

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: June 2, 2015

Consent [X] Regular []
Public Hearing []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and title: Staff recommends motion to accept: a Non-Standard Utility Easement granted by BGI Group, LLC (BGI) for existing and future water main facilities within the Glades Correctional Institute (GCI) property in the City of Belle Glade.

Summary: The Water Utilities Department (WUD) requires utility easements to access and maintain water main facilities that will serve development within the GCI property presently owned by BGI. BGI has requested a non-standard easement that will allow for the perpendicular crossing of the easement premises by spur railroad tracks in the future, subject to WUD's approval and execution of a WUD Standard Indemnity Agreement for encroachments. The proposed easements are being granted at no cost to the County. (WUD Project No. 14-092) District 6 (MJ)

Background and Justification: WUD is planning to install a 16" water main within the GCI property in order to interconnect the existing 16" water main along Hooker Highway and a future 16" water main along the properties on the east side of State Road 15 (Main Street) in the City of Belle Glade. The property owner is granting this easements to the County to allow for access and maintenance activities.

Attachment:

1. Two (2) Original Utility Easements – Inside GCI Property.

Recommended By: Jim Stiles 5-5-15
Department Director Date

Approved By: Sharon R. B. 5/21/15
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
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>	<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 ____


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

No Fiscal Impact.

C. Department Fiscal Review: Delia M. West


III. REVIEW COMMENTS

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


 Steve Brown
 OFMB
 4/23/15


 Dr. J. Jacobson
 Contract Development and Control
 5-13-15 B.W. Jacobson

B. Legal Sufficiency:


 Assistant County Attorney
 5/24/15

C. Other Department Review

 Department Director

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

UTILITY EASEMENT

THIS EASEMENT is made, granted and entered into this 8 day of MARCH, 2015, by BGI Group LLC (hereinafter referred to as "Grantor"), whose address is PO Box 264 ROLEGRADE, FL, 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. Subject to the approval of Grantee and the execution of Grantee's Standard Indemnity Agreement for encroachments within Grantee's utility easements, Grantor shall have the right to perpendicularly cross the easement premises with spur railroad tracks as necessary. 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

Grantor hereby covenants with Grantee that it is lawfully seized and in possession of the real property herein described and that it has good and lawful right to grant the aforesaid easement free and clear of mortgages and other encumbrances unless specifically stated to the contrary.

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

WITNESSES:

Signed, sealed and delivered
in the presence of:

Kevin Wedgworth
Witness Signature
Kevin Wedgworth
Print Name
Dimitrios Scarlatos
Witness Signature
DIMITRIOS SCARLATOS
Print Name

GRANTOR:

Enrique Rionda
Signature
ENRIQUE RIONDA, Mg PARTNER
Print Name (and Title if applicable)

Signature

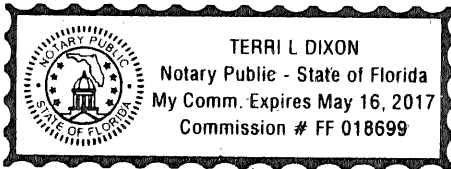
Print Name (and Title if applicable)
(SEAL)

NOTARY CERTIFICATE

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me this 18th day of MARCH, 2015 by Enrique Rionda and _____ who is/are personally known to me or who has produced _____ as identification.

My Commission Expires:



Terri L Dixon
Notary Signature
Terri L Dixon
Typed, Printed or Stamped Name of Notary

ACCEPTED BY PALM BEACH COUNTY

(COUNTY SEAL)

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

ATTEST:

SHARON R. BOCK, CLERK
AND COMPTROLLER

By: _____
DEPUTY CLERK

By: _____
Shelley Vana, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____
ASSISTANT COUNTY ATTORNEY

APPROVED AS TO TERMS AND CONDITIONS

By: Jim Stitt
DIRECTOR OF WATER UTILITIES

LEGAL DESCRIPTION TO ACCOMPANY SKETCH
 LYING IN SECTION 19, TOWNSHIP 43 SOUTH, RANGE 37 EAST
 PALM BEACH COUNTY, FLORIDA



LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 43 SOUTH, RANGE 37 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 19; THENCE NORTH 89°57'45" EAST, ALONG THE NORTH LINE OF SAID SECTION 19, TOWNSHIP 43 SOUTH, RANGE 37 EAST, A DISTANCE OF 2636.29 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST ONE QUARTER OF SAID SECTION 19; THENCE SOUTH 00°15'24" EAST, DEPARTING SAID NORTH LINE AND ALONG THE WEST LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 19, A DISTANCE OF 1270.20 FEET TO THE **POINT OF BEGINNING**; THENCE SOUTH 89°55'24" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 30.00 FEET; THENCE SOUTH 00°15'24" EAST, A DISTANCE OF 634.84 FEET; THENCE SOUTH 89°55'24" EAST, A DISTANCE OF 2194.72 FEET TO AN INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILROAD, A 100.00 FOOT RIGHT-OF-WAY PER THE FLORIDA EAST COAST RAILROAD RIGHT-OF-WAY AND TRACK MAP "V7b/12"; THENCE SOUTH 16°22'33" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1584.08 FEET; THENCE NORTH 89°24'57" EAST, DEPARTING SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 746.58 FEET TO AN INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF STATE ROAD 15 (U.S. HIGHWAY 441), A 120 FOOT RIGHT-OF-WAY PER THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 93130-2505, DATED 5/19/70; THENCE SOUTH 00°16'36" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET; THENCE SOUTH 89°24'57" WEST, DEPARTING SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 786.94 FEET TO AN INTERSECTION WITH A LINE LYING 30.00 FEET WEST OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST RIGHT-OF-WAY LINE OF SAID FLORIDA EAST COAST RAILROAD; THENCE NORTH 16°22'33" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 1589.77 FEET; THENCE NORTH 89°55'24" WEST, A DISTANCE OF 2186.01 FEET TO AN INTERSECTION WITH SAID WEST LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 19; THENCE NORTH 00°15'24" WEST, ALONG SAID WEST LINE, A DISTANCE OF 659.84 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 144,790 SQUARE FEET OR 3.32392 ACRES, MORE OR LESS.

LEGEND

F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION	P.B. = PLAT BOOK
F.E.C. = FLORIDA EAST COAST	PG. = PAGE
HWY. = HIGHWAY	P.O.C. = POINT OF COMMENCEMENT
INC. = INCORPORATED	R/W = RIGHT-OF-WAY
LB = LICENSED BUSINESS	S.F.C.D. = SOUTH FLORIDA CONSERVANCY DISTRICT
LTD. = LIMITED	S.R. = STATE ROAD
LS = LICENSED SURVEYOR	U.S. = UNITED STATES
N/A = NON APPLICABLE	19-43-37 = SECTION 19, TOWNSHIP 43 SOUTH, RANGE 37 EAST
NAD = NORTH AMERICAN DATUM	 = SECTION CORNER
NO. = NUMBER	 = UTILITY EASEMENT

SURVEYOR'S NOTES

1. THE BEARINGS SHOWN HEREON REFER TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR PROJECTION, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83/ 2007 ADJUSTMENT) HAVING A GRID BEARING OF NORTH 89°57'45" EAST ALONG THE NORTH LINE OF SECTION 19, TOWNSHIP 43 SOUTH, RANGE 37 EAST, PALM BEACH COUNTY, FLORIDA.

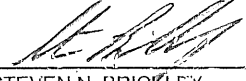
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN HEREON. NO OPINION OF TITLE IS EXPRESSED OR IMPLIED.

NOTE: SEE SHEET 2 OF 2 FOR SKETCH OF DESCRIPTION. DESCRIPTION NOT VALID UNLESS ACCOMPANIED WITH SKETCH OF DESCRIPTION AS SHOWN ON SHEET 2 OF 2 OF THIS DOCUMENT.

THIS IS NOT A SURVEY

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "MINIMUM TECHNICAL STANDARDS" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.


 STEVEN N. BRICKLEY
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA LICENSE No. LS - 6841

3/16/2015
 DATE OF SIGNATURE

BOWMAN CONSULTING GROUP, LTD., INC.
 CORPORATION CERTIFICATE OF AUTHORIZATION No. LB 8030
 NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Bowman
C O N S U L T I N G

Bowman Consulting Group, Ltd., Inc. Phone: (772) 283-1413
 7881 S.E. Ellipse Way Fax: (772) 220-7881
 Stuart, Florida 34997 www.bowmanconsulting.com

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Professional Surveyors and Mappers, Certificate No. LB-8030

BGI GROUP, LLC
UTILITY EASEMENT

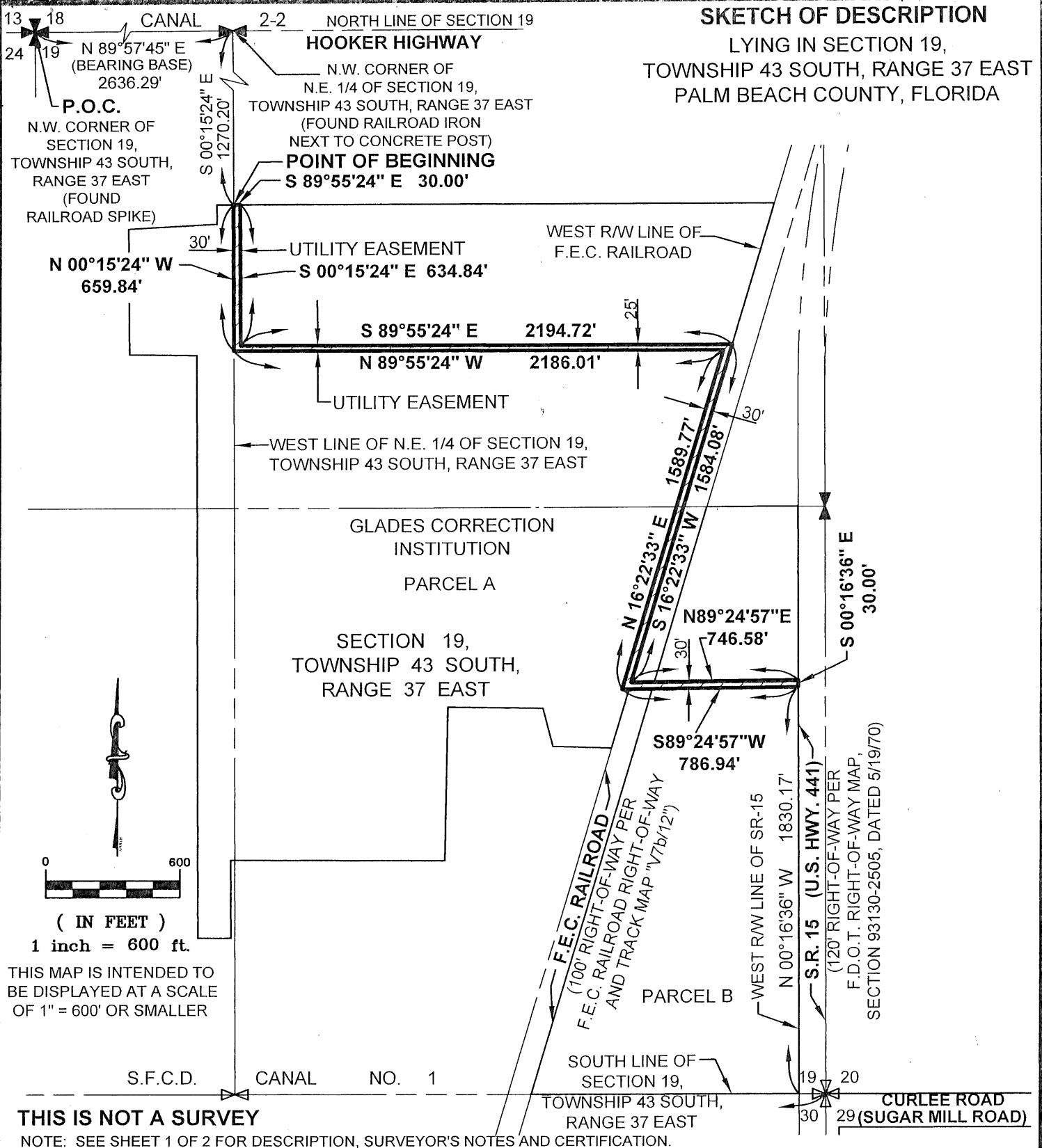
PALM BEACH COUNTY

FLORIDA

PROJECT NO. 010315-01-001	REVISED DATE:	DATE: MAR. 16, 2015
CADD FILE: 0315 SKT DESC UE ONSITE	SCALE: N/A	SHEET 1 OF 2

SKETCH OF DESCRIPTION

LYING IN SECTION 19,
TOWNSHIP 43 SOUTH, RANGE 37 EAST
PALM BEACH COUNTY, FLORIDA



THIS MAP IS INTENDED TO
BE DISPLAYED AT A SCALE
OF 1" = 600' OR SMALLER

THIS IS NOT A SURVEY

NOTE: SEE SHEET 1 OF 2 FOR DESCRIPTION, SURVEYOR'S NOTES AND CERTIFICATION.

**Bowman
CONSULTING**

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Stuart, Florida 34997 www.bowmanconsulting.com

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**BGI GROUP, LLC
UTILITY EASEMENT**

PALM BEACH COUNTY FLORIDA
PROJECT NO. 010315-01-001 REVISED DATE: DATE: MAR. 16, 2015
CADD FILE: 0315 SKT DESC UE ONSITE SCALE: 1"=600' SHEET 2 OF 2