 839 Pinewood      | $1,941.50 | 001 | 111 | 125 | WT |
| Flagler         | Westlake 7        | Parcel 117                 | 16-13-31-5120-2AFO7-1170 | 866 Pinewood      | $4,669.26 | 001 | 111 | 125 | WT |
| Flagler         | Grand Haven       | Parcel 001                 | 22-11-31-5913-0000-001C | 17 Jasmine        | $4,160.80 | 001 | 111 | 125 | WT |
| Flagler         | Grand Haven Estates | 093                 | 48-11-31-1710-0000-098C | 24 Blue Oak Ln   | $3,192.77 | 001 | 111 | 190 | Z1 |
| Flagler         | Grand Haven Estates | 098                 | 48-11-31-1710-0000-096C | 24 Blue Oak Ln   | $3,988.52 | 001 | 111 | 190 | Z1 |

Note: The table contains information about properties, addresses, legal descriptions, values, years, and various identifiers such as CR, 125, W8, and 060000530. The values are in dollars, and the years and CR are likely related to property identification or assessment dates.
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<tr>
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**CHECK Total:** 8,143.13  .00  8,143.13

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**ICI Homes Residential Holdings, LLC**

**VENDOR: 476600 Suzanne Johnston Flagler**  **CHECK NO: 021859**  **CHECK DATE: 11/20/20**

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<th>EXPLANATION</th>
<th>GROSS</th>
<th>DISCOUNT</th>
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**CHECK Total:** 8,143.13  .00  8,143.13

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**ICI Homes Residential Holdings, LLC**

Ameris Bank  64-175/612

**DATE**  **CHECK NO.**

11/20/20  021859

**CHECK AMOUNT**  

*****$8,143.13

**PAY**  *****EIGHT THOUSAND ONE HUNDRED FORTY-THREE AND 13/100 DOLLARS*****

**TO THE ORDER OF**

Suzanne Johnston Flagler County Tax

P.O. Box 846

Bunnell, FL 32110-0846

---

**AUTHORIZED SIGNATURE**
# SUZANNE JOHNSTON Flagler County Tax Collector

Notice of Ad Valorem Tax and Non-Ad Valorem Assessments

2020 Real Estate

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CP AND HG RESIDENTIAL
LOTS LLC
2379 BEVILLE ROAD
DAYTONA BEACH, FL 32119

ORMOND BEACH 32174

9.63 AC POR NW CRNR
PLANTATION BAY SEC 2A-F UNIT 7
THENCE NE 766.62" SW 273.94"
NW 159.69" NW 1337.02"
NE 170.65" SE 22.01" NE 125.22
NE 87.06" TO A C

## AD VALOREM TAXES

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<th>TELEPHONE</th>
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<th>MILLAGE RATE</th>
<th>EXEMPTION AMOUNT</th>
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**TOTAL MILLAGE** 14.8474
**TOTAL AD VALOREM TAXES** $1,215.33

## NON-AD VALOREM ASSESSMENTS

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**TOTAL NON-AD VALOREM TAXES** $0.00

**TOTAL COMBINED TAXES AND ASSESSMENTS** $1,215.33

If Paid By Nov 30, 2020  
Please Pay $1,166.72

Dec 31, 2020  
1,178.87

Jan 31, 2021  
1,191.02

Feb 28, 2021  
1,203.18

Mar 31, 2021  
1,215.33

RETAIN FOR YOUR RECORDS
Notice of Ad Valorem Tax and Non-Ad Valorem Assessments
2020 Real Estate

Make checks payable to:

Suzanne Johnston
Flagler County Tax Collector
PO Box 846 Bunnell, FL 32110
386-313-4160

Pay online at www.Flaglertax.com

Pay only one amount

If Paid By Nov 30, 2020
1,166.72

If Paid By Dec 31, 2020
1,178.87

If Paid By Jan 31, 2021
1,191.02

If Paid By Feb 28, 2021
1,203.18

If Paid By Mar 31, 2021
1,215.33

Payments in U.S. funds from a U.S. bank

RETURN WITH PAYMENT

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CP AND HG RESIDENTIAL
LOTS LLC
2379 BEVILLE ROAD
DAYTONA BEACH, FL 32119

ORMOND BEACH 32174

2.98 AC POR NW CRNR
PLANTATION BAY SEC 2A-F UNIT 7
THENCE NE 766.62' TO POB
THENCE SW 273.94' NW 159.69'
NW 81.66' NE 236.46' NE 229.87'
SE 125' THEN A

<table>
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<tr>
<th>TAXING AUTHORITY</th>
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TOTAL MILLAGE 14.8474
TOTAL AD VALOREM TAXES $376.08

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TOTAL NON-AD VALOREM TAXES $0.00

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PAY ONLY ONE AMOUNT

If Paid By Nov 30, 2020
☐ $361.04
☐ $364.80
☐ $368.56
☐ $372.32
☐ $376.08

DO NOT FOLD, STAPLE, OR MUTILATE
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September 18, 2020

Gina Lemon
Development Review Planner III
Flagler County
1769 F. Moody Blvd, Building 2, Suite 104
Bunnell, FL 32110

Subject: Plantation Bay, Section 2AF, Unit 13

CERTIFICATION BY APPLICANT’S REPRESENTATIVE

Subdivision Plat Name: Plantation Bay, Section 2AF, Unit 138

I hereby certify that the referenced project as submitted to Flagler County is in compliance with local, state and federal regulations and that the material and data submitted to Flagler County was prepared under the supervision and direction of the undersigned.

________________________
Signature of Responsible Party

Printed Name: Richard D Smith

Company Name: Volusia Residential Construction LLC by ICI Homes Residential Holdings, LLC and CP and HG Residential Lots LLC

Address: 2379 Beville Road, Daytona Beach, FL 32119

Telephone: 386-788-0820

Registration Number and Seal if applicable: NA
FINLEY ENGINEERING SOLUTIONS, INC.
3950 So. Nova Road, Suite B-34
Port Orange, Florida 32127
(386)755-8676

September 10, 2020

Susan Graham
Flagler County Engineering
1769 East Moody
Bunnell, FL 32110

Re: Plantation Bay Section 2A-F, Unit 13 (Westlake Unit 13) – Bond Amounts

Based on the attached certified estimate of final costs, I hereby certify that the following Bond amounts are appropriate for the recording of the Plat of Plantation Bay Section 2A-F, Unit 8:

Performance Bond: 125% x (3,130.20 + 17,280.00) = $25,512.75

Maintenance Bond: 10% x 3,528,093.74 = $352,809.38

Respectfully submitted,

Jerry K. Finley, P.E.
FINLEY ENGINEERING SOLUTIONS, INC.  
3959 So. Nova Road, Suite B-34  
Port Orange, Florida 32127  
(386)756-8676  

September 10, 2020  

Susan Graham  
Flagler County Engineering  
1769 East Moody  
Bunnell, Fl. 32110  

Re: Plantation Bay Section 2A-F, Unit 13 (Westlake Unit 13)  

I hereby certify that the final cost of improvements at Plantation Bay Section 2A-F, Unit 13 is $3,528,093.74. This includes:  

Mobilization and Erosion Control........................................... $ 48,939.14  
Clearing.......................................................... $ 323,000.00  
Excavation and Grading.............................................. $ 1,114,682.27  
Curbs and, Roadway.................................................. $ 396,869.13  
Common Area Sidewalk............................................... $ 35,540.28  
Sidewalks Adjacent to Lots (141’ x 6’ x # # 370/lf)............. $ 3,130.20 *  
Sod, Seed & Mulch.................................................. $ 198,031.92  
Sanitary Sewer System (w/ Lift Station & Force main)........... $ 686,587.60  
Water Distribution System........................................... $ 242,244.00  
Storm Drainage System............................................... $ 324,548.80  
Irrigation Sleeves.................................................. $ 5,000.00  
Survey Monuments and Permanent Control Points................... $ 3,645.00  
Survey Lot Corners................................................ $ 17,280.00 *  
Striping and Signage............................................... $ 7,533.75  
Staking, Testing & As-Builts....................................... $ 121,061.65  

TOTAL $3,528,093.74  

Items shown with a "*" are not completed and are to be covered under a Performance Bond; the total amount is to be used for a Maintenance Bond.  

Respectfully submitted,  

Jerry K. Finley, P.E.
September 15, 2020

Richard D. Smith, VP of Development
ICI Homes
2379 Beville Road
Daytona Beach, FL 32119

RE: Plantation Bay Section 2 A-F Unit 13

Mr. Smith,

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

All comments have been addressed.

Respectfully Submitted,

Albert Dale Bradshaw, PSM 5257
GRANT OF EASEMENT
(Non-Exclusive)

THIS EASEMENT, made this ___ day of ________, 2020 between WL RESIDENTIAL LAND, LLC, a Florida limited liability company, whose address is 2379 Beville Road, Daytona Beach, Florida 32119, hereinafter called Grantor, and FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS, a political subdivision State of Florida, hereinafter called Grantee, whose business address is 1769 East Moody Boulevard, Building 2, Bunnell, Florida 32110.

WITNESSETH: that Grantor, for and in consideration of the sum of Ten and 00/100 dollars ($10.00) and other good and valuable consideration to them in hand paid by Grantee, the receipt of which is hereby acknowledged, has granted, bargained, sold, and conveyed to the Grantee, its successors and assigns forever, an unobstructed right of way and easement with the right, privilege, and authority to said Grantee, its successors and assigns, to construct, operate, lay, maintain, improve, and/or repair, facilities, either above or below the surface of the ground, facilities and associated equipment for sewer or other public utilities, or quasi-utilities, either or all, on, along, over, through, across, and/or under the following described land situate in Flagler County, Florida, to wit (the Easement Property)

SEE EXHIBIT “A” ATTACHED HERETO

TOGETHER with the right of said Grantee, its successors and assigns, of ingress and egress to and over said above described premises, and for doing anything necessary or useful or convenient, or removing at any time any and all of said improvements on, along, over, under or in said lands, together also with the right and easements, privileges and appurtenances in and to said land which may be required for the enjoyment of the rights herein granted.

GRANTOR represents and warrants that it is the true owner of record of the property described herein and that it has full power and authority to grant to Grantee the rights granted hereunder.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name the day and year first above written.
Signed and Sealed in Our Presence as Witnesses:

GRANTOR:
WL RESIDENTIAL LAND, LLC, a Florida limited liability company
By: HOSSEINI VENTURES, LLLP, a Florida limited liability limited partnership, its sole member,
By: WEST DUVAL INVESTMENTS, INC., a Florida corporation, its general partner

(sign)__________________________ By: ____________________________
(print)_________________________   Morteza Hosseini-Kargar
(sign)__________________________
(print)_________________________

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of ___ physical presence or ___ online notarization, this ______ day of ________, 2020, by Morteza Hosseini-Kargar, President of WEST DUVAL INVESTMENTS, INC., a Florida corporation, general partner of HOSSEINI VENTURES, LLLP, a Florida limited liability limited partnership, sole member of WL RESIDENTIAL LAND, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or has produced (type of identification) as identification.

__________________________________________
_ Title or rank) ____________________________
_ Serial number, if any) _____________________
NOTARY PUBLIC
My commission expires:
EXHIBIT “A”
POINT OF BEGINNING

WL RESIDENTIAL LAND LLC
UNPLATTED
(VACANT)

POINT OF REFERENCE
NORTHWEST CORNER OF
PLANTATION BAY, SECTION 2A-F, UNIT 7
MAP BOOK 38, PAGE 68-70

ABBREVIATIONS

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<th>Description</th>
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<td>Chord Bearing</td>
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<tr>
<td>CE</td>
<td>Conservation Easement</td>
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<tr>
<td>PRC</td>
<td>Point of Reverse Curve</td>
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<tr>
<td>M.G.V.D.</td>
<td>National Geodetic Vertical Datum</td>
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<tr>
<td>U.S.C. &amp; G.S.</td>
<td>United States Coast and Geodetic Survey</td>
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LEGEND

- Iron Rod with Cap
- Iron Pipe
- Concrete Monument
- Permanent Reference Monument
- Permanent Control Point
- Radial Line
- Non-Radial Line
- Existing Elevation
- Proposed Elevation

GRAPHIC SCALE

0 100 200 300

(1 inch = 100 ft)

SKETCH OF DESCRIPTION ONLY
THIS IS NOT A BOUNDARY SURVEY

FOR: CP AND HG RESIDENTIAL LOTS, LLC,
AND VOLUSIA RESIDENTIAL CONSTRUCTION, LLC,

JOB # 20-0856  SHEET 1 OF 5
LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN SECTIONS 9, TOWNSHIP 13 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF PLANTATION BAY SECTION 2A-F, UNIT 7, PER MAP BOOK 38, PAGES 68-70, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE N54°05'18"E, ALONG THE WEST LINE OF SAID PLANTATION BAY, SECTION 2A-F, UNIT 7 PLAT, 766.62 FEET; THENCE S89°21'17"W, 273.94 FEET; THENCE N00°38'58"W, 159.69 FEET; THENCE N20°42'00"W, 1337.02 FEET; THENCE N71°59'01"E, 157.05 FEET; THENCE N78°52'33"W, 294.90 FEET TO THE POINT OF BEGINNING AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 445.00 FEET, A CENTRAL ANGLE OF 08°02'29" AND A CHORD BEARING OF S73°07'45"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 46.92 FEET; THENCE N19°53'08"W, 54.98 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 06°02'27" AND A CHORD BEARING OF N73°07'46"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 52.72 FEET; THENCE N76°09'00"E, 481.38 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 450.00 FEET, A CENTRAL ANGLE OF 59°59'48", AND A CHORD BEARING OF N46°09'05"E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 471.21 FEET; THENCE N16°09'11"E, 460.42 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 550.00 FEET, A CENTRAL ANGLE OF 100°18'40" AND A CHORD BEARING OF N34°00'09"W; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 962.92 FEET; THENCE N64°00'29"W, 109.79 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 925.00 FEET, A CENTRAL ANGLE OF 28°31'56" AND A CHORD BEARING OF N69°53'31"W; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 460.63 FEET; THENCE N55°39'01"W, 446.90 FEET; THENCE N36°58'44"E, 50.05 FEET; THENCE S55°39'01"E, 444.61 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 875.00 FEET, A CENTRAL ANGLE OF 28°31'56" AND A CHORD BEARING OF S69°53'31"E, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 435.73 FEET; THENCE S84°09'29"E, 109.79 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 600.00 FEET, A CENTRAL ANGLE OF 100°18'40" AND A CHORD BEARING OF S34°00'09"E; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 1050.46 FEET; THENCE S16°09'11"W, 460.42 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 59°59'48" AND A CHORD BEARING OF S46°09'05"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 523.57 FEET; THENCE S76°09'00"W, 468.15 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 10.00 FEET, A CENTRAL ANGLE OF 41°24'35" AND A CHORD BEARING OF S55°26'42"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 7.23 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 10.00 FEET, A CENTRAL ANGLE OF 41°24'35" AND A CHORD BEARING OF S55°26'42"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 7.23 FEET TO THE POINT OF BEGINNING.
SURVEYORS NOTES:

1. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SKETCH OF DESCRIPTION.

2. BEARINGS (AND COORDINATES) ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM (EAST ZONE) WITH THE WEST LINE OF PLANTATION BAY, SECTION 2A–F UNIT 7, BEING N54°05'18"E.


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

5. DESCRIPTION CREATED BY SLIGER & ASSOCIATES INC. (JOB NO. 20–0856)

REFERENCE: PLANTATION BAY 2A–F UNIT 13

THIS PLAT OF SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND INDIVIDUALS LISTED BELOW, ON THE MOST CURRENT DATE, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.

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SHEET 5 OF 5

VALID WITH SIGNATURE & EMBOSSED SEAL OR DIGITAL SIGNATURE OR DIGITAL SEAL ON DIGITAL VERSIONS

I HEREBY CERTIFY THAT THIS PLAT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J–17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

J.E. ZAPERT, P.L.S. NO. 4046
JEFF W. BARNES P.S.M. NO. 5576
C.O. VAN KLEECK JR., P.S.M. NO. 6149
MICHAEL S. MURPHY, P.S.M. NO. 6208
GENERAL WARRANTY DEED

This General Warranty Deed Made the _____ day of __________________, 2020, by WL RESIDENTIAL LAND, LLC, a Florida limited liability company, whose address is 2379 Beville Road, Daytona Beach, Florida  32119, hereinafter called the Grantor, to FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS, a political subdivision of the State of Florida, whose post office address is 1769 East Moody Boulevard, Building 2, Bunnell, Florida, 32110, hereinafter called the Grantee,

WITNESSETH: That Grantor, for and in consideration of the sum of $10.00 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee, all that certain land situate in Flagler County, Florida, via:

See Attached Exhibit “A”

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

To Have and to Hold, the same in fee simple forever.

GRANTOR WILL WARRANT and forever defend the right and title to the above-described real property unto the Grantee against the claims of all persons whomsoever.

(Wherever used herein the terms “grantor” and “grantee” included all the parties to this instrument, and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation.)
IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in our presence:  

WL RESIDENTIAL LAND, LLC, a Florida limited liability company  
By: HOSSEINI VENTURES, LLLP, a Florida limited liability limited partnership, sole member  
By: WEST DUVAL INVESTMENTS, INC., a Florida corporation, its general partner  

Witness Signature: ______________________  
Printed Name: ______________________  
By: ____________________________  
Printed Name: Morteza Hosseini-Kargar  
Its: President

STATE OF FLORIDA  
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this by means of (    ) physical presence of (    ) online notarization this ____ day of _____________, 2020, by Morteza Hosseini-Kargar, President of WEST DUVAL INVESTMENTS, INC., a Florida limited corporation, general partner of HOSSEINI VENTURES, LLLP, a Florida limited liability limited partnership, sole member of WL RESIDENTIAL LAND, LLC, a Florida limited liability company, (    ) who is personally known to me or (    ) who produced ______________________ as identification and who executed on behalf of the corporation.

__________________________________  
Notary Public, State of _____________  
Printed Name: ______________________  
My Commission Expires:  
(NOTARY SEAL)
EXHIBIT “A”
LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN SECTIONS 9, TOWNSHIP 13 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF PLANTATION BAY SECTION 2A–F, UNIT 7, PER MAP BOOK 38, PAGES 68–70, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE N54°05’18″E, ALONG THE WEST LINE OF SAID PLANTATION BAY, SECTION 2A–F, UNIT 7 PLAT, 766.62 FEET; THENCE S59°21’17″W, 273.94 FEET; THENCE N00°38’58″W, 159.69 FEET; THENCE N20°42’00″W, 1337.02 FEET; THENCE N71°59’01″E, 157.05 FEET; THENCE N78°52’33″W, 294.90 FEET TO THE POINT OF BEGINNING, THENCE S17°32’22″E, 48.52 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 395.06 FEET, A CENTRAL ANGLE OF 07°15’24″ AND A CHORD BEARING OF S73°19′45″W; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 50.04 FEET; THENCE N17°13′22″W, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 445.00 FEET, A CENTRAL ANGLE OF 06°26’29″ AND A CHORD BEARING OF N73°19′45″E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 50.03 FEET; THENCE S17°13′22″E, 1.48 FEET TO THE POINT OF BEGINNING.

SURVEYORS NOTES:

1. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SKETCH OF DESCRIPTION.

2. BEARINGS (AND COORDINATES) ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM (EAST ZONE) WITH THE WEST LINE OF PLANTATION BAY, SECTION 2A–F UNIT 7, BEING N54°05’18″E.


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

5. DESCRIPTION CREATED BY SLIGER & ASSOCIATES INC. (JOB NO. 20–0856)

REFERENCE: PLANTATION BAY 2A–F UNIT 13

THIS PLAT OF SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND INDIVIDUALS LISTED BELOW, ON THE MOST CURRENT DATE, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER.

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SHEET 2 OF 2

VALID WITH SIGNATURE & EMBOSSED SEAL OR DIGITAL SIGNATURE OR DIGITAL SEAL ON DIGITAL VERSIONS

FOR: CP AND HG RESIDENTIAL LOTS, LLC, & VOLUSIA RESIDENTIAL CONSTRUCTION, LLC,

I HEREBY CERTIFY THAT THIS PLAT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5-J1-7.85, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

J.E. ZAPERT, P.L.S. NO. 4046
JEFF W. BARNES P.S.M. NO. 5576
C.O. VAN KLEECK JR., P.S.M. NO. 6149
MICHAEL S. MURPHY, P.S.M. NO. 6208
BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that WL Residential Land, LLC, a Florida limited liability company (the “Grantor”), and in consideration of the sum of Ten Dollars ($10.00) and other valuable consideration, to it paid by Flagler County Board of County Commissioners, a political subdivision of the State of Florida, (the “Grantee”) the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer, and deliver unto the Grantee, its successors and assigns, the following described property, assets and rights, to-wit:

Wastewater system, sanitary sewer force main, the gravity sewer main, all sanitary sewer manholes and the sanitary sewer lift station including located on the Property described on the attached Exhibit “A”, Public Records of Flagler County, Florida.

TO HAVE AND TO HOLD all of the foregoing unto the Grantee, its successors and assigns, for its own use forever, free and clear and discharged of and from any and all obligations, claims or liens.

AND the Grantor does hereby covenant to and with the Grantee, its successors and assigns, that they are the lawful owners of the above-described personal property and assets; that said personal property and assets are free from all liens and encumbrances; that Grantor has good right to sell said personal property and assets; that all contractors, subcontractors and material men furnishing labor or materials relative to the construction of the personal property and assets have been paid in full; and that Grantor will warrant and defend the sale of its said personal property and assets hereby made, unto the Grantee, its successors and assigns, against the lawful claims and demands of all persons whosoever.
IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed in its name the day and year first above written.

Signed, Sealed and delivered in our Presence:

WL Residential Land, LLC, a Florida limited liability company

By: Hosseini Ventures, LLLP, a Florida limited liability limited partnership, its sole member

By: West Duval Investments, Inc., a Florida corporation, its general partner

By:__________________________________________
Morteza Hosseini-Kargar, President

Print Name:

___________________________
___________________________
___________________________

Print Name:

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of [ ] physical presence or [ ] online notarization on this _____ day of ________________, 2020, by Morteza Hosseini-Kargar, the President of West Duval Investments, Inc., a Florida corporation, general partner of Hosseini Ventures, LLLP, a Florida limited liability limited partnership, sole member of WL Residential Land, LLC, a Florida limited liability company, on behalf of the company. He is personally known to me or produced ______________ as identification and did (did not) take an oath.

(Print)___________________, Notary Public
My Commission expires: ______________
Commission Number: ______________
LEGAL DESCRIPTION

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VALID WITH SIGNATURE & EMBOSSED SEAL OR DIGITAL SIGNATURE ON DIGITAL VERSIONS

FOR: CP AND HG RESIDENTIAL LOTS, LLC, & VOLUSIA RESIDENTIAL CONSTRUCTION, LLC,

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