



Office of *Consent – October 3, 2023*
INDIAN RIVER COUNTY
ATTORNEY

William K. DeBraul, County Attorney
Susan J. Prado, Deputy County Attorney

MEMORANDUM

TO: Board of County Commissioners

THROUGH: John Titkanich, Jr., County Administrator

FROM: William K. DeBraul, County Attorney

DATE: September 22, 2023

SUBJECT: First Addendum to Liberty Park, Phase 1A and 1B Developer's Agreement Between Indian River County and Ryall Development Group, LLC

On May 18, 2021, the Board of County Commissioners (Board) approved a Developer's Agreement (Agreement) with Ryall Development Group, LLC (Ryall). The Agreement set forth the responsibilities of Ryall and the County for Phases 1A and 1B of the Liberty Park Planned Development Traditional Neighborhood project located near the southwest corner of 66th Avenue and County Road 510. Phase 1A consists of up to 128 homes and Phase 1B will consist of up to 31 residential units. The Agreement provided for Ryall to construct certain roadway sections, storm water ponds and dedicate right-of-way.

The First Amendment makes minor changes to the original Agreement including dedication of right-of-way needed for 64th, 74th. and 81st Avenues, a fire station and a pond parcel. These parcels will now be dedicated within 90 days of approval of this Addendum. In exchange for the dedication acceleration date, the County agrees to allow the Developer to retain an easement over the drainage pond permitting them to change the shape and size of the pond so long as the County's stormwater needs are met. The First Addendum also calls for the County to provide the dirt excavated from one of the 66th Avenue Phase 4 stormwater storage ponds to Ryall on Ryall property.

Funding: There is no impact to County funds as a result of this first amendment.

Recommendation: Staff recommends the Board approve the First Addendum to Liberty Park Phase 1A and 1B Developer's Agreement and authorize the Chairman to execute the Addendum on behalf of the Board.

Attachment: First Addendum to Liberty Park Phase 1A and 1B Developer's Agreement
Copies to: Kiersten Leiendecker, Assistant Public Works Director
Sean Lieske, Interim Public Works Director
Andrew Kennedy, Ryall Development Group, LLC