



Office of  
**INDIAN RIVER COUNTY  
ATTORNEY**

Dylan Reingold, County Attorney  
William K. DeBraal, Deputy County Attorney  
Kate Pingolt Cotner, Assistant County Attorney

**MEMORANDUM**

**TO:** Michael Smykowski - OMB Director

**FROM:** *Nancy* Nancy H. Mossali, Legal Assistant - Office of County Attorney

**DATE:** February 1, 2018

**SUBJECT:** 17<sup>th</sup> Street, SW Roadway Improvements  
Contract for Construction of Required Roadway Improvements  
Developer: SLV Millstone, L.L.C., a Delaware limited liability  
company  
Right-Of-Way Permit No. 2016110288

SLV Millstone, L.L.C., as a condition of Right-Of-Way Permit No. 2016110288 (Code Section 312.11) has posted security to guarantee completion of required 17<sup>th</sup> Street, SW roadway improvements within the County right-of-way. Attached for calendaring and holding in safekeeping are the following documents:

- Original Contract for Construction of Required Roadway Improvements (Re: Right-Of-Way Permit # 2016110288); and
- Original Public Construction Bond No. 9156894 issued by Fidelity and Deposit Company of Maryland in the amount of \$1,875,442.81 – this original has been recorded in Book 3089, Page 30 of the Public Records of Indian River County, Florida.

Please note that the roadway improvements are to be constructed on or before June 12, 2018. Please calendar the June 12, 2018 date as well as 60 days in advance of this date so that an inspection can be performed to determine if the improvements are completed so that a reduction to the security can be authorized when the warranty document (Warranty and Guaranty Agreement and Bill of Sale) is executed so that the 1-year warranty period can commence.

Additionally, attached to assist you is a copy of Code Section 312.11 which sets out the guaranty and warranty time periods, how partial releases are addressed, and the percentages to be held in escrow during the guaranty period and the warranty period.

nhm  
attachments

cc: Richard B. Szpyrka, P.E. – Public Works Director  
James W. Ennis, P.E. – County Engineer  
David Hays, P.E. – Land Development Manager  
Daniel Wittenberg – Engineering Inspection Supervisor