

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 21, 2016	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing

Department:
Submitted By: Engineering and Public Works
Submitted For: Right-of-Way Section

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a subordination of utility interests and reimbursement for future facility relocations with Florida Power & Light Company (FPL) on a parcel of land located at the northeast corner of Jog Road and Ranches Road.

SUMMARY: Approval of the subordination agreement will subordinate an FPL utility license interest and allow Palm Beach County (County) to accept a warranty deed for additional right-of-way. As part of the development conditions associated with a new daycare facility, the property owners are required to provide the County with a corner clip for additional right-of-way on the northeast corner of Jog Road and Ranches Road.

District 3 (MRE)

Background and Justification: As part of the development process, the property owners are required to convey a corner clip to the County for additional right-of-way on the northeast corner of Jog Road and Ranches Road. The parcel of land to be conveyed is encumbered by a utility license in favor of FPL. Land conveyed to the County is required to be free and clear of all encumbrances. The subordination agreement requires FPL to relocate any facilities it may have from the dedicated right-of-way, when and if requested by the County, and requires the County to pay for reasonable relocation costs of said facilities. FPL has already executed the subordination and staff recommends approval.

- Attachments:**
- 1. Location Map
 - 2. Subordination of Utility Interests with Exhibit "A"

Recommended by:		5/27/16
	Department Director	Date
Approved by:		6/13/16
	Assistant County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	<u>\$ -0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<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>\$ **</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget?	Yes	No
-------------------------------------	-----	----

Budget Acct No.: Fund__ Dept.__ Unit__ Object
Program

Recommended Sources of Funds/Summary of Fiscal Impact:

**This item has no additional fiscal impact.


Approval of the Subordination of Utility Interests may require the expenditure of funds for future relocation of utility facilities. This potential impact is not possible to quantify or state with any certainty that it will occur at the present time.

C. Departmental Fiscal Review: Alice Kovalainen

III. REVIEW COMMENTS

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

Shen Pm
OFMB ET 6/02 JLC

Contract Dev. and Control
6/7/14 

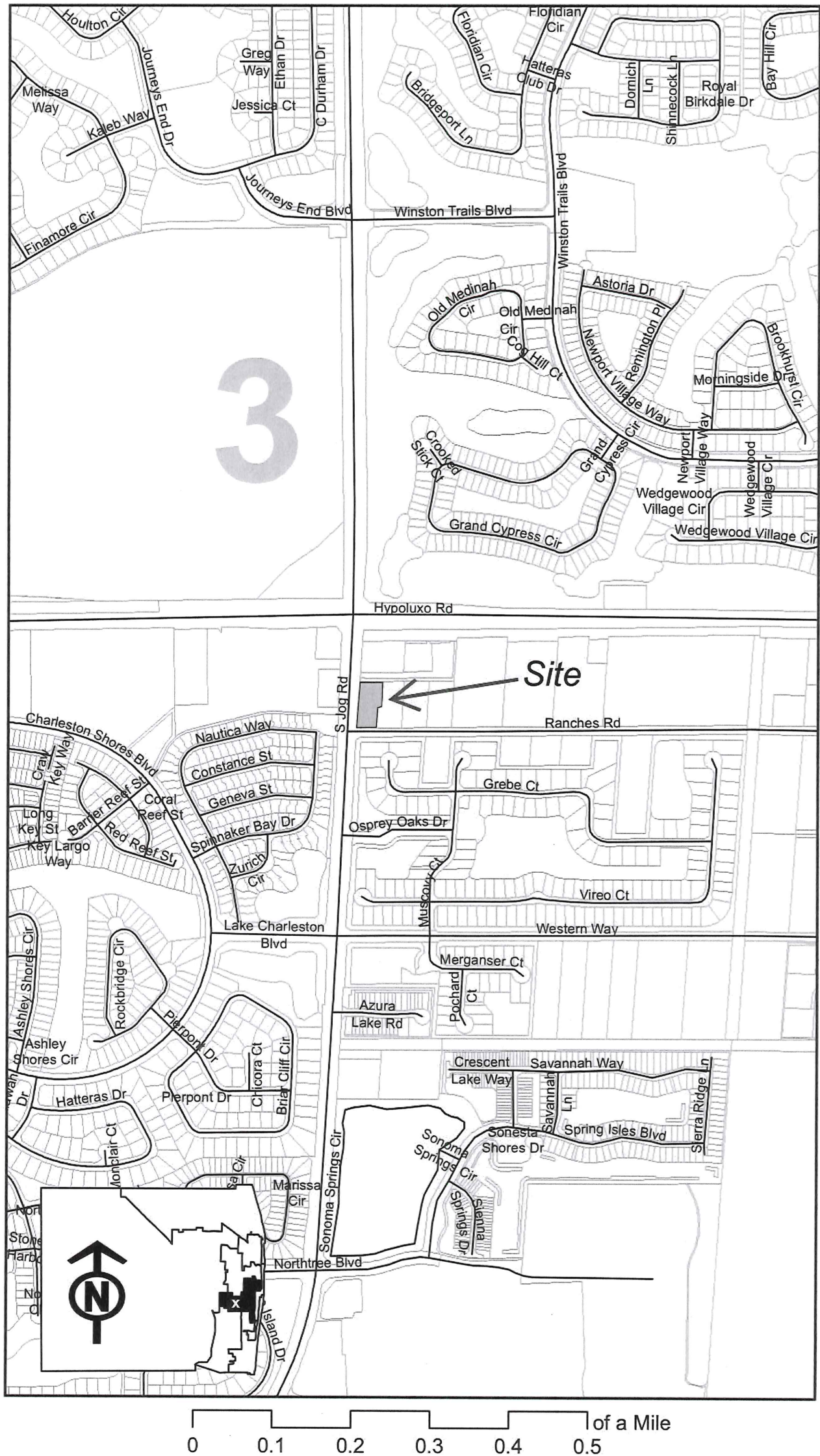
**B. Approved as to Form
and Legal Sufficiency:**

Morgan R. Platts 6/13/16
Assistant County Attorney

C. Other Department Review:

Department Director

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



Location Map

Return to:
Right-of-Way Acquisition Section
Palm Beach County, Engineering & Public Works Department
Post Office Box 21229
West Palm Beach, Florida 33416-1229
Attn.: Kaye Weichel, Right-of-Way Specialist
Acct. No.: 1010 W/C BOX 1066

This instrument prepared by:
Samantha J. Saucier
Florida Power & Light Company
700 Universe Blvd. CRE/JB
Juno Beach, FL 33408

Property Control Number: a portion of 00-42-45-10-01-001-0080

NOT TO BE RECORDED WITHOUT BOARD OF COUNTY COMMISSIONERS ACCEPTANCE DATE

SPACE ABOVE THIS LINE FOR PROCESSING DATA

PROJECT NO. MRT2015-048
ROAD NAME: RANCHES ROAD
PARCEL NO. CORNER CLIP

**SUBORDINATION OF UTILITY INTERESTS
AND AGREEMENT FOR
REIMBURSEMENT FOR ADDITIONAL FACILITY RELOCATIONS**

THIS SUBORDINATION OF UTILITY INTERESTS AND AGREEMENT FOR REIMBURSEMENT FOR ADDITIONAL FACILITY RELOCATIONS (this “Agreement”) is entered into this 2nd day of May 2016, by and between PALM BEACH COUNTY, a political subdivision of the State of Florida (“County”), whose mailing address is Post Office Box 21229, West Palm Beach, Florida 33416-1229, and FLORIDA POWER & LIGHT COMPANY, a Florida corporation (“Utility”), whose mailing address is Post Office Box 14000, Juno Beach, Florida 33408-0420.

WITNESSETH

WHEREAS, the Utility presently has an interest in certain lands as legally described and depicted on attached **Exhibit “A”** (“Lands”) that have been determined necessary for future Public Right-Of-Way purposes; and

WHEREAS, the proposed use of the Lands for highway purposes will require subordination of the interest claimed in such Lands by the Utility to the County; and

WHEREAS, at the request of the County, the Utility has agreed, subject to the terms and conditions set forth herein, to either (i) leave such facilities on the subordinated Lands until such time as the County requests relocation of such facilities, if at all, or (ii) relocate such facilities from the subordinated Lands to an area acceptable to the Utility, as applicable, and the County is willing to pay for such relocation and, if relocated within Public Right-Of-Way, any and all future relocations of said facilities, if necessary, to prevent conflict between the County’s use and the Utility’s use so that the benefits of each may be retained.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, the Utility and the County agree as follows:

AGREEMENT

1. The Utility hereby subordinates any and all of its interest in that certain portion of the Utility’s easement located upon the Lands, as granted via the below-referenced instrument, to the interest of the County for the purposes of constructing, improving, maintaining and operating a road over, through, upon, and/or across such Lands:

<u>NATURE OF ENCUMBRANCE</u>	<u>DATE</u>	<u>FROM OR AGAINST</u>	<u>IN FAVOR OF</u>	<u>BOOK AND PAGE</u>
Corrective Easement	2/27/1991	Robert A. Vickers & Patricia E. Vickers	FPL	6742/558

2. “Public Right-Of-Way”, as used herein, shall mean existing right-of-way and that certain area of land to become future right-of-way also shown on attached Exhibit “A”, and which a portion of the Public Right-Of-Way includes all or a part of the Utility’s above-referenced easement on the Lands (all as depicted on said Exhibit).

3. Should the County require the Utility to alter, adjust, or relocate any of the Utility’s facilities presently located on, within, or upon the Lands, the County hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to the cost of acquiring appropriate replacement easement(s). In addition, the Utility retains the right to be reimbursed in the future for any and all additional alterations, adjustments, or relocations of its facilities located presently or to be located on the Lands (or Public Right-Of-Way if such facilities were previously relocated from the Lands to the Public Right-Of-Way under this Agreement) if such alteration, adjustment, or relocation is caused by present or future uses of the Public Right-Of-Way by the County or its assigns, including, but not limited to, the cost of accommodating the Utility within the Public Right-Of-Way, or if necessary, acquiring replacement easement(s).

4. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate its facilities on, within, and upon the Lands in accordance with the County’s current minimum standards for such facilities as of the date of this Agreement. Any new construction or relocation of such facilities by the Utility on, within, and upon the Lands will be subject to prior approval by the County. Should the County fail to approve any new construction or relocation of such facilities on, within, and upon the Lands, the County hereby agrees to pay the cost of such alteration, adjustment, or relocation required by the County’s failure to approve such new construction or relocation, including, but not limited to the cost of acquiring appropriate replacement easement(s).

5. The Utility shall have the right to enter upon the Lands (and/or the area of the Public Right-Of-Way where the facilities have been relocated) for the purposes outlined in Paragraph 4 above, including the right to trim such trees, brush, and growth which might endanger or interfere with the Utility’s facilities. The County shall provide and allow access to the Lands (and/or the area of the Public Right-Of-Way where the facilities have been relocated) by the Utility.

6. The Utility agrees to repair any damage to the County facilities and to indemnify the County against any loss or damage, in an amount not to exceed One Million Dollars (\$1,000,000), resulting from the Utility exercising its rights to construct, operate, maintain, improve, add to, upgrade or remove its facilities on the Lands (and/or the area of the Public Right-Of-Way where the facilities have been relocated).

7. This Agreement shall not be assigned by County, except to the State of Florida or any other governmental entity that has an interest in the Public Right-Of-Way. In the event of any assignment hereunder, County shall provide written notice of such assignment to Utility within thirty (30) days of such assignment.

(Signatures and Acknowledgements appear on following pages.)

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

ATTEST:

Sharon R. Bock, Clerk & Comptroller

PALM BEACH COUNTY, FLORIDA, A POLITICAL
SUBDIVISION OF THE STATE OF FLORIDA
BOARD OF COUNTY COMMISSIONERS

By: _____
Clerk (or Deputy Clerk)

By: _____
Mary Lou Berger, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

APPROVED AS TO TERMS AND CONDITIONS

By: _____
Division Director

Signed, sealed and delivered
in the presence of:

By: Michelle M. Kahmann

Print Name: Michelle M. Kahmann

By: Amy Wilkes

Print Name: Amy Wilkes

FLORIDA POWER & LIGHT COMPANY,
a Florida corporation

By: Samantha J. Saucier

Title: Area Real Estate Manager

Print Name: Samantha J. Saucier

STATE OF FLORIDA
COUNTY OF PALM BEACH

I hereby certify that on this day, before me, an officer duly authorized to take acknowledgements, personally appeared Samantha J. Saucier to me known and personally known to me to be the person described in, and did not take an oath and who executed the foregoing instrument as its Area Real Estate Manager of the Florida Power & Light Company, a Florida corporation and acknowledged before me that she executed the same as such official in the name and on behalf of said Corporation.

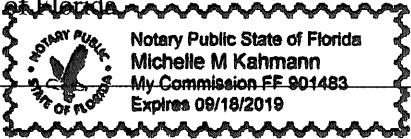
WITNESS my hand and official seal in the County and State aforesaid this 2nd day of May, 2016.

My Commission Expires:

Notary Signature: Michelle M. Kahmann

Notary Public State of Florida

Printed Name:



JOHN A. GRANT, JR., INC.

CONSULTING ENGINEERS & LAND SURVEYORS

3333 NORTH FEDERAL HIGHWAY

BOCA RATON, FLORIDA 33431

PHONE:(561) 395-3333

LICENSED BUSINESS #LB 50

FAX:(561) 395-3315

LEGAL DESCRIPTION

EXHIBIT A

A PARCEL OF LAND LYING IN THE WEST 340 FEET OF THE SOUTH ½ OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 10, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PART OF LOT, 8 , BLOCK 1, PALM BEACH RANCHES AN UNRECORDED PLAT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 10-TOWNSHIP 45S-RANGE 42E PER PALM BEACH RANCHES PLAT (AN UNRECORDED PLAT) BEING ON THE CENTERLINE LINE OF JOG ROAD;

THENCE RUNNING SOUTHERLY ALONG SAID CENTERLINE OF JOG ROAD WITH A BEARING OF SOUTH 03 °21' 07" WEST, A DISTANCE OF 684.57' FEET TO A POINT AT THE INTERSECTION OF JOG ROAD AND RANCHES ROAD AS DESCRIBED ON THE PALM BEACH RANCHES PLAT (AN UNRECORDED PLAT);

THENCE ALONG THE CENTERLINE OF RANCHES ROAD EASTERLY WITH A BEARING NORTH 89°25'35" EAST, A DISTANCE OF 175.08' FEET TO A POINT,

THENCE WITH A BEARING OF NORTH 3° 21' 07" EAST, A DISTANCE OF 30.07 FEET TO A POINT,

THENCE WESTERLY ALONG THE NORTH RIGHT-OF-WAY OF RANCHES ROAD WITH A BEARING OF SOUTH 89° 25' 35" WEST, A DISTANCE OF 108.22 FEET TO A POINT;

SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE NORTH RIGHT-OF-WAY OF RANCHES ROAD WITH A BEARING OF SOUTH 89° 25' 35" WEST, A DISTANCE OF 26.77 FEET TO A POINT;

(LEGAL DESCRIPTION CONTINUED NEXT SHEET)

THIS IS NOT A SURVEY !

Drawn By: <u>TFL</u>	Date: <u>09-04-15</u>
Checked By: <u>WKG</u>	F.B. <u>N/A</u> Pg. <u> </u>
Scale: <u>N/A</u>	Job No.: <u>JG9602</u>
Sheet <u>1</u> of <u>7</u>	Revised: <u>04-22-16</u>

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SKETCH-PBC	7
MONUMENTATION	

JOHN A. GRANT, JR., INC.

CONSULTING ENGINEERS & LAND SURVEYORS

3333 NORTH FEDERAL HIGHWAY BOCA RATON, FLORIDA 33431
 PHONE:(561) 395-3333 LICENSED BUSINESS #LB 50 FAX:(561) 395-3315

LEGAL DESCRIPTIONEXHIBIT A

THENCE NORTHERLY ALONG THE WESTERN RIGHT-OF-WAY LINE OF JOG ROAD WITH A BEARING OF NORTH 3° 21' 07" EAST, A DISTANCE OF 26.77 FEET TO A POINT;

THENCE WITH A BEARING OF SOUTH 43° 36' 39" EAST, A DISTANCE OF 36.54 FEET MORE OR LESS TO A POINT THE POINT OF BEGINNING. CONTAINING 357.5 SQUARE FEET MORE OR LESS

SUBJECT TO A 10 FT. FLORIDA POWER & LIGHT EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK VOLUME 6742, PAGE 558 PALM BEACH COUNTY, FLORIDA.

PALM BEACH COUNTY TAX ID NO. 00-42-45-10-01-001-0080

NOTE: THE BASIS OF BEARINGS REFERENCED HEREON ARE BASED ON THE NORTH LINE OF THE OSPREY OAKS P.U.D. PLAT AS RECORDED IN PLAT BOOK 115, PAGES 80-92.

SPECIFICALLY, PLAT BOOK 115, PAGE 82 HAS A SECTIONAL BREAKDOWN IDENTIFYING THE PALM BEACH RANCHES (UNRECORDED PLAT) VARIOUS CORNERS OF THE NE $\frac{1}{4}$ OF SECTION 10 - TWP 45S - RGE 42E IN ADDITION TO THE "BASIS OF BEARINGS" USED IN THE PREPARATION OF THE OSPREY OAKS P.U.D. PLAT.

TITLE COMMITMENT

OLD REPUBLIC NATIONAL
 TITLE INSURANCE COMPANY

ORDER #: 15-1026-NMG

EFFECTIVE DATE:

OCTOBER 5, 2015 AT 11:00 PM

**"STANDARDS OF PRACTICE SET FORTH
 IN RULE 5J-17.050-.052, OF THE
 FLORIDA ADMINISRATIVE CODE,
 ADOPTED BY THE FLORIDA BOARD OF
 PROFESSIONAL SURVEYORS AND
 MAPPERS, PURSUANT TO CHAPTER
 472.027 OF THE FLORIDA STATUTES."**

THIS IS NOT A SURVEY !

REVIEWED AND APPROVED:

Drawn By: <u>TFL</u>	Date: <u>09-04-15</u>
Checked By: <u>WKG</u>	F.B. <u>N/A</u> Pg. <u> </u>
Scale: <u>N/A</u>	Job No.: <u>JG9602</u>
Sheet <u>2</u> of <u>7</u>	Revised: <u>04-22-16</u>

Thomas F. Lubanovic
 THOMAS F. LUBANOVIC
 PROFESSIONAL LAND SURVEYOR
 AND MAPPER NO. 6939
 STATE OF FLORIDA

JOHN A. GRANT, JR., INC.

CONSULTING ENGINEERS & LAND SURVEYORS

3333 NORTH FEDERAL HIGHWAY BOCA RATON, FLORIDA 33431
PHONE:(561) 395-3333 LICENSED BUSINESS #LB 50 FAX:(561) 395-3315

LEGEND AND NOTES

EXHIBIT A

LEGEND

ALUM	= Aluminum	PB	= Plat Book
C	= Calculated	PBC	= Palm Beach County
CATV	= Cable Television	PBCR	= Palm Beach County
	Riser		Records
CL	= Center Line	PG	= Page
CI	= Curb Inlet	PL	= Property Line
CM	= Concrete Monument	POB	= Point of Beginning
CONC	= Concrete	POC	= Point of Commencing
CPP	= Concrete Power Pole	PP	= Power Pole
D*	= Per Deed	PSM	= Professional Surveyor
E	= East		and Mapper
ESMT	= Easement	PRM	= Premanent Reference
ELEV	= Elevation		Monument
FB	= Field Book	PUD	= Planned Unit Development
FH	= Fire Hydrant	R/W	= Right-of-Way
FND	= Found	RGE	= Range
FPL	= Florida Power & Light	S	= South
GLM	= Gas Line Marker	SDMH	= Storm Drainage Manhole
GV	= Gate Valve	SEC	= Section
ID	= Identification Number	TWP	= Township
IP	= Iron Pipe	UE	= Utility Easement
IR	= Iron Rod	W	= West
IRC	= Iron Rod &	WPP	= Wood Power Pole
	Plastic Cap		= Spot Elevation
LB	= Licensed Business		
LP	= Light Pole		
N	= North		
NO.	= Number		
ORB	= Official Record Book		
P	= Plat		

18.08

(*) SEE SURVEY NOTES

NOTE:
SEE THE FOLLOWING PALM BEACH
COUNTY OFFICIAL RECORDS FOR
RANCHES ROAD VESTING
DOCUMENTATION:

- ORB 1836, PG 167
- ORB 1836, PG 169
- ORB 1836, PG 171
- ORB 1836, PG 173

NOTE: SEE SHEETS 1-2 & 4-7
FOR ADDITIONAL INFORMATION

THIS IS NOT A SURVEY !

Drawn By: TFL Date: 09-04-15
Checked By: WKG F.B. N/A Pg. _____
Scale: N/A Job No.: JG9602
Sheet 3 of 7 Revised: 04-22-16

Drawing:K:\JG9602\CAD Files\2016-04-11 - PBC - RESUBMISSION\JG9602 - COR CLIP - APR 2016.dwg\CC-LEGEND-

JOHN A. GRANT, JR., INC.

CONSULTING ENGINEERS & LAND SURVEYORS

4 3333 NORTH FEDERAL HIGHWAY BOCA RATON, FLORIDA 33431
PHONE:(561) 395-3333 LICENSED BUSINESS #LB 50 FAX:(561) 395-3315

GENERAL NOTES

EXHIBIT A

NOTE:

PLAT BOOK 115, PAGE 82 HAS A SECTIONAL BREAKDOWN IDENTIFYING THE PALM BEACH RANCHES (UNRECORDED PLAT) VARIOUS CORNERS OF THE NE $\frac{1}{4}$ OF SECTION 10-45S-42E IN ADDITION TO THE "BASIS OF BEARINGS" USED IN THE PREPARATION OF THE OSPREY OAKS P.U.D.

THE OSPREY OAKS P.U.D. PLAT AS RECORDED IN PLAT BOOK 115, PAGES 80-92 IS INCORPORATED IN ITS' ENTIRETY AS PART OF THIS DOCUMENT.

NOTE:

- A. COORDINATES SHOWN ARE GRID
- B. DATUM = 1993 NAD 83, 1990 ADJUSTMENT
- C. ZONE = FLORIDA EAST
- D. LINEAR UNITS = U.S. SURVEY FOOT
- E. COORDINATE SYSTEM: 1983 STATE PLANE TRAVERSE MERCATOR PROJECTION
- F. ALL DISTANCES ARE GROUND
- G. PROJECT SCALE FACTOR = SF = 1.0000329
- H. GROUND DISTANCE X SF = GRID DISTANCE

THIS IS NOT A SURVEY !

Drawn By: TFL	Date: 09-04-15
Checked By: WKG	F.B. N/A Pg. _____
Scale: N/A	Job No.: JG9602
Sheet 4 of 7	Revised: 04-22-16

NOTE: SEE SHEETS 1-3 & 5-7
FOR ADDITIONAL INFORMATION

Drawing:k:\JG9602\CAD Files\2016-04-11 - PBC - RESUBMISSION\JG9602 - COR CLIP - APR 2016.dwg\CC-NOTES -

JOHN A. GRANT, JR., INC.

CONSULTING ENGINEERS & LAND SURVEYORS

3333 NORTH FEDERAL HIGHWAY

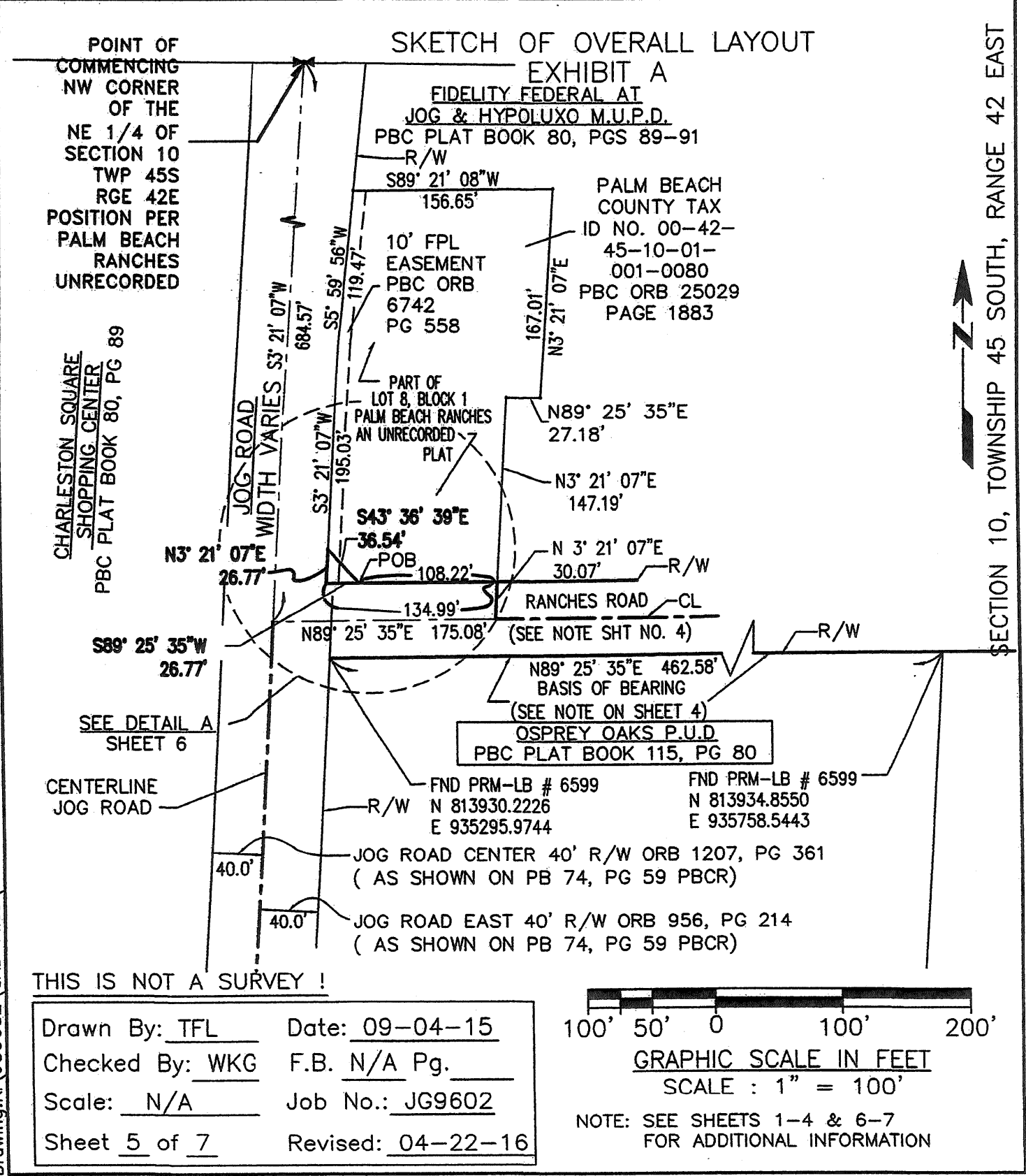
BOCA RATON, FLORIDA 33431

PHONE:(561) 395-3333

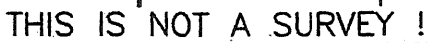
LICENSED BUSINESS #LB 50

FAX:(561) 395-3315

Drawing:K:\JG9602\CAD Files\2016-04-11 - PBC - RESUBMISSION\JG9602 - COR CLIP - APR 2016.dwg\CC-OVERALL



FAX:(561) 395-3315



NOTE: SEE SHEETS 1-5 & 7
FOR ADDITIONAL INFORMATION

3333 NORTH FEDERAL HIGHWAY BOCA RATON, FLORIDA 33431
PHONE:(561) 395-3333 LICENSED BUSINESS #LB 50 FAX:(561) 395-3315

**POINT OF COMMENCING
THE NORTH
QUARTER
CORNER OF
SECTION 10
TWP45S-RGE42E
PER PALM BEACH
RANCHES (PBRU)
(UNRECORDED PLAT)**

**CHARLESTON SQUARE
SHOPPING CENTER**
PBC PLAT BOOK 80, PG 89

JOG ROAD
WIDTH VARIES

R/W

CL
JOG ROAD

N3° 21' 07"E
26.77'

POB

S43° 36' 39"E
36.54'

**PART OF
LOT 8, BLOCK 1
PALM BEACH RANCHES
AN UNRECORDED
PLAT**

**10' FPL
EASEMENT
PBC ORB
6742
PG 558**

R/W

RANGES ROAD
CL

S89° 25' 35"W
26.77'

OSPREY OAKS P.U.D.
PBC PLAT BOOK 115, PG 80

FND PRM-LB # 6599
N 813930.2226
E 935295.9744

FND PRM-LB # 6599
N 813934.8550
E 935758.5443

**PALM BEACH
COUNTY CONTROL
MONUMENT "E-3 HYPO"**
N 814633.4500
E 940689.2210

N83° 09' 50"E
5401.35'

R/W

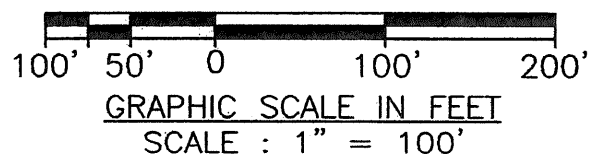
S05° 08' 57"W
1656.43'

**PALM BEACH
COUNTY CONTROL
MONUMENT "CHAR-LAKE"**
N 814340.5138
E 935150.8311

R/W

SECTION 10, TOWNSHIP 45 SOUTH, RANGE 42 EAST

Drawn By: TFL Date: 09-04-15
 Checked By: WKG F.B. N/A Pg.
 Scale: N/A Job No.: JG9602
 Sheet 7 of 7 Revised: 04-22-16



NOTE: SEE SHEETS 1-6
FOR ADDITIONAL INFORMATION

This Instrument Was Prepared By

J.A. RATHBONE
Florida Power & Light Company
P.O. Box 16179
West Palm Beach, FL 33416-6179

FER-28-1991 02:45pm 91-055248

ORB 6742 Pg 558

RWO/SIO/TWO/ER 5642

Sec. 10, Twp. 45 S, Rge. 42 E

91-055248
10.00 Doc
JOHN B DUNKLE, CLERK - PB COUNTY, FL

CORRECTIVE
EASEMENT

Form 3722A (Stocked) Rev. 12/88

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its licensees, agents, successors, and assigns, an easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) 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 10 feet in width described as follows:

PARCEL: 92

LEGAL DESCRIPTION

That portion of the Northeast quarter of Section 10, Township 45 South, Range 42 East in Palm Beach County, Florida, described as follows:

Beginning at the North quarter corner of said Section as shown on the Right-of-Way Map for Hypoluxo Road dated November, 1987; thence South 3 20'59" West along the North-South quarter section line of said Section a distance of 652.00 feet, more or less; thence South 86 39'01" East a distance of 40.00 feet to the point of beginning, said POINT OF BEGINNING being at the intersection of the North right-of-way line of Ranches Road and the East right-of-way line of Jog Road; thence along said East right-of-way line, North 03 20'59" East a distance of 193.34 feet, thence North 05 59'53" East a distance of 119.47 feet; thence North 89 21'50" East along the North property line a distance of 10.00 feet; thence South 05 59'53" West a distance of 119.47 feet to a point thence South 03 20'59" West a distance of 193.34 feet to a point on the North right-of-way line of Ranches Road, thence South 89 26'16" West a distance of 10.00 feet to the POINT OF BEGINNING.

Containing 0.718 Acres, more or less.

The West line of herein described 10' easement shall be coincidental with and contiguous to the East right-of-way line of Jog Road.

Together with the right to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on
FEBRUARY 27, 1991.

Signed, sealed and delivered in the
presence of:

Charles L. Ware (Witness)
Charles L. Ware (Witness)

Robert A. Vickers (Seal)
Robert A. Vickers
Patricia E. Vickers (Seal)
Patricia E. Vickers

STATE OF FLORIDA AND COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 27th day

of FEBRUARY, 1991, by ROBERT A. VICKERS

and PATRICIA E. VICKERS

RECORD VERIFIED
PALM BEACH COUNTY, FLA
JOHN B. DUNKLE
CLERK CIRCUIT COURT

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. JAN. 28, 1994
BONDED THRU GENERAL INS. UND.

John B. Dunkle
Notary Public, State of



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