

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	April 2, 2013	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:	Facilities Development & Operations		

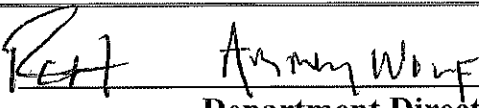

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Utility Easement Agreement in favor of Florida Power & Light Company (FPL) for underground electrical service within the County’s Central Detention Center (Stockade) in unincorporated West Palm Beach.

Summary: As part of the infrastructure improvements for the future expansion of the Stockade property, FPL requires an easement. The infrastructure improvements and demolition of existing buildings require that the FPL power service for the area be re-routed. The easement includes two 10’ easement areas being approximately 1,232.30’ and 1,661.89’ in length. The combined easement area total is approximately 2,894.19 sq. ft. (0.07 acres). There are three FPL easements located on this site that will no longer be needed as a result of the granting of this easement. FPL is processing releases for these particular easement areas. This non-exclusive easement is being granted at no charge as it will benefit the Stockade facilities. (PREM) District 6 (HJF)

Background and Justification: The infrastructure improvements for the Stockade have recently been completed. The easement will provide service to the existing buildings and the future expansion.

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

Recommended By:		3/5/13
	Department Director	Date
Approved By:		3/19/13
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>0</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

Contract Development and Control

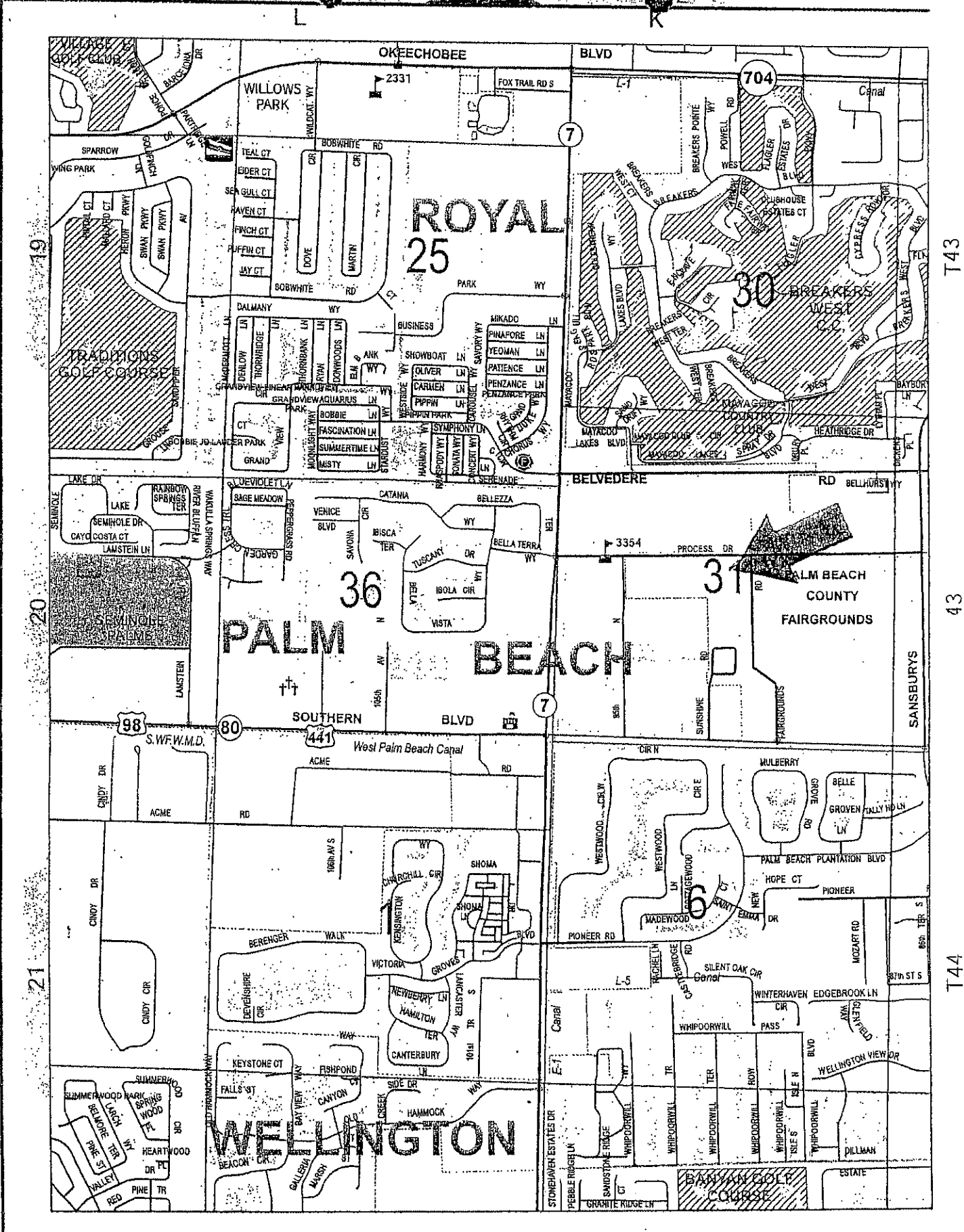
B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

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



LOCATION MAP

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

PCN: 00-42-43-31-14-001-0000

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 consideration 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" and Exhibit "B"
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.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

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: _____
Steven L. Abrams, Chairman

Signed and delivered
in the presence of:

Witness Signature

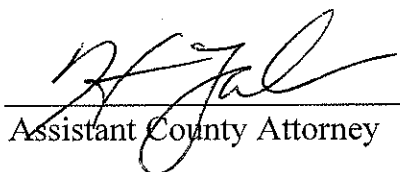
Print Witness Name

Witness Signature

Print Witness Name

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: 
Assistant County Attorney

By: 
Department Director

PALM BEACH COUNTY STOCKADE
FPL EASEMENT – EXHIBIT A

AN EASEMENT FOR FPL PURPOSES IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING IN THE PLAT OF THE PALM BEACH COUNTY STOCKADE, RECORDED IN PLAT BOOK 114, PAGE 78, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, 10.00 FEET IN WIDTH, AND LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE NORTHEAST CORNER OF SAID PLAT;
THENCE ALONG THE NORTH BOUNDARY OF SAID PLAT, S89°01'09"W FOR 668.00 FEET TO THE POINT OF BEGINNING;
THENCE S03°00'00"W FOR 121.33 FEET TO POINT A;
THENCE CONTINUE S03°00'00"W FOR 53.67 FEET; THENCE S00°20'00"E FOR 176.00 FEET;
THENCE S89°30'00"W FOR 228.00 FEET; THENCE S02°30'00"W FOR 129.00 FEET;
THENCE S00°30'00"E FOR 126.00 FEET; THENCE N89°30'00"E FOR 217.00 FEET;
THENCE S00°30'00"E FOR 34.20 FEET TO THE BOUNDARY OF SAID PLAT AND THE END OF SAID CENTERLINE.

AND

BEGIN AT SAID POINT A;
THENCE N89°00'00"E FOR 152.11 FEET TO THE END OF SAID CENTERLINE.

CONTAINING 12,323 SQUARE FEET, MORE OR LESS.

NOTES:

- 1) BEARING BASIS: S89°01'09"W (GRID, NAD 83, 1990 ADJUSTMENT) ALONG THE NORTH BOUNDARY OF THE PLAT OF THE PALM BEACH COUNTY STOCKADE.
- 2) THIS DESCRIPTION IS BASED ON AN "ELECTRICAL AS-BUILT PLAN", SHEET NUMBER PH1-E003, PALM BEACH COUNTY JAIL EXPANSION II, FURNISHED BY FPL.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

- 3) STATE PLANE COORDINATES:
 - A. COORDINATES SHOWN ARE GRID
 - B. DATUM – NAD 83, 1990 ADJUSTMENT
 - C. ZONE – FLORIDA EAST
 - D. LINEAR UNIT – US SURVEY FOOT
 - E. COORDINATE SYSTEM 1983 STATE PLANE
 - F. TRANSVERSE MERCATOR PROJECTION
 - G. ALL DISTANCES ARE GROUND
 - H. SCALE FACTOR – 1.0000203
 - I. GROUND DISTANCE x SCALE FACTOR = GRID DISTANCE
 - J. ROTATION EQUATION: NONE

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.

JOHN E. PHILLIPS III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4826
DATE: 2/13/13

BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE RD, SUITE 509, W.P.B., FL 33409
(561) 615-3988, (561) 615-3991 FAX

PALM BEACH COUNTY STOCKADE
FPL EASEMENT – EXHIBIT A

PROJ. No. 12-055

DRAWN: MB

LEGAL DESCRIPTION

SCALE: 1" = 50'

DATE: 2/11/13

SHEET 1 OF 2

PALM BEACH COUNTY STOCKADE
FPL EASEMENT – EXHIBIT B

AN EASEMENT FOR FPL PURPOSES IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING IN THE PLAT OF THE PALM BEACH COUNTY STOCKADE, RECORDED IN PLAT BOOK 114, PAGE 78, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, 10.00 FEET IN WIDTH, AND LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE NORTHEAST CORNER OF SAID PLAT; THENCE ALONG THE NORTH BOUNDARY OF SAID PLAT, S89°01'09"W FOR 15.00 FEET TO THE POINT OF BEGINNING;

THENCE S00°59'30"E FOR 539.00 FEET; THENCE S89°00'30"W FOR 42.00 FEET;
THENCE S00°59'30"E FOR 199.50 FEET; THENCE S89°00'30"W FOR 74.00 FEET;
THENCE S07°00'00"W FOR 94.00 FEET; THENCE S90°00'00"W FOR 48.00 FEET;
THENCE S07°00'00"W FOR 18.50 FEET; THENCE S76°00'00"W FOR 33.00 FEET;
THENCE S83°00'00"W FOR 45.00 FEET TO POINT "A"; THENCE S00°59'30"E FOR 135.00 FEET;
THENCE S86°00'00"W FOR 143.00 FEET; THENCE S90°00'00"W FOR 194.00 FEET;
THENCE N87°00'00"W FOR 51.89 FEET TO THE BOUNDARY OF SAID PLAT
AND THE END OF SAID CENTERLINE.

CONTAINING 16,169 SQUARE FEET, MORE OR LESS.

AND

BEGIN AT SAID POINT "A";
THENCE S83°00'00"W FOR 45.00 FEET TO THE END OF SAID CENTERLINE.

CONTAINING 450 SQUARE FEET, MORE OR LESS.

NOTES:

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JOHN E. PHILLIPS III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4826
DATE: 12/18/12

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PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
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(561) 615-3988, (561) 615-3991 FAX

PALM BEACH COUNTY STOCKADE
FPL EASEMENT – EXHIBIT B

PROJ. No. 12-055

DRAWN: MB

LEGAL DESCRIPTION

SCALE: 1" = 50'

DATE: 12/6/12

SHEET 1 OF 2

