



Office of

Consent 03/25/2025

**INDIAN RIVER COUNTY
ATTORNEY**

Jennifer W. Shuler, County Attorney
Susan J. Prado, Deputy County Attorney
Christopher A. Hicks, Assistant County Attorney

MEMORANDUM

TO: Board of County Commissioners

THROUGH: John A. Titkanich, Jr., County Administrator

FROM: Jennifer W. Shuler, County Attorney

DATE: March 10, 2025

SUBJECT: Consent to Land Development and Use of Real Property - Fellsmere Rail Trail

The City of Fellsmere ("The City") plans to construct a twelve-foot-wide stabilized sidewalk from Broadway to the western boundary of the St. Sebastian River Preserve State Park in Fellsmere on the property commonly known as the "Rail Trail." The City has obtained an FDOT grant to complete the project, which requires consent from all owners of any interest in real property that overlaps or touches the project area.

Indian River County owns a 60' ROW at Broadway and Willow St. that intersects this Rail Trail sidewalk project. The City has asked the Indian River County Board of County Commissioners to approve the Consent to Land Development and Use of Real Property, attached.

Funding: There are no costs associated with this item.

Recommendation: Staff recommends the Board approve the Consent to Land Development and Use of Real Property and authorize the Chairman to execute it.

Attachments: Aerial Photo of County ROW Location
Proposed Consent to Land Development and Use of Real Property

Copies to: City of Fellsmere, D. Johnathan Rhodeback, Esq.; djr@dillevans.com