

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>0</u> <i>* see below</i>	_____	_____	_____	_____
# 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~~ No fiscal impact.

C. Departmental Fiscal Review: _____

2.6.12
[Signature]

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

<p>_____ OFMB</p> <p><i>[Signature]</i> 2/17/2012 2/16/12</p>	<p>_____ Contract Development and Control 201-12 B. Wheeler</p> <p><i>[Signature]</i> 2/21/12</p>
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B. Legal Sufficiency:

Assistant County Attorney

[Signature] 2/23/12

C. Other Department Review:

Department Director

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

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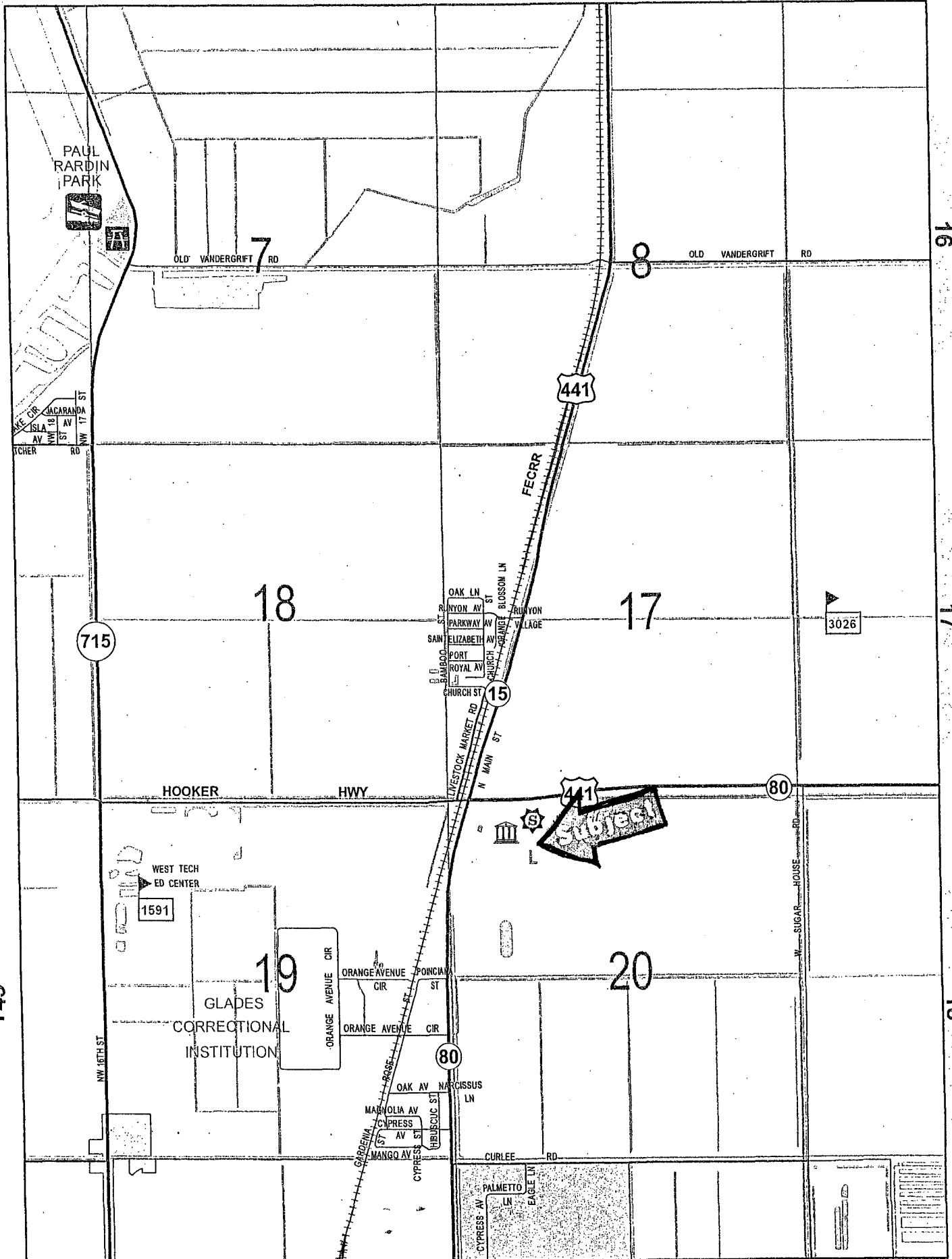
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LOCATION MAP



PREPARED BY AND RETURN TO:
Margaret Jackson, Real Estate Specialist
Palm Beach County
Property & Real Estate Management Division
2633 Vista Parkway
West Palm Beach, FL 33411-5605

Property Control Number: 00-37-43-20-00-000-3010

UTILITY EASEMENT AGREEMENT

This EASEMENT, 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 **BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T Florida**, a Georgia corporation authorized to do business in Florida, whose legal mailing address is c/o Engineering, 2021 S. Military Trail, West Palm Beach, Florida 33415- 6440 ("Grantee").

WITNESSETH:

That Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto Grantee, its successors and assigns, a perpetual non-exclusive Easement (the "Easement") for the construction, operation and maintenance of communications facilities to be installed below-ground (with the exception of surface-mounted communications cabinets which may be installed above-ground) as necessary from time to time with the right to reconstruct, improve, add to, enlarge, change 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:

**See Legal Description/Site Sketch marked Exhibit "A"
Attached Hereto and Made a Part Hereof**

Together with the right of reasonable ingress and egress to said Easement Premises at all times and the right but not the obligation to clear the land and keep it cleared of all trees, undergrowth and other obstructions 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. Overhead lines and poles are not permitted.
2. Grantee hereby expressly agrees that in the event that Grantee permanently ceases to use the Easement Premises for the purpose herein expressed, at the written request of the Grantor, Grantee shall execute and deliver to the Grantor a release of this Easement within 30 calendar days of receipt of Grantor's written request, which Grantor shall forward to Grantee at the above address with a copy to AT&T Florida Legal Department, Attention: Network Attorney, 150 W. Flagler Street, Suite 1910, Miami, Florida 33130-1534.
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.
5. By exercise of the rights granted to Grantee by this instrument, Grantee acknowledges and agrees that the conditions and restrictions imposed herein shall bind and be enforceable against Grantee, its successors and assigns to the same extent as if such party had physically executed this instrument.

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:

COUNTY

SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Shelley Vana, Chair

Signed and delivered
in the presence of:

Witness Signature

Print Witness Name

Witness Signature

Print Witness Name

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 
Assistant County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

By: 
Department Director

Exhibit 'A'

LEGAL DESCRIPTION

AT&T UTILITY EASEMENT

A PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 43 SOUTH, RANGE 37 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NORTHWEST CORNER OF SAID SECTION 20, RUN S89°51'25"E ALONG THE NORTH LINE OF SAID SECTION 20 FOR A DISTANCE OF 389.36 FEET; THENCE S16°32'58"W ALONG THE EAST RIGHT OF WAY LINE, AND THE NORTHERLY EXTENSION THEREOF, OF STATE ROAD 15 AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 93130-2505, FOR A DISTANCE OF 521.14 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG THE ARC OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 5669.58 FEET, THROUGH A CENTRAL ANGLE OF 01°16'45" FOR A DISTANCE OF 126.57 FEET TO THE POINT OF BEGINNING; THENCE S74°43'47"E ALONG A LINE RADIAL TO SAID CURVE FOR A DISTANCE OF 31.00 FEET; THENCE S15°03'29"W FOR A DISTANCE OF 42.00 FEET; THENCE N74°43'47"W FOR A DISTANCE OF 31.00 FEET TO A POINT ON SAID EAST RIGHT OF WAY LINE, FROM WHICH A RADIAL LINE BEARS N75°09'15"W; THENCE NORTHERLY ALONG THE ARC OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 5669.58 FEET, THROUGH A CENTRAL ANGLE OF 00°25'28" FOR A DISTANCE OF 42.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1303 SQUARE FEET, MORE OR LESS.

BEARINGS ARE BASED ON THE ASSUMPTION THAT THE NORTH LINE OF SECTION 20-43-37 BEARS S89°51'25"E AND ALL OTHER BEARINGS ARE RELATIVE THERETO.

DWG # 0303511SK-A 1 OF 2

CERTIFICATION:

I HEREBY CERTIFY THAT I MADE THIS SKETCH OF DESCRIPTION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY



DATE: 10/20/11

ROBERT A. BUGGEE, PROFESSIONAL SURVEYOR AND MAPPER NO. 3302, STATE OF FLORIDA
233 E. GATEWAY BLVD., BOYNTON BEACH, FLORIDA, 33435

PREPARED BY:

Bob Buggee, Inc.
the "SURVEYOR"

561-732-7877

SHEET 1 OF 2

Exhibit 'A'

SKETCH OF DESCRIPTION

THIS IS NOT A SURVEY

