

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: March 20, 2012 Consent [X] Regular []
Public Hearing []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a non-standard Utility Easement from South Florida Water Management District (District).

Summary: The Utility Easement is necessary for access and maintenance purposes for a relocated water main on the property located at 3301 Gun Club Road (Property). Recent improvements to the Property required that a portion of a water main be relocated, for which a utility easement is required. The District requested a modification to the Water Utilities Department (Department) standard utility easement in regard to the relocated pipe, as the District is unable to warrant title pursuant to Section 373.099, Florida Statutes. This change is acceptable to the Department and the County Attorney's Office. There is no cost to the County for acquisition of this easement. District 2 (MJ)

Background and Justification: The standard utility easement contained within the Department's Uniform Policies and Procedures Manual may be accepted by the Department. However, changes to the standard form require Board of County Commissioners approval.

Attachments:

1. Location Map
 2. One (1) Original Utility Easement
-

Recommended By: *Bruce Beaman* 2/27/12
Department Director Date

Approved By: *Sharon G. Grepe* 3-8-12
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u>0</u> <i>+ see below</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Budget Account No.:	Fund _____	Dept _____	Unit _____	Object _____	

Is Item Included in Current Budget? Yes ___ No ___

Reporting Category N/A

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

** No Fiscal Impact*

C. Department Fiscal Review: *Delora M. West*

III. REVIEW COMMENTS

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

<p><i>[Signature]</i> _____ OFMB <i>2/28/12</i></p>	<p><i>[Signature]</i> _____ Contract Development and Control <i>3-6-12 [Signature]</i></p>
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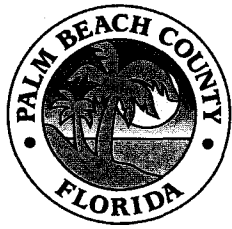
B. Legal Sufficiency:

[Signature]

 Assistant County Attorney
3/8/12

C. Other Department Review:

 Department Director



**Palm Beach County
Water Utilities
Department
Service Area (SA) and
Major Facilities**

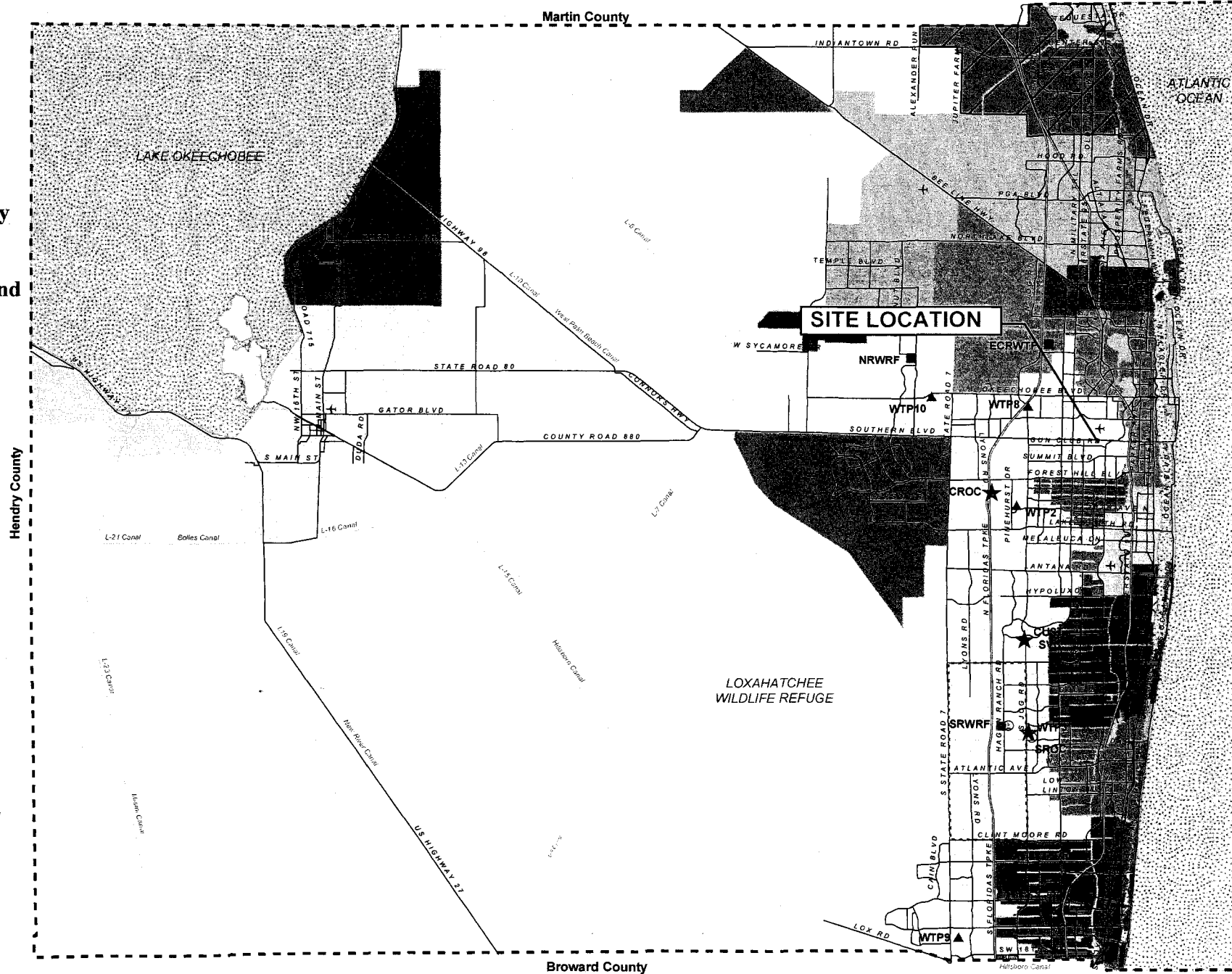
Attachment 1

Legend

- P.B.C.W.U.D. SA
- Mandatory Reclaimed SA
- - - Palm Beach County Limits
- ★ Administration
- Water Reclamation Facility
- ▲ Water Treatment Facility
- ⊙ Wetlands



NOT TO SCALE



Prepared by and Return to:
Palm Beach County Water Utilities Department
P.O. Box 16097 Attn: Engineering Div.
West Palm Beach, Florida 33416-6097

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this 12 day of January, 2012, by the **South Florida Water Management District, a government entity created by Chapter 373, Florida Statutes** (hereinafter referred to as "Grantor"), whose address is Post office Box 24680, West Palm Beach, Florida 33416, to Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, P.O. Box 16097, West Palm Beach, Florida 33416-6097.

WITNESSETH

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the Grantee and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to the Grantee, its successors and assigns, a perpetual utility easement which shall permit Grantee authority to enter upon the property of the Grantor at any time to install, operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect potable water, reclaimed water and/or wastewater lines and appurtenant facilities and equipment in, on, over, under and across the easement premises. This utility easement or portion thereof can also be utilized for a wastewater pump station and may be fenced in for access control purposes. The easement hereby granted covers a strip of land lying, situate and being in Palm Beach County, Florida, and being more particularly described as follows:

SEE EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and affixed its seal as of the date first above written.



GRANTOR:
South Florida Water Management District, by its
Governing Board

By: Joe Collins
Joe Collins, Chairman

Attest:

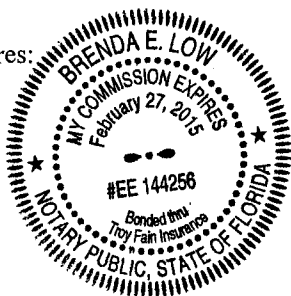
By: Jacki McGorty
Jacki McGorty, District Clerk

NOTARY CERTIFICATE

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me this 12 day of January, 2012 by Joe Collins, Chairman and Jacki McGorty, District Clerk, respectively, of the Governing Board of the South Florida Water Management District who is/are personally known to me or who has produced _____ as identification.

My Commission Expires:



Brenda E. Low
Notary Signature

Brenda E. Low
Typed, Printed or Stamped Name of Notary

Accepted by Palm Beach County:

ATTEST:
SHARON R. BOCK, CLERK &
COMPTROLLER

PALM BEACH COUNTY, BY ITS
BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk


By: _____
Shelley Vana, Chair

(SEAL)

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: _____
County Attorney

By:  _____
Director of Water Utilities

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD BY THIS FIRM.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO A BEARING OF NORTH 88°47'38" WEST ALONG THE NORTH LINE OF S.F.W.M.D. GUN CLUB ROAD PLAT AS RECORDED IN PLAT BOOK 82 AT PAGES 195 AND 196 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.

DESCRIPTION:

A PARCEL OF LAND SITUATE IN S.F.W.M.D. GUN CLUB ROAD PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 82 AT PAGES 195 AND 196 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID S.F.W.M.D. GUN CLUB ROAD PLAT; THENCE NORTH 88°47'38" WEST ALONG THE NORTH LINE OF SAID PLAT, A DISTANCE OF 330.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88°47'38" WEST, A DISTANCE OF 73.05 FEET; THENCE SOUTH 01°18'01" EAST ALONG THE BOUNDARY OF TRACT No. GN-100-003 AS RECORDED IN OFFICIAL RECORDS BOOK 12652 AT PAGE 1597 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 17.36 FEET; THENCE NORTH 89°47'03" EAST, A DISTANCE OF 6.26 FEET; THENCE SOUTH 00°12'57" EAST, A DISTANCE OF 1.01 FEET; THENCE SOUTH 89°31'30" EAST, A DISTANCE OF 46.01 FEET; THENCE SOUTH 00°17'11" WEST, A DISTANCE OF 36.05 FEET TO A POINT ON THE BOUNDARY OF SAID TRACT No. GN-100-003; THENCE NORTH 88°41'59" EAST ALONG THE BOUNDARY OF SAID TRACT No. GN-100-003, A DISTANCE OF 20.01 FEET; THENCE NORTH 00°17'11" EAST, A DISTANCE OF 32.78 FEET; THENCE SOUTH 88°47'38" EAST, A DISTANCE OF 0.84 FEET TO A POINT ON THE BOUNDARY OF SAID TRACT No. GN-100-003; THENCE NORTH 01°18'01" WEST ALONG THE BOUNDARY OF SAID TRACT No. GN-100-003, A DISTANCE OF 20.02 FEET TO A POINT ON THE NORTH LINE OF SAID PLAT, SAID POINT ALSO BEING THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING, AND BEING IN PALM BEACH COUNTY, FLORIDA.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS AND RIGHTS-OF-WAY OF RECORD.

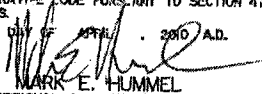
REVIEWED & APPROVED
 PALM BEACH COUNTY WATER UTILITIES DEPT.
JUN 21 2010
 Date

SEE SHEET 2 OF 2 FOR SKETCH

SKETCH OF DESCRIPTION

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN SECTION No. SJ-17.002, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

DATED THIS 2nd DAY OF June, 2010 A.D.


MARK E. HUMMEL
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA REGISTRATION No. 5201
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

CERTIFIED TO:

PALM BEACH COUNTY WATER UTILITIES



SURVEYING & MAPPING
 3D LASER SCANNING
 GIS • CONSULTING
 10143 Fool Road
 Lake Worth, Florida 33449
 561.514.8168 Fax: 561.514.8884
 Certificate of Authorization L.B. 7534
 www.applied-mapping.com

6/10/10	REVISED PER COMMENTS	APZ	MEH
DATE	REVISIONS	DWN	DR
DRAWN BY: APZ		CHECKED BY: MEH	

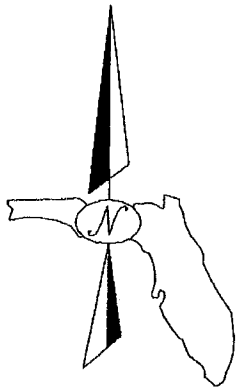
PROJECT No.
09-137

DRAWING NAME
09-137SKOD

ABBREVIATIONS:

O.R.B. - OFFICIAL RECORDS BOOK

S.F.W.M.D. - SOUTH FLORIDA WATER MANAGEMENT DISTRICT

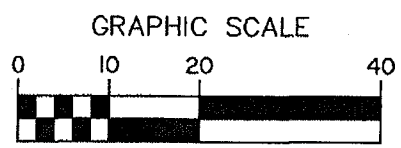
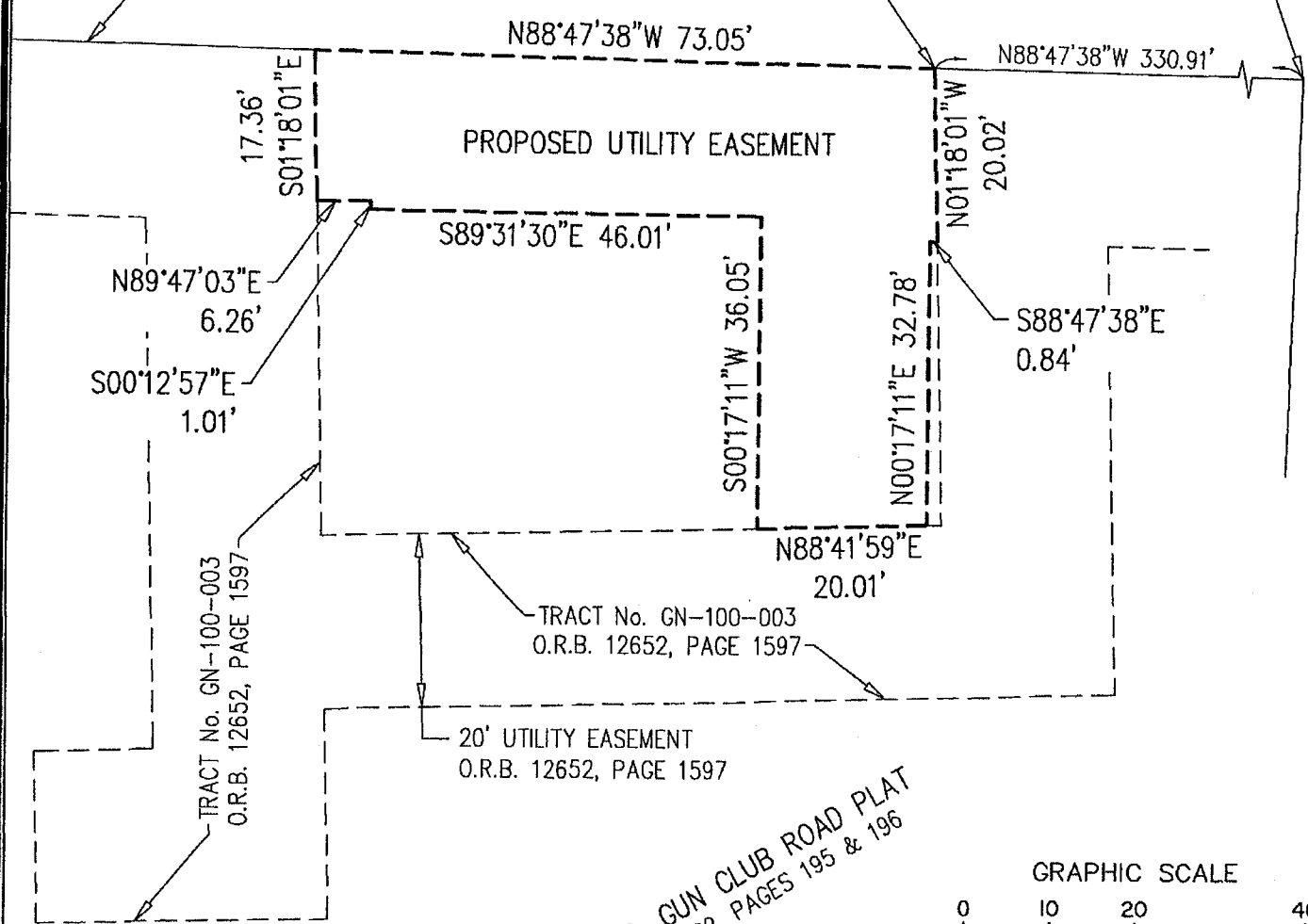


WEST PALM BEACH CANAL (C-51)
OFFICIAL RECORDS BOOK 1008, PAGE 643

POINT OF COMMENCEMENT
NORTHEAST CORNER
S.F.W.M.D. GUN CLUB ROAD PLAT
PLAT BOOK 82, PAGES 195 & 196

NORTH LINE
S.F.W.M.D. GUN CLUB ROAD PLAT
PLAT BOOK 82, PAGES 195 & 196

POINT OF BEGINNING



(IN FEET)
1 INCH = 20 FEET

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

APPLIED MAPPING SOLUTIONS

SURVEYING & MAPPING
3D LASER SCANNING
GIS • CONSULTING

10143 Foal Road
Lake Worth, Florida 33449
561.514.8188 Fax: 561.514.8884
Certificate of Authorization L.B. 7534
www.applied-mapping.com

SKETCH OF DESCRIPTION

PROJECT No.
09-137

DRAWING NAME
09-137SKOD

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