3H-7

Agenda Item #:

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date:	December 2, 2008	[X] Consent [] Ordinance	[] Regular [] Public Hearing
Department:	Facilities Development	t & Operations	
	I. <u>E</u>	<u>XECUTIVE BRIEF</u>	
Motion and Title Florida Power & I Regional Park-Par	Light Company (FPL) for el	ion to approve: a Utilectrical service to a nev	lity Easement Agreement in favor of w restroom facility at the South County
unincorporated Bo and a pad mounted near the existing a perpetual non-exc	oca Raton. FPL requires a under the second of transformer to provide positionally amphitheater. The easement	ntility easement for the in ower to a new restroom ont area is 10' wide and ong granted to FPL at n	County Regional Park-Parcel A in installation of underground power lines that is under construction and located covers an area of 1,350 sf. This is a to charge, as it will provide electrical
1975, and there has size to the current development of the construction of an entrance road and	we been several subsequent at 540.02 acres. In June 2 are South County Regional amphitheater, restroom, go	t acquisitions and dispondance to the Board appropriate Park—Parcel A. The doll course support build its. This easement will propression to the secondance of the secondance o	of land for the Park on December 22, esitions that have increased the overall wed the construction contract for the levelopment of Parcel A includes the ing, picnic pavilions, comfort stations, provide for the electrical services to the a December of 2008.
	ation Map ity Easement Agreement		
Recommended B		ent Director	10 31 08 Date
Approved By: _	Chil	Wer	11/14/08

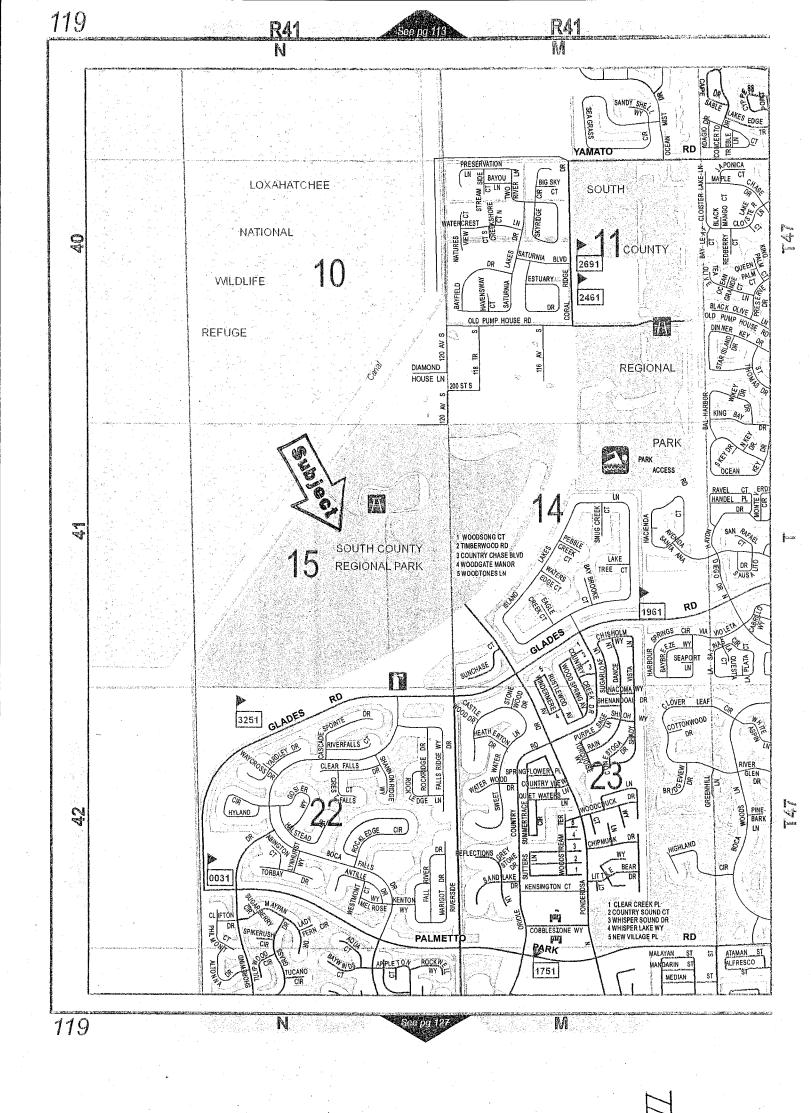
County Administrator

II. FISCAL IMPACT ANALYSIS

A.	Five Teal Summary of F	iscai impact:				
Fisca	l Years	2009	2010	2011	2012	2013
Oper Exter Progr	tal Expenditures ating Costs rnal Revenues ram Income (County) and Match (County					
NET	FISCAL IMPACT					
	DITIONAL FTE TIONS (Cumulative)					
Is Ite	m Included in Current Bu	dget: Yes	No	o		
Budge	et Account No: Fund	Program Dept	Uı -	nit	Object	- -
В.	Recommended Sources o	f Funds/Summ	ary of Fiscal	Impact:		
	No Fiscal Impact.					
C.	Departmental Fiscal Rev	iew:		· · · · · · · · · · · · · · · · · · ·	_	
		III. <u>REVIE</u> V	W COMMEN	<u>vts</u>		•
A.	OFMB Fiscal and/or Cor	ıtract Developn	nent Comme	nts:		
	OFMB OFMB	1-08 611/1/0	Contract Deve	lopment and	Control) / 10/	e e e e e e e e e e e e e e e e e e e
В.	Legal Sufficiency: Assistant County Attorney	<u>- 4/13</u> ls				
C.	Other Department Revie	w:				
	Department Director					

This summary is not to be used as a basis for payment.

G:\PREM\AGENDA\2008\12-02\SCRP UTILITY EASEMENT(PB).DOCX



LOCATION MAP

ATACHIENT#

Prepared by & Return to:
Peter Banting
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, Florida 33411-5605

PCN: 00-41-47-14-01-026-0010

UTILITY EASEMENT AGREEMENT

This EASEMENT is granted _______, between PALM BEACH COUNTY, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401-4791, ("Grantor"), and FLORIDA POWER & LIGHT COMPANY, a Florida corporation, whose legal mailing address is Post Office Box 14000, Juno Beach, Florida 33408-0420, ("Grantee").

WITNESSETH:

That said Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations paid, the receipt and sufficiency of which are hereby acknowledged, hereby grants unto Grantee, its successors and assigns, a perpetual non-exclusive easement (the "Easement") for the construction, operation and maintenance of underground electric utility facilities, including wires, cables, conduits, and appurtenant equipment, and an above-ground pad-mounted transformer (the "Facilities") to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as the size of and remove such Facilities or any of them within an easement upon, under and across the following described real property (the "Easement Premises") situate, lying and being in the County of Palm Beach, State of Florida to wit:

See legal description/site sketch marked <u>Exhibit "A"</u> attached hereto and made a part hereof

Together with the right to permit any other person, firm or corporation to lay cable and conduit within the Easement Premises and to operate the same for communications purposes. Together with the right of reasonable ingress and egress to said Easement Premises at all times, the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Premises; and the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Premises which might interfere with or fall upon the Facilities installed within the Easement Premises.

THE CONDITIONS OF THIS RIGHT OF USAGE ARE SUCH THAT:

- 1. Grantee shall cause the Facilities and their appurtenances to be constructed within the confines of the Easement Premises.
- 2. Grantee hereby expressly agrees that in the event Grantee abandons use of the Easement Premises for the purpose herein expressed, the Easement granted hereby shall become null and void, and all the rights in and to the Easement Premises shall revert to Grantor.
- 3. Grantee further expressly agrees to maintain in good condition and repair, at its sole cost and expense, its underground cables and equipment within the Easement Premises at all times during the term hereof.

4. The grant of this Easement shall in no way restrict the right and interest of Grantor in the use, maintenance and quiet enjoyment of the Easement Premises to the extent that such does not interfere with the rights granted herein.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name, by its proper officers thereunto duly authorized, the day and year first above written.

its name, by its proper officers thereur	no duly authorized, the day and year first abo)V		
written.				
ATTEST:				
SHARON R. BOCK CLERK & COMPTROLLER	PALM BEACH COUNTY, a political subdivision of the State of Florida			
By:	By:			
Deputy Clerk	, Chair			
APPROVED AS TO FORM	APPROVED AS TO TERMS			
AND LEGAL SUFFICIENCY	AND CONDITIONS			
By:	By: Fett Ahmy WOLF			
By: Assistant County Attorney	By: Department Director			

G \DEVELOPMENT\OPEN PROJECTS\SOUTH COUNTY REGIONAL PARK-PARCEL A\FPL UNDERGRND WITH TRANSFORMER FPL EASEMENT BJW APPV 102208 DOCX

10' FLORIDA POWER & LIGHT CO. EASEMENT

EXHIBIT "A" PAGE 1 OF 2

A 10 FOOT WIDE STRIP OF LAND LYING WITHIN PARCEL A SOUTH COUNTY REGIONAL PARK-PARCEL A PLAT BOOK 111, PAGES 49-51

FOR PCN # 00-41-47-14-01-026-0010

LEGAL DESCRIPTION:

A 10 FOOT WIDE STRIP OF LAND LYING WITHIN PARCEL A, SOUTH COUNTY REGIONAL PARK-PARCEL A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 111, AT PAGES 49 THROUGH 51 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LYING WITHIN SECTION 15, TOWNSHIP 47 SOUTH, RANGE 41 EAST, THE SIDES OF WHICH LIE 5 FEET TO THE RIGHT AND LEFT OF THE FOLLOWING DESCRIBED CENTERLINE OF EASEMENT (THE SIDES OF SAID EASEMENT SHOULD BE LENGTHENED AND/OR SHORTENED AS TO FORM A CONTINUOUS EASEMENT AND ABUT WITH THE EXISTING FLORIDA POWER & LIGHT CO. EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 22550 AT PAGES 1665 THROUGH 1681 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA):

COMMENCE AT THE NORTHWEST CORNER OF PARCEL A, SOUTH COUNTY REGIONAL PARK-PARCEL A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 111, AT PAGES 49 THROUGH 51 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N89°47'32"E ALONG THE NORTH LINE OF SAID PARCEL A FOR A DISTANCE OF 1627.48 FEET; THENCE DEPARTING FROM THE NORTH LINE OF SAID PARCEL A S00°12'28"E FOR A DISTANCE OF 2503.94 FEET TO A POINT ON THE SOUTH CURVE OF A TEN FOOT WIDE FLORIDA POWER & LIGHT CO. EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 22550 AT PAGES 1665 THROUGH 1681 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING; THENCE S05°25'00"W FOR 77.56 FEET; THENCE N87°00'00"W FOR 47.58 FEET; THENCE N57°05'00"W FOR 11.00 FEET TO THE POINT OF TERMINATION OF THIS CENTERLINE OF EASEMENT.

SAID LANDS SITUATE WITHIN PALM BEACH COUNTY, FLORIDA.

NOTES:

- 1) THIS SKETCH AND LEGAL DESCRIPTION DOES NOT REPRESENT A FIELD SURVEY ("THIS IS NOT A SURVEY").
- 2) THIS SKETCH AND LEGAL DESCRIPTION IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED EMBOSSED SEAL OF A FLORIDA REGISTERED LAND SURVEYOR.
- 3) BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF PARCEL A, SOUTH COUNTY REGIONAL PARK-PARCEL A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 111, AT PAGES 49 THROUGH 51 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, HAVING AN ASSUMED BEARING OF NORTH 89°47'32" EAST.

HELLER WEAVER AND SHEREMETA, INC.

FLORIDA STATE L.B. NO. 3449

BY: DANIEL C./LAAK

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REG. NO. 5118

LEGEND

FP&L FLORIDA POWER & LIGHT

O.R.B. OFFICIAL RECORDS BOOK

PGS. PAGES

P.B. PLAT BOOK

PCN PROPERTY CONTROL NUMBER

REVISIONS



Heller - Weaver and Sheremeta, inc.

Engineers ... Surveyors and Mappers 310 S.E. 1st Street, Suite 4 Delray Beach, Florida 33483 (561) 243-8700 - Phone (561) 243-8777 - Fax

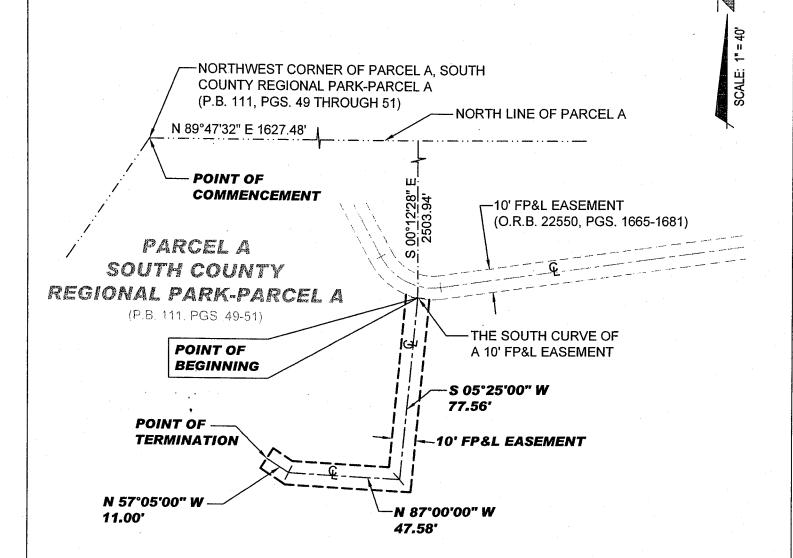
DATE:	10/9/08
SCALE:	N/A
DRAWN BY:	S.ISAAC
CHECKED BY:	D. LAAK
SHEET:	1 OF 2
FILE NO.	08-96102.232-SS1

10' ELORIDA POWER & LIGHT CO. EASEMENT

EXHIBIT "A" PAGE 2 OF 2

A 10 FOOT WIDE STRIP OF LAND LYING WITHIN PARCEL A SOUTH COUNTY REGIONAL PARK-PARCEL A **PLAT BOOK 111, PAGES 49-51**

FOR PCN # 00-41-47-14-01-026-0010



LEGEND

CENTERLINE Œ

FP&L FLORIDA POWER & LIGHT

OFFICIAL RECORDS BOOK O.R.B.

PGS. **PAGES**

P.B. **PLAT BOOK**

PCN PROPERTY CONTROL NUMBER

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

REVISIONS



Heller - Weaver and Sheremeta, inc.

Engineers ... Surveyors and Mappers 310 S.E. 1st Street, Suite 4 Delray Beach, Florida 33483 (561) 243-8700 - Phone (561) 243-8777 - Fax

_	DATE:	10/09/08	
	SCALE:	1" = 40'	_
	DRAWN BY:	S.ISAAC	
	CHECKED BY:	D. LAAK	
	SHEET:	2 OF 2	
	FILE NO.	08-96102.232-SS2	