



Legislation Details (With Text)

**File #:** 24-817      **Version:** 1      **Name:**  
**Type:** Request      **Status:** Passed  
**File created:** 5/30/2024      **In control:** City Commission  
**On agenda:** 6/18/2024      **Final action:** 6/18/2024  
**Title:** ITEM 1 - ACCEPTANCE OF A GENERAL UTILITY EASEMENT AGREEMENT BY 2001 S FEDERAL HIGHWAY.

ITEM 2 - ACCEPTANCE OF A HOLD HARMLESS AGREEMENT BY 2001 S FEDERAL HIGHWAY.

ITEM 3 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 2001 S FEDERAL HIGHWAY.

ITEM 4 - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT BY 2001 S FEDERAL HIGHWAY.

**Sponsors:** Development Services Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Agenda Cover Report, 2. Item 1. General Utilities Easement Agreement: MDR Motors LLC - 2001 S Federal Highway, 3. Item 1. Exhibit A. Sketch and Description - General Utility Easement: MDR Motors LLC - 2001 S Federal Highway, 4. Item 1. Legal Review Utilities Easement Agreement: MDR Motors LLC - 2001 S Federal Highway, 5. Item 2. Hold Harmless Agreement: MDR Motors LLC - 2001 S Federal Highway, 6. Item 2. Exhibit B. Sketch and Description - General Utility Easement: MDR Motors LLC - 2001 S Federal Highway, 7. Item 2. Exhibit C. Mazda Site Plan: MDR Motors LLC - 2001 S Federal Highway, 8. Item 2. Legal Review Hold Harmless MDR Motors, LLC - 2001 S Federal Highway, 9. Item 3. Right of Way Deed (Corner Clip): MDR Motors LLC - 2001 S Federal Highway, 10. Item 3. Exhibit A. Right of Way Deed (Corner Clip): MDR Motors LLC - 2001 S Federal Highway, 11. Item 3. Legal Review Right of Way Deed: MDR Motors LLC - 2001 S Federal Highway, 12. Item 4. Perpetual Sidewalk Easement: MDR Motors LLC - 2001 S Federal Highway, 13. Item 4. Exhibit A - Perpetual Sidewalk Easement: MDR Motors LLC- 2001 S Federal Highway, 14. Item 4. Legal Review Perpetual Sidewalk Easement Agreement: MDR Motors LLC - 2001 S Federal Highway

Date	Ver.	Action By	Action	Result
6/18/2024	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Anthea Gianniotis, Development Services Department  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** June 18, 2024

ITEM 1 - ACCEPTANCE OF A GENERAL UTILITY EASEMENT AGREEMENT BY 2001 S FEDERAL HIGHWAY.

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**Recommended Action:**

**Consideration of the following items:**

Item 1 - Motion to approve and accept a General Utility Easement Agreement by the owners of 2001 S Federal Highway.

Item 2 - Motion to approve and accept a Hold Harmless Agreement by the owners of 2001 S Federal Highway.

Item 3 - Motion to approve and accept a Right-of-Way Dedication by the owners of 2001 S Federal Highway.

Item 4 - Motion to approve and accept a Perpetual Sidewalk Easement by the owners of 2001 S Federal Highway.

**Background:**

**Item 1**

Consider acceptance of a General Utility Easement Agreement located at 2001 S Federal Highway.

The owner(s), MDR Motors, LLC, submitted Abandonment of ROW application (File No. 2024-052) for the subject property. During the application process it was determined that an easement would be needed to allow access to utilities on this property. As a result, an easement agreement was created.

There is no City cost now or in the future for these items.

**Item 2**

Consider acceptance of a Hold Harmless Agreement located at 2001 S Federal Highway.

The owner(s), MDR Motors, LLC, submitted Abandonment of ROW application (File No. 2024-052) for the subject property. During the application process it was determined that a Hold Harmless Agreement would be needed. As a result, a Hold Harmless agreement was created.

There is no City cost now or in the future for these items.

**Item 3**

Consider acceptance of a Right-of-Way Dedication located at 2001 S Federal Highway.

The owner(s), MDR Motors, LLC, submitted Level 3 Site Plan application (File No. 2022-248) for the subject property. During the application process it was determined that in accordance with LDR 6.1.2 (C)(2)(e) the intersection of South Federal Highway and Tropic Boulevard requires a 25-foot radius dedication. As a result, a 150 square foot corner clip Right-of-Way dedication was requested to satisfy the requirement.

There is no City cost now or in the future for these items.

#### **Item 4**

Consider acceptance of a Perpetual Sidewalk Easement located at 2001 S Federal Highway.

The owner(s), MDR Motors, LLC, submitted Level 3 Site Plan application (File No. 2022-248) for the subject property. During the application process it was determined that the sidewalk along South Federal Highway encroaches onto the site by approximately one foot. As a result, a Sidewalk Easement Agreement was created.

There is no City cost now or in the future for these items.

#### **City Attorney Review:**

All items are approved as to form and legal sufficiency.

#### **Funding Source/Financial Impact:**

N/A

#### **Timing of Request:**

The timing of these requests is of high importance to allow the site plan modifications to continue.