

INDIAN RIVER COUNTY
DEPARTMENT OF UTILITY SERVICES
1801 27TH STREET
Vero Beach, FL 32960

Name: LEONARD J (TR)(1/2)(TOK) & HATALA
Mailing Address: 5865 34TH ST
Mailing City State, Zip: VERO BEACH FL, 32966
Site Address: 5865 34TH ST

Subject – Proposed Water Assessment Project – Shadow Brook Subdivision:

To whom it may concern:

We are hereby notifying you on a proposed water assessment project that has been submitted (by a petition which meets the 66.7% or super majority IRC BCC requires) by the residents within the Shadow Brook Subdivision. On May 18, 2005, the property of **5865 34TH ST** signed a Temporary Water Service Connection and Participation in Future Special Assessment Program between Indian River County, a political subdivision of the State of Florida (COUNTY) and Leonard J & Constance Hatala (OWNER) whose address was **5865 34TH ST**, Vero Beach FL, 32960.

Since the property of 5865 34TH ST will benefit from the construction of the proposed water assessment, the property will be required to participate in the water assessment and pay certain costs of the special assessment when the County undertakes the special assessment project.

The County Utility Department is moving forward with an Agenda item to get approval from the BCC to proceed with the proposed water assessment project and to contract with Carter Associates Inc. for surveying of Shadow Brook Subdivision.

If you have any questions, please get in touch with me.

Thank You

Kevin Ivers Osthus
Indian River County
Department of Utility Services

E-Mail: kosthus@ircgov.com
Phone: 772-226-1824

Enclosed:

Temporary Water service Agreement
Petition Form
Map of proposed water assessment boundary

35.50

AGREEMENT

Re: TEMPORARY WATER SERVICE CONNECTION AND PARTICIPATION IN FUTURE SPECIAL ASSESSMENT PROGRAM

THIS AGREEMENT, effective this ____ day of May, 2005 by and between INDIAN RIVER COUNTY, a political subdivision of the State of Florida, 1840 25th Street, Vero Beach, Florida 32960 (COUNTY) and **LEONARD J & CONSTANCE HATALA**, whose address is 5865 34TH Street , Vero Beach, Fl 32966-6518 (OWNER).

(OWNER).

BACKGROUND RECITALS

A. OWNER desires to have temporary water service ("temporary connection") made available to property located at 5865 34th Street, Vero Beach, Florida, and more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference (hereinafter "Property") before the COUNTY installs water services, in Shadow Brook Subdivision.

B. COUNTY requires the OWNER to pay certain fees immediately at the time of the installation of temporary connection and to participate in certain costs of the special assessment line when the COUNTY undertakes the special assessment project,

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the receipt of which is hereby acknowledged, COUNTY and OWNER agree as follows:

1. The background recitals are true and correct and form a material part of this Agreement.
2. OWNER shall pay, on signing this Agreement, the following amount per Equivalent Residential Unit (ERU):

Capacity Charge	\$1,300.00
Tap Fee 1 inch	\$460.00
Security Deposit	\$50.00
Recording Fee (This Agreement)	\$35.50
Meter Fee 1 inch	\$250.00
Inspection Fee	<u>\$25.00</u>
Total	\$2,120.50

3. COUNTY shall make service available for OWNER from a water main on 33rd Street (Cherry Lane), and OWNER shall make a connection from the Property to a temporary water connection point of COUNTY'S choosing. When service is available from the special assessment line, OWNER may be required to disconnect from the temporary connection and to reconnect to the special assessment line. Any such reconnection shall be at the sole expense of the OWNER, except that the OWNER shall not have to pay the capacity charge, security deposit, or meter fee again.
4. Whether OWNER is required to reconnect to the special assessment line or remain

This document was prepared by
and should be returned to
the County Attorney's Office,
1840 25th St., Vero Beach,
Florida 32960

connected to the temporary connection, OWNER shall participate in the cost of the special assessment project for line extension charges and other costs related to the special assessment. By accepting the temporary connection, OWNER waives any right to contest the receipt of special benefit from the special assessment project. In addition, OWNER's signature on this Agreement may be considered to be an affirmative vote for construction of the special assessment line.

5. This Agreement shall be recorded in the official records of Indian River County, Florida, and shall be a covenant running with the land. This Agreement shall bind the OWNER, jointly and severally, and the OWNER's heirs, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, effective as of the date first written above.

Sign *James D. Chastain* By *Leonard J. Hatala*
 Witness Leonard J. Hatala
 Printed name James D. CHASTAIN

Sign *Carol T. Besancon*
 Witness
 Printed name CAROL T. Besancon

Sign *James D. Chastain* By *Constance Hatala*
 Witness Constance Hatala
 Printed name James D. CHASTAIN

Sign *Carol T. Besancon*
 Witness
 Printed name CAROL T. Besancon

STATE OF FLORIDA
 COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this 18th day of May, 2005, by Leonard J. Hatala and Constance Hatala, who are personally known to me or who produced a Florida Driver's License as identification.

NOTARY PUBLIC

Stamped Seal & Commission
 Expiration Date



CAROL T. BESANCON
 MY COMMISSION # DD 040435
 EXPIRES: September 27, 2005

800-3-NOTARY FL Notary Service & Bonding, Inc.

Sign *Carol T. Besancon*
 Printed name CAROL T. Besancon

INDIAN RIVER COUNTY, FLORIDA
By its Board of County Commissioners

By Joseph A. David
County Administrator

Approved by BCC *

*County Administrator authorized to sign for the Board of County Commissioners by Resolution No. 2003-151 dated December 2, 2003

Approved for form and legal Sufficiency:

By Marian Steele
County Attorney

Approved for Utilities matters:

By W. J. Lee
Utilities Director

EXHIBIT "A"

Legal Description:

SHADOW BROOK SUBDIVISION

Part of LOT 10 described in OR Bk 568 PP 1162 & all of Lot 11, according to the plat thereof, as recorded in Plat Book 9, Page 17, of the Public Records of Indian River County, Florida

Parcel Number: 32 39 32 00010 0000 00010.1

Property Address: 5865 34th Street
VERO BEACH, FL 32966-6518



INDIAN RIVER COUNTY DEPARTMENT OF UTILITY SERVICES

PRELIMINARY PETITION FORM

PROPOSED WATER MAIN ASSESSMENT – SHADOW BROOK SUBDIVISION:

Parcel No: 32393200010000000010.1
Site Address: 5865 34TH ST
Owner Name: HATALA, LEONARD J (1/2) &
Mailing Address:
LEONARD J (TR)(1/2)(TOK) &, HATALA
5865 34TH ST
VERO BEACH, FL 32966

Legal Description:

SHADOW BROOK SUBDIVISION SHADOW BROOK SUB PBI 9-17 PART OF LOT 10 DESC IN O R BK 568 PP 1162 & ALL LOT 11

Please sign & return

This proposed water main assessment project will be completed as equal share assessment. The amount your property will be assessed based on Indian River County's proposed construction cost:

Assessment (Construction) Cost per Parcel: \$8,400.00

In order to connect to the water system, you must also pay impact and connection fees totaling \$1,505.00. Total Cost per Parcel is estimated at \$9,905.00.

Based on the information packet you have received for the proposed water assessment project, please check one of the options below and return to Indian River County Department of Utility Services.

_____ **YES** – In favor of the proposed Water Assessment Project.

_____ **NO** – Not in favor of the proposed Water Assessment Project.

The undersigned petitioner respectfully requests the Board of County Commissioners of Indian River County (the "County") undertake measures to establish a Water Assessment Program ("Project") pursuant to Ordinance 81-27 (the "Ordinance"), as more particularly set forth, shown, proposed and agreed hereafter.

Signature: Owner Date:

Signature: Secondary Owner Date:

Signature: Trust Date:

Signature: Trust Date:

NOTE: Please Review

1. **Properties under a trust:** you must provide the trust document and or the warranty deed, only the person/persons who are authorized to sign or the Trustee can sign the petition. If there are multiple Trustees, then all have to sign the petition.
2. **Property under multiple ownership:** A minimum of 51% must sign the petition. Example: If two then both need to sign. If three then two need to sign.
3. **Property under husband & wife without secondary owners filled out (Property Appraiser's Site):** Then one signature either from the husband or wife is adequate.

Indian River County – Utility Department will not move forward unless 66.7% majority is in favor of the project and the three requirements listed above are met. **This petition must be received by Indian River County Department of Utility Services by September 31, 2018. Late petitions may be counted as "Not in Favor."**

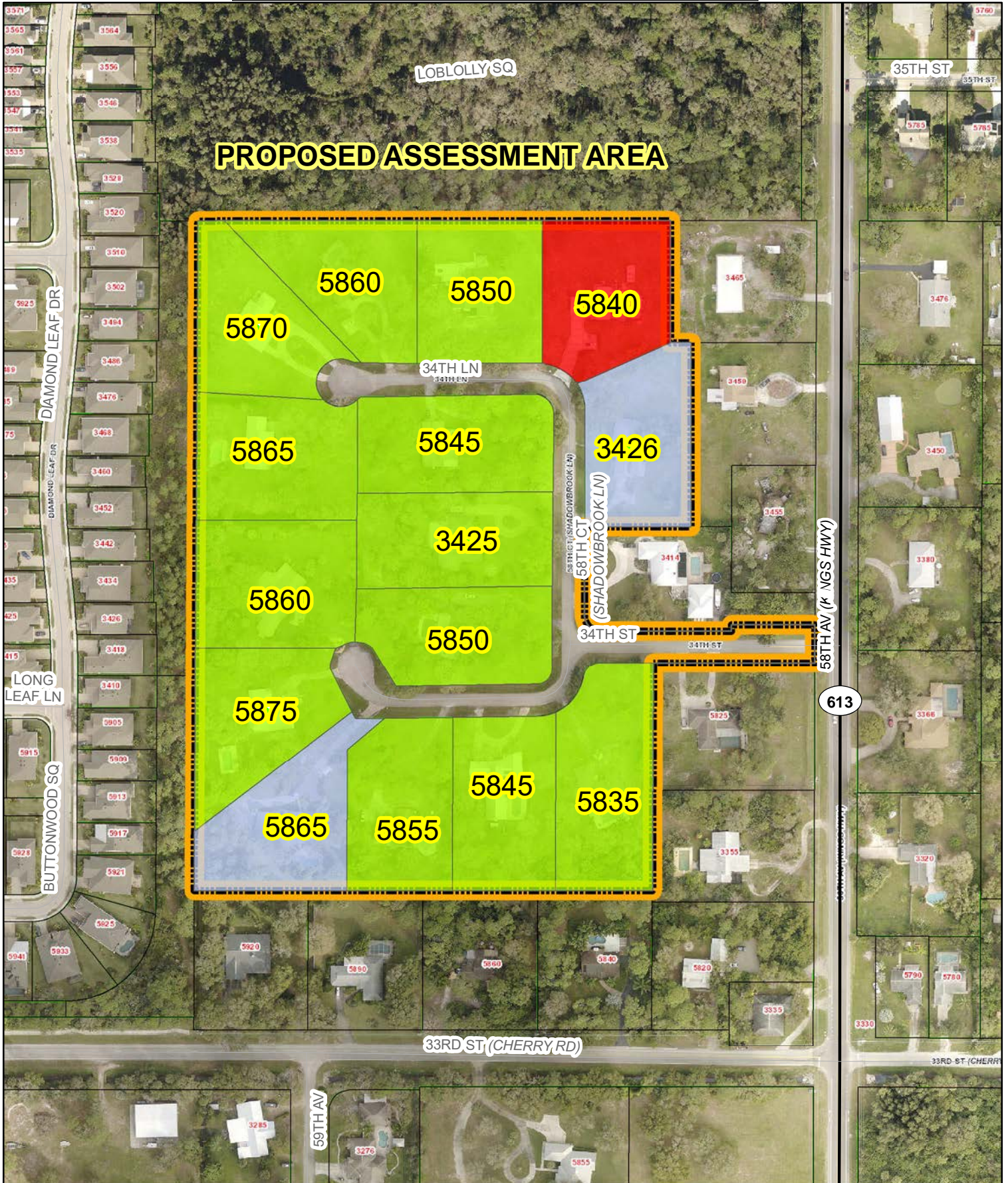


INDIAN RIVER COUNTY
DEPARTMENT OF UTILITY SERVICES
PROPOSED WATER ASSESSMENT



Legend

PARCELS Signed_Pet YES TEMP WATER AGREEMENT NO



INDIAN RIVER COUNTY
DEPARTMENT OF UTILITY SERVICES
1801 27TH STREET
Vero Beach, FL 32960

Name: RICHARD C JR TODD
Mailing Address: 9696 MIDDLE FORD RD
Mailing City State, Zip: BLOWIN G ROCK NC, 28605
Site Address: 3426 SHADOW BROOK LN

Subject – Proposed Water Assessment Project – Shadow Brook Subdivision:

To whom it may concern:

We are hereby notifying you on a proposed water assessment project that has been submitted (by a petition which meets the 66.7% or super majority IRC BCC requires) by the residents within the Shadow Brook Subdivision. On January 21, 2005, the property of **3426 SHADOW BROOK LN** signed a Temporary Water Service Connection and Participation in Future Special Assessment Program between Indian River County, a political subdivision of the State of Florida (COUNTY) and Mary Jane Fiorella Todd (OWNER) whose address was **3426 SHADOW BROOK LN**, Vero Beach FL, 32960.

Since the property of 3426 SHADOW BROOK LN will benefit from the construction of the proposed water assessment, the property will be required to participate in the water assessment and pay certain costs of the special assessment when the County undertakes the special assessment project.

The County Utility Department is moving forward with an Agenda item to get approval from the BCC to proceed with the proposed water assessment project and to contract with Carter Associates Inc. for surveying of Shadow Brook Subdivision.

If you have any questions, please get in touch with me.

Thank You

Kevin Ivers Osthus
Indian River County
Department of Utility Services

E-Mail: kosthus@ircgov.com
Phone: 772-226-1824

Enclosed:

Temporary Water service Agreement
Petition Form
Map of proposed water assessment boundary

1611797 RECORDED IN THE RECORDS OF JEFFREY K BARTON, CLERK CIRCUIT COURT INDIAN
RIVER CO FL, BK: 1827 PG: 1547, 01/26/2005 03:10 PM

35.50
This document was prepared by
and should be returned to
the County Attorney's Office,
1840 25th St., Vero Beach,
Florida 32966

AGREEMENT

Re: TEMPORARY WATER SERVICE CONNECTION AND PARTICIPATION IN FUTURE SPECIAL ASSESSMENT PROGRAM

THIS AGREEMENT, effective this 21st day of January, 2005 by and between INDIAN RIVER COUNTY, a political subdivision of the State of Florida, 1840 25th Street, Vero Beach, Florida 32960 (COUNTY) and MARY JANE FIORELLA TODD, whose address is 3426 Shadow Brook Ln , Vero Beach, Fl 32966 (OWNER).

(OWNER).

BACKGROUND RECITALS

A. OWNER desires to have temporary water service ("temporary connection") made available to property located at 3426 Shadow Brook Ln, Vero Beach, Florida, and more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference (hereinafter "Property") before the COUNTY installs water services, in Shadow Brook Subdivision.

B. COUNTY requires the OWNER to pay certain fees immediately at the time of the installation of temporary connection and to participate in certain costs of the special assessment line when the COUNTY undertakes the special assessment project,

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the receipt of which is hereby acknowledged, COUNTY and OWNER agree as follows:

1. The background recitals are true and correct and form a material part of this Agreement.
2. OWNER shall pay, on signing this Agreement, the following amount per Equivalent Residential Unit (ERU):

Capacity Charge	\$1,300.00
Tap Fee 1 inch	\$460.00
Security Deposit	\$50.00
Recording Fee (This Agreement)	\$35.50
Meter Fee 1 inch	\$250.00
Inspection Fee	<u>\$25.00</u>
Total	\$2,120.50

3. COUNTY shall make service available for OWNER from a water main on 58th Avenue (Kings Highway), and OWNER shall make a connection from the Property to a temporary water connection point of COUNTY'S choosing. When service is available from the special assessment line, OWNER may be required to disconnect from the temporary connection and to reconnect to the special assessment line. Any such reconnection shall be at the sole expense of the OWNER, except that the OWNER shall not have to pay the capacity charge, security deposit, or meter fee again.

4. Whether OWNER is required to reconnect to the special assessment line or remain connected to the temporary connection, OWNER shall participate in the cost of the special assessment project for line extension charges and other costs related to the special assessment. By accepting the temporary connection, OWNER waives any right to contest the receipt of special benefit from the special assessment project. In addition, OWNER's signature on this Agreement may be considered to be an affirmative vote for construction of the special assessment line.
5. This Agreement shall be recorded in the official records of Indian River County, Florida, and shall be a covenant running with the land. This Agreement shall bind the OWNER, jointly and severally, and the OWNER's heirs, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, effective as of the date first written above.

Sign Steve Belmont By Mary Jane Fiorella Todd
Witness Mary Jane Fiorella Todd
Printed name STEVE BELMONT

Sign James D. Chastain
Witness
Printed name JAMES D. CHASTAIN

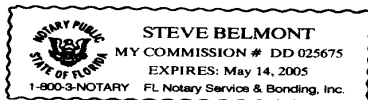
STATE OF FLORIDA
COUNTY OF INDIAN RIVER

The foregoing instrument was acknowledged before me this 21st day of January, 2005, by Mary Jane Fiorella Todd, who is personally known to me or who produced a Florida Driver's License as identification.

NOTARY PUBLIC

Stamped Seal & Commission
Expiration Date

Sign Steve Belmont
Printed name STEVE BELMONT



INDIAN RIVER COUNTY, FLORIDA
By its Board of County Commissioners

By Joseph A. Baur
County Administrator

BK: 1827 PG: 1549

Approved by BCC *

*County Administrator authorized to sign for the Board of County
Commissioners by Resolution No. 2003-151 dated December 2, 2003

Approved for form and legal Sufficiency:

By Marian Steele
County Attorney

Approved for Utilities matters:

By [Signature]
Utilities Director

BK: 1827 PG: 1550

EXHIBIT "A"

Legal Description:

SHADOW BROOK SUBDIVISION

**LOT 20, according to the plat thereof, as recorded in Plat Book 9, Page 17, of
the Public Records of Indian River County, Florida**

Parcel Number: 32 39 32 00010 0000 00020.0

**Property Address: 3426 SHADOW BROOK LN
VERO BEACH, FL 32966**

F:\Utilities\UTILITY - EMPLOYEE FOLDERS\Dan Chastain\TODDTemp Water Agreement SHADOW BROOK SUB.doc

Exhibit - A



INDIAN RIVER COUNTY DEPARTMENT OF UTILITY SERVICES
PRELIMINARY PETITION FORM
PROPOSED WATER MAIN ASSESSMENT – SHADOW BROOK SUBDIVISION:

Parcel No: 32393200010000000020.0

Site Address: 3426 SHADOW BROOK LN

Owner Name: TODD, RICHARD C JR

Mailing Address:
RICHARD C JR, TODD
9696 MIDDLE FORD RD
BLOWIN G ROCK, NC 28605

Legal Description:
SHADOW BROOK SUBDIVISION LOT 20 PBI 9-17

Please sign & return

This proposed water main assessment project will be completed as equal share assessment. The amount your property will be assessed based on Indian River County's proposed construction cost:

Assessment (Construction) Cost per Parcel: \$8,400.00

In order to connect to the water system, you must also pay impact and connection fees totaling \$1,505.00. Total Cost per Parcel is estimated at \$9,905.00.

Based on the information packet you have received for the proposed water assessment project, please check one of the options below and return to Indian River County Department of Utility Services.

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INDIAN RIVER COUNTY
DEPARTMENT OF UTILITY SERVICES
PROPOSED WATER ASSESSMENT



Legend

PARCELS Signed_Pet ■ YES ■ TEMP WATER AGREEMENT ■ NO

