# Agenda Item #: 3H-7

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

Meeting Date:	January 26, 2016	[X] Consent [ ] Ordinance	[ ] Regular [ ] Public Hearing
Department:	Facilities Development &	2 Operations	

#### I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Utility Easement Agreement in favor of Florida Power and Light Company (FPL) to service the new Information Systems Services Enterprise Data Center (Data Center) located at 2601 Vista Parkway in unincorporated West Palm Beach.

Summary: Palm Beach County's Capital Improvement Division is constructing a Data Center within the west wing of the Fleet Management Facility located on Vista Parkway. This Easement is being granted to FPL for underground electrical service and an above ground pad-mounted transformer to service the Data Center. The easement area is approximately 10' wide by approximately 174.85' long and covers an area of 1,748 square feet (.04 acre). This non-exclusive easement is being granted at no charge as it will provide electrical service solely for the benefit of the County's Facility. (PREM) District 2 (HJF)

Background and Justification: A portion of the Fleet Management Facility is being renovated to allow for the relocation of the Data Center from the Robert Weisman Government Center. The relocation will allow for a secure and stable operation. The existing power source feeding the Fleet Management Facility could not support the Data Center. The construction of the Data Center should be completed during the 1<sup>st</sup> quarter of 2016. The Easement will be recorded into the Palm Beach County public records to document its existence and location.

#### Attachments:

- Location Map 1.
- 2. Utility Easement Agreement

Recommended By: ICeff	Ammy Weig	13116		
· · · ·	Department Director	Date		
Approved By:	MBalan	1/20/10		

Approved By: \_\_\_\_

**County Administrator** 

#### 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	* <u>0</u>	0	0	0	0
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Current B	udget: Yes		No		
Budget Account No: Fund	Dept Program		Unit	Object	

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

<sup>₩</sup>No Fiscal Impact.

Fixed Asset Number: M06421

C. Departmental Fiscal Review:

### III. <u>REVIEW COMMENTS</u>

A. OFMB Fiscal and/or Contract Development Comments:

**OFMB** 

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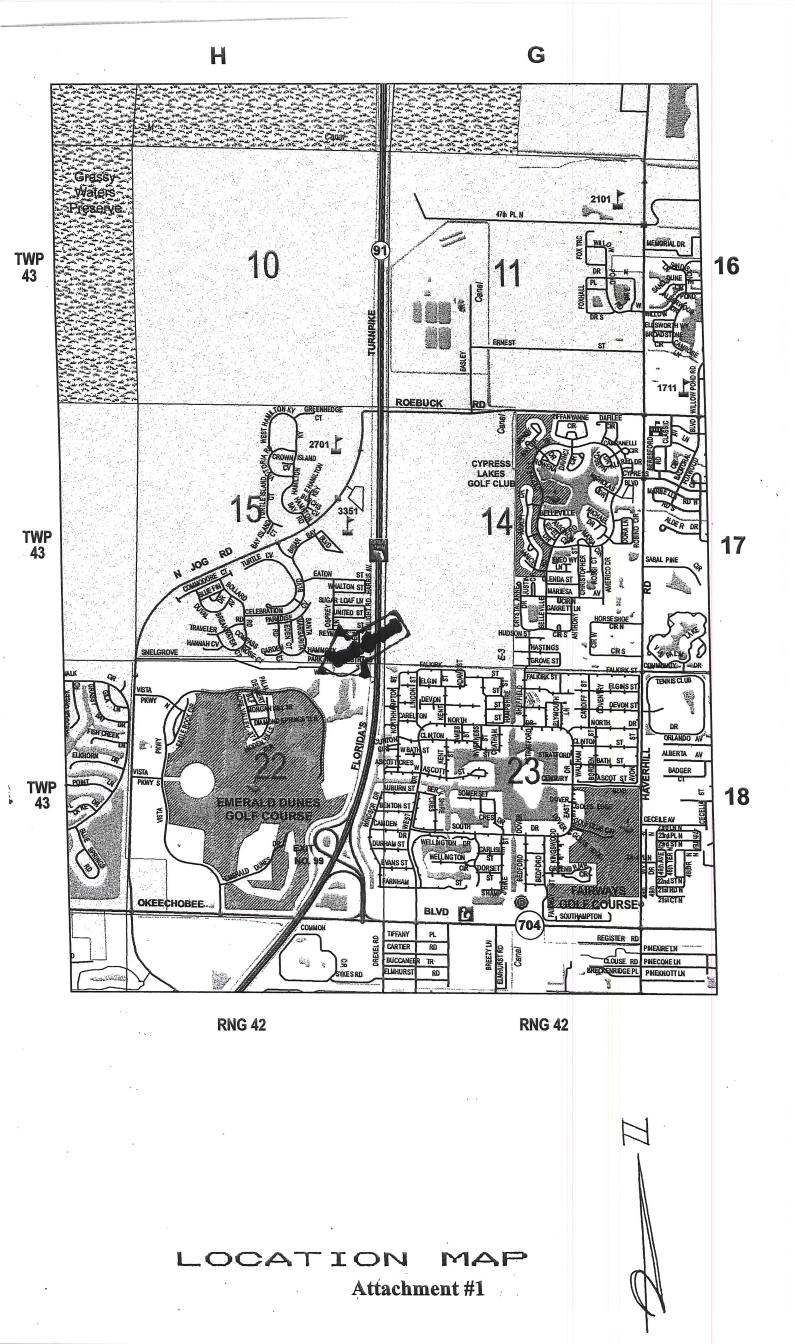
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**B**. **Legal Sufficiency:** Assistant County Attorney

C. Other Department Review:

Department Director

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



# Attachment #2

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

PCN: 00-42-43-15-13-002-0000

#### 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").

#### 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 nonexclusive 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:

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#### See legal description/site sketch marked <u>Exhibit "A"</u> 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

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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)

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**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:

Mary Lou Berger, 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: Valt At & may U 10 Department Director

G:\PREM:\DEV:\OPEN PROJECTS\GG-VISTA-OPERATION AND SUPPORT CENTER\ISS DATA ENTERPRISE CENTER\EASEMENT-FPL\_UNDERGROUND WITH TRANSFORMER. Clean.DOCX

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#### **DESCRIPTION & SKETCH PREPARED FOR:** PALM BEACH COUNTY

#### EXHIBIT "A"

**10' UTILITY EASEMENT** FIELD OPERATIONS AND SUPPORT CENTER

#### **LEGAL DESCRIPTION :**

A 10 FOOT WIDE STRIP OF LAND, FOR UTILITY EASEMENT PURPOSES, LYING IN A PORTION OF TRACT "B", AS SHOWN ON THE PLAT OF FIELD OPERATIONS AND SUPPORT CENTER, RECORDED IN PLAT BOOK 105, PAGES 105 THROUGH 110, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING IN SECTION 22, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, THE CENTERLINE OF SAID STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 22; THENCE ALONG THE NORTH LINE OF SAID SECTION 22, SOUTH 88°58'05" EAST, A DISTANCE OF 1454.60 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED STRIP OF LAND;

THENCE DEPARTING SAID NORTH LINE, SOUTH 55°59'25" EAST, A DISTANCE OF 91.33 FEET; THENCE SOUTH 00°10'35" EAST, A DISTANCE OF 83.52 FEET TO THE POINT OF TERMINUS OF SAID STRIP OF LAND. A DISTANCE OF 91.33

CONTAINING A TOTAL OF 1,748 SQUARE FEET, MORE OR LESS.

#### SURVEYOR'S NOTES:

THIS DRAWING IS NOT A SURVEY.
NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THIS OFFICE.

3. BEARINGS SHOWN HEREON ARE ASSUMED AND ARE CONSISTANT WITH BEARINGS SHOWN ON PLAT BOOK 105, PAGES 105 THROUGH 110; THE NORTH LINE OF SECTION 22, TOWNSHIP 43 SOUTH, RANGE 42 EAST, AS SHOWN HEREON, BEARS SOUTH 88°58'05" EAST. 4. COORDINATES SHOWN HEREON ARE GRID AND ARE BASED ON THE NATIONAL GEODETIC SURVEY, FLORIDA STATE PLANE TRANSVERSE MERCATOR PROJECTION.

DATUM = NORTH AMERICAN DATUM OF 1983 (NAD83), 1990 ADJUSTMENT. 5.

- ZONE = FLORIDA EAST6.
- LINEAR UNITS = US SURVEY FOOT 7.
- SCALE FACTOR = 1.0000308708.
- GROUND DISTANCES X SCALE FACTOR = GRID DISTANCE 9.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL CRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH 10. DESCRIPTION. OTHER.

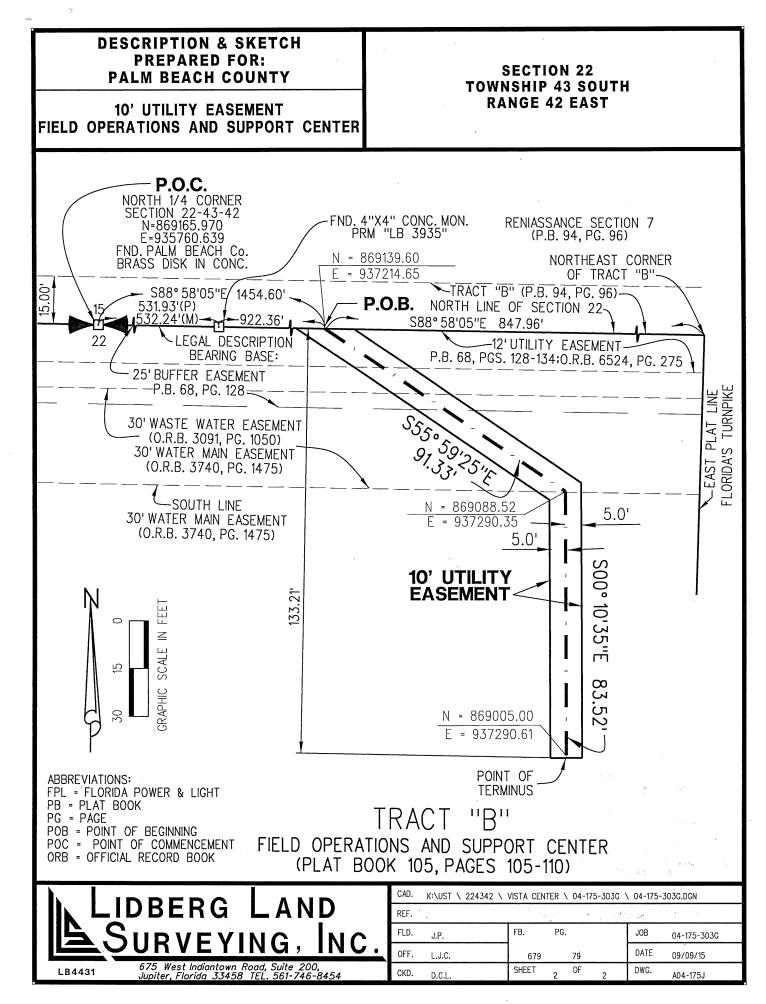
11. THIS LEGAL DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY LIDBERG LAND SURVEYING, INC. 12. DATE OF LEGAL DESCRIPTION: SEPTEMBER 9, 2015

LAND SURVERING, HNC. LIDBERØ

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA CERTIFICATE NO. 3613

LIDBERG LAND		CAD.	CAD. K:\UST \ 224342 \ VISTA CENTER \ 04-175-303G \ 04-175-303G.DGN					
		REF.	REF.					
	SUBVEVING INC.	FLD.	J.P.	FB.	PG.		JOB	04-175-303G
		OFF.	L.J.C.	679	79		DATE	09/09/15
LB4431	675 West Indiantown Road, Suite 200, Jupiter, Florida 33458 TEL. 561-746-8454	CKD.	D.C.L.	SHEET	1 OF	2	DWG.	A04-175J

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