

City of South Daytona
Community Development Department

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3022 • Fax 386/322-3018



To: James L. Gillis Jr., City Manager
From: S. Laureen Kornel, Community Development Director
Date: July 14, 2023
Re: **A request by 2900 Ridgewood (Daytona) Owner for a Lot Combination / Unity of Title Agreement to combine Parcels 5333-11-00-0070, 5333-11-00-0100, and 5333-00-00-0100 into a single legal parcel and legal description.**

This is a request by 2900 Ridgewood (Daytona) Owner, a Florida limited liability company, who requests a Lot Combination/Unity of Title Agreement to combine all of the above-referenced properties into a single legal parcel and legal description.

This is a necessary step prior to construction to have all lots that comprise the development combined into one single property.

On July 26, 2022, the City adopted Ordinance No. 2022-05 approving a Master Development Agreement for the subject properties, establishing principal uses as luxury multi-family apartments and carriage houses with associated accessory uses. The city subsequently on December 7, 2022, approved a site plan for construction. In accordance with Section 5.5(O)(2) of the Land Development Code, all land within the PUD shall be under the ownership of the applicant. The requested Lot Combination / Unity of Title agreement satisfies the Unity of Title requirement of the Land Development Code. Staff recommendations approval of the request for a Lot Combination / Unity of Title Agreement to combine all of the above-referenced properties into a single legal parcel and legal description.

Attachment: Lot Combination / Unity of Title Agreement

Prepared by/Return to:
Wade C. Vose
Vose Law Firm LLP
324 W. Morse Blvd.
Winter Park, FL 32789

LOT COMBINATION / UNITY OF TITLE AGREEMENT

THIS LOT COMBINATION / UNITY OF TITLE AGREEMENT (the "Agreement") is entered into on the date indicated below between 2900 Ridgewood (Daytona) Owner LLC, a Florida limited liability company ("Owner"), and the City of South Daytona, a Florida municipal corporation ("City").

WITNESSETH:

WHEREAS, Owner is the current owner of the following described properties, sketches and descriptions of which are attached hereto as Exhibit A; and

WHEREAS, the Owner desires to combine all the above-described properties into a single legal parcel with a sketch and legal description attached hereto as Exhibit B; and

WHEREAS, the Owner's properties listed in Exhibit A are not the constitutional homestead of the Owner; and

WHEREAS, as of the date of the Agreement none of the Owner's properties listed in Exhibit A have any mortgage or any other liens of record, and Owner shall provide a letter to the City from an attorney licensed to practice law in Florida indicating that a public search was performed, the date of the public search and that no mortgages or other liens of record exist on the properties listed in Exhibit A.

NOW, THEREFORE, in consideration of the premises and other valuable consideration, it is agreed as follows:

1. The recitals set forth above are incorporated herewith and made part hereof by reference thereto, and Owner warrants the truth of such representations.

2. The properties listed in Exhibit A are hereby legally combined into a single legal parcel identified in Exhibit B. All existing lot lines for the properties listed in Exhibit A are hereby eliminated and all said properties shall be considered a single parcel for all purposes.

3. This Agreement shall be recorded in Public Records of Volusia County, Florida, by the Owner, shall be considered a covenant running with the land and shall be binding on the Owner and the heirs and assigns of the Owner. The City shall have legally standing and authority to enforce this Agreement. In the event of any litigation related to this Agreement, the

prevailing party shall be entitled to be reimbursed reasonable attorney fees and costs and venue shall be in State Court, Volusia County, Florida.

4. By executing below the City hereby approves combining all the separate parcels in Exhibit A into a single parcel identified in Exhibit B.

5. Within 3 days after the recording of this Agreement, Owner shall submit to the Volusia County Property Appraiser an application to combine the parcels specified in Exhibit A into the single parcel specified in Exhibit B, shall diligently prosecute same to completion, and shall provide written notice to the City upon completion of the parcel combination by the Volusia County Property Appraiser.

IN WITNESS WHEREOF, the parties have executed this agreement on the ____ day of _____, 2023.

Witnesses:

City of South Daytona

Print Name: _____

By: _____

Title: _____

Print Name: _____

Date: _____

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____ 2023, by _____ of the City of South Daytona, a Florida municipal corporation, by _____, who is personally known to me or who has produced _____ as identification.

Notary Public

My commission expires:

Glenn Maddux
Print Name: Glenn Maddux
Blake McCool
Print Name: Blake McCool

Owner
2900 Ridgewood (Daytona) Owner LLC,
a Florida limited liability company

By: [Signature]
Title: Managing Member
Date: 6/14/23

STATE OF ~~FLORIDA~~ SOUTH CAROLINA
COUNTY OF CHARLESTON

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 15th day of June 2023, by Adam Monroe, as Managing Member of 2900 Ridgewood (Daytona) Owner LLC, a Florida limited liability company, who is personally known to me or who has produced _____ as identification.



Coreen Strickler
Notary Public
My commission expires: 06/14/2027

Exhibit A

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF VOLUSIA, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

PARCEL 1:

THAT PART OF GOVERNMENT LOT SIX, SECTION 33, TOWNSHIP 15 S., RANGE 33 E., LYING EAST OF THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY, AS SHOWN AMONG THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

ALSO

COMMENCING AT THE NORTHWEST CORNER OF PATRICK PARK SUBDIVISION, AS RECORDED IN MAP BOOK 19, PAGE 113, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE NORTH 0°31' MIN. EAST ALONG THE WESTERLY LINE OF GOVERNMENT LOT SEVEN, SECTION 33, TOWNSHIP 15 S., RANGE 33 E., A DISTANCE OF 190 FEET TO THE PLACE OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE SOUTH 89°32' EAST AND PARALLEL TO THE NORTHERLY LINE OF SAID GOVERNMENT LOT SEVEN A DISTANCE OF 1203.5 FEET TO A POINT IN THE WESTERLY LINE OF RIDGEWOOD AVENUE, (A 100-FOOT RIGHT-OF-WAY AS NOW LAID OUT AND USED), THENCE NORTH 22°29' WEST ALONG THE WESTERLY LINE OF SAID RIDGEWOOD AVENUE A DISTANCE OF 471.52 FEET TO A POINT; IN THE SOUTHERLY LINE OF LOT "E", LUFFBERRY SUBDIVISION, AS RECORDED IN MAP BOOK 2, PAGE 149, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. THENCE NORTH 89°32' WEST ALONG THE SOUTHERLY LINE OF SAID LOT "E" LUFFBERRY SUBDIVISION A DISTANCE OF 1019.26 FEET TO THE WESTERLY LINE OF SAID GOVERNMENT LOT SEVEN; THENCE SOUTH 0°31' WEST ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT SEVEN A DISTANCE OF 434.2 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM:

A PORTION OF GOVERNMENT LOT SEVEN, SECTION 33, TOWNSHIP 15 S., RANGE 33 E., VOLUSIA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT AN INTERSECTION OF THE WESTERLY LINE OF RIDGEWOOD AVENUE, OR US #1 HIGHWAY (A 66 FOOT ROAD) WITH THE SOUTHERLY LINE OF LOT "E" LUFFBERRY SUBDIVISION, AS RECORDED IN MAP BOOK 2, PAGE 149, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID RIDGEWOOD AVENUE, OR US # 1 HIGHWAY, A DISTANCE OF 300 FEET TO THE PLACE OF BEGINNING; THENCE WESTERLY AT RIGHT ANGLES TO SAID US #1 HIGHWAY A DISTANCE OF 115 FEET; THENCE NORTHERLY AND PARALLEL TO US #1 HIGHWAY A DISTANCE OF 95 FEET; THENCE WESTERLY ALONG THE LINE WHICH IS AT RIGHT ANGLES TO SAID US #1 HIGHWAY A DISTANCE OF 60 FEET; THENCE SOUTHERLY AND PARALLEL TO

SAID US #1 HIGHWAY A DISTANCE OF 125 FEET; THENCE EASTERLY ALONG THE LINE WHICH IS AT RIGHT ANGLES TO SAID US #1 HIGHWAY A DISTANCE OF 60 FEET; THENCE NORTHERLY AND PARALLEL TO SAID US #1 HIGHWAY A DISTANCE OF 10 FEET; THENCE EASTERLY ALONG THE LINE WHICH IS AT RIGHT ANGLES TO SAID US #1 HIGHWAY A DISTANCE OF 115 FEET TO A POINT IN THE WESTERLY LINE OF SAID US #1 HIGHWAY; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID US #1 HIGHWAY A DISTANCE OF 20 FEET TO THE PLACE OF BEGINNING.

PARCEL 2:

BEGINNING AT A POINT, IN THE WEST LINE OF RIDGEWOOD AVENUE, WHERE THE EAST LINE OF LOT 7, IN SECTION 33, TOWNSHIP 15 SOUTH, RANGE 33 EAST, CROSSES THE WEST LINE OF RIDGEWOOD AVENUE; THENCE RUN NORTHERLY ALONG SAID WEST LINE OF RIDGEWOOD AVENUE 210 FEET; THENCE DUE WEST TO THE WEST LINE OF SAID LOT 7; THENCE DUE SOUTH ALONG THE WEST LINE OF LOT 7 TO A POINT, SAID POINT BEING DUE WEST OF THE POINT OF BEGINNING; THENCE RUN DUE EAST TO THE POINT OF BEGINNING EXCEPTING THEREFROM THAT PORTION USED BY THE STATE ROAD DEPARTMENT TO WIDEN RIDGEWOOD AVENUE, OR U. S. #1 HIGHWAY.

EXCEPTING FROM ALL OF THE ABOVE:

LANDS SOLD PURSUANT TO THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 4437, PAGE 3555 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA;

AND

LANDS SOLD PURSUANT TO THAT CERTAIN SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 4495, PAGE 982 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

Exhibit B

ALL OF THE ABOVE ALSO KNOWN AS:

A PORTION OF GOVERNMENT LOT 6 AND GOVERNMENT LOT 7, SECTION 33, TOWNSHIP 15 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA, LYING EAST OF THE FLORIDA EAST COAST RAILROAD 100 FOOT WIDE RIGHT-OF-WAY, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF PATRICK PARK SUBDIVISION, AS RECORDED IN MAP BOOK 19, PAGE 113, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING THE NORTHWEST CORNER OF SOUTH DAYTONA BUSINESS PARK, AS RECORDED IN MAP BOOK 43, PAGE 170, SAID PUBLIC RECORDS; THENCE S00°24'02"E ALONG THE WEST LINE OF SAID PATRICK PARK, BEING ALSO THE WEST LINE OF SAID SOUTH DAYTONA BUSINESS PARK AND THE WEST LINE OF SAID GOVERNMENT LOT 7, A DISTANCE OF 426.63 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE N22°14'38"W ALONG SAID EASTERLY RIGHT OF WAY LINE, 1249.54 FEET TO THE SOUTHERLY LINE OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 4495, PAGE 982, SAID PUBLIC RECORDS; THENCE S47°40'20"E ALONG SAID SOUTHERLY LINE, 357.28 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 389.26 FEET AND A CENTRAL ANGLE OF 33°36'55"; THENCE EASTERLY ALONG THE ARC SAID CURVE AND ALONG SAID SOUTHERLY LINE, 228.38 FEET TO THE EASTERLY LINE OF SAID PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 4495, PAGE 982, BEING THE WEST LINE OF SAID GOVERNMENT LOT 7; THENCE N00°24'00"W ALONG SAID EASTERLY LINE, 232.42 FEET TO THE SOUTH LINE OF LOT E, LUFBERY SUBDIVISION, AS RECORDED IN MAP BOOK 2, PAGE 149, SAID PUBLIC RECORDS; THENCE N89°26'24"E ALONG SAID SOUTH LINE, 1018.07 FEET TO THE WESTERLY RIGHT OF WAY LINE OF RIDGEWOOD AVENUE (STATE ROAD NO. 5, U.S. 1) A 100 FOOT WIDE PUBLIC RIGHT OF WAY; THENCE S23°22'55"E ALONG SAID WESTERLY RIGHT OF WAY LINE, 361.04 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 11,490.60 FEET AND A CENTRAL ANGLE OF 01°35'54"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID WESTERLY RIGHT OF WAY LINE, 320.56 FEET TO THE NORTH LINE OF VAN-DEERE CENTRE, A CONDOMINIUM, AS RECORDED IN MAP BOOK 47, PAGE 140, SAID PUBLIC RECORDS; THENCE S89°30'54"W ALONG SAID NORTH LINE AND ALONG THE NORTH LINE OF SAID SOUTH DAYTONA BUSINESS PARK, 1288.29 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.582 ACRES, MORE OR LESS.

FILE: K:\BINARY\PLATES\2022\TEMPLATES\11117_SURVEY_IN_PROGRESS.DWG

SKETCH OF DESCRIPTION
FOR
2900 RIDGEWOOD (DAYTONA) OWNER, LLC

LEGAL DESCRIPTION: (BY SLIGER & ASSOCIATES, INC.)

A PORTION OF GOVERNMENT LOT 6 AND GOVERNMENT LOT 7, SECTION 33, TOWNSHIP 15 SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA, LYING EAST OF THE FLORIDA EAST COAST RAILROAD 100 FOOT WIDE RIGHT-OF-WAY, DESCRIBED AS FOLLOWS:
BEGIN AT THE NORTHWEST CORNER OF PATRICK PARK SUBDIVISION, AS RECORDED IN MAP BOOK 19, PAGE 113, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING THE NORTHWEST CORNER OF SOUTH DAYTONA BUSINESS PARK, AS RECORDED IN MAP BOOK 43, PAGE 170, SAID PUBLIC RECORDS; THENCE S00°24'02"E ALONG THE WEST LINE OF SAID PATRICK PARK, BEING ALSO THE WEST LINE OF SAID SOUTH DAYTONA BUSINESS PARK AND THE WEST LINE OF SAID GOVERNMENT LOT 7, A DISTANCE OF 426.63 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE N22°14'38"W ALONG SAID EASTERLY RIGHT OF WAY LINE, 1249.54 FEET TO THE SOUTHERLY LINE OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 4495, PAGE 982, SAID PUBLIC RECORDS; THENCE S47°40'20"E ALONG SAID SOUTHERLY LINE, 357.28 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 389.26 FEET AND A CENTRAL ANGLE OF 33°36'55"; THENCE EASTERLY ALONG THE ARC SAID CURVE AND ALONG SAID SOUTHERLY LINE, 228.38 FEET TO THE NORTH LINE OF VACATED ROAD DESCRIBED IN OFFICIAL RECORDS BOOK 4513, PAGE 1780 SAID PUBLIC RECORDS; THENCE ALONG SAID NORTH LINE N89°36'34"E, 50.00 FEET TO THE EAST RIGHT OF WAY LINE OF UNNAMED STREET SHOWN ON THE MAP OF LUFBERY, AS RECORDED IN MAP BOOK 2 PAGE 149, SAID PUBLIC RECORDS; THENCE ALONG SAID EAST RIGHT OF WAY LINE N00°24'00"W, 232.56 FEET TO THE SOUTH LINE OF LOT E, LUFBERY SUBDIVISION, AS RECORDED IN MAP BOOK 2, PAGE 149, SAID PUBLIC RECORDS; THENCE N89°26'24"E ALONG SAID SOUTH LINE, 968.07 FEET TO THE WESTERLY RIGHT OF WAY LINE OF RIDGEWOOD AVENUE (STATE ROAD NO. 5, U.S. 1) A 100 FOOT WIDE PUBLIC RIGHT OF WAY; THENCE S23°22'55"E ALONG SAID WESTERLY RIGHT OF WAY LINE, 361.04 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 11,490.60 FEET AND A CENTRAL ANGLE OF 01°35'54"; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID WESTERLY RIGHT OF WAY LINE, 320.56 FEET TO THE NORTH LINE OF VAN-DEERE CENTRE, A CONDOMINIUM, AS RECORDED IN MAP BOOK 47, PAGE 140, SAID PUBLIC RECORDS; THENCE S89°30'54"W ALONG SAID NORTH LINE AND ALONG THE NORTH LINE OF SAID SOUTH DAYTONA BUSINESS PARK, 1288.29 FEET TO THE POINT OF BEGINNING.
CONTAINING 20.315 ACRES, MORE OR LESS.

INDEX OF SHEETS:

- 1 COVER SHEET (CURRENT), SURVEYOR’S NOTES,
DESCRIPTION, CERTIFICATION & SINATURE
- 2 SKETCH OF DESCRIPTION

NOTE:

THIS SKETCH OF DESCRIPTION IS
NOT VALID WITHOUT SHEETS 1 TO 2

SURVEY NOTES:

1. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SKETCH
OF DESCRIPTION.
2. BEARING STRUCTURE BASED ON RECORD PLAT WITH
THE BEARING ON THE SOUTH LINE OF LOT E,
LUFBERRY SUBDIVISION BEING S 89°32’ W.
3. THIS SKETCH IS BASED SURVEY INFORMATION
PREPARED BY THIS FIRM, JOB NUMBER 22-1144 FOR
MIDDLE STREET PARTNERS LLC.
4. THIS DESCRIPTION HAS BEEN CREATED BY SLIGER &
ASSOCIATES INC., PER CLIENT REQUEST.
5. THIS SKETCH IS A SET AND IS NOT VALID WITHOUT
ALL SHEETS INCLUDING SHEETS 1 THROUGH 2.

NOTICE:

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

CERTIFICATION:

CERTIFIED TO 2900 RIDGEWOOD (DAYTONA) OWNER, LLC:

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE STANDARDS
OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL
SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE
CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

JEFF W. BARNES
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NUMBER 5576

DATE:

SLIGER & ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS

3921 NOVA ROAD

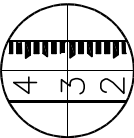
(386) 761-5385

PORT ORANGE, FL. 32127

LICENSED BUSINESS

CERTIFICATION NUMBER 3019

www.sligerassociates.com



FIELD BOOK: -

PAGE (S): -

FIELD DATE: JULY, 03, 2023

PARTY CHIEF: -

DRAWN BY: J. MOLLER

CHECKED BY: J. BARNES

SKETCH OF DESCRIPTION

2900 RIDGEWOOD AVENUE,
SOUTH DAYTONA, FLORIDA

CLIENT: 2900 RIDGEWOOD
(DAYTONA) OWNER, LLC

PROJECT: 08475

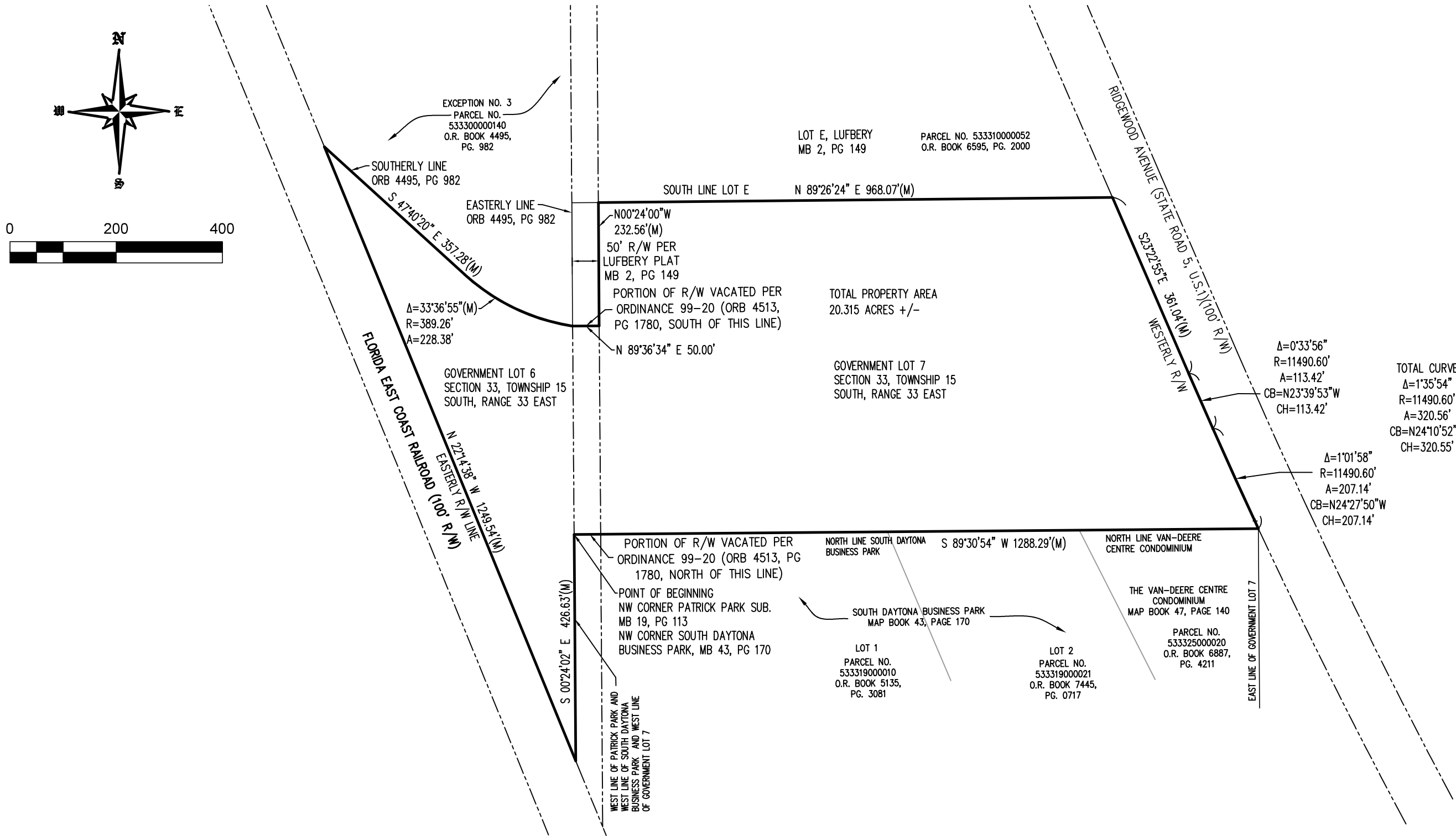
JOB: 23-0592

SCALE: N/A

SHEET: 1 OF 2

FILE: K:\BIBRARY\PLATES\2022\TEMPLATES\11\17 SURVEY IN PROGRESS.DWG

SKETCH OF DESCRIPTION
FOR
2900 RIDGEWOOD (DAYTONA) OWNER, LLC



NOTE:
THIS SKETCH OF DESCRIPTION IS
NOT VALID WITHOUT SHEETS 1 TO 2

SLIGER & ASSOCIATES, INC. PROFESSIONAL LAND SURVEYORS 3921 NOVA ROAD (386) 761-5385 PORT ORANGE, FL. 32127 LICENSED BUSINESS CERTIFICATION NUMBER 3019 www.sligerassociates.com		FIELD BOOK: -	
PAGE (S): -		FIELD DATE: JULY, 03, 2023	
DRAWN BY: J. MOLLER		PARTY CHIEF: -	
CHECKED BY: J. BARNES		SKETCH OF DESCRIPTION	
2900 RIDGEWOOD AVENUE, SOUTH DAYTONA, FLORIDA		PROJECT: 08475	
CLIENT: 2900 RIDGEWOOD (DAYTONA) OWNER, LLC		JOB: 23-0592	
		SCALE: 1' = 200'	
		SHEET: 2 OF 2	