



Office of

Consent 07/02/2024

INDIAN RIVER COUNTY ATTORNEY

William K. DeBaal, County Attorney
Susan J. Prado, Deputy County Attorney

MEMORANDUM

TO: Board of County Commissioners

THROUGH: Kirstin Leiendecker, P.E., Interim Public Works Director

FROM: William K. DeBaal, County Attorney

DATE: June 25, 2024

SUBJECT: Drainage Easement Agreement for 11th Drive

The Harbor Bluffs development is located north of 37th Street on either side of 11th Drive. The project is being constructed in phases, with the single-family phases on the northwest side of 11th Drive, now known as Costa Pointe PD, and the multi-family phase on the southwest side of 11th Drive now known as Verity PD, collectively referred to as the Projects. Please see the aerial photo attached to this memorandum. The developers of the Projects are currently constructing 11th Drive from 37th Street to 41st Street pursuant to a Developers Agreement dated October 22, 2019. Part of the Developers Agreement calls for the developer of the multi-family phase of the project, TTRES FL Vero Beach 11th, LLC (TTRES) to take in stormwater from the newly constructed 11th Drive into the Verity PD stormwater treatment system. The Developers Agreement calls for TTRES to dedicate without compensation a drainage easement to convey the stormwater into the Verity stormwater pond on the west side of 11th Drive, and for the County to maintain the underlying pipe in the easement.

The attached Drainage Easement Agreement for 11th Drive establishes the necessary drainage easement and confirms the County's maintenance obligation contained in the Developer's Agreement. A sketch and legal description of the Drainage Easement Agreement for 11th Drive is included with the easement.

Funding. The only impact to County funds brought about by this easement are recording fees in the amount of \$61.70 which is currently budgeted and available from Traffic Impact Fees 2020/District 2/Aviation Ext-US1 to 37th & 41st Street via 11th Drive, Acct# 10415241-066510-22010.

Recommendation. Staff recommends the Board of County Commissioners approve the Drainage Easement Agreement for 11th Drive and authorize the chairman to sign the Drainage Easement on behalf of the Board.

Attachments: Aerial photo of 11th Drive
Drainage Easement Agreement for 11th Drive

Copies to: David Arons, Attorney for TTRES at darons@saxon-partners.com
Kirstin Leiendecker, P.E., Interim Public Works Director