

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date:	May 5, 2015	<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 services, an above ground switch cabinet and transformer to service the Jim Barry Light Harbor Park located in Riviera Beach.

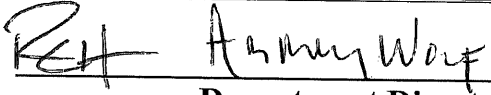
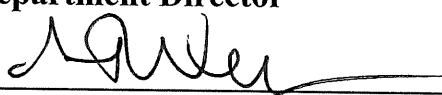
Summary: Jim Barry Light Harbor Park is located south of Blue Heron Boulevard and east of Broadway on the Intracoastal, and includes a boat ramp, trailer parking and pavilions. FPL is replacing overhead lines along Broadway and requires a 660 square foot easement for the placement of underground utilities, and an above ground switch cabinet and transformer to be placed on a concrete pad in the NW corner of the property. Landscaping will be planted around the electrical improvements. This non-exclusive easement is being granted at no charge as the easement improvements provide service to the Park. **(PREM) District 7 (HJF)**

Background and Justification: The County acquired the Park property at 1800 Broadway, Riviera Beach, in December of 1996 (R-96-803-D) from Light Harbor Marina, Inc. In July of 2002, the County sold the north 3.031 acres to Millennium Development, LLC (R2002-1126).

The City of Riviera Beach's Community Redevelopment Agency is conducting an underground utility improvement project along Broadway from Silver Beach Road to 12th Street. FPL's pole and overhead transformer which is located at the NW corner of the Park property will be removed and replaced underground and an above ground switch cabinet and transformer will be installed with a landscaped buffer to the sides and rear. The placement of the switch cabinet and transformer is essential to maintaining the existing electric service to the Park.

Attachments:

1. Location Map
2. Utility Easement Agreement

Recommended By:		4/11/15
	Department Director	Date
Approved By:		4/5/15
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	0_____	0_____	0_____	0_____	0_____
# 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:


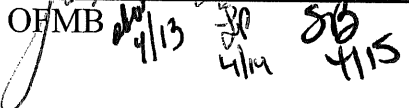
No Fiscal Impact

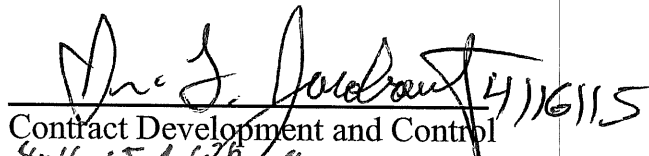
Fixed Asset Numbers: N/A

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:


OFMB  4/13/15


Contract Development and Control 4/16/15

B. Legal Sufficiency:


Assistant County Attorney 4/17/15

C. Other Department Review:

Department Director

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

D

See pg 35

C

TWP 42

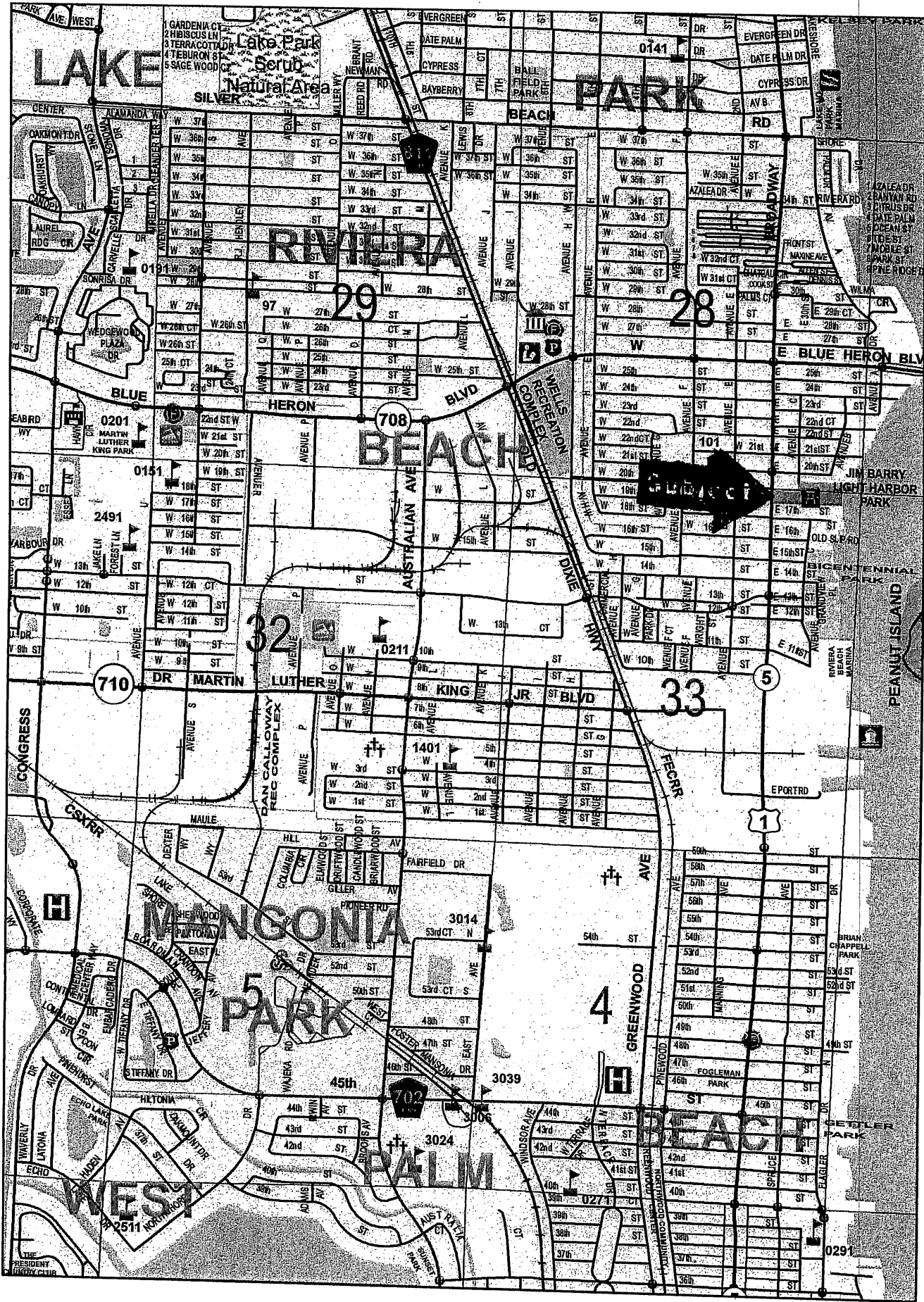
13

TWP 42

14

TWP 43

15



RNG 43

See pg 59

RNG 43

LOCATION MAP

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

PCN: 56-43-42-33-31-001-0000

UTILITY EASEMENT AGREEMENT

This EASEMENT is granted _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, 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”).

W I T N E S S E T H:

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, including wires, cables, conduits, and appurtenant equipment, and an above-ground pad-mounted transformer and switch cabinet (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.

(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: _____
Shelley Vana, Mayor

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

SKETCH & DESCRIPTION FOR:
EXHIBIT 'A'
UTILITY EASEMENT
A PORTION OF TRACT 'A'
(P.B. 110, PGS. 179 AND 180, P.B.C.R.)

LAND DESCRIPTION:

A portion of Tract 'A', according to the Plat of Moroso Park, as recorded at Plat Book 110, Pages 179 and 180, Palm Beach County Records, Palm Beach County, Florida, being more particularly described as follows:

Commence at the northwest corner of said Tract 'A'; thence S00°07'00"E, along the west line of said Tract 'A', 5.00 feet to the Point of Beginning; thence N90°00'00"E, 41.00 feet; thence S00°07'00"E, 20.00 feet; thence S90°00'00"W, 25.00 feet; thence N00°07'00"W, 10.00 feet; thence S90°00'00"W, 16.00 feet; to the west line of said Tract 'A'; thence N00°07'00"W along the said west line 10.00 feet to the Point of Beginning.

Said land lying in Palm Beach County, Florida, containing 660 square feet (0.0152 acres), more or less.


SUMMARY TABLE FOR:
SCHEDULE B, SECTION 2 EXCEPTIONS
TITLE COMMITMENT No. 2702019
(SEE SURVEYOR'S REPORT #2)

EXCEPTION NUMBER AND RECORDING INFORMATION	AFFECTS SUBJECT PROPERTY	AFFECTED AREA
No. 5 P.B. 68/28 O.R.B. 9583/1436 O.R.B. 9590/583	Yes Yes Yes	easement nearby affidavit at east side property affidavit at east side property
No. 6 O.R.B. 1284/585 P.B. 28/95	Yes Yes	bulkhead line bulkhead line
No. 7 O.R.B. 6918/327 O.R.B. 7262/1152 O.R.B. 7262/1186	Yes Yes Yes	submerged land document submerged land document submerged land document
No. 8 O.R.B. 6918/297 O.R.B. 6962/1180 O.R.B. 7262/1119 O.R.B. 7262/1219 O.R.B. 9593/1610	Yes Yes Yes Yes Yes	submerged land document submerged land document submerged land document submerged land document submerged land document

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 3/18/2015


JOHN T. DOOGAN, P.L.S.
Florida Registration No. 4409
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

REVISIONS		
REVISE EASEMENT SIZE	02/03/15	A.M.R.
REV. PER PALM BEACH COUNTY COMMENTS (03/12/15)	W.R.E.	
REV. PER PALM BEACH COUNTY COMMENTS (03/16/15)	W.R.E.	
REV. PER PALM BEACH COUNTY COMMENTS (03/18/15)	W.R.E.	



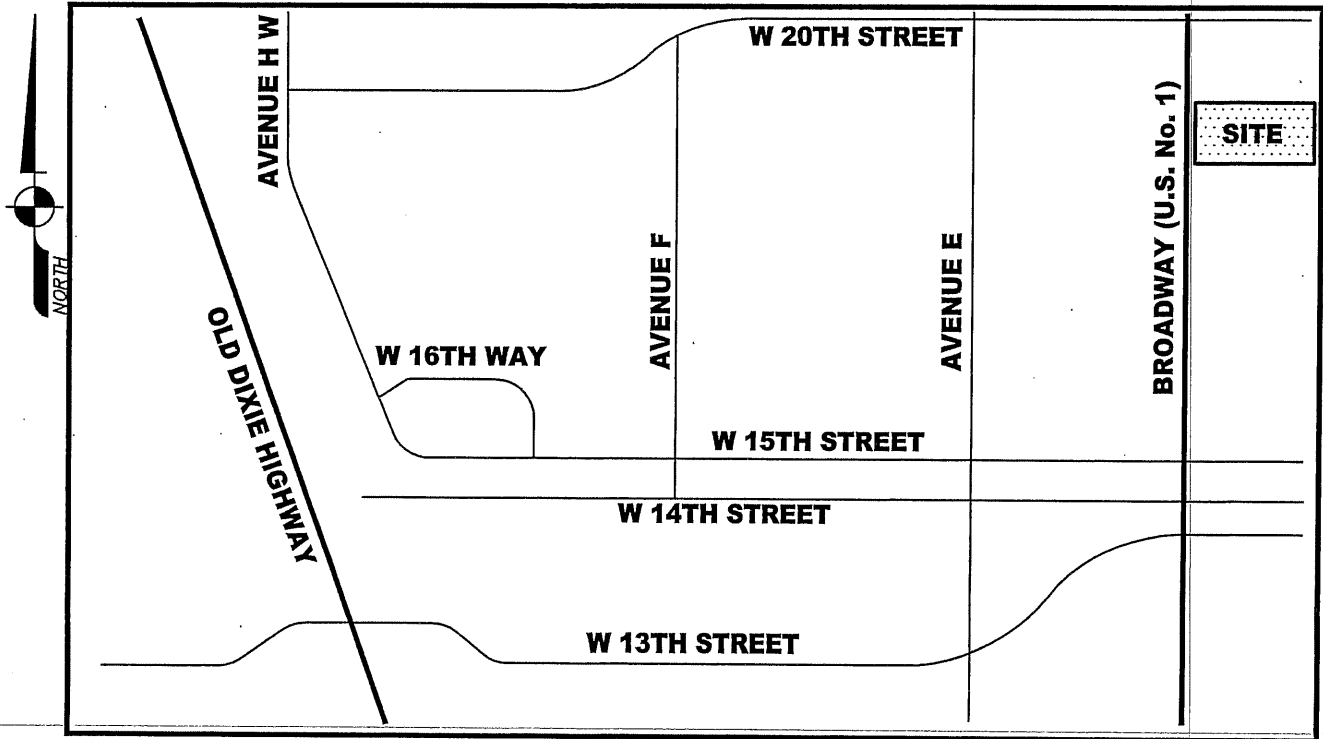
AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
www.AVIROMSURVEY.com
© 2014 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.

JOB #	REGIS 9594
SCALE	-
DATE	04/22/2014
BY	A.M.R.
CHECKED	J.T.D.
F.B.	- PG. -
SHEET	1 OF 3

SKETCH & DESCRIPTION FOR:
EXHIBIT 'A'
UTILITY EASEMENT
A PORTION OF TRACT 'A'
(P.B. 110, PGS. 179 AND 180, P.B.C.R.)

SURVEYOR'S REPORT:

- 1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- 2. No search of the Public Records has been made by the Surveyor. Instrument of Record are per Commitment for Title Insurance prepared by Chicago Land Title Insurance Company, effective date 2/13/2007 @ 8:00 a.m. Where applicable, these instruments are shown hereon – see Summary Table on Sheet 1 of 3.
- 3. The land description shown hereon was prepared by the Surveyor.
- 4. Bearings shown hereon are relative to said plat, based on the north–south quarter section line of Section 28–42–43 having a bearing of N00°07'43"W.
- 5. Coordinates shown hereon are based on sectional data published by Palm Beach County Survey Department, referenced to Grid North, based on the 1983 adjustment of the North American Datum (NAD 83/90) of the Florida State Plane Coordinate System (Transverse Mercator Projection), Zone = Florida East.
- 6. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
- 7. Abbreviation Legend: F.B. = Field Book; L.B. = Licensed Business; O.R.B. = Official Records Book; P.B. = Plat Book; PCN = Parcel Control Number; P.B.C.R. = Palm Beach County Records; P.L.S. = Professional Land Surveyor; P.O.B. = Point Of Beginning; P.O.C. = Point Of Commencement; REV. = Revision; S.R. = State Road.



LOCATION SKETCH
NOT TO SCALE

REVISIONS			<div><div><div><div>AVIROM & ASSOCIATES</div><div></div></div></div><div><div>AVIROM & ASSOCIATES, INC.</div><div>SURVEYING & MAPPING</div><div>50 S.W. 2nd AVENUE, SUITE 102</div><div>BOCA RATON, FLORIDA 33432</div><div>TEL. (561) 392-2594, FAX (561) 394-7125</div><div>www.AVIROMSURVEY.com</div><div>©2014 AVIROM & ASSOCIATES, INC. all rights reserved.</div><div>This sketch is the property of AVIROM & ASSOCIATES, INC.</div><div>and should not be reproduced or copied without written permission.</div></div></div>
-----------	--	--	---

SKETCH & DESCRIPTION FOR:

EXHIBIT 'A'

UTILITY EASEMENT
A PORTION OF TRACT 'A'
(P.B. 110, PGS. 179 AND 180, P.B.C.R.)

NOTE:

- LINEAR UNIT = U.S. survey foot
- ALL DISTANCES ARE GROUND
- SCALE FACTOR = 1.000047513
- GRID DISTANCE = Ground Distance x Scale Factor
- BEARINGS: See Surveyor's Report #4 (Sheet 2 of 3)
- DATUM: See Surveyor's Report #5 (Sheet 2 of 3)
- ROTATION EQUATION:
N00°07'43"W (PLAT BEARING)
N00°37'17"E (GRID BEARING)
= 00°45'00" COUNTER CLOCKWISE

LIGHT HARBOR MARINA

(P.B. 68/28-29, P.B.C.R.)
PCN: 56-43-42-28-33-000-0010

P.O.C.

NORTHWEST CORNER
TRACT 'A'
(P.B. 110/179-180, P.B.C.R.)
N: 889651.4604
E: 964546.7191

P.O.B.

N90°00'00"E 41.00'
0.0152 ACRES
S00°07'00"E 5.00'
N00°07'00"W 10.00'
S90°00'00"W 25.00'
10' LANDSCAPE BUFFER
EASEMENT & 10' LIMITED
ACCESS EASEMENT
(P.B. 110/179-180, P.B.C.R.)

WEST LINE
MOROSO PARK
(P.B. 110/179-180, P.B.C.R.)

5' LANDSCAPE BUFFER EASEMENT
(P.B. 110/179-180, P.B.C.R.)

A PORTION OF
TRACT 'A'

(P.B. 110/179-180, P.B.C.R.)
PCN: 56-43-42-33-31-001-0000

NORTH 1/4 CORNER
SECTION 28-42-43
PALM BEACH COUNTY CONCRETE
MONUMENT W/ BRASS DISC
(NOT RECOVERED)
N: 894951.9380
E: 963411.0450
QUARTER SECTION LINE
SECTION 28-42-43
BEARING BASIS

BROADWAY

(U.S. NO. 1)(S.R. 5)
FLORIDA DEPARTMENT OF TRANSPORTATION
RIGHT-OF-WAY MAP, SECTION 93020-2520
DATED 02/20/2009

S.W. CORNER
GOVERNMENT LOT 4
N: 889595.0790
E: 964515.9840

WEST LINE
GOVERNMENT LOT 1
SECTION 33
N: 889636.4605
E: 964546.5533

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

REVISIONS

REVISE EASEMENT SIZE	02/03/15	A.M.R.
REV. PER PALM BEACH COUNTY COMMENTS (03/12/15) W.R.E.		
REV. PER PALM BEACH COUNTY COMMENTS (03/16/15) W.R.E.		
REV. PER PALM BEACH COUNTY COMMENTS (03/18/15) W.R.E.		



AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING

50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
www.AVIROMSURVEY.com

© 2014 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC.
and should not be reproduced or copied without written permission.

JOB #:	9594
SCALE:	1" = 30'
DATE:	04/22/2014
BY:	A.M.R.
CHECKED:	J.T.D.
F.B.	- PG. -
SHEET:	3 OF 3