

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

**Meeting Date:**      **November 17, 2009**

<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing

**Department: Facilities Development & Operations**

## I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** a Utility Easement Agreement in favor of Florida Power & Light Company (FPL) for electrical service to power street lights along the extension road within South County Regional Park-Parcel A.

**Summary:** The County is currently developing Parcel A of South County Regional Park in unincorporated Boca Raton. FPL requires a utility easement for the installation of underground power lines and a pad mounted transformer near the amphitheater located along the Park extension road. The easement area is 10' wide and covers an area of approximately 2,445 square feet. This is a perpetual non-exclusive easement and is being granted to FPL at no charge, as it will provide electrical services to power street lights along the Park extension road. **(PREM) District 5 (HJF)**

**Background and Justification:** The County acquired 536 acres of land for the Park on December 22, 1975, and there have been several subsequent acquisitions and dispositions that have increased the overall site to the current 540.02 acres. In June 2006, the Board approved the construction contract for development of the South County Regional Park-Parcel A. The development of Parcel A includes the construction of an amphitheater, restroom, golf course support building, picnic pavilions, comfort stations, entrance road and infrastructure improvement. This easement will provide electrical services to power street lights which will be installed along the Park extension road. Construction will be completed in October 2009.

**Attachments:**

1. Location Map
2. Utility Easement Agreement

Recommended By: Ken Armay Wolf 10/26/09  
Department Director Date

Approved By: for [Signature] 11/9/09  
County Administrator Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>0</u>	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Account No: Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
Program \_\_\_\_\_


### B. Recommended Sources of Funds/Summary of Fiscal Impact:

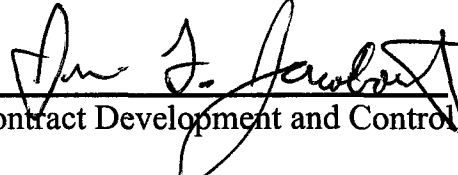
No Fiscal Impact.

### C. Departmental Fiscal Review: \_\_\_\_\_

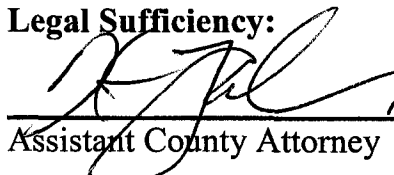
## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Development Comments:

  
OFMB 28 10/29/09 11/3/07  
10/29/09

  
Contract Development and Control 11/4/09

### B. Legal Sufficiency:

  
Assistant County Attorney 11/9/09

### C. Other Department Review:

\_\_\_\_\_  
Department Director

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

R41  
N

See pg 113

R41  
M

40

41

42

LOXAHATCHEE  
NATIONAL  
WILDLIFE  
REFUGE

10



15

SOUTH COUNTY  
REGIONAL PARK

- 1 WOODSONG CT
- 2 TIMBERWOOD RD
- 3 COUNTRY CHASE BLVD
- 4 WOODGATE MANOR
- 5 WOODTONES LN

14

GLADES

PARK  
ACCESS

23

- 1 CLEAR CREEK PL
- 2 COUNTRY SOUND CT
- 3 WHISPER SOUND DR
- 4 WHISPER LAKE WY
- 5 NEW VILLAGE PL

PALMETTO

1751

119

N

See pg 127

M

LOCATION MAP

ATTACHMENT #1

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

PCN: 00-41-47-14-13-001-0000

## 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:

ATTACHMENT # 2

**See legal description/site sketch marked Exhibit "A"  
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.

ATTEST:

SHARON R. BOCK  
CLERK & COMPTROLLER

PALM BEACH COUNTY, a political  
subdivision of the State of Florida

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_, Chair

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

By: \_\_\_\_\_  
Assistant County Attorney

By: REH Army Wife  
Department Director

LEGEND

R/W RIGHT OF WAY  
O.R.B. OFFICIAL RECORDS BOOK  
P.B. PLAT BOOK  
PG. PAGE  
P.O.C. POINT OF COMMENCEMENT  
P.O.B. POINT OF BEGINNING  
P.O.T. POINT OF TERMINUS  
C/L CENTER LINE  
U.E. UTILITY EASEMENT

SKETCH & LEGAL DESCRIPTION  
THIS IS NOT A SURVEY

# EXHIBIT "A"

DESCRIPTION; A PARCEL OF LAND LYING IN PARCEL A, SOUTH COUNTY REGIONAL PARK, AS RECORDED IN PLAT BOOK 111, PAGE 49, PALM BEACH COUNTY FLORIDA, DESCRIBED AS FOLLOWS:

A STRIP OF LAND 10' FEET IN WIDTH, LYING 5 FEET AS MEASURED AT RIGHT ANGLES TO THE FOLLOWING DESCRIBED CENTERLINE, THE SIDES OF SAID STRIP OF LAND SHALL BE LENGTHENED OR SHORTENED TO MAINTAIN A STRIP OF LAND 10 FEET IN WIDTH AND TO INTERSECT AT ANGLE POINTS; COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL A, SAID POINT LYING ON THE ARC OF A CIRCULAR CURVE CONCAVE TO THE WEST; THENCE RUN SOUTHERLY ALONG SAID ARC WITH A RADIUS OF 6037.45 FEET, A DELTA OF 06°55'45", A CHORD BEARING OF S.12°24'37"W. A DISTANCE OF 730.14 FEET; THENCE N.74°28'00"W. A DISTANCE OF 293.68 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT WITH A RADIUS OF 664.00 FEET, A DELTA OF 51°18'28" AND A CHORD BEARING OF S.79°52'45"W.; THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 594.61 FEET TO A POINT OF TANGENCY; THENCE S.54°13'39"W. A DISTANCE OF 27.38 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT WITH A RADIUS OF 586.00 FEET, A DELTA OF 33°16'34" AND A CHORD BEARING OF S.70°51'48"W.; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 340.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WESTERLY ALONG THE ARC OF A CURVE WITH A RADIUS OF 586.00 FEET, A DELTA OF 15°33'26" AND A CHORD BEARING OF N.84°43'11"W. A DISTANCE OF 159.11 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE LEFT WITH A RADIUS OF 764.00 FEET, A DELTA OF 119°46'54" AND A CHORD BEARING OF S.43°10'05"W.; THENCE RUN WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 1597.21 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE LEFT WITH A RADIUS OF 310.00 FEET, A DELTA OF 17°59'11" AND A CHORD BEARING OF S.25°42'58"E.; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 97.32 FEET TO A POINT OF TANGENCY; THENCE S.34°42'34"E. A DISTANCE OF 140.19 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT WITH A RADIUS OF 741.81 FEET, A DELTA OF 07°42'59" AND A CHORD BEARING OF S.38°34'03"E.; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE 99.90 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE RIGHT WITH A RADIUS OF 758.19 FEET, A DELTA OF 09°55'55" AND A CHORD BEARING OF S.37°27'35"E.; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 131.43 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE RIGHT WITH A RADIUS OF 270.00 FEET, A DELTA OF 17°22'03" AND A CHORD BEARING OF S.23°48'36"E.; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 81.84 FEET TO A POINT OF TANGENCY; THENCE S.15°07'35"E. A DISTANCE OF 138.52 FEET TO A POINT OF TERMINUS.

BRUCE CARTER & ASSOCIATES, INC.

SURVEYORS - PLANNERS  
405 S.E. 6TH AVE.

(SOUTH FEDERAL HIGHWAY)  
DELRAY BEACH, FLORIDA 33483  
PHONE (561)-265-1910 / FAX (561)-265-1919

SOUTH COUNTY PARK  
FPL EASEMENT

THIS SKETCH IS NOT VALID  
UNLESS IT BEARS AN  
ORIGINAL SIGNATURE AND  
AN EMBOSSED SURVEYORS  
SEAL.



BRUCE N. CARTER  
REGISTERED LAND SURVEYOR  
#2963  
STATE OF FLORIDA

DATE 8-17-09

DRAWN BY BC

F.B. / PG. NA

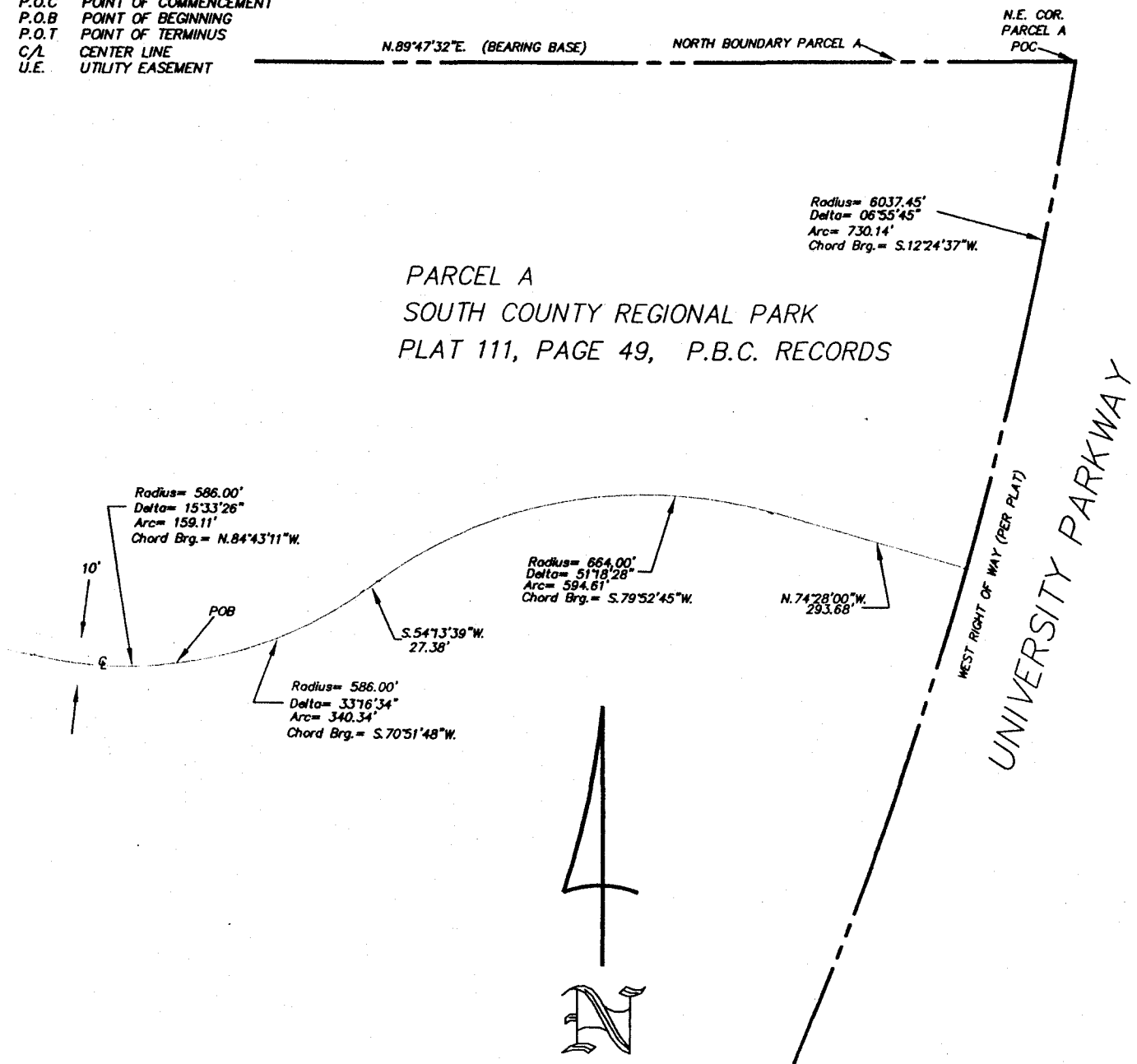
SCALE NTS

PAGE 1 OF 3

LEGEND

R/W RIGHT OF WAY  
O.R.B. OFFICIAL RECORDS BOOK  
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*[Signature]*

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STATE OF FLORIDA

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F.B./ PG. NA

SCALE NTS

PAGE 2 OF 3

SOUTH COUNTY PARK

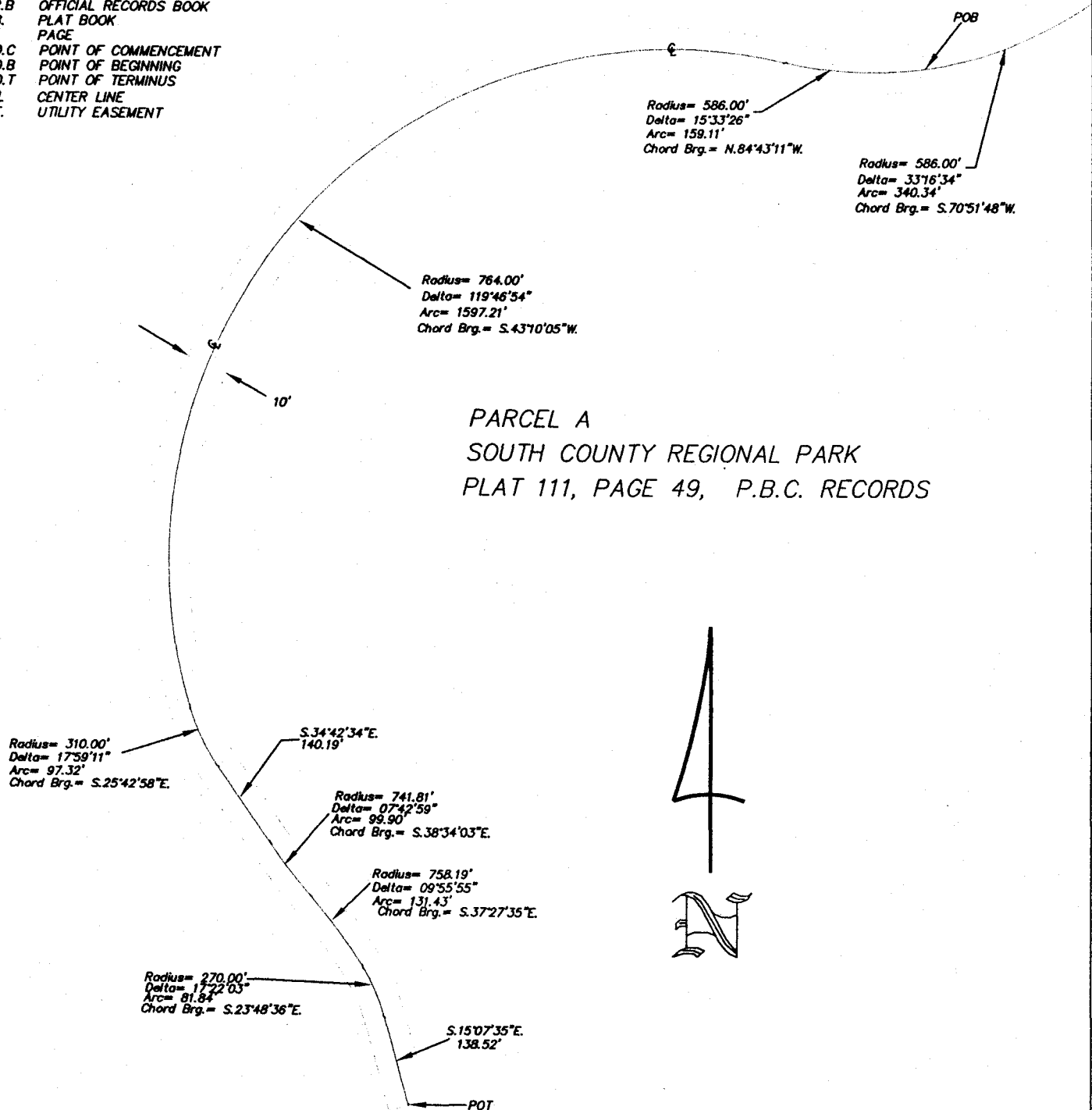
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