

BOARD OF COUNTY COMMISSIONERS

OFFICE OF COUNTY ATTORNEY

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



February 17, 2017

Timothy and Joshana Tynes
1935 43rd Avenue
Vero Beach, FL 32960

Re: State Road 60/43rd Avenue Improvements

Dear Tim and Joshana:

When the County first began right-of-way acquisition for this project, the Florida Department of Transportation (FDOT) was not providing funds for purchasing the needed parcels. That is why you dealt directly with County staff and the County Attorney's Office in negotiating the purchase and lease of the carwash property. Recently, the FDOT has offered to assist the County with right-of-way acquisition and has sent out notices to affected property and business owners and has begun negotiations with those parties. Since your parcel was already required, you were not notified.

In the 2010 Lease Agreement with the County and subsequent extensions, the term of the lease ran from May 1 to April 30 with either party able to terminate the lease with 60 days written notice. Now that the FDOT has taken over right-of-way acquisition, they require that the right-of-way be certified ready for construction, meaning that all buildings must be demolished before the project is put out to bid. As we discussed in my office recently, it will soon be necessary to give you the required 60 day notice to terminate of your lease as the FDOT would like to begin clearing the right-of-way in July, 2017.

However, since FDOT is now handling right-of-way acquisition, you may be eligible for expenses incurred as a result of relocating your business. This amount would be paid by the FDOT in addition to the funds you have already received from the County. In the near future, a representative from FDOT will be contacting you about your lease and relocation. They will provide you with additional information concerning the timing of the project.

Timothy and Joshana Tynes

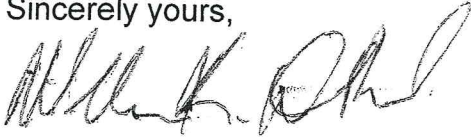
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As I discussed with you during our meeting, I will keep you advised of events as I learn them. You have been good tenants for the County and it is always sad when a successful small business closes down.

If you have any questions or wish to discuss this matter further, please do not hesitate to contact me.

Sincerely yours,



William K. DeBraal
Deputy County Attorney

Copies to: Richard B. Szyrka, P.E., Public Works Director
Susan Day, District Right-of-Way Manager, FDOT