Agenda Item#: 3H-3

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

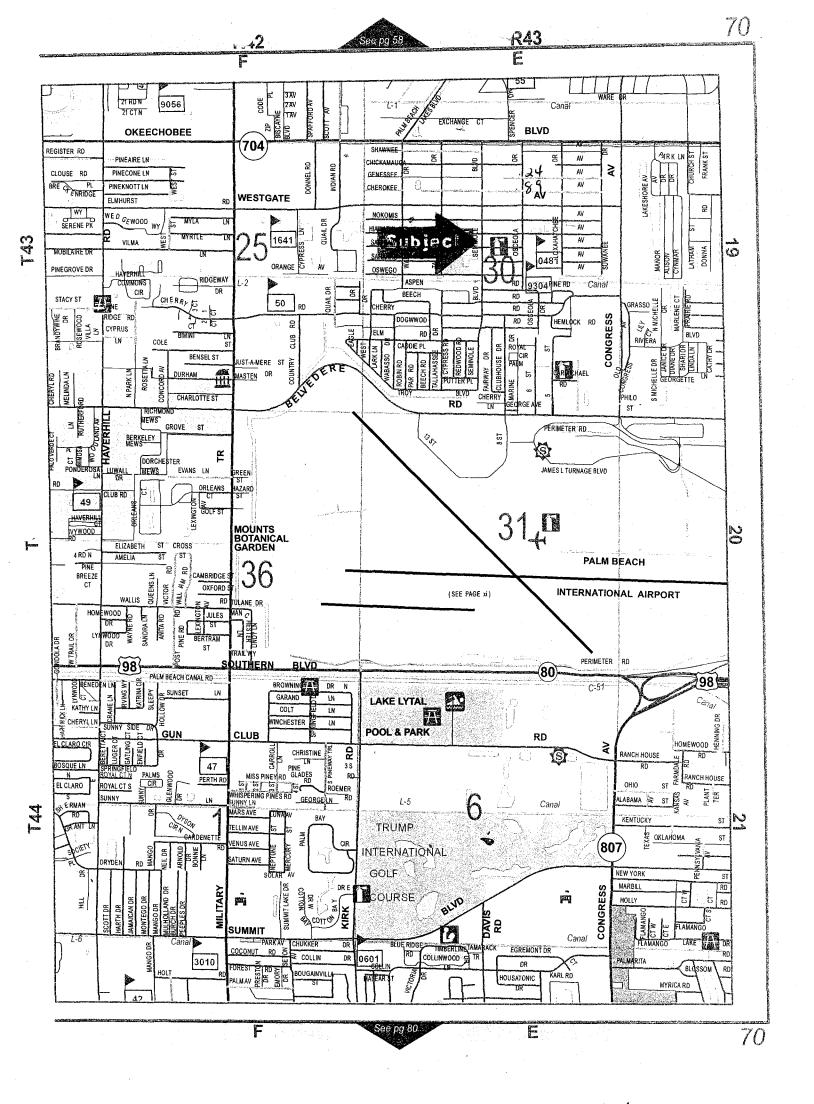
Meeting Date:	April 6, 2010		Consent Ordinance	[ ] Regular [ ] Public Hearing
Department:	Facilities Devel	- "		[ ] I done ironing
		I. EXECUT	IVE BRIEF	
Florida Power & 1	: Staff recommend Light Company (Fl porated West Palm	PL) for electric	pprove: a Utilical service to the	lity Easement Agreement in favor of ne County's new Fire Station No. 24
Saranac Avenue a will be used as a development of the way which is nor power pole within FPL is requiring the area is approximate assement and is be	and Oswego Avenue storage facility use fire station, the Coth of and adjacent the right-of-way, that the County grantely 10' wide by 20 peing granted to Figure 10' wide by 20	pon the complete pon the complete pon the complete points will about the site. The which will be not an easement 20' long, and complete plat no charge.	prated West Paraletion of the mendon a portion the proposed all relocated onto ahead of the all ontains 200 sf	on on Seminole Boulevard between Im Beach. The existing fire station lew Fire Station. As a part of the of the Saranac Avenue 40' right-of-bandonment will impact an existing the northeast corner of the property pandonment submittal. The easement of the property of the property. This is a perpetual non-exclusive rovide electrical services to County ment. (PREM) <u>District 3</u> (HJF)
June 16, 2009 (Reconsent which is rewill be brought to easement that lies	2-2009-0988). Up required in order to the Board by the in the center of the er lines to provide	on recordation move forward Land Develop ne property. T	of the easem with the aband ment Division his easement w	contract for the new Fire Station on ent, FPL will provide their written donment. A subsequent agenda item for the abandonment of a 2' utility will also allow for a transformer and are station which is on hold due to
	ation Map ty Easement Agree	ement		
Recommended B		partment Dire	JIF ector	3 18 10 Date
Approved By:	<u> </u>	ounty Adminis	trator	) / 9/(t

# II. FISCAL IMPACT ANALYSIS

Α.	Five Year Summary of	Fiscal Impact:				
Fisca	l Years	2010	2011	2012	2013	2014
Oper Extended Programmer Operation	tal Expenditures ating Costs rnal Revenues ram Income (County) ind Match (County					
NET	FISCAL IMPACT	*				
	DITIONAL FTE TIONS (Cumulative)	<del></del>				
Is Ite	m Included in Current B	udget: Yes	N	o		
Budg	et Account No: Fund	Program Dept		nit	Object	<del></del>
В.	<b>Recommended Sources</b>	of Funds/Sumr	nary of Fiscal	Impact:		
	No fiscal impact.					
C.	Departmental Fiscal Re	view:				
		III. <u>REVI</u> I	EW COMME	<u>NTS</u>		
<b>A.</b>	OFMB Fiscal and/or Co	ontract Develop	oment Comme	ents:		
	OPMB White	no lew mo	Contract Deve	J. Jacobi elopment and E. Jones 3/2	Control 5//2	5/10
В.	Legal Sufficiency:  3/Assistant County Attorne	29/10 ey				
C.	Other Department Revi	iew:				
	Department Director					

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

G:\PREM\AGENDA\2010\04-06\FS #24 - FPL EASEMENT.MJ.DOCX



LOCATION MAP

ATTACHMENT # !



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

PCN: 00-43-43-30-03-057-0240

#### 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 the 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 overhead and underground electric utility facilities, wires, poles, guys, cables, conduits and appurtenant equipment, including transformers (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, over 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:

Page 1 of 3

# 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 attach wires to any Facilities hereunder and 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	APPROVED AS TO TERMS AND CONDITIONS
By: Assistant County Attorney	By: Pat Anny Worf Department Director

G:\DEVELOPMENT\OPEN PROJECTS\FS #24 - WESTGATE\FPL EASEMENT\FPL OVERHEAD-UNDERGROUND.001 APPVD BJW 021010.DOCX

# Exhibit "A"

## Legal Description/Site Sketch

AN EASEMENT IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43 EAST, LYING IN LOT 30, BLOCK 57, AND IN THE RIGHT-OF-WAY OF SARANAC AVENUE, WEST GATE ESTATES (NORTHERN SECTION), RECORDED IN PLAT BOOK 8, PAGE 38, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, 10.00 FEET IN WIDTH, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGIN AT THE NORTHEAST CORNER OF SAID LOT 30; THENCE ALONG THE NORTH LINE OF SAID LOT 30, S90°00'00"W FOR 20.00 FEET TO THE END OF SAID CENTERLINE.

CONTAINING 200 SQUARE FEET, MORE OR LESS.

BEARING BASIS: S00°00'00"E ALONG THE CENTERLINE OF SEMINOLE BOULEVARD.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER.
REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON 2. Phillip 32.

### **ABBREVIATIONS**

O.R.B.— OFFICIAL RECORD BOOK P.B.— PLAT BOOK PBCo — PALM BEACH COUNTY P.O.B. — POINT OF BEGINNING R/W — RIGHT—OF—WAY

JOHN E. PHILLIPS III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4826
DATE: 12/30/19

# BROWN & PHILLIPS, INC. PROFESSIONAL SURVEYING SERVICES CERTIFICATE OF AUTHORIZATION # LB 6473 901 NORTHPOINT PKWY, SUITE 119, W.P.B. FLORIDA 33407 (561) 615–3988, (561) 615–3986 FAX

#### LEGAL DESCRIPTION

DRAWN: MB	PROJ. No. 08-017
	SCALE: NONE
WEST GATE FIRE STATION No.24	DATE: 12/7/09
STATION No.24	SHEET 1 OF 2

