



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 5657, **Version:** 1

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### **Subject:**

Adopt Resolution and Release Performance Bond: Aripeka at Viera, Phase 1 - District 4  
Developer: The Viera Company

### **Fiscal Impact:**

None

### **Dept/Office:**

Public Works/Engineering

### **Requested Action:**

In accordance with Section 62-2844(b), it is requested that the Board of County Commissioners adopt the attached Resolution and authorize the Chair to sign the Resolution releasing the Contract and Surety Performance Bond dated October 26, 2021 for the above referenced project.

### **Summary Explanation and Background:**

The Aripeka at Viera, Phase 1 subdivision is located within the Viera Development of Regional Impact (DRI), east of the intersection of Lake Andrew Drive and Cuddington Drive. The proposed subdivision contains 45 lots on 72.79 acres.

The Aripeka at Viera, Phase 1 subdivision received preliminary plat and final engineering plans on July 9, 2021, and final plat and contract approval October 26, 2021. The developer posted a Surety Performance Bond for guarantee of the completion of the infrastructure improvements according to the approved plans.

Per Section 62-2809(b)(2), "Construction after final plat recordation: ...the applicant shall provide security required in Section 62-2844 for the performance of such construction..." Section 62-2844(a) states: "An applicant shall be required to secure its performance security of the construction required under this article by a surety bond, letter of credit, savings account, certificate of deposit or execution of a tri-party escrow agreement. Such security shall not be required if a certificate of completion has been issued for all the subdivision improvements prior to final plat recordation." Because the applicant chose to plat the subdivision prior to completion of construction, the applicant entered into Contract with the Board and posted a Surety Performance Bond to guarantee the completion of the infrastructure improvements according to the approved plans.

As of March 23, 2023, the Aripeka at Viera, Phase 1 subdivision infrastructure improvements have been completed. While the platted improvements are private and do not require a maintenance bond, we are in receipt of a two-year maintenance bond for the public improvements that were required for Lake Andrew Drive as well as the sanitary sewer improvements.

Reference: 20SD00011, 21FM00013

Contact: Christine Verrett, Special Projects Coordinator III, Extension 58328

**Clerk to the Board Instructions:**

Please forward the Board action to the Public Works Department and provide 2 originals of the Resolution.