

RESOLUTION

TRANSFER OF RAILROAD CROSSING AND CROSSING TRAFFIC CONTROL DEVICES

A RESOLUTION EXPRESSING THE INTENTION TO TRANSFER MAINTENANCE OBLIGATIONS FOR RAILROAD CROSSINGS #272168 LOCATED WITHIN THE TRANSFER LIMITS OF CR-510 AND #272200 LOCATED WITHIN THE TRANSFER LIMITS OF CR-606, AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS UPON THE DEPARTMENT OF TRANSPORTATION ENTERING INTO SEPARATE RAILROAD CROSSING AGREEMENTS WITH FLORIDA EAST COAST RAILWAY, L.L.C., AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION No. _____

WHEREAS, pursuant to Section 335.0415, Florida Statutes, the jurisdiction of CR-510 (90th Avenue/85th Street) and CR-606 (Oslo Road), in Indian River County, Florida, was transferred from the COUNTY to the DEPARTMENT; and

WHEREAS, the COUNTY intends to transfer the maintenance obligations and duties for at-grade railroad crossings #272168, located within the transfer limits of CR-510 (85th Street), and #272200, located within the transfer limits of CR-606 (Oslo Road), to the DEPARTMENT, contingent upon the DEPARTMENT entering into a separate Railroad Crossing Agreement with Florida East Coast (FEC) Railway, L.L.C.; and

WHEREAS, the DEPARTMENT may agree to assume all maintenance responsibilities for said railroad crossings, including relevant traffic control devices, in accordance with the terms of the new Railroad Crossing Agreement; and

WHEREAS, until such time as the new Railroad Crossing Agreement is executed and effective, the COUNTY shall retain responsibility for the maintenance of the railroad crossings in accordance with the existing Railroad Crossing Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA:

That the COUNTY hereby expresses its intention to transfer the maintenance obligations for railroad crossings #272168 and #272200 to the DEPARTMENT, upon the DEPARTMENT's execution of separate Railroad Crossing Agreements with Florida East Coast (FEC) Railway, L.L.C., and the DEPARTMENT's assumption of such responsibilities as specified therein.

That the Chairman and Clerk of the Board of County Commissioners of Indian River County are hereby authorized and directed to execute any and all documents necessary to effectuate the transfer of maintenance obligations in accordance with the terms of the Railroad Crossing Agreements, once executed.

That this RESOLUTION shall take effect immediately upon adoption.

The foregoing Resolution was offered by Commissioner _____ and seconded by Commissioner _____, and, upon being put to a vote, the vote was as follows:

Chairman Joseph E. Flescher	_____
Vice Chairman Deryl Loar	_____
Commissioner Susan Adams	_____
Commissioner Joseph H. Earman	_____
Commissioner Laura Moss	_____

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The Chairman thereupon declared the Resolution duly passed and adopted this 4th day of November, 2025.

Attest: Ryan L. Butler, Clerk of
Court and Comptroller

INDIAN RIVER COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

By _____
Deputy Clerk

By _____
Joseph E. Flescher, Chairman

Approved as to form and legal
sufficiency:

Susan J. Prado, Deputy County Attorney