

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

Meeting Date:	January 12, 2010	<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


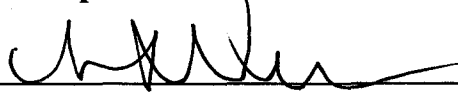
Motion and Title: Staff recommends motion to approve: a Utility Easement Agreement in favor of the Florida Power & Light Company (FPL) for underground electrical services to the County's Operations & Support Center (OSC) Warehouse at Vista Center in unincorporated West Palm Beach.

Summary: The County is constructing a warehouse within the Vista Center on the western portion of the OSC on the north side of Vista Parkway. FPL requires an easement for the installation of underground electrical services at this new facility. The easement area is approximately 151.77 feet long and varies in width from 10.14 feet to 14.00 feet and contains 1,478 square feet (0.03 acres). This non-exclusive easement is being granted at no charge as it will provide electrical service solely for the benefit of the County facility. **(PREM) District 2 (HJF)**

Background and Justification: The warehouse is being relocated from the County's Belvedere Road complex to the OSC. The new 91,048 square foot building, which will be used by the Purchasing Department and the Fixed Assets Management Office, is under construction and is scheduled to be completed in March 2010.

Attachments:

1. Location Map
2. Utility Easement Agreement

Recommended By:	 Department Director	12/11/09 Date
Approved By:	 County Administrator	12/20/09 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><u>*_____</u></u>	<u><u>_____</u></u>	<u><u>_____</u></u>	<u><u>_____</u></u>	<u><u>_____</u></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:

Jim Oml 12-21-09
OFMB 88 12/17/09 *DOM 12-17-09*

Jim J. Jacobson 12/21/09
Contract Development and Control

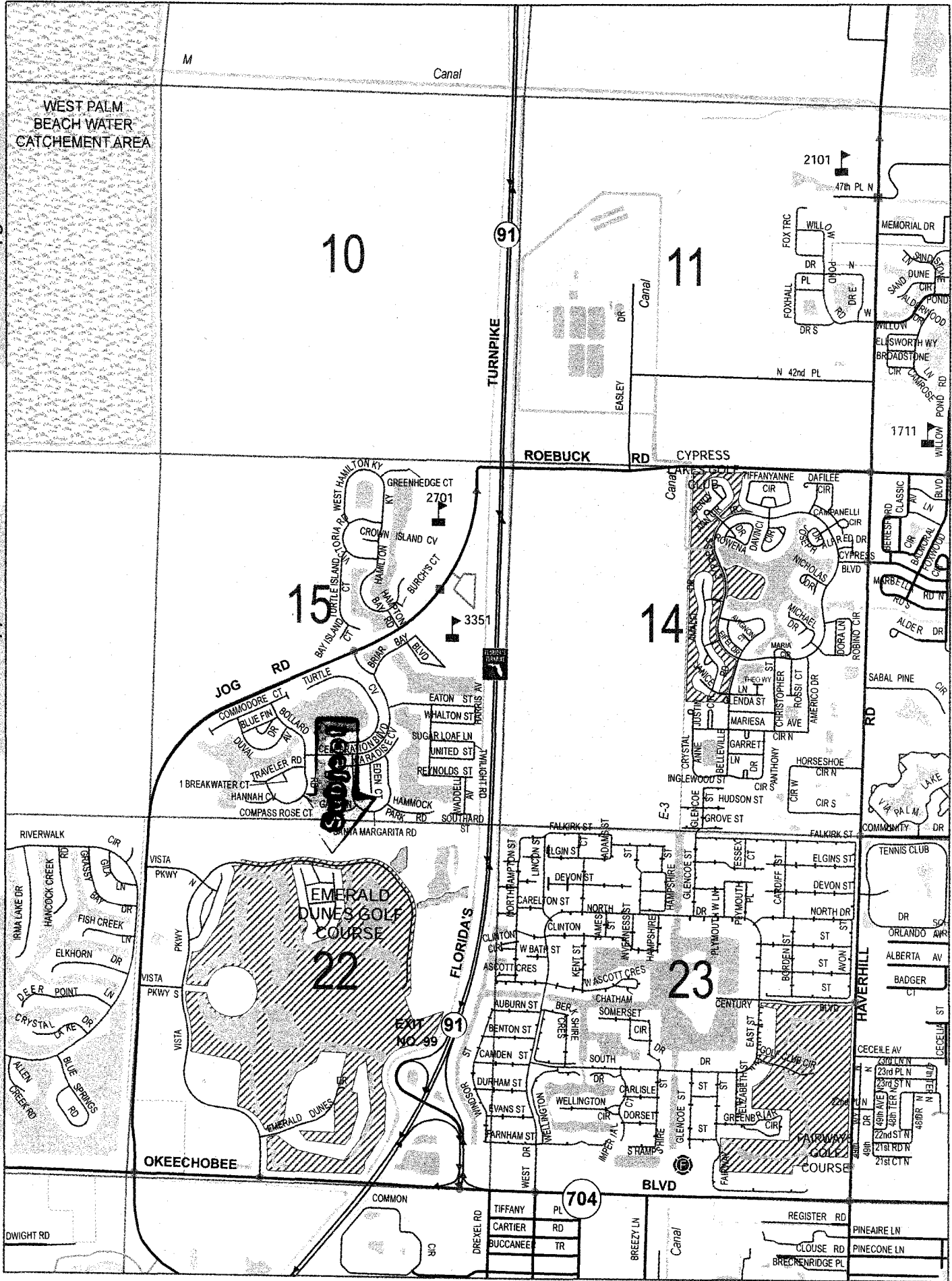
B. Legal Sufficiency:

AF Jal 12/23/09
Assistant County Attorney

C. Other Department Review:

Department Director

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



LOCATION MAP

ATTACHMENT # 1

II

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

PCN: 00-42-43-15-13-002-0000

UTILITY EASEMENT AGREEMENT

This EASEMENT is granted _____, by **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"), to **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, wires, cables, conduits and appurtenant equipment (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 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 Facilities 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: _____
Burt Aaronson, Chair

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
Assistant County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

By: Reet Armany Waif
Department Director

Exhibit “A”

Legal Description/Site Sketch

DESCRIPTION & SKETCH PREPARED FOR: CATALFUMO CONSTRUCTION	
PALM BEACH COUNTY FIELD OPERATIONS & SUPPORT CENTER BUILDING #8 FP&L EASEMENT	

EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF TRACT "B", FIELD OPERATIONS AND SUPPORT CENTER, ACCORDING TO PLAT BOOK 105, PAGES 105 THROUGH 110, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT "B"; THENCE SOUTH 89°49'01" EAST ALONG THE NORTH LINE OF SAID TRACT "B", A DISTANCE OF 279.00 FEET; THENCE, DEPARTING SAID NORTH LINE, SOUTH 00°10'59" WEST, A DISTANCE OF 12.00 FEET TO THE SOUTH LINE OF A TWELVE FOOT WIDE UTILITY EASEMENT, ACCORDING TO PLAT BOOK 68, PAGE 128 AND OFFICIAL RECORD BOOK 6524, PAGE 275, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, ALSO BEING THE POINT OF BEGINNING; THENCE, DEPARTING SAID SOUTH LINE, SOUTH 09°38'00" WEST, A DISTANCE OF 95.50 FEET; THENCE SOUTH 00°10'59" WEST, A DISTANCE OF 17.09 FEET; THENCE NORTH 89°49'01" WEST, A DISTANCE OF 15.17 FEET; THENCE SOUTH 00°10'59" WEST, A DISTANCE OF 14.00 FEET; THENCE SOUTH 89°49'01" EAST, A DISTANCE OF 25.17 FEET; THENCE NORTH 00°10'59" EAST, A DISTANCE OF 30.26 FEET; THENCE NORTH 09°38'00" EAST, A DISTANCE OF 96.34 FEET TO THE SOUTH LINE OF SAID TWELVE FOOT WIDE UTILITY EASEMENT; THENCE, ALONG SAID SOUTH LINE, NORTH 89°49'01" WEST, A DISTANCE OF 10.14 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,478 SQUARE FEET OR 0.034 ACRES, MORE OR LESS.


SURVEYOR'S NOTES:

- 1. THIS DRAWING IS NOT A SURVEY.
- 2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.
- 3. THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
- 4. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY LIDBERG LAND SURVEYING, INC.
- 5. DATE OF LEGAL DESCRIPTION: 09/29/2009

LIDBERG LAND SURVEYING, INC.

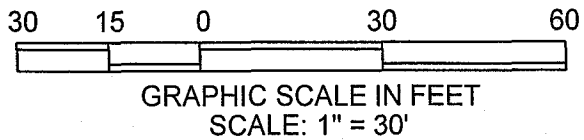
DAVID C. LIDBERG
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. 3613

LEGEND:
LB = LICENSE BUSINESS
LS = LICENSE SURVEYOR
ORB = OFFICIAL RECORD BOOK
PB = PLAT BOOK
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
ROW = RIGHT-OF-WAY
UE = UTILITY EASEMENT
FP&L = FLORIDA POWER & LIGHT

 LIDBERG LAND SURVEYING, Inc. <small>LB 4431 675 West Indiantown Road, Suite 200, Jupiter, Florida 33458 TEL 561-746-8454</small>	CAD K:\AUTOCAD2000\154342\04-175\DWG\04-175-303G.DWG			
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	OFF	W.D.J.		DATE 11/23/09
	CKD	D.C.L.	SHEET 1 OF 2	DWG A04-175G

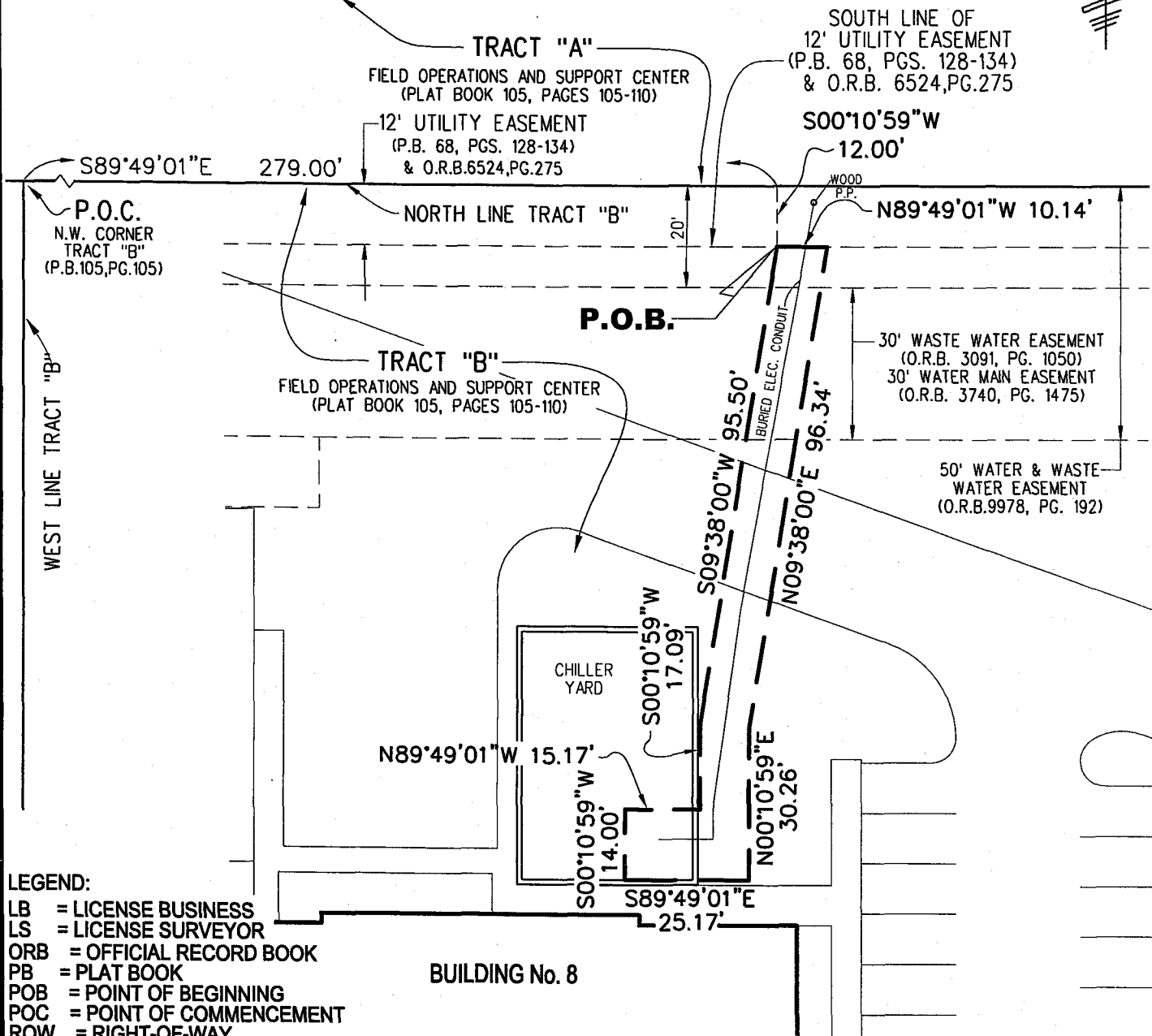
DESCRIPTION & SKETCH
PREPARED FOR:
CATALFUMO CONSTRUCTION

PALM BEACH COUNTY FIELD OPERATIONS
& SUPPORT CENTER
FP&L EASEMENT



North

EXHIBIT "A"



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**LIDBERG LAND
SURVEYING, INC.**

LB 4431

675 West Indiantown Road, Suite 200,
Jupiter, Florida 33458 TEL 561-746-8454

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REF	K:\AUTOCAD2000\154342\04-175\DWG\1754MG01.DWG		
FLD	A.M.	FB. 582 PG. 31	JOB 04-175B-303
OFF	W.D.J.		DATE 11/23/09
CKD	D.C.L.	SHEET 2 OF 2	DWG A04-175G

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