

## **RESOLUTION NUMBER 23-30**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A FINAL SUBDIVISION PLAT FOR THE GRAFTON RIDGE SUBDIVISION, A 77-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION, ON APPROXIMATELY 14.80 ACRES LOCATED ON THE EAST SIDE OF DAVID WALKER ROAD, NORTH OF MT HOMER ROAD AND ACCEPTANCE OF PERFORMANCE AND MAINTENANCE BONDS IN ACCORDANCE.**

**WHEREAS**, AMH Development, LLC, the legal owner of record, has made an application for a Final Subdivision Plat approval for a 77 lot, residential subdivision on approximately 14.80 acres of real property located on the east side of David Walker Road, North of Mt Homer Road, more particularly described as:

### **DESCRIPTION:**

A PORTION OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 19 SOUTH, RANGE 26 EAST; THENCE RUN ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 15 N 00 DEGREES 42 MINUTES 3 SECONDS W FOR A DISTANCE OF 1321.06 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE RUN N S 9 DEGREES 58 MINUTES 17 SECONDS W ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15 FOR A DISTANCE OF 660.83 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15 AND TO THE POINT OF BEGINNING; THENCE RUN S 00 DEGREES 33 MINUTES 35 SECONDS E ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15 AND THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15 FOR A DISTANCE OF 833.82 FEET TO THE SOUTH LINE OF THE NORTH 173 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE ALONG THE SOUTH LINE OF SAID NORTH 173 FEET RUN N 39 DEGREES 59 MINUTES 50 SECONDS W FOR A DISTANCE OF 66.00 FEET TO THE WEST LINE OF THE EAST 66 FEET OF SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE ALONG SAID WEST LINE RUN N 00 DEGREES 33 MINUTES 35 SECONDS W FOR A DISTANCE OF 173.01 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE RUN N 89 DEGREES 59 MINUTES 50 SECONDS W ALONG SAID SOUTH LINE FOR A DISTANCE OF 596.56 FEET TO THE WEST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE RUN N 00-24'32" W ALONG SAID WEST LINE FOR A DISTANCE OF 219.96 FEET TO THE SOUTH LINE OF THE NORTH 441.12 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE RUN N 89 DEGREES 53 MINUTES 17 SECONDS W ALONG SAID SOUTH LINE FOR A

DISTANCE OF 631.37 FEET TO THE EASTERLY R/W LINE OF DAVID WALKER DRIVE AS RECORDED IN OFFICIAL RECORDS BOOK 6041, PAGE 1976, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN N 40-05'35" E ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 576.39 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 15; THENCE RUN S 89 DEGREES 58 MINUTES 17 SECONDS E ALONG SAID NORTH LINE AND THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15 FOR A DISTANCE OF 917.83 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 644686.05 SQUARE FEET OR 14.80 ACRES MORE OR LESS.

**WHEREAS**, the property described above has a Land Use Designation of Mixed Commercial Residential (MCR), and a Design District Designation of Suburban Neighborhood (SN); and

**WHEREAS**, residential uses are permitted uses in the Mixed Commercial Residential (MCR) land use designation; and

**WHEREAS**, the Eustis City Commission approved the Preliminary Subdivision Plat on September 9, 2021 via Resolution Number 21-64; and

**WHEREAS**, the subject plat has been reviewed and found to be in compliance with Chapter 177 of the Florida State Statutes; and

**WHEREAS**, the proposed plat as submitted is consistent with the City's Comprehensive Plan, Land Development Regulations, and Resolution Number 21-64; and

**WHEREAS**, the applicant has submitted Covenants, Conditions, and Restrictions consistent with City requirements.

**WHEREAS**, the City Commission finds that approval of the requested final plat does not violate the general intent and purpose of the Land Development Regulations and is in the best interest of the public health, safety, and welfare; and

**WHEREAS**, the developer's engineer is required to certify that all the facilities have been constructed in accordance with the approved construction plans and specifications; and

**WHEREAS**, clearances from applicable State agencies and test reports related to road and water systems construction, the City will conduct applicable inspections, and make recommendation for final acceptance of the subdivision infrastructure, when complete; and

**WHEREAS**, some other subdivision improvements are yet to be complete as required by the approved subdivision plan pursuant to Resolution Number 21-64; and

**WHEREAS**, AMH Development, LLC, has submitted an engineer's certification of construction costs for the improvements to be accepted by the City, and provided maintenance security in accordance with Section 102-26(c)(5) of the Land Development

Regulations; and

**WHEREAS**, to ensure compliance with the approved subdivision plan, the developer has posted performance bonds for uncompleted infrastructure, and

**NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:**

**SECTION 1.**

That the final plat for the Grafton Ridge Subdivision is hereby approved and shall be recorded in the public records of Lake County, Florida.

**SECTION 2.**

That the City Manager is hereby authorized to release the provided security as follows:

- a. Upon completion of infrastructure according to the Preliminary Subdivision Plan, Resolution Number 21-64, and attendant Final Engineering and Construction Plans, and the Public Works Director verifying that no deficiencies exist, the City Manager is authorized to release the performance bond for completion of those improvements.
- b. Before the release of the Performance Bond, the two (2) year Maintenance Bond must be provided and accepted by the City of Eustis.
- c. At the end of the two (2) year maintenance period, before the release of the Maintenance Bond, the Public Works Director shall verify that no deficiencies exist, the City Manager is then authorized to release the Maintenance Bond.

**SECTION 3.**

That all Resolutions or parts of resolutions in conflict herewith are hereby repealed.

**SECTION 4.**

That should any section, phrase, sentence, provision, or portion of this Resolution be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Resolution as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

**SECTION 5.**

That this Resolution shall become effective upon filing.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 6th day of April, 2023.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

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Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

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Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of April, 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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Notary Public - State of Florida  
My Commission Expires:  
Notary Serial No:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission.

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City Attorney's Office

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Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance Number 23-30 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

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Christine Halloran, City Clerk