



**OFFICE OF  
INDIAN RIVER COUNTY  
ATTORNEY**

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

**MEMORANDUM**

**TO:** The Board of County Commissioners

**FROM:** Dylan Reingold - County Attorney 

**DATE:** October 18, 2017

**SUBJECT:** Acceptance of Utility Easements – SandCrest PUD – Phase 2 (Located Within the Municipal Boundaries of the City of Sebastian)

Property located at the corner of Main Street and Powerline Road within the municipal boundaries of the City of Sebastian was platted in April, 2016 as SandCrest PUD – Phase 1 and consists of a single-family residential subdivision with the utility easements dedicated to Indian River County for both the water and sewer systems.

Presently, Tract R within Phase 1 of SandCrest PUD is being replatted as Phase 2, and additional utility easements are to be dedicated to Indian River County, again for the provision of the water and sewer systems. Staff has reviewed the proposed plat of SandCrest PUD – Phase 2 and has provided additional comments that must be addressed prior to the acceptance by Indian River County.

The proposed plat of SandCrest PUD – Phase 2 will soon be going before the City of Sebastian Council for plat approval, and to avoid delay of acceptance by Indian River County of the utility easements, the County Attorney's Office is recommending that the Board of County Commissioners accept the dedication of the utility easements on the plat of SandCrest PUD – Phase 2 and authorize the Chairman of the Board to execute Indian River County's acceptance ONLY after the mylar for SandCrest PUD – Phase 2 has been received and reviewed by the County Attorney's Office to ascertain that all comments have been adequately addressed to the satisfaction of the County Attorney or Deputy County Attorney.

**FUNDING:**

There is no cost to the Board of County Commissioners with regard to this item.

**RECOMMENDED ACTION:**

Staff recommends that the Board of County Commissioners accept the dedication of utility easements depicted on the proposed plat of SandCrest PUD – Phase 2, and authorize the Chairman of the Board of County Commissioners to execute the County’s acceptance of the utility easements on Sheet 1 of the plat of SandCrest PUD – Phase 2 at such time as the mylar becomes available for signature AND only after the mylar has been received and reviewed by the County Attorney’s Office to ascertain that all comments have been adequately addressed to the satisfaction of the County Attorney or Deputy County Attorney.

/nhm