

RESOLUTION NO. 2023-07

**A RESOLUTION OF THE CITY OF DELTONA, FLORIDA;
APPROVING THE FINAL PLAT FOR VINELAND RESERVE
PHASE 3 FOR A 127-LOT SINGLE-FAMILY SUBDIVISION
SITUATED ON 38.77 ACRES OF PROPERTY GENERALLY
LOCATED AT 990 PEACH CREEK DRIVE, WITHIN THE
CITY OF DELTONA; PROVIDING CONDITIONS,
CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

WHEREAS, The City has been presented with an application for a Final Plat, SD22-0006, to subdivide property located at 990 Peach Creek Drive for a 127 single-family lot subdivision, within the Vineland Reserve Residential Planned Unit Development (RPUD) zoning classification, situated north of Doyle Road, south of Collins Road, and west of Vineland Reserve Phase 2, and otherwise described and depicted in **Exhibit A**, and

WHEREAS, The Final Plat shall dedicate certain Rights-of-Way and easements to the public, and the applicant has submitted an acceptable Letter of Credit on January 19, 2023, in the amount of \$2,877,503.55 for all required improvements in accordance with Chapter 96 of the Land Development Code, and

WHEREAS, the application is subject to the requirements set forth within the Vineland Reserve RPUD Development Agreement recorded in the official records on October 24, 2016 (Book: 7316, Page: 3245), and Chapter 106 of the Land Development Code, and

WHEREAS, the Development Review Committee approved the final plat with conditions on _____, 2023, and forwarded the application to the City Commission,

WHEREAS, the City Commission finds the Vineland Reserve Phase 3 Final Plat consistent and in compliance with the Vineland Reserve RPUD Development Agreement, Chapter 106 of the Land Development Code, and Chapter 177 of the Florida Statutes.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
CITY OF DELTONA, FLORIDA:**

Section 1. In accordance with the Code of the City of Deltona, Section 106-31, the Deltona City Commission hereby grants approval of Vineland Reserve Phase 3 Final Plat, SD22-0006, for a 127-lot Single-Family Subdivision located at 990 Peach Creek Drive, depicted in **Exhibit B**, consistent with Sec. 106-3, subject to the following condition:

1. Consistent with Section 96-76, the Letter of Credit Agreement for the signed and sealed Letter of Credit in the amount of \$2,877,503.55, received on January 19, 2023, shall be recorded into the public records prior to or concurrently with the recordation of the Vineland Reserve Phase 3 Final Plat.

Section 2. Conflicts. All Resolutions or parts of Resolution insofar as they are inconsistent or in conflict with the provisions of this Resolution are hereby repealed to the extent of any conflict.

Section 3. Severability. In the event any portion of this Resolution is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portion or sections of the Resolution which shall remain in full force and effect.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption. If the final plat approved by this resolution is not recorded within the official records of Volusia County within 20 working days of the effective date, it shall expire.

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**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA, THIS _____ DAY OF _____, 2023.**

BY: _____
Santiago Avila, Jr., MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

Approved as to form and legality
for use and reliance of the City of
Deltona, Florida

CITY ATTORNEY

EXHIBIT A
Legal Description and Location Map

Fidelity National Title Insurance Company has caused to be made a search of the Public Records of Volusia County, Florida, ("Public Records"), from 01/01/1990, through 12/13/2022 5:00 PM, as to the following described real property lying and being in the aforesaid County, to-wit: A PORTION OF THE NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 19 SOUTH, RANGE 31 EAST, LOCATED IN VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF AFORESAID SECTION 12; THENCE RUN SOUTH 00°14'38" WEST, ALONG THE EAST LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 35.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF COLLINS ROAD, A VARIABLE WIDTH RIGHT OF WAY, AND THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°38'34" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 10.15 FEET TO THE NORTHWEST CORNER OF TRACT-P, VINELAND RESERVE PHASE 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN MAP BOOK 63, PAGES 16 THROUGH 22, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY FLORIDA; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE, RUN ALONG THE WEST LINE OF AFORESAID PLAT OF VINELAND RESERVE PHASE 2, THE FOLLOWING FIVE (5) COURSES AND DISTANCES: THENCE RUN SOUTH 00°23'24" WEST, A DISTANCE OF 880.01 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 150.00 FEET, WITH A CHORD BEARING OF SOUTH 20°41'51" EAST, AND A CHORD DISTANCE OF 107.94 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 42°10'30", A DISTANCE OF 110.41 FEET TO A POINT OF NON-TANGENCY; THENCE DEPARTING SAID CURVE, RUN SOUTH 00°09'45" WEST, A DISTANCE OF 113.79 FEET; THENCE RUN NORTH 89°50'15" WEST, A DISTANCE OF 46.64 FEET; THENCE RUN SOUTH 00°14'38" WEST, A DISTANCE OF 190.96 FEET TO THE SOUTHWEST CORNER OF TRACT-M OF SAID PLAT OF VINELAND RESERVE PHASE 2; THENCE DEPARTING SAID WEST LINE OF VINELAND RESERVE PHASE 2, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: THENCE RUN NORTH 89°38'14" WEST, A DISTANCE OF 281.31 FEET; THENCE RUN NORTH 89°38'10" WEST, A DISTANCE OF 1045.57 FEET; THENCE RUN NORTH 00°04'09" WEST, A DISTANCE OF 1321.07 FEET TO THE NORTH LINE OF THE AFORESAID NORTHWEST 1/4 OF SECTION 12; THENCE RUN SOUTH 89°37'11" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 167.57 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00°22'49" WEST, A DISTANCE OF 35.00 FEET TO THE AFOREMENTIONED SOUTH RIGHT OF WAY LINE OF COLLINS ROAD; THENCE RUN SOUTH 89°37'11" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 1166.61 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THE FOLLOWING DESCRIBED LANDS BEING THAT PORTION DESCRIBED AS "LESS" IN OFFICIAL RECORDS BOOK 5402, PAGE 1532, OF SAID PUBLIC RECORDS: Order No.: 10376682 Customer Reference Number Vineland Reserve Ph 3 Property Information Report Page 2 of 3 COMMENCE AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 19 SOUTH, RANGE 31 EAST; THENCE RUN NORTH 89°44'34" WEST, ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 12, A DISTANCE OF 2622.79 FEET; THENCE DEPARTING SAID NORTH LINE, RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES: THENCE RUN SOUTH 00°09'45"

WEST, A DISTANCE OF 1004.63 FEET; THENCE RUN NORTH 89°50'15" WEST, A DISTANCE OF 104.82 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 00°09'45" WEST, A DISTANCE OF 220.00 FEET; THENCE RUN NORTH 89°50'15" WEST, A DISTANCE OF 200.00 FEET; THENCE RUN NORTH 00°09'45" EAST, A DISTANCE OF 220.00 FEET; THENCE RUN SOUTH 89°50'15" EAST, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING. As of the effective date of this Report, the apparent record Fee Simple title owner(s) to the above described real property is/are: Lennar Homes, LLC, a Florida limited liability company by virtue of the Special Warranty Deed recorded in Official Records Book 8129, Page 2476, Public Records of Volusia County, Florida. The following liens against the said real property recorded in the aforesaid Public Records have been found: 1. Intentionally Deleted. 2. Intentionally Deleted. 3. Memorandum of Agreement recorded September 21, 2000, in Official Records Book 4594, Page 1380, Notice of Assignment and Assumption recorded in Official Records Book 4651, Page 1418, Memorandum of Assignment and Assumption of Lease recorded in Official Records Book 4651, Page 1419, Memorandum of Lease recorded in Official Records Book 4656, Page 1230, Memorandum of Lease recorded in Official Records Book 6939, Page 4675, and Memorandum of Lease recorded in Official Records Book 8129, Page 2456, Public Records of Volusia County, Florida. 4. Memorandum of Lease Agreement recorded March 8, 2002 in Official Records Book 4829, Page 4575 and Memorandum of First Amendment to Lease Supplement recorded in Official Records Book 6315, Page 160, Public Records of Volusia County, Florida. 5. Easement recorded August 18, 2003 in Official Records Book 5140, Page 3604; Partial Termination and Release of Easement Agreement recorded April 29, 2019 in Official Records Book 7687, Page 1559, as modified by that certain Modification and Partial Release of Easement recorded October 01, 2021 in Official Records Book 8129, Page 2441, of the Public Records of Volusia County, Florida. 6. Intentionally Deleted. 7. Transfer of Density Credits within City of Deltona recorded October 14, 2008 in Official Records Book 6285, Page 4691, Public Records of Volusia County, Florida. 8. Development Agreement recorded October 24, 2016 in Official Records Book 7316, Page 3245, Public Records of Volusia County, Florida. 9. City of Deltona Preliminary Plat Development Order recorded December 17, 2018 in Official Records Book 7635, Page 297, Public Records of Volusia County, Florida. 10. Right of Way Utility Easement Agreement recorded July 29, 2019 in Official Records Book 7726, Page 2075, rerecorded October 8, 2019 in Official Records Book 7757, Page 569; Assignment of Rights to Right of Way Utility Easement recorded July 29, 2019 in Official Records Book 7726, Order No.: 10376682 Customer Reference Number Vineland Reserve Ph 3 Property Information Report Page 3 of 3 Page 2067, rerecorded October 8, 2019 in Official Records Book 7757, Page 587, Public Records of Volusia County, Florida. 11. The Vineland Reserve Forcemain Upsizing Agreement between Lake Disston Lands, LLC, a Florida limited liability company and the City of Deltona recorded August 5, 2019 in Official Records Book 7730, Page 589, rerecorded October 8, 2019 in Official Records Book 7757, Page 615. 12. Recorded Notice of Environmental Resource Permit recorded February 11, 2019 in Official Records Book 7655, Page 765, Public Records of Volusia County, Florida. Tax Information Parcel Number: 911200000150 2022 taxes are paid in the gross amount of \$3532.53 Parcel Number: 911200000151 2022 taxes are paid in the gross amount of \$7654.47 Parcel Number: 911200000250 2022 taxes are paid in the gross amount of \$4678.28 Parcel Number: 911200000251 2022 taxes are paid in the gross amount of \$33045.71 Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of

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matters relating to real property to purchasers for value and without knowledge. This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Addressee(s) only, and it may not be used or relied upon by any other party. This Report may not be used by a Fidelity National Title Insurance Company agent for the purpose of issuing a Fidelity National Title Insurance Company title insurance commitment or policy. This Report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

Fidelity National Title Insurance Company _____Tara W. Jackson_____ Tara W. Jackson
Tara.Jackson@fnf.com 407-618-2974

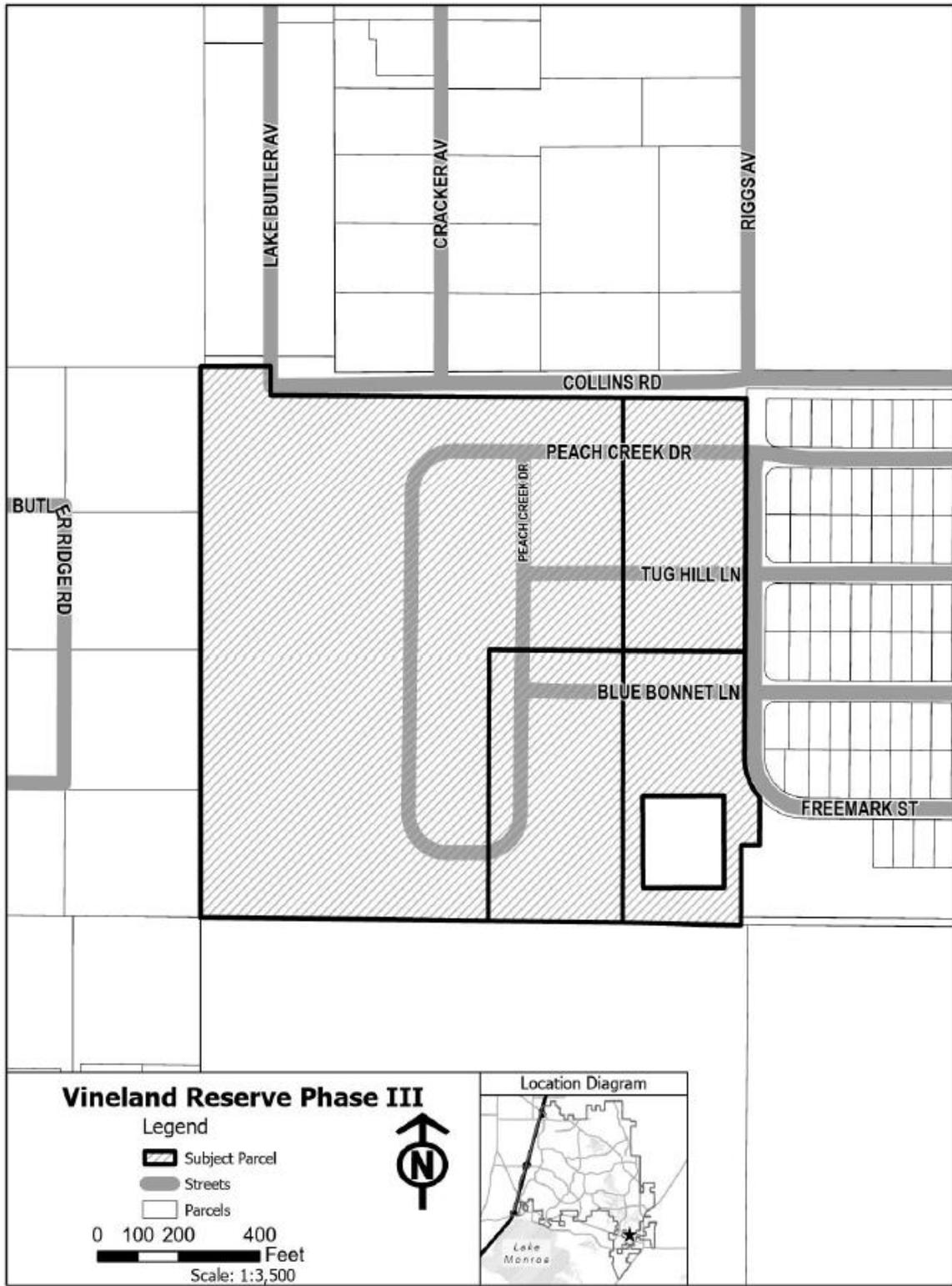


EXHIBIT B
Vineland Reserve Phase 3 Final Plat

(See Next Pages: 9 to 12)



REGISTERED PROFESSIONAL
SURVEYOR
STATE OF FLORIDA
NO. 12450
(407) 534-2335
www.allensurvey.com

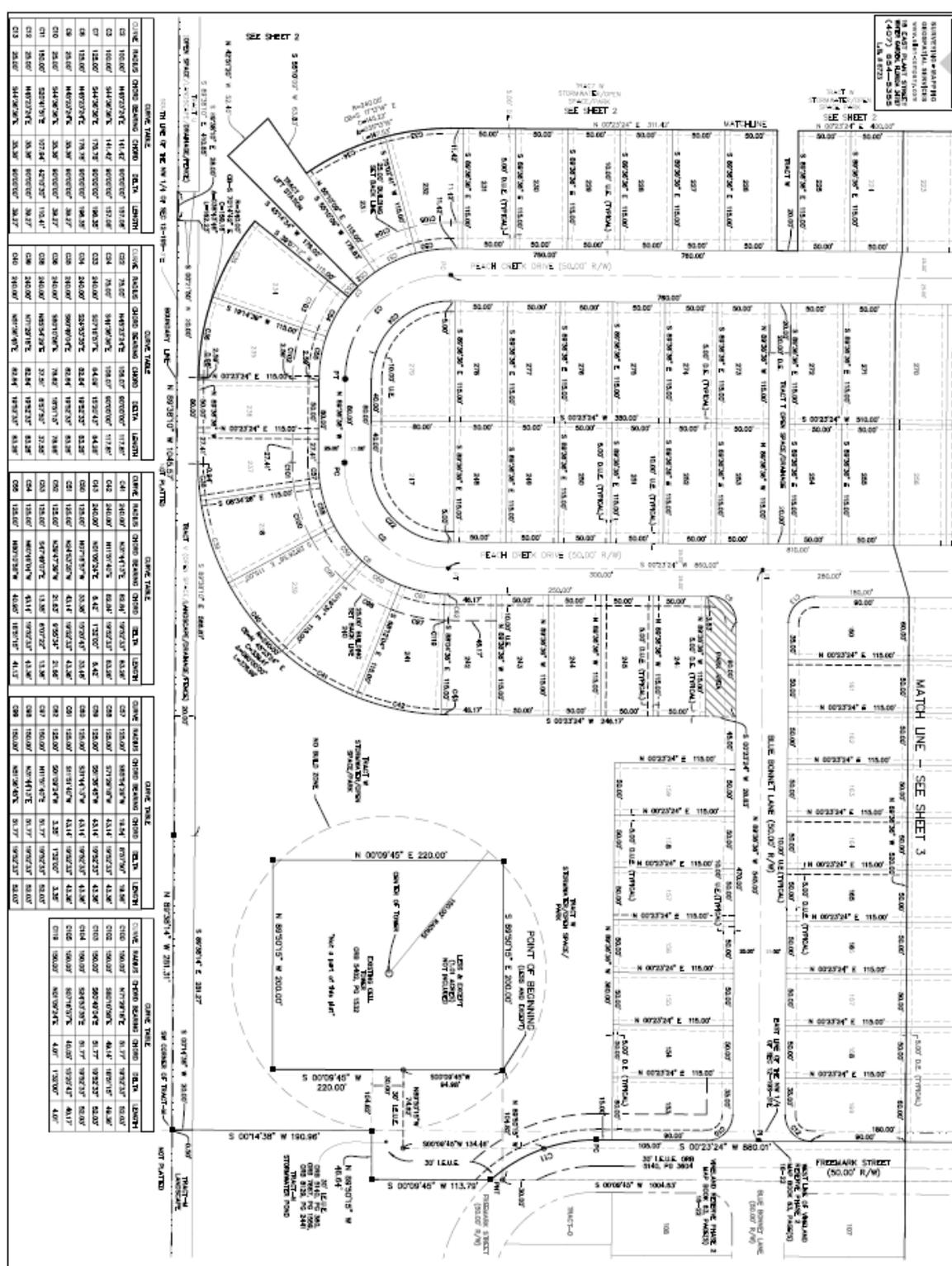


VINELAND RESERVE PHASE 3

Portions of Section 19, Township 19 South, Range 31 East,
City of Deltona, Volusia County, Florida.

SHEET 4 OF 4
SHEET INDEX
SECTION 19, TOWNSHIP 19 SOUTH, RANGE 31 EAST,
CITY OF DELTONA, VOLUSIA COUNTY, FLORIDA
MAP / STAMEN TRACT GEOMETRY
SHEETS 3-4 LOT AND TRACT GEOMETRY

PLAT BOOK _____ PAGE _____



CHINE TABLE

CHINE TABLE	CHINE TABLE	CHINE TABLE	CHINE TABLE
C1	160.00'	S 89°50'15" W	200.00'
C2	160.00'	S 89°50'15" W	200.00'
C3	160.00'	S 89°50'15" W	200.00'
C4	160.00'	S 89°50'15" W	200.00'
C5	160.00'	S 89°50'15" W	200.00'
C6	160.00'	S 89°50'15" W	200.00'
C7	160.00'	S 89°50'15" W	200.00'
C8	160.00'	S 89°50'15" W	200.00'
C9	160.00'	S 89°50'15" W	200.00'
C10	160.00'	S 89°50'15" W	200.00'
C11	160.00'	S 89°50'15" W	200.00'
C12	160.00'	S 89°50'15" W	200.00'

CHINE TABLE

CHINE TABLE	CHINE TABLE	CHINE TABLE	CHINE TABLE
C13	160.00'	S 89°50'15" W	200.00'
C14	160.00'	S 89°50'15" W	200.00'
C15	160.00'	S 89°50'15" W	200.00'
C16	160.00'	S 89°50'15" W	200.00'
C17	160.00'	S 89°50'15" W	200.00'
C18	160.00'	S 89°50'15" W	200.00'
C19	160.00'	S 89°50'15" W	200.00'
C20	160.00'	S 89°50'15" W	200.00'
C21	160.00'	S 89°50'15" W	200.00'
C22	160.00'	S 89°50'15" W	200.00'

CHINE TABLE

CHINE TABLE	CHINE TABLE	CHINE TABLE	CHINE TABLE
C23	160.00'	S 89°50'15" W	200.00'
C24	160.00'	S 89°50'15" W	200.00'
C25	160.00'	S 89°50'15" W	200.00'
C26	160.00'	S 89°50'15" W	200.00'
C27	160.00'	S 89°50'15" W	200.00'
C28	160.00'	S 89°50'15" W	200.00'
C29	160.00'	S 89°50'15" W	200.00'
C30	160.00'	S 89°50'15" W	200.00'
C31	160.00'	S 89°50'15" W	200.00'
C32	160.00'	S 89°50'15" W	200.00'

CHINE TABLE

CHINE TABLE	CHINE TABLE	CHINE TABLE	CHINE TABLE
C33	160.00'	S 89°50'15" W	200.00'
C34	160.00'	S 89°50'15" W	200.00'
C35	160.00'	S 89°50'15" W	200.00'
C36	160.00'	S 89°50'15" W	200.00'
C37	160.00'	S 89°50'15" W	200.00'
C38	160.00'	S 89°50'15" W	200.00'
C39	160.00'	S 89°50'15" W	200.00'
C40	160.00'	S 89°50'15" W	200.00'
C41	160.00'	S 89°50'15" W	200.00'
C42	160.00'	S 89°50'15" W	200.00'

CHINE TABLE

CHINE TABLE	CHINE TABLE	CHINE TABLE	CHINE TABLE
C43	160.00'	S 89°50'15" W	200.00'
C44	160.00'	S 89°50'15" W	200.00'
C45	160.00'	S 89°50'15" W	200.00'
C46	160.00'	S 89°50'15" W	200.00'
C47	160.00'	S 89°50'15" W	200.00'
C48	160.00'	S 89°50'15" W	200.00'
C49	160.00'	S 89°50'15" W	200.00'
C50	160.00'	S 89°50'15" W	200.00'
C51	160.00'	S 89°50'15" W	200.00'
C52	160.00'	S 89°50'15" W	200.00'

CHINE TABLE

CHINE TABLE	CHINE TABLE	CHINE TABLE	CHINE TABLE
C53	160.00'	S 89°50'15" W	200.00'
C54	160.00'	S 89°50'15" W	200.00'
C55	160.00'	S 89°50'15" W	200.00'
C56	160.00'	S 89°50'15" W	200.00'
C57	160.00'	S 89°50'15" W	200.00'
C58	160.00'	S 89°50'15" W	200.00'
C59	160.00'	S 89°50'15" W	200.00'
C60	160.00'	S 89°50'15" W	200.00'
C61	160.00'	S 89°50'15" W	200.00'
C62	160.00'	S 89°50'15" W	200.00'