

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	December 15, 2015	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:	Facilities Development & Operations		

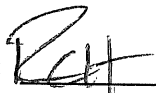
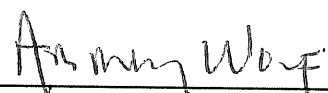

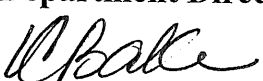
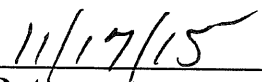
I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a 10' Utility Easement in favor of Florida Power and Light (FPL) for underground electrical services and an above ground pad mounted transformer.

Summary: The Palm Beach County Convention Center is located on the south side of Okeechobee Boulevard between Parker Avenue and S. Dixie Highway in downtown West Palm Beach. The County is in the process of building a parking garage on the southern portion of the Convention Center Site and requires an underground FPL line to support the parking garage electrical requirements. The easement runs east/west, is 10' wide, is approximately 600' long and covers an area +/- 6,000 square feet. This FPL easement will be granted at no charge since it provides electrical service to the parking garage and will be recorded to provide notice of the existence and location of the lines. (PREM) District 7 (HJF)

Background and Justification: The County is in process of constructing a parking garage south of the Convention Center. The parking garage will replace surface parking that is not adequate to handle the volume of vehicles expected once the Hotel and Convention Center are in full operation. This easement will carry the underground FPL lines required to support the electrical needs for the new parking garage. The easement is 10' wide by approximately 600' long and covers an area +/- 6,000 square feet. The parking garage is scheduled to be completed in the February 2017 timeframe and the Hotel should open January 2016.

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

Recommended By:			
		Department Director	Date
Approved By:			
	County Administrator	Date	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	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:

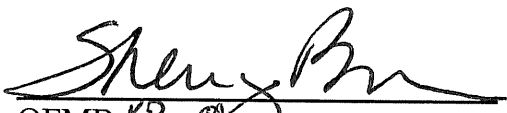
*No fiscal impact.

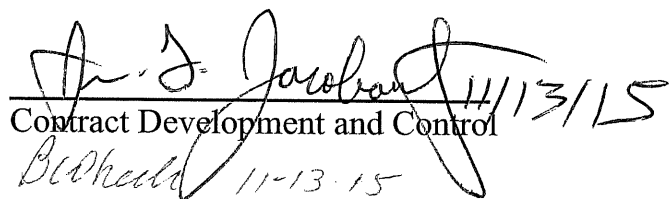
Fixed Asset Number _____

C. Departmental Fiscal Review: _____

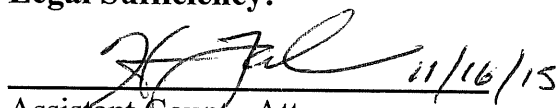
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:


OFMB ^{KP} _{11/12} ^{PA} _{11/12}


Contract Development and Control _{11/13/15}
Beckhold 11-13-15

B. Legal Sufficiency:


Assistant County Attorney _{11/16/15}

C. Other Department Review:

Department Director

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

TWP 43

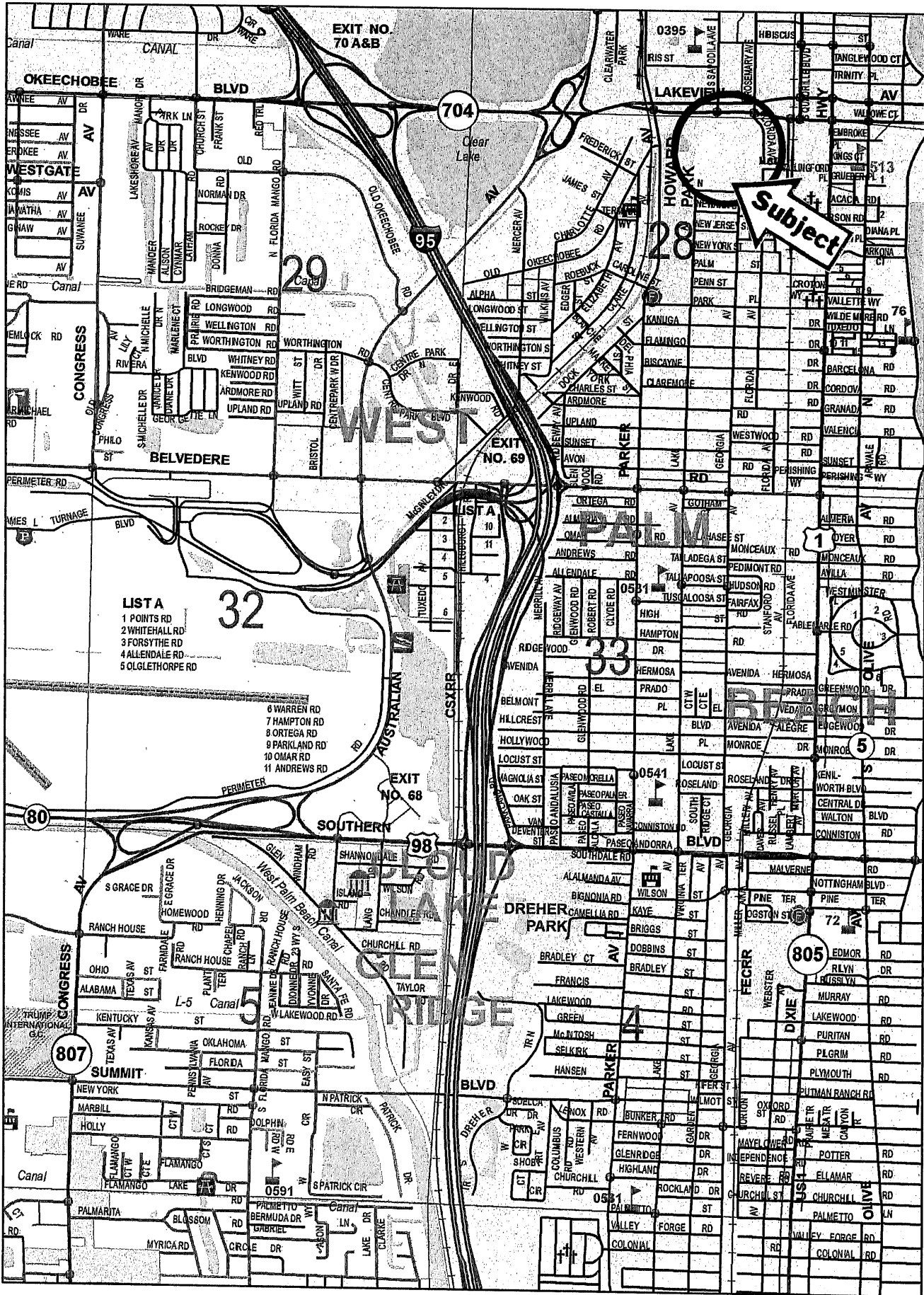
19

TWP 43

20

TWP 44

21



RNG 43

See pg 81

RNG 43

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

PCN: 74-43-43-21-17-001-0000

UTILITY EASEMENT AGREEMENT

This EASEMENT is granted _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, ("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 (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: _____
, 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

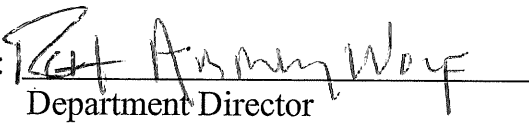
By: 
Department Director

EXHIBIT A
10' FLORIDA POWER & LIGHT EASEMENT

NOTES:

- 1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
- 2. SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
- 3. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
- 4. BEARINGS ARE RELATIVE TO A GRID BEARING OF N02°17'04"E ALONG THE WEST LINE OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 43 EAST, BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (90/98 ADJUSTMENT).
- 5. COORDINATES SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (90/98 ADJUSTMENT) IN U.S. SURVEY FEET.
- 6. THE "DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
- 7. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 8. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENT OF RECORD AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.

DESCRIPTION:


A PORTION OF TRACT 1, "CITYPLACE PLAT NO.2", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 90, PAGE 33, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT 1; THENCE S88°08'22"E ALONG THE SOUTH LINE OF SAID TRACT 1, A DISTANCE OF 25.60 FEET TO THE POINT OF BEGINNING; THENCE N44°27'19"E, A DISTANCE OF 78.93 FEET; THENCE S88°52'15"E, A DISTANCE OF 176.28 FEET; THENCE S89°10'51"E, A DISTANCE OF 295.89 FEET; THENCE S49°47'40"E, A DISTANCE OF 53.06 FEET; THENCE S40°12'20"W, A DISTANCE OF 10.00 FEET; THENCE N49°47'40"W, A DISTANCE OF 49.51 FEET; THENCE N89°11'00"W, A DISTANCE OF 292.49 FEET; THENCE N88°51'57"W, A DISTANCE OF 171.81 FEET; THENCE S44°27'19"W, A DISTANCE OF 65.44 FEET TO A POINT ALONG THE SOUTH LINE OF SAID TRACT 1; THENCE N88°08'22"W ALONG SAID SOUTH LINE, A DISTANCE OF 13.58 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN SECTION 28, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION ON AUGUST 27, 2015. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES 472.027.

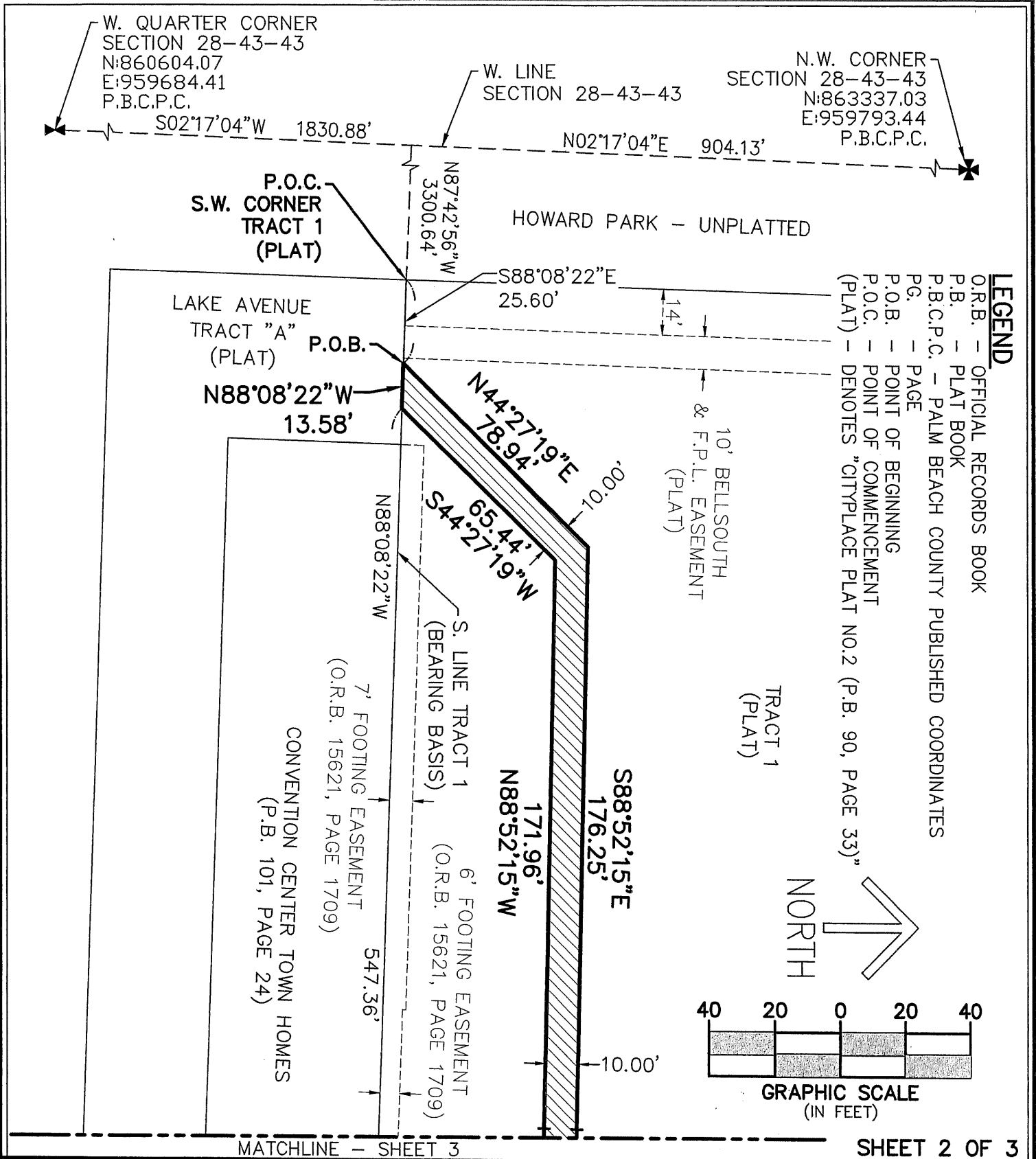

JEFFREY A. WAGNER, P.L.S.
REG. LAND SURVEYOR #5302
STATE OF FLORIDA - LB #3591

SHEET 1 OF 3

 CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING - LAND SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

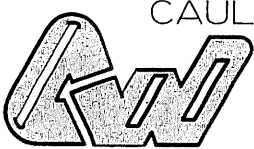
PALM BEACH COUNTY CONVENTION CENTER
FLORIDA, POWER & LIGHT EASEMENT
SKETCH OF DESCRIPTION

DATE	8-27-15
DRAWN BY	RW
F.B./ PG.	N/A
SCALE	1" = 40'
JOB NO.	7173 FPL



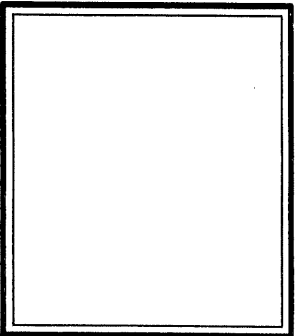
LEGEND

O.R.B. - OFFICIAL RECORDS BOOK
P.B. - PLAT BOOK
P.B.C.P.C. - PALM BEACH COUNTY PUBLISHED COORDINATES
PG. - PAGE
P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT
(PLAT) - DENOTES "CITYPLACE PLAT NO.2 (P.B. 90, PAGE 33)"



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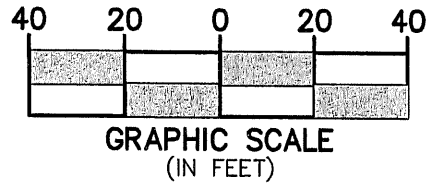
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P.B. - PLAT BOOK
PG. - PAGE
(PLAT) - DENOTES "CITYPLACE PLAT NO.2 (P.B. 90, PAGE 33)"

NOTE

COORDINATES SHOWN ARE GRID
DATUM = NAD 83 (90/98 ADJUSTMENT)
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.000046875
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM,
NAD 83 (1990 ADJUSTMENT), FLORIDA EAST ZONE.

NORTH



SHEET 3 OF 3



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