

Sebastian River Improvement District - Indian River County Fire Station 7 Interlocal Agreement

This Interlocal Agreement (“Interlocal Agreement”) is entered into as of the ___ day of _____, 2023 (“Effective Date”), between Indian River County, a political subdivision of the State of Florida (“County”), and the Sebastian River Improvement District, an independent special district of the State of Florida constituted as provided in Chapter 2007-309, Laws of Florida (“District”).

Whereas, County desires to obtain a District roadway permit (“Permit”) to cross 30-feet of District property for the construction of an access road to Fire Station 7 (“Access Road”); and

Whereas, District has future plans for this 30-feet of property for a canal to convey water to the west (“Conveyance Project”); and

Whereas, as a condition of issuing the Permit, District has required County to install a box culvert or other appropriate water channeling structure to convey stormwater under the Access Road (“Access Crossing Structure”) upon implementation of the Conveyance Project; and

Whereas, County has requested deferral of the requirement to install the Access Crossing Structure to a future date when the Conveyance Project is implemented; and

Whereas, County and District agree that the installation of the Access Crossing Structure will be deferred until the Conveyance Project is implemented; and

Whereas, County agrees to be responsible for all costs associated with design and installation of the Access Crossing Structure upon implementation of the Conveyance Project; and

Whereas, with this assurance, District agrees to issue the roadway permit to cross 30-feet of District property for the construction of the Access Road.

NOW, THEREFORE, in consideration of the foregoing and the mutual benefits, undertakings and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

Section 1. Adoption of “Whereas” Clauses. The foregoing “Whereas” clauses are true and correct and are incorporated herein.

Section 2. Installation of Access Crossing Structure. In exchange for the issuance of a permit by District for a roadway permit to cross 30-feet of District property for the construction of the Access Road, County agrees to design and install, at County’s sole expense, the Access Crossing Structure upon District’s implementation of the Conveyance Project as depicted in the attached exhibit.

(a) District shall provide written notice to the County that District is entering the design phase of the Conveyance Project at least 60 days prior to the time the design process commences. District shall provide written notice to County that it is implementing construction of the

Section 6. Filing; Effective Date. This Agreement shall be filed with the Clerk of the Circuit Court of Indian River County, Florida, for recording in the public records of the County, and shall be effective as of the date of such filing.

IN WITNESS THEREOF, the parties have set their hands and seals as of the date entered above.

Attest:

INDIAN RIVER COUNTY

Clerk

By: _____
Chair, Board of County Commissioners

Approved as to legal form and sufficiency

By: _____
Dylan Reingold, County Attorney

Attest:

SEBASTIAN RIVER IMPROVEMENT
DISTRICT

Secretary

By: _____
Chair, Board of Supervisors