



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 4738, **Version:** 1

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### **Subject:**

Adopt Resolution and Release Performance Bond: Avalonia Subdivision, Phase 3 - 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 April 5, 2022 for the above referenced project.

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

The Avalonia Subdivision, Phase 3 is located within the Viera Development of Regional Impact (DRI), south of Addison Drive on the west side of Stadium Parkway. The proposed subdivision contains 62 lots (11 duplex and 10 four-plex units) on 12.64 acres.

The Avalonia Subdivision, Phase 3 received preliminary plat and final engineering plans on September 25, 2019, and final plat and contract approval on April 5, 2022. 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 June 13, 2022, the Avalonia Subdivision, Phase 3 plat infrastructure improvements have been completed and we are in receipt of a two-year maintenance bond.

Reference: 19SD00008, 22FM00002

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.