

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	September 14, 2010	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:	Facilities Development & Operations		

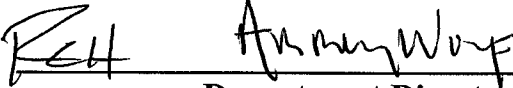
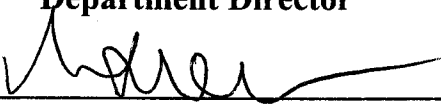
I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Utility Easement Agreement with Florida Power & Light Company (FPL) for additional electric service at the County’s Four Points Center in unincorporated West Palm Beach.

Summary: Four Points Center is located at the southeast corner of Southern Boulevard and South Military Trail in West Palm Beach. As part of the Phase 1 renovations of the Four Points Office Building, an existing easement needs to be extended in order to allow for the installation of a new transformer and removal and replacement of the old transformer with a splice box. All improvements are located underground with the exception of an above-ground transformer located on a concrete pad. The easement area is approximately 294 feet long, 10 feet wide, and contains a total of 2,946 square feet (0.07 acres). The easement is non-exclusive and is being granted to FPL at no charge as it provides additional electric service to County-owned facilities. (PREM) District 2 (HJF)

Background and Justification: The 16 +/- acre Four Points Center parcel was acquired in 1989. The Phase 1 renovations have been completed. Phase 2 is anticipated to be completed in February of 2011.

- Attachments:**
- 1. Location Map
 - 2. Utility Easement Agreement

Recommended By:		8/22/10
	Department Director	Date
Approved By:		9/1/10
	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><i># see below</i></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 _____

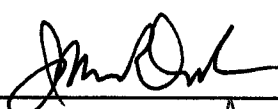
B. Recommended Sources of Funds/Summary of Fiscal Impact:

☒ No fiscal impact.

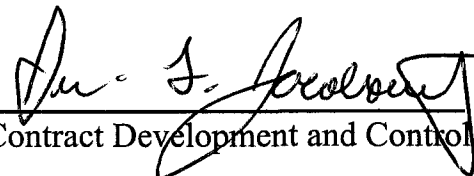
C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:



OFMB *8/31/10* *8/30/10*

 *8/31/10*

Contract Development and Control

B. Legal Sufficiency:

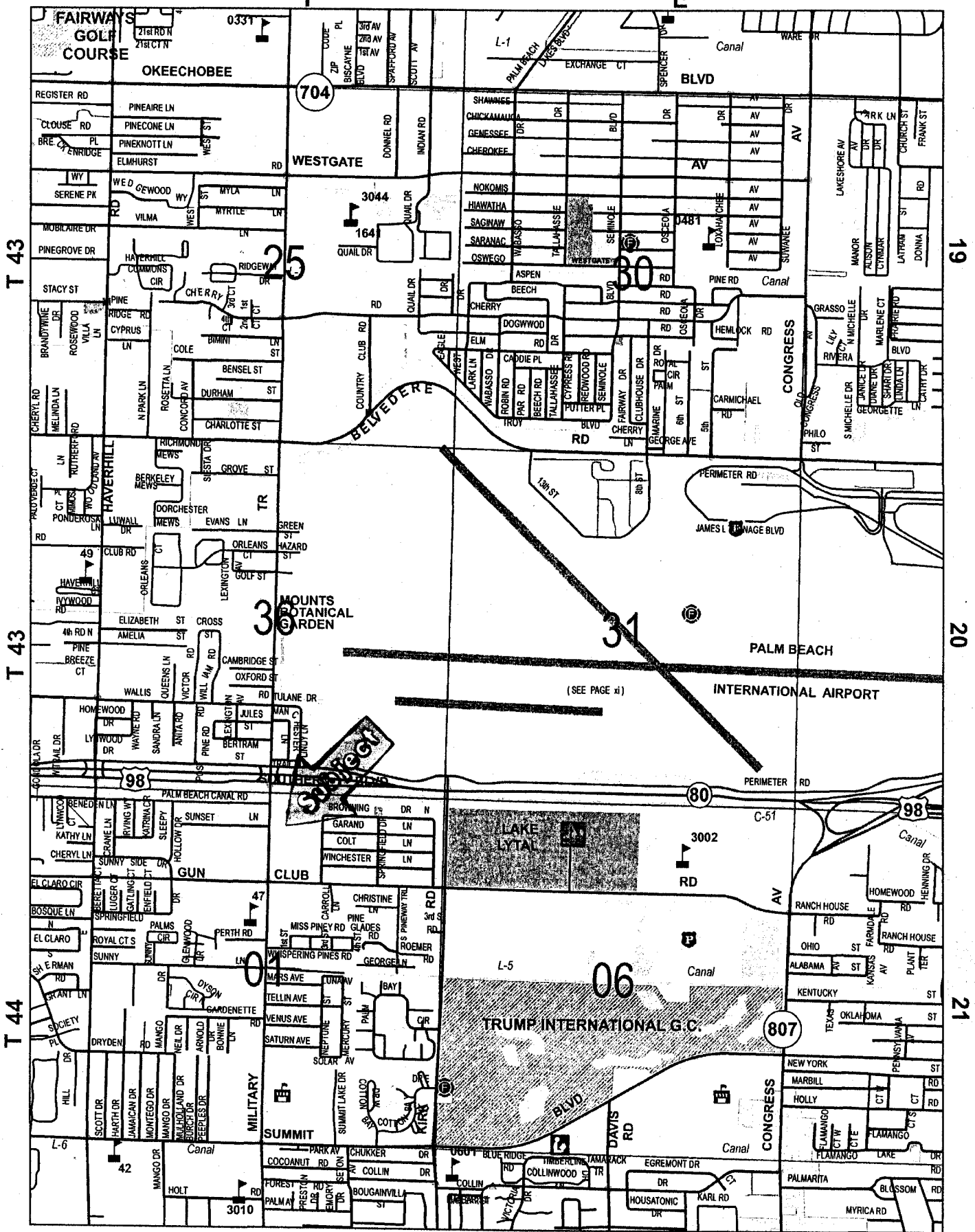


Assistant County Attorney *9/1/10*

C. Other Department Review:

Department Director

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



LOCATION MAP

ATTACHMENT # 1

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: 00-42-44-01-00-000-1270

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, 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 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

APPROVED AS TO TERMS AND
CONDITIONS

By: _____
Assistant County Attorney

By: *Ret. Amy Wolf*
Department Director

Description Sketch For: FOUR POINTS OFFICE BUILDING

DESCRIPTION: 10' WIDE FPL EASEMENT

EXHIBIT "A"

A strip of land, 10 feet in width, lying within the west one-half (W 1/2) of Tract 4, Block 1, Section 1, Township 44 South, Range 42 East, as depicted on PLAT No. 1, SHEET No. 1, PALM BEACH PLANTATIONS (MODEL LAND COMPANY) according to the plat thereof, as recorded in Plat Book 10, Page 20, Public Records of Palm Beach County, Florida, said 10 foot wide strip being more particularly described as follows:

COMMENCE at the southwest corner of the plat of GUN CLUB ESTATES as recorded in Plat Book 24, Page 189, Public Records of Palm Beach County, Florida; thence North 01°27'22" East along the west line of said plat (the west line of said plat of GUN CLUB ESTATES also being the east line of the west one-half (W 1/2) of said Tract 4 and is assumed to bear North 01°27'22" East and all other bearings are relative thereto) a distance of 592.11 to the "Point of Beginning" of an existing FPL Easement as described in Official Records Book 22720, Page 780, said Public Records; thence departing said west line, along the southerly limits of said existing FPL Easement, North 37°15'56" West a distance of 28.86 feet; thence continue along said southerly existing easement limits North 88°20'57" West a distance of 107.69 feet to the **POINT OF BEGINNING** of the following described 10 foot wide strip of land; thence continue along the southerly limits of said existing FPL Easement through the following three (3) courses; North 88°20'57" West a distance of 1.34 feet; thence South 01°39'03" West a distance of 1.09 feet; thence North 88°20'57" West a distance of 11.75 feet; thence departing said southerly limits, South 43°33'56" East a distance of 13.87 feet; thence South 01°26'04" West a distance of 196.46 feet; thence North 88°30'53" West a distance of 47.71 feet; thence North 01°29'07" East a distance of 3.25 feet; thence North 88°30'53" West a distance of 16.50 feet; thence South 01°29'07" West a distance of 16.50 feet; thence South 88°30'53" East a distance of 16.50 feet; thence North 01°29'07" East a distance of 3.25 feet; thence South 88°30'53" East a distance of 57.72 feet; thence North 01°26'04" East a distance of 210.61 feet; thence North 43°33'56" West a distance of 9.48 feet to the southerly limits of said existing FPL Easement and the **POINT OF BEGINNING**.

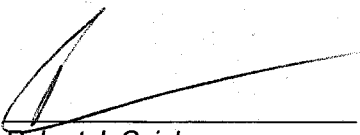
Containing in all 2,946 square feet, more or less.

NOTES:

- 1. No title policy or commitment affecting title or boundary to the subject property has been provided. It is possible there are deeds and easements, recorded or unrecorded, which could affect the subject property. No search of the Public Records has been made by this office.
- 2. This sketch is not valid unless sealed with an embossed surveyor's seal and accompanied by Sheet No. 2 of 2.
- 3. This sketch cannot be transferred or assigned without the specific written permission of **Wallace Surveying Corporation**.
- 4. This is not a survey!

CERTIFICATION:

I **HEREBY ATTEST** that the description sketch shown hereon meets the minimum technical standards set forth by the Florida Board of Land Surveyors and Mappers pursuant to sections 472.027, Florida Statutes, and adopted in Chapter 5J-17, Florida Administrative Code, effective September 1, 1981.



Robert J. Cajal
Professional Surveyor and Mapper
Florida Certificate No. 6266

REVISIONS: 7/29/10, ADD LABELS & P.R.M. TO LEGEND, R.C.
REVISIONS: 3/26/10, MODIFY EASEMENT TO ACCOMMODATE 5' CLEARANCE
AROUND TRANSFORMER PAD, R.C.



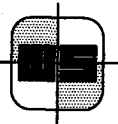
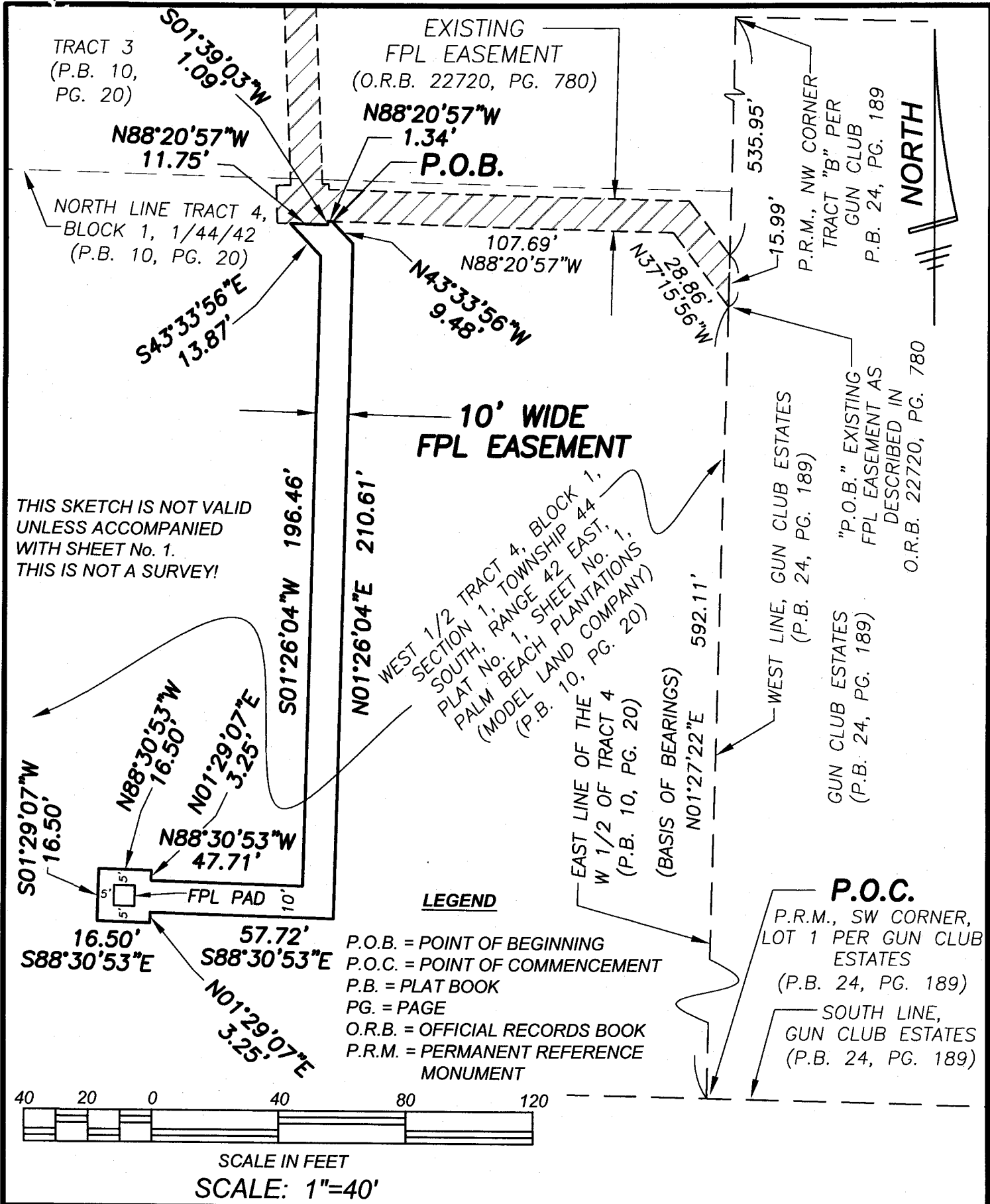
WALLACE

SURVEYING

CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 3/12/10	DWG. No.: 09-1064
OFFICE: R.C.	SHEET: 1 OF 2
C'K'D.: R.C.	REF.: 09-1064.DWG



WALLACE SURVEYING
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 3/12/10	DWG. No.: 09-1064
OFFICE: R.C.	SHEET: 2 OF 2
C'K'D.: R.C.	REF.: 09-1064.DWG