Agenda Item #3K-1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:

October 7, 2014

Consent [X] Public Hearing []

Regular []

Department:

Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to accept: (A) Utility Easement from the Pahokee Housing Authority, Inc. for Padgett Island; **(B)** Utility Easement from the Pahokee Housing Authority for Fremd Village.

Summary: These Utility Easements are necessary for the Palm Beach County Water Utilities Department to access and maintain newly constructed/upgraded wastewater facilities that serve the housing communities of Padgett Island and Fremd Village, owned and managed by the Pahokee Housing Authority, Inc. (PHA). The PHA has requested certain changes to the County's Standard Utility Easement requiring that the County use reasonable care while utilizing the easements. The Department concurs with the changes to the Utility Easements provided by the PHA. There is no cost to the County for acquisition of these easements. <u>District 6</u> (MJ)

Background and Justification: The lift stations and wastewater transmission systems serving the housing communities of Padgett Island and Fremd Village have been replaced/upgraded and ownership of these facilities have been transferred from the PHA to the Water Utilities Department for maintenance responsibility. The property owner is granting a perpetual easement to the County, as described in the attached sketches and legal documents, to allow access and maintenance activities.

Attachments:

- 1. Location Map
- 2. Two (2) Original Utility Easement-Padgett Island
- 3. Two (2) Original Utility Easement-Fremd Village

Recommended By:

Department Director

Dato

Approved By:

Assistant County Administrator

Ďate

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures External Revenues Operating Expenses In-Kind Match County	<u>0</u> <u>0</u> <u>0</u>	<u>o</u> <u>o</u> <u>o</u>	<u>0</u> <u>0</u> <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u>	<u>0</u> <u>0</u> <u>0</u>
NET FISCAL IMPACT	<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					
B. Recommended Sources of Funds/Summary of Fiscal Impact:					
No Fiscal Impact					
C. Department Fiscal Review:					

III. REVIEW COMMENTS

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

9/18 (1) OFMB

Contract Development and Control

B. Legal sufficiency:

C. Other Department Review:

Department Director

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



★ Administration

WIF Water Treatment Plant

Reclamation Facility

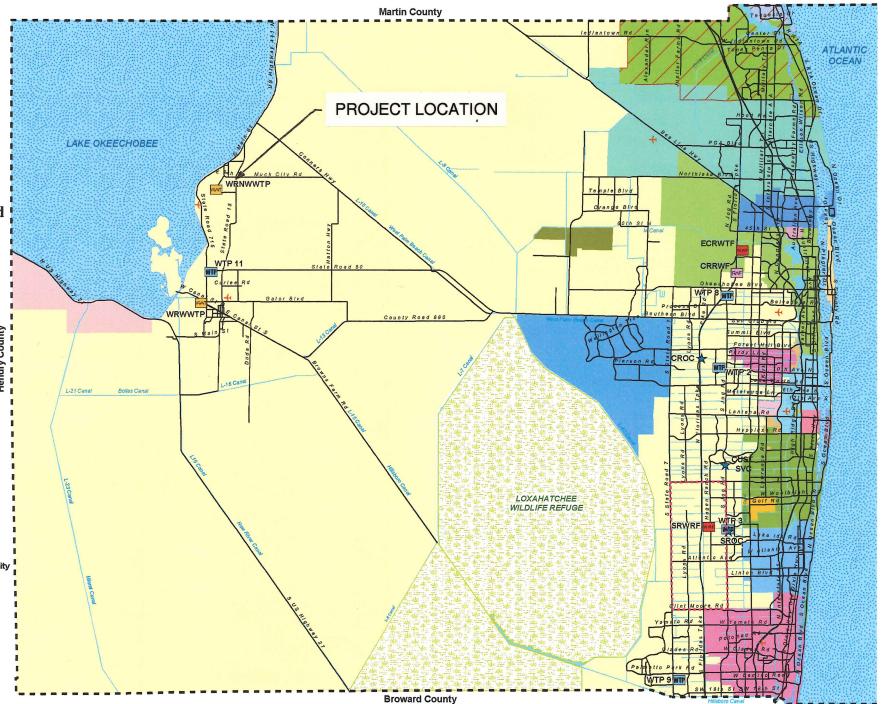
Wastewater Reclamation Facility

Wastewater Treatment Plant

•••• Mandatory Reclaimed SA

Palm Beach County Limits
 P.B.C.W.U.D. Service Area





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

UTILITY EASEMENTS

THESE EASEMENTS are made, granted and entered into 19th day of politic established pursuant to Chapter 421 of the Florida Statutes (hereinafter referred to as "Grantor"), whose address is 465 Friend Terrace, Pahokee, Florida 33476, to Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, 8100 Forest Hill Boulevard, West Palm Beach, Florida 33413.

WITNESSETH

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by Grantee and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to Grantee, its successors and assigns, perpetual utility easements which shall permit Grantee authority to enter upon the Easement Property (as defined below) of 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 Property (the "Activities"). Grantee shall maintain, in a reasonable manner, the potable water, reclaimed water and/or wastewater lines and appurtenant facilities and equipment in, on, over, under and across the Easement Property, and Grantee shall use reasonable care in performing the Activities. These utility easements or portions thereof can also be utilized for a wastewater pump station and may be fenced in by Grantee for access control purposes. The easements hereby granted cover 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 APART HEREOF (the "Easement Property")

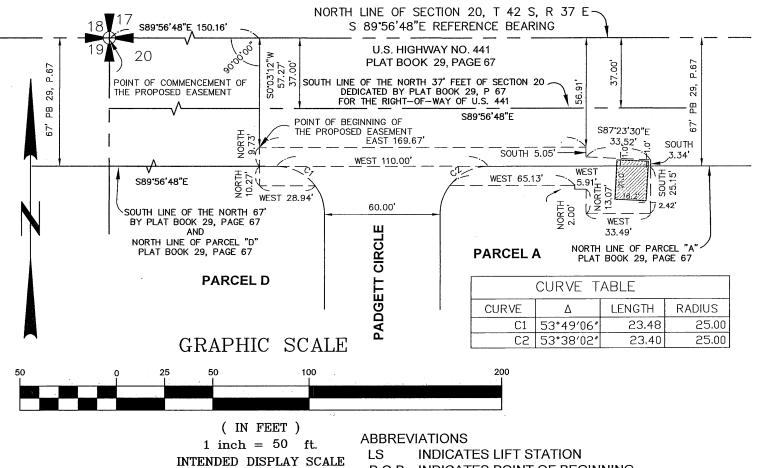
Grantor hereby covenants with Grantee that it is lawfully seized and in possession of the Easement Property and that it has good and lawful right to grant the aforesaid easements free and clear of mortgages and encumbrances other than those set forth on Exhibit "B" unless specifically stated to the contrary.

Wiltedi.	
WITNESSES:	GRANTOR:
Signed and delivered in presence of:	PAHOKEE HOUSING AUTHORITY, INC., a public body corporate and politic
	established pursuant to Chapter 421 of the
	Florida Statutes
(Crushold Alphan	By tolla ()
Witness Signature	Julia Hale, Executive Director
EMBORY DELPSTATION	V
Print Name	
Witness Signature	
STRAM VOLINENT)
Print Name	CERTIFICATE ELEANOR J. JOHNSON-BABB Notary Public - State of Florida
	CERTIFICATE My Comm. Expires Aug 14, 2016 Commission # EE 194922
STATE OF Tlonda	Bonded Through National Notary Assn.
COUNTY OF Lalm Beach	
	vledged before me this 19h day of Mouch,
2014 by Julia Hale, as Executive Director of F	Pahokee Housing Authority, Inc., a public body corporate
and politic established pursuant to Chapter	421 of the Florida Statutes, who is personally known to
me or has produceda	s identification.
My Commission Expires: Www. 142016	Eleany Johnson-Bubb
ivis commission Expires.	Signature of Notary
	Cleanor J. Johnson Babb
	Typed, Printed or Stamped Name of Notary

IN WITNESS WHEREOF, Grantor has hereunto set its hand as of the date first above

Accepted by Palm Beach County:	
ATTEST:	
SHARON R. BOCK, CLERK & COMPTROLLER	PALM BEACH COUNTY, BY ITS BOARD OF COUNTY COMMISSIONERS
By: Deputy Clerk	By: Priscilla A. Taylor, Mayor
SEAL)	
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
By: County Attorney	By: July June Diffector of Water Utilities

E:\PAHOKEE HA\PADGETT ISLAND\COUNTY DOCUMENTS\03-11-14\Utility Easement JVC.doc



P.O.B. INDICATES POINT OF BEGINNING
P.O.C. INDICATES POINT OF COMMENCEMENT

P.R.M. INDICATES PERMANENT REFERENCE MONUMENT

Ψ INDICATES CENTERLINEΔ INDICATES CENTRAL ANGLE

R INDICATES RADIUS

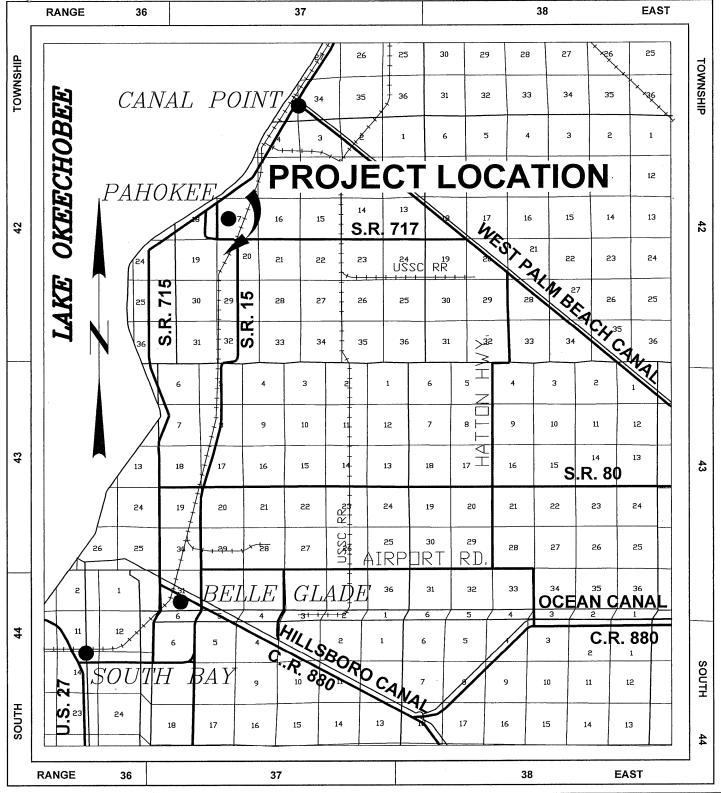
L INDICATES ARC LENGTH

P.B. INDICATES PLAT BOOK P. INDICATES PAGE

SHEETS 2 AND 3 OF 3 SHEETS ATTACHED HERETO AND MADE A PART HEREOF

REVISIONS TO EXCLUDE RIGHT-OF-WAY OF PADGETT CIRCLE 2-11-14

GENERAL REVISION	ONS 12-5-13			
SKETCH OF DESCRIPTION FOR: PAHOKEE HOUSING AUTHORITY - PADGETT ISLAND				
PAHOKEE			FLORIDA	
1"=50'	PAG SURVEYORS, INC. L.B. 3411	10-15-13	Sheet 1	
Note Book		Work Order No.	OF	
20-42-37-150	1016 Southeast 4th Street - Phone (561) 996-6615		Ol	
No. Page	Belle Glade, Fi 33430-4330	13-1-146R	_3_	



	DESCRIPTION FOR: USING AUTHORITY - PADGETT ISLAND		
PAHOKEE			FLORIDA
Scale 4.33"= 1 MILE	PAG SURVEYORS, INC. L.B. 3411	Date 10-15-13	Sheet 2
Note Book 20-42-37-150 No. Page	1016 Southeast 4տ Street - Phone (561) 996-6615 Belle Glade, Fl 33430-4330	Work Order No. 13—1—146R	OF 3

PAG SURVEYORS, INC. PAG SURVEYORS, INC. CERTIFICATE OF AUTHORIZATION NO. LB 3411

1016 SOUTHEAST 4TH STREET

SKETCH OF DESCRIPTION FOR AND CERTIFIED TO: PAHOKEE HOUSING AUTHORITY, PADGETT ISLAND, SANITARY SEWER LIFT STATION DESCRIPTION OF EASEMENT

WORK ORDER No. 13146

BELLE GLADE, FL 33430-4330

This Easement description was prepared according to the following sources:

The Boundary and Roadway Plat as recorded in Plat Book 29, Page 67 of the Public Records of Palm Beach County, Florida.

- The plat of the Subdivision of Section 20, Township 42 South, Range 37 East as recorded in Plat Book 7, Page 2 of the Public Records of Palm Beach County, Florida,
- Section 20 Road, Specific Purpose Survey, by Palm Beach County Project 97050-301 Drawing No. S-3-97-1182
- 4. Lift Station Replacement Project, Project#: CFP#FL14P02150109-C, and Record Drawing by Apogee Services Inc.

DESCRIPTION WAS PREPARED WITHOUT A TITLE SEARCH OR ABSTRACT OF TITLE BEING PROVIDED.

No search of the public records was made by PAG SURVEYORS, INC.

PAG SURVEYORS, INC, has no knowledge of any recorded or unrecorded instruments other than the ones listed above.

NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED.

NOTE: The Easement shown as proposed by the Lift Station Project Drawings as well as the Lift Station concrete slab as built are within Parcel A and Parcel D and North of the North line of Parcel "A" and of Parcel "D" and it excludes the right-of-way of Padgett Circle as shown on the Boundary and Roadway Plat as recorded in Plat Book 29, Page 67.See Drawing.

DESCRIPTION OF EASEMENT: Contained within the boundaries of the Boundary and Roadway Plat recorded in Plat Book 29, Page 67 of the Public Records of Palm Beach County Florida:

Commencing at the Northwest corner of Section 20, Township 42 South, Range 37 East, Palm Beach County, Florida; Thence South 89°56'48" East 150.16 feet along the North line of said Section 20;

thence at right angles to the preceding course South 0°03'12" West 57.27 feet to the Point of Beginning of the hereinafter described easement;

thence East 169.67 feet along a line which is not parallel with the North line of said Section 20;

thence at right angles to the preceding course South 5.05 feet;

thence South 87°23'30" East 33.52 feet;

thence South 3.34 feet to the North line of Parcel A;

thence South 25.15 feet into Parcel A;

thence at right angles to the preceding course West 33.49 feet;

thence at right angles to the preceding course North13.07 feet;

thence at right angles to the preceding course West 5.91 feet;

thence at right angles to the preceding course North 2.00' feet;

thence at right angles to the preceding course West 65.13 feet to the West line of

Parcel A, being a point on the Easterly right-of-way line of Padgett Circle on a curve concave to the Southeast, having a radius of 25.00 feet; thence

Northeasterly 23.40 feet along the arc of said curve through a central angle of 53°38'02" to a cusp on the North line of Parcel A;

thence West 110.00 feet along the Westerly prolongation of the North line of Parcel A to a cusp on the North line of Parcel D and the beginning of a curve concave to the Southwest, having a radius of 25.00 feet; thence Southeasterly 23.48 feet along the arc of said curve through a central angle of 53°49'06" to a point on the Easterly right-of-way line of Parcel D; thence West 28.94 feet into Parcel D;

thence at right angles to the preceding course North 10.27 feet to the North line of Parcel D

thence North 9.75 feet to the Point of Beginning.

Containing: 2964 square feet.

DATUM AND BASIS OF BEARINGS:

Coordinates, Grid Distances and Grid Bearings shown on this plat of Survey

are referenced to the Florida State Plane Coordinate System, East Zone, on the 1983 North American Datum (NAD'83) 1998 Adjustment.

The North line of Section 20, Township 42 South Range 37 East bears South 89°56'48" East and all other bearings are relative thereto.

(Unless it bears the signature and the original raised seal of the Florida licensed Surveyor and Mapper whose appears below, this drawing is for informational purposes only and is not valid.)

I HEREBY CERTIFY that the property shown and described hereon was surveyed under my direction on November 21, 2013 as indicated on this plat.

I FURTHER CERTIFY that this survey meets the Minimum Technical Standards set forth by the Florida Board of Professional Surveyors and Mappers pursuant to Chapter 472.027 Ele Statutes er 5J-17.051 Florida Administrative Code.

Fernando Gonza z, P.S.M. Florida License No. 4994

REVISIONS TO EXCLUDE RIGHT-OF-WAY OF PADGETT CIRCLE 2-11-14 GENERAL REVISIONS 12-5-13

SKETCH OF DESCRIPTION FOR:

PAHOKEE HOUSING AUTHORITY - PADGETT ISLAND

PAHOKEF

FLORIDA

Scale 1"=50' PAG SURVEYORS, INC. L.B. 3411 10-15-13 Work Order No. Note Book 1016 Southeast 4th Street - Phone (561) 996-6615 20-42-37-150 Belle Glade, FI 33430-4330 13-1-146R

EXHIBIT "B"ENCUMBRANCES

- Declaration of Trust recorded in Official Records Book 1653, Page 282. a,
- Declaration of Trust recorded in Official Records Book 6073, Page 402. b.
- с. d.
- e, f.
- Declaration of Trust recorded in Official Records Book 25159, Page 1690.

 Declaration of Trust recorded in Official Records Book 25159, Page 1706.

 Notice of Lien Rights recorded in Official Records Book 25279, Page 1068.

 Notice of Commencement recorded in Official Records Book 26426, Page 1712.

 Notice of Commencement recorded in Official Records Book 26427, Page 126. g.
- Matters set forth upon Plat Book 29, Page 67. h.
- Easement recorded in Official Records Book 1710, Page 728.

All of the Public Records of Palm Beach County, Florida.

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

UTILITY EASEMENTS

THESE EASEMENTS are made, granted and entered into /// day of /// 2014, by Pahokee Housing Authority, Inc., a public body corporate and politic established pursuant to Chapter 421 of the Florida Statutes (hereinafter referred to as "Grantor"), whose address is 465 Friend Terrace, Pahokee, Florida 33476, to Palm Beach County (hereinafter referred to as "Grantee"), c/o Water Utilities Department, 8100 Forest Hill Boulevard, West Palm Beach, Florida 33413.

WITNESSETH

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by Grantee and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to Grantee, its successors and assigns, perpetual utility easements which shall permit Grantee authority to enter upon the Easement Property (as defined below) of 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 Property (the "Activities"). Grantee shall maintain, in a reasonable manner, the potable water, reclaimed water and/or wastewater lines and appurtenant facilities and equipment in, on, over, under and across the Easement Property, and Grantee shall use reasonable care in performing the Activities. These utility easements or portions thereof can also be utilized for a wastewater pump station and may be fenced in by Grantee for access control purposes. The easements hereby granted cover a strip of land lying, situate and being in Palm Beach County, Florida, and being more particularly described as follows:

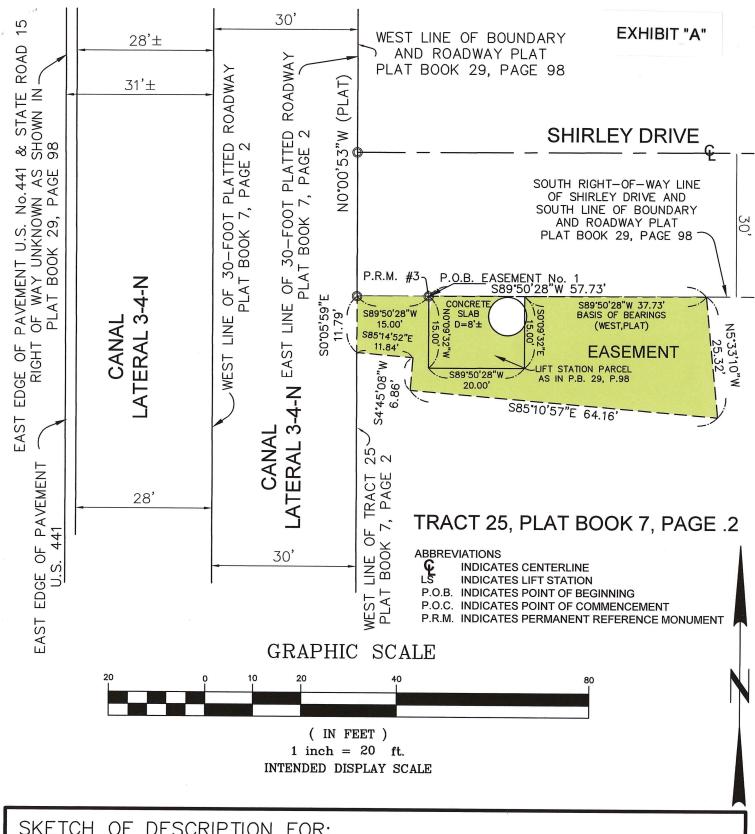
SEE EXHIBIT "A", ATTACHED HERETO AND MADE APART HEREOF (the "Easement Property")

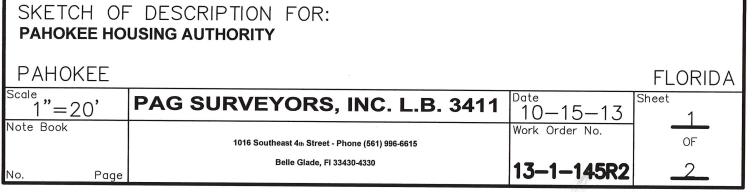
Grantor hereby covenants with Grantee that it is lawfully seized and in possession of the Easement Property and that it has good and lawful right to grant the aforesaid easements free and clear of mortgages and encumbrances other than those set forth on Exhibit "B" unless specifically stated to the contrary.

IN WITNESS WHEREOF, Grawritten.	antor has hereunto set its hand as of the date first above
WITNESSES: Signed and delivered in presence of: Witness Signature ENDERM DELICENT Print Name SALLAM Witness Signature APLAM Polivian Print Name	GRANTOR: PAHOKEE HOUSING AUTHORITY, INC., a public body corporate and politic established pursuant to Chapter 421 of the Florida Statutes By: Julia Hale, Executive Director
NOTAF	RY CERTIFICATE
2014 by Julia Hale, as Executive Director of	L Eleany O Ohnson-Buth
	Signature of Notary Leal of Stamped Name of Notary Typed, Printed or Stamped Name of Notary ELEANOR J. JOHNSON-BABB Notary Public - State of Florida My Comm. Expires Aug 14, 2016 Commission # EE 194922 Bonded Through National Notary Assn.
	e e e e e e e e e e e e e e e e e e e

ATTEST:	
SHARON R. BOCK, CLERK & COMPTROLLER	PALM BEACH COUNTY, BY ITS BOARD OF COUNTY COMMISSIONERS
By: Deputy Clerk	By: Priscilla A. Taylor, Mayor
SEAL)	
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
By:County Attorney	By: June Jessey Director of Water Utilities

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PAG SURVEYORS, INC.

CERTIFICATE OF AUTHORIZATION NO. LB 3411

1016 SOUTHEAST 4TH STREET

BELLE GLADE, FL 33430-4330

SKETCH OF DESCRIPTION FOR AND CERTIFIED TO: PAHOKEE HOUSING AUTHORITY,

FREMD'S VILLAGE, SANITARY SEWER LIFT STATION DESCRIPTION OF EASEMENT

WORK ORDER No. 13145 R2

This Easement description was prepared according to the following sources:

- 1. The Boundary and Roadway Plat as recorded in Plat Book 29, Page 98 of the Public Records of Palm Beach County, Florida.
- 2. The plat of the Subdivision of Section 20, Township 42 South, Range 37 East as recorded in Plat Book 7, Page 2 of the Public Records of Palm Beach County, Florida.
- Section 20 Road, Specific Purpose Survey, by Palm Beach County Project 97050-301 Drawing No. S-3-97-1182
- 4. Lift Station Replacement Project, Project#: CFP#FL14P02150109-C, and Record Drawing by Apogee Services Inc.

5. Previous Surveys by PAG SURVEYORS, INC. W.O. No. 13056

DESCRIPTION WAS PREPARED WITHOUT A TITLE SEARCH OR ABSTRACT OF TITLE BEING PROVIDED.

No search of the public records was made by PAG SURVEYORS, INC.

PAG SURVEYORS, INC. has no knowledge of any recorded or unrecorded instruments other than the ones listed above.

NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED.

NOTE: The proposed Easement shown as by the Lift Station Project Drawings

Project#: CFP#FL14P02150109-C,

DESCRIPTION OF EASEMENT:

Contained within the boundaries of that part of Tract 25 of the Subdivision of Section 20, Township 42 South, Range 37 East, as recorded in Plat Book 7, Page 2, said part of Tract 25, being owned by Pahokee Housing Authority and it is recorded in Official Record Book 231, Page 1289 of the Public Records of Palm Beach County, Florida:

Beginning at P.R.M. No.3 as shown on the Boundary and Roadway Plat as recorded in Plat Book 29, Page 98 of the Public Records of Palm Beach County, Florida;

thence South 89°50'28" West 15.00 feet along the South line of said Boundary and Roadway Plat which is the same as the South right-of-way line of Shirley Drive, to the Southwest corner of said Plat;

thence South 0°05'59" East 11.79 feet along the West line of said Tract 25 which is the same as the East line of the 30-foot wide Roadway as shown on Plat Book 7, Page 2 of the Public Records of Palm Beach County, Florida.

thence South 85°14'52" East 11.84 feet;

thence at right angles to the preceding course South 4°45'08" West 6.86 feet;

thence South 85°10'57"East 64.16 feet;

thence North 5°33'10" West 25.32 feet to an intersection with the South line of the aforementioned Boundary and Roadway Plat which is the same as

the South right-of-way line of Shirley Drive; thence South 89°50'28" West 57.73 feet along said South line of the Boundary and Roadway Plat which is the same as the South right-of-way line of Shirely Drive, to P.R.M. No.3 and the Point of Beginning.

This Easement contains 1539 square feet

DATUM AND BASIS OF BEARINGS:

Coordinates, Grid Distances and Grid Bearings shown on this plat of Survey

are referenced to the Florida State Plane Coordinate System, East Zone, on the 1983 North American Datum (NAD'83) 1998 Adjustment.

The South line of the Boundary & Roadway Plat recorded in Plat Book 29, Page 98, Public

Records of Palm Beach County, Florida bears North 89°50'28" East and all other bearings are relative thereto.

CERTIFICATION:

Unless it bears the signature and the original raised seal of the Florida Licensed Surveyor and Mapper whose name appears below, this report and Sketch of Description are for informational purposes only and are not valid.

Fernando Gonzalez, P.S.M./ Florida License No. 4994 **ABBREVIATIONS**

← INDICATES CENTERLINE

LS INDICATES LIFT STATION

P.O.B. INDICATES POINT OF BEGINNING

P.O.C. INDICATES POINT OF COMMENCEMENT

P.R.M. INDICATES PERMANENT REFERENCE MONUMENT

SKETCH OF DESCRIPTION FOR: PAHOKEE HOUSING AUTHORITY				
PAHOKEE	·		FLORIDA	
Scale 1"=20'	PAG SURVEYORS, INC. L.B. 3411	Date 10-15-13	Sheet 2	
Note Book	1016 Southeast 4տ Street - Phone (561) 996-6615	Work Order No.	OF	
No. Page	Belle Glade, Fl 33430-4330	13-1-145R2	_2_	

EXHIBIT "B"ENCUMBRANCES

- a. Covenants and reservations set forth in deed recorded in Official Records Book 79, Page 489.
- b. Declaration of Trust recorded in Official Records Book 1723, Page 1493, as supplemented by Declaration of Trust recorded in Official Records Book 1750, Page 237.
- c. Declaration of Trust recorded in Official Records Book 6073, Page 402.
- d. Declaration of Trust recorded in Official Records Book 7044, Page 878.
- e. Easement Agreement and Quitclaim Deed recorded in Official Records Book 12672, Page 305.
- f. Quit Claim Deed recorded in Official Records Book 16311, Page 887.
- g. Declaration of Trust recorded in Official Records Book 25159, Page 1685.
- h. Declaration of Trust recorded in Official Records Book 25159, Page 1706.
- i. Notice of Lien Rights recorded in Official Records Book 25279, Page 1068.
- j. Lift Station as noted upon Plat Book 29, Page 98.

All of the Public Records of Palm Beach County, Florida.