



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 1520, **Version:** 1

Subject:

Developer's Agreement: Tract G, Indian River Preserve
Developer: Indian River Preserve Estates Corp.

District 1

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

In accordance with Section 163.3220, et. seg., Florida Statutes and Section 62-605 of Brevard County Code, it is requested that the Board of County Commissioners conduct the first public hearing to consider entering into a Developer's Agreement with Indian River Preserve Estates Corp. relating to the development of Tract G, Indian River Preserve.

Summary Explanation and Background:

The intent of the Developer's Agreement between the County and Indian River Preserve Estates Corp. is to replace current unpaved access to the County's waste water treatment plant with a continuous paved access from State Road 46. This will require the realignment of the current access through Tract G. The County is the legal owner of a portion of Tract G, and has been granted an easement over the private right-of-way for ingress and egress across Indian River Preserve Estates Corp. property.

The County agrees to:

- Deed their portion of Tract G to the Developer, its successor's or homeowner's associations.
- Terminate the Indemnification Agreement over a portion of Tract G.

The Developer agrees to:

- Cause, at their sole expense, the unpaved remainder of Tract G west of Indian River Drive, to be constructed as a paved private roadway to also provide access to the County's waste water treatment plant.
- Grant the County two perpetual easements for ingress and egress, and operation, installation and maintenance of County owned utilities and emergency vehicles
- Cause any homeowner's association articles or by-laws presently in effect to be amended to include the responsibility of maintenance for the paved access in perpetuity.

Reference: 17SD00018, 19SD00005

Contact: Tad Calkins, Director Ext. 58299