



Office of Consent 11/06/2018
INDIAN RIVER COUNTY
ATTORNEY

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

MEMORANDUM

TO: Board of County Commissioners

THROUGH: Richard B. Szyrka, P.E., Public Works Director 

FROM: William K. DeBraul, Deputy County Attorney 

DATE: October 30, 2018

SUBJECT: Acceptance of Bill of Sale from Abandonment of City Utility Easement for the SR 60/43rd Avenue Project

In June 2015, the County and the Florida Department of Transportation (FDOT) entered into a County Incentive Grant Program Locally Funded Agreement (Incentive Agreement) whereby FDOT would acquire the needed right-of-way for the SR 60/43rd Avenue intersection improvements (Project) with the cost of acquisition to be split equally between the parties.

As a result of title searches, surveying and performing utilities locations, an additional City of Vero Beach Utility easement has been found along 43rd Avenue. The easement is for an out of service sewer force main that is no longer needed as its location will be part of the new roadway. At its meeting of November 6, 2018, the City of Vero Beach City Council will consider abandoning the easement and issuing a bill of sale to the County for whatever remains in the easement (see resolution and bill of sale attached). The PVC pipe that is occupying the easement will either be removed or most likely grout filled in place during the construction process and covered by road building material. A map attached to this memo shows the easement highlighted in yellow.

This is one of the final actions that must take place before FDOT can certify the right-of-way as being ready for construction. The City and the County are currently negotiating an agreement for the relocation of the utilities along 43rd Avenue from 18th Street to 26th Street and along State Road 60 from 38th to 44th Avenues. That agreement will be brought to the Board for consideration in the near future.

FUNDING. Funding for this matter is budgeted and available in Optional Sales Tax/Construction in Progress/43rd Ave/18th St to 26th St, Acct #31521441-066510-06041. An exact cost amount to demolish or remove the pipe cannot be determined at this time, however it is estimated to be less than \$1,000.00.

RECOMMENDATION. Staff recommends the Board of County Commissioners accept the Bill of Sale of Utility Facilities from the City of Vero Beach for the SR 60/43rd Avenue Project and authorize the Chairman to execute the Bill of Sale on behalf of the Board.

Attachments: Bill of Sale of Utility Facilities
City of Vero Beach Resolution
Map of Easement

Copy to: Richard B. Szyrka, P.E., Public Works Director
William Johnson, P.E., Roadway Production Engineer

Robin Brisebois, FDOT
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309

Stefanie Beskovoyne
Assistant City Attorney
City of Vero Beach
SBeskovoyne@COVB.org