

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 2, 2017

☒ Consent

☐ Regular

☐ Ordinance

☐ Public Hearing

Department: Engineering and Public Works

Submitted By: Engineering and Public Works

Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve:

- A) a subordination of utility interest by BellSouth Telecommunications, Inc. d/b/a AT&T Florida (AT&T) on a parcel of land located at the northeast corner of Northlake Boulevard and Military Trail; and
- B) a subordination of utility interest by Seacoast Utility Authority (Seacoast) on a parcel of land located at the northeast corner of Northlake Boulevard and Military Trail; and
- C) a subordination of utility interest for facility relocations by Florida Power & Light Company (FPL) on a parcel of land located at the northeast corner of Northlake Boulevard and Military Trail.

**SUMMARY:** Approval of these subordination agreements will subordinate utility easements operated by AT&T, Seacoast, and FPL (Utility Companies), and allow Palm Beach County (County) to accept a conveyance of additional right-of-way for the construction of a westbound right turn lane on Northlake Boulevard. District 1 (LBH)

**Background and Justification:** As part of the roadway project to construct a westbound right turn lane on Northlake Boulevard, additional right-of-way is required from the adjacent property. The required right-of-way parcel is encumbered by easements to the utility companies. The subordination agreements require the utility companies to relocate any facilities they 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. The utility companies have already executed the subordinations and staff recommends approval.

**Attachments:**

- 1. Location Map
- 2. Subordination of Utility Interests with Exhibit "A" (AT&T)
- 3. Subordination of Utility Interests with Exhibit "A" (Seacoast)
- 4. Subordination of Utility Interests and Agreement For Reimbursement For Facility Relocations with Exhibit "A" (FPL)

Recommended by: 

Department Director

3/29/17  
Date

Approved by:

Assistant County Administrator

Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:


Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$ **	-0-	-0-	-0-	-0-
# 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: 

## III. REVIEW COMMENTS

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

  
OFMB for 3/30  
3/30

 4/12/17  
Contract Dev. and Control  
4/12/17

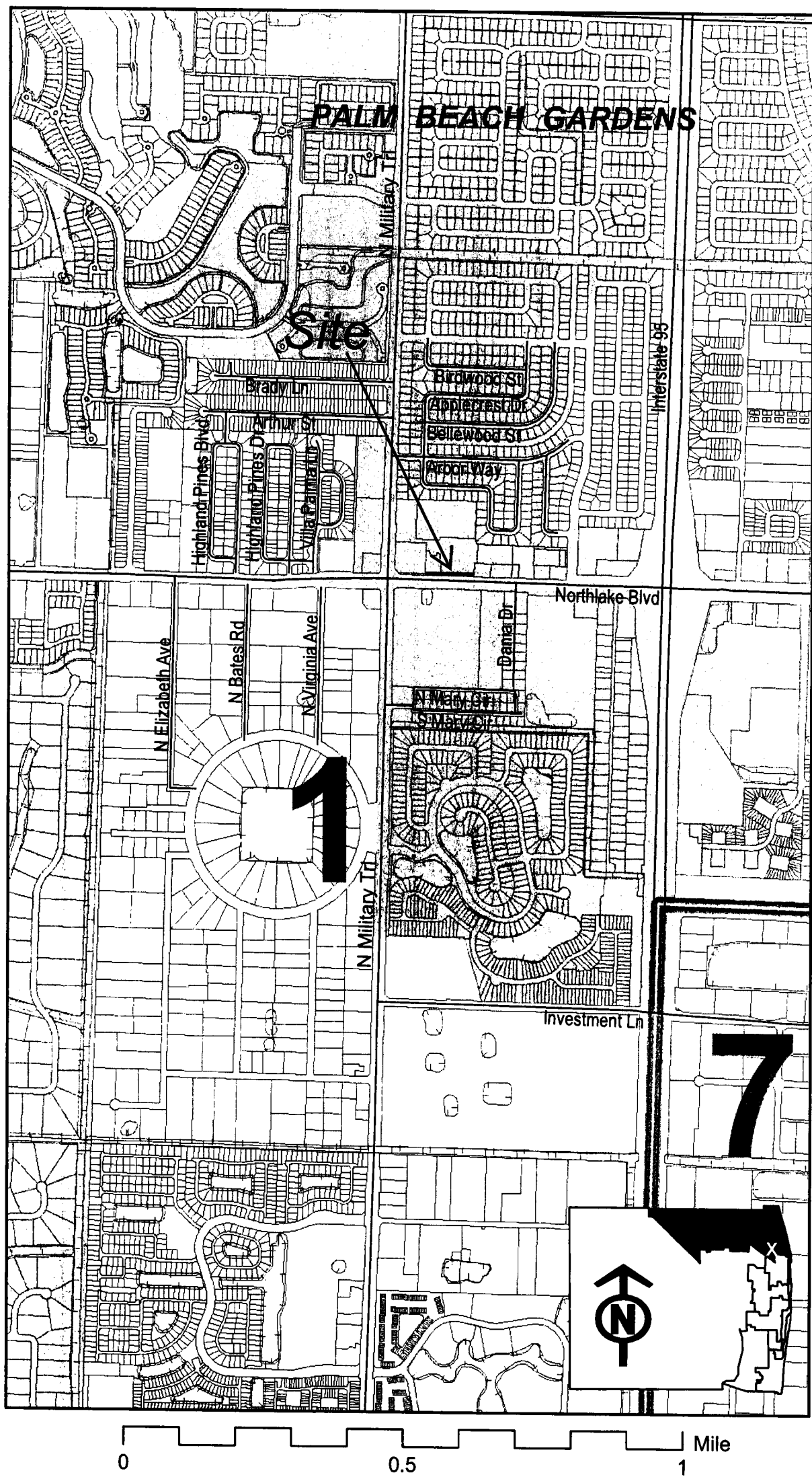
### B. Approved as to Form and Legal Sufficiency:

  
Assistant County Attorney  
4/13

### 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:  
Marlene R. Everitt, Senior Assistant County Attorney  
Palm Beach County, County Attorney's Office  
Post Office Box 21229  
West Palm Beach, Florida 33416-1229

Property Control Number: Portion of 52-42-42-13-25-000-0000

**NOT TO BE RECORDED WITHOUT BOARD OF COUNTY COMMISSIONERS ACCEPTANCE DATE**

SPACE ABOVE THIS LINE FOR PROCESSING DATA

**PROJECT NO. 2013519**

**ROAD NAME: NORTHLAKE BLVD**

**PARCEL NO. 101**

**SUBORDINATION OF UTILITY INTERESTS**

**THIS AGREEMENT** is entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose post office address is Post Office Box 21229, West Palm Beach, Florida 33416-1229, (hereinafter called "County") and **BELLSOUTH TELECOMMUNICATIONS, INC.**, a Georgia corporation, d/b/a **AT&T Florida** whose post office address is 675 W. Peachtree Street NW, Atlanta GA 30375 (hereinafter called "Utility").

WHEREAS, the Utility presently has easements on certain property that has been determined necessary for public purposes; and,

WHEREAS, the proposed use of this property will require subordination to the County of the interests claimed in said property by the Utility, and at the request of the County, the Utility has agreed, subject to the following conditions, to relocate its facilities from the Utility's easement onto public right-of-way, or has agreed to leave its facilities on the subordinated property (hereinafter "Property"), described in Exhibit "A" attached hereto and made a part hereof; and,

WHEREAS, the County is willing to pay to have the Utility's facilities relocated as necessary to prevent conflict between the facilities 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:

1. The Utility hereby subordinates any and all of its interest in that portion of the following easement lying within the Property, to the interest of the County, its successors or assigns, through, under, upon or across the Property;

---

<u>NATURE OF ENCUMBRANCE</u>	<u>RECORD DATE</u>	<u>FROM OR AGAINST</u>	<u>IN FAVOR OF</u>	<u>BOOK / PAGE</u>
EASEMENT	8/24/2000	Northmil Partners, L.C.	Bellsouth Telecommunications, Inc.	ORB 11974 PG 1155

---

2. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon all the Property in accordance with the County's current minimum standards for such facilities as of the date of such construction. Any new construction or relocation of the facilities within the Property will be subject to prior approval by the County. Should the County fail to approve any new construction or relocation of facilities by the Utility or hereafter require the Utility to alter, adjust or relocate its facilities from within the Property, the County hereby agrees to pay the Utility's reasonable cost of any required alteration, adjustment or relocation, caused by the County's actions, including the cost of acquiring the necessary easements.
3. The Utility shall have a reasonable right to enter upon the Property for the purposes outlined in paragraph 2 above, including the right to trim such trees, bushes, and growth which might endanger or interfere with the operation and safety of the Utility's facilities.
4. The Utility agrees to repair any damage to the County's facilities and to indemnify and hold harmless the County against any loss or damage resulting from the Utility exercising its rights outlined in paragraph 2 and 3 above.
5. These terms and conditions shall be attached as an addendum to the permit, if any, required by the County for location of facilities on the Property.
6. This agreement is not assignable except to the State of Florida or other governmental entity for the purposes described herein.

IN WITNESS WHEREOF County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor or Vice Mayor of said Board, the day and year aforesaid.

**ATTEST:**

SHARON R. BOCK  
CLERK & COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
Assistant County Attorney

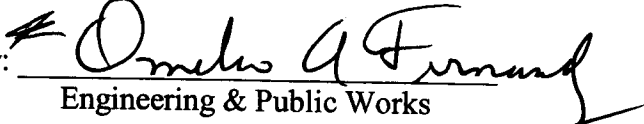
**County:**

**PALM BEACH COUNTY,**  
a political subdivision of the State of Florida

By: \_\_\_\_\_  
Paulette Burdick, Mayor

**(Official Seal)**

**APPROVED AS TO TERMS AND  
CONDITIONS**

By:   
Engineering & Public Works

Signed, sealed and delivered in the presence of:

(Signature of two witnesses  
required by Florida law)

[Signature]  
Witness Signature (Required)

Jonathan Elzey  
Witness Name Printed or Typed

[Signature]  
Witness Signature (Required)

M. G. Gibson  
Witness Name Printed or Typed

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me personally appeared B MACIAS, JR., who is personally known to me, or has produced as identification, and ~~who executed~~ the foregoing instrument as DIRECTOR - CTE of BELL SOUTH TELECOMMUNICATIONS, INC., d/b/a AT&T Florida, a Georgia corporation and severally acknowledged to and before me that he/she executed such instrument as such officer of said company, and that said instrument is the free act and deed of said company.

Witness my hand and official seal this 6th day of JANUARY, 2017.

(Stamp/Seal)



Utility:

BELL SOUTH TELECOMMUNICATIONS, INC.,  
d/b/a AT&T Florida, a Georgia corporation

By: [Signature]  
Print Name & Title  
DIRECTOR - CTE

(CORPORATE SEAL)

[Signature]  
Notary Signature

Notary Public, State of FLORIDA

ANA L. LLANO

Print Notary Name

EE883736

Commission Number

My Commission Expires: 5/3/17

N:\R\_O\_WKAYE\2013519NORTHLAKE&MILITARY\PARCEL 101\SUBORDINATION OF UTILITY INTERESTS AT&T

# EXHIBIT "A"

## LEGAL DESCRIPTION: RIGHT-OF-WAY ACQUISITION

A PORTION OF NORTHMIL PLAZA PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 87, PAGES 135 AND 136 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING WITHIN SECTION 13, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER (1/4) CORNER OF SAID SECTION 13; THENCE ALONG THE SOUTH LINE OF SAID SECTION 13, SOUTH 88°32'49" EAST, A DISTANCE OF 350.30 FEET; THENCE NORTH 01°27'11" EAST, A DISTANCE OF 56.00 FEET TO THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID NORTHMIL PLAZA PLAT AND TO THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL OF LAND; THENCE ALONG THE WEST LINE OF SAID NORTHMIL PLAZA PLAT, NORTH 01°45'30" EAST, A DISTANCE OF 5.00 FEET TO A POINT ON A LINE 5.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHMIL PLAZA PLAT; THENCE SOUTH 88°32'49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 461.15 FEET TO POINT ON THE EAST LINE OF SAID NORTHMIL PLAZA PLAT; THENCE ALONG SAID EAST LINE, SOUTH 01°45'30" WEST, A DISTANCE OF 5.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHMIL PLAZA PLAT; THENCE NORTH 88°32'49" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 461.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,306 SQUARE FEET OR 0.053 ACRES, MORE OR LESS.

ALL BEARINGS SHOWN HEREON ARE GRID AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) SECTION 13, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID LINE BEARS SOUTH 88°32'49" EAST.

SUBJECT TO EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

## CERTIFICATION:

THIS SKETCH AND DESCRIPTION ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



WILBUR F. DIVINE  
PROFESSIONAL LAND SURVEYOR & MAPPER  
LICENSE NO. 4190, STATE OF FLORIDA

DATE: 11-05-14

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: REFERENCE TITLE SEARCH REPORT BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED JANUARY 13, 2016.

REV: 03-03-16 REV: 08-03-16  
REV: 02-23-16 REV: 03-28-16  
REV: 08-31-15 REV: 03-24-16



ARCADIS U.S., Inc.  
1500 Gateway Boulevard, Suite 200  
Boynton Beach, Florida 33426

Tel: (561) 897-7000 Fax: (561) 369-4731  
www.arcadis.com

LB 7002

PROJECT MANAGER WFD	DEPARTMENT MANAGER WFD	SCALE:	CHECKED BY W.F.D.
SHEET TITLE SKETCH OF DESCRIPTION R/W ACQUISITION PARCEL 101 SHEET 1 OF 5		DATE: 11-05-14	DRAWN BY JAF
		PROJECT NUMBER WF900144	DRAWING NUMBER WF900144-SD01



NOTE:  
COORDINATES SHOWN ARE FLORIDA STATE  
PLANE, EAST ZONE, NAD 83, 1990  
ADJUSTMENT. SCALE FACTOR 1.000038589

PARCEL CONTROL NUMBER  
52424213250000000  
O.R.B. 16305, PG. 714

MILITARY TRAIL

O.R.B. 2797, PG. 1530

WEST LINE OF S.E. 1/4  
SEC. 13-42-42

13  
24

**-P.O.C.**

SOUTH 1/4 CORNER OF  
SEC. 13, TWP. 42 S.,  
RGE. 42 E.  
BASED ON PBCO SURVEY  
DEPARTMENT POSITION  
STA. 55+00.00  
N 900768.89  
E 947651.74

REV: 08-31-15

UNPLATTED  
ACREAGE

WEST LINE OF  
NORTHMIL PLAZA PLAT

STA: 58+50.33  
OFFSET: 61.00' LT.

N01°45'30"E-5.00'

MOST SOUTHERLY S.W. CORNER  
OF NORTHMIL PLAZA PLAT

P.O.B.

STA: 58+50.30  
OFFSET: 56.00' LT.  
N 900815.99  
E 948003.35

N. R/W LINE PER  
D.B. 946, PG. 453

N. R/W LINE PER  
O.R.B. 11655, PG. 584

**- BASELINE**  
SOUTH LINE OF  
THE S.E. 1/4 OF  
SEC. 13-42-42

NORTH LAKE BLVD. (C.R. 809-A)  
FDOT. R/W MAP - SECTION 8368.150

FDOT. R/W MAP - SECTION 9368-150

**LEGEND:**

- Q - CENTERLINE
- C.R. - COUNTY ROAD
- D.B. - DEED BOOK
- FDOT - FLORIDA DEPARTMENT  
OF TRANSPORTATION
- L.A.E. - LIMITED ACCESS EASEMENT
- LT. - LEFT
- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- O.R.B. - OFFICIAL RECORDS BOOK
- PBCO - PALM BEACH COUNTY

101 - PARCEL NUMBER

(P.) - PLAT  
PG - PAGE  
RGE. - RANGE  
R/W - RIGHT-OF-WAY  
SEC. - SECTION  
S.T. - SURVEY TIE  
STA. - STATION  
TWP. - TOWNSHIP

N 903472.19 - COORDINATES  
E 886633.00



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1500 Gateway Boulevard, Suite 200  
Boynton Beach, Florida 33426

Tel: (561) 897-7000 Fax: (561) 399-4791  
www.arcadis.com

PROJECT MANAGER  
W.F.D.

DEPARTMENT MANAGER  
W.F.D.

**SCALE:**  
1" = 3'

DATE: 11-05

11-05-14
PROJECT NUMBER

WF900144

CHECKED BY  
WFD

DRAWN BY  
JAF

**DRAWING NUMBER**

WF900144-SD01

**B-7002**

SHEET TITLE  
SKETCH OF DESCRIPTION  
R/W ACQUISITION  
PARCEL 101  
SHEET 2 OF 5

SKETCH TO ACCOMPANY DESCRIPTION. THIS IS NOT A SURVEY!



NORTHMIL PLAZA PLAT

P.B. 87, PGs. 135 & 136

PARCEL CONTROL NUMBER

5242421325000000

O.R.B. 16305, PG. 714

SCALE: 1"=20'

12' U.E.  
(O.R.B. 12361,  
PG. 1694)

101

5' L.A.E. (P.)

S88°32'49"E

461.15'

5' L.A.E. (P.)

N88°32'49"W

461.15'

N. R/W LINE PER  
O.R.B. 11655, PG. 584

SOUTH LINE OF  
NORTHMIL PLAZA PLAT

N. R/W LINE PER  
D.B. 946, PG. 453

**BASELINE**

SOUTH LINE OF  
THE S.E. 1/4 OF  
SEC. 13-42-42

S88°32'49"E

60+00

**NORTH LAKE BLVD. (C.R. 809-A)**

FDOT. R/W MAP - SECTION 9368-150

**LEGEND:**

- |        |  |             |                 |
|--------|--|-------------|-----------------|
| ℄      | - CENTERLINE                           | 101         | - PARCEL NUMBER |
| C.R.   | - COUNTY ROAD                          | (P.)        | - PLAT          |
| D.B.   | - DEED BOOK                            | PG          | - PAGE          |
| FDOT   | - FLORIDA DEPARTMENT OF TRANSPORTATION | RGE.        | - RANGE         |
| L.A.E. | - LIMITED ACCESS EASEMENT              | R/W         | - RIGHT-OF-WAY  |
| LT.    | - LEFT                                 | SEC.        | - SECTION       |
| P.O.C. | - POINT OF COMMENCEMENT                | S.T.        | - SURVEY TIE    |
| P.O.B. | - POINT OF BEGINNING                   | STA.        | - STATION       |
| O.R.B. | - OFFICIAL RECORDS BOOK                | TWP.        | - TOWNSHIP      |
| PBCO   | - PALM BEACH COUNTY                    | N 903472.19 | - COORDINATES   |
|        |  | E 886633.00 |                 |



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Boynton Beach, Florida 33426

Tel: (561) 697-7000 Fax: (561) 368-4731  
www.arcadis.com

LB 7052

PROJECT MANAGER W.F.D.	DEPARTMENT MANAGER W.F.D.	SCALE: 1" = 20'	CHECKED BY WTD
SHEET TITLE SKETCH OF DESCRIPTION R/W ACQUISITION PARCEL 101 SHEET 3 of 5		DATE: 08-31-15	DRAWN BY JAF
		PROJECT NUMBER WF900144	DRAWING NUMBER WF900144-SD01



SKETCH TO ACCOMPANY DESCRIPTION. THIS IS NOT A SURVEY!

NORTHMIL PLAZA PLAT

P.B. 87, PGs. 135 & 136

PARCEL CONTROL NUMBER

52424213250000000

O.R.B. 16305, PG. 714

SCALE: 1"=20'

UNPLATTED  
ACREAGE



12' U.E.  
(O.R.B. 12361  
PG. 1694)

10' F.P.L. EASEMENT  
(O.R.B. 12274,  
PG. 1869)

EAST LINE OF  
NORTHMIL PLAZA PLAT

STA: 63+11.48  
OFFSET: 61.00' LT.

5' L.A.E. (P.)

S88°32'49"E

101

461.15'

S01°45'30"W  
5.00'

N88°32'49"W

461.15'

N. R/W LINE PER  
O.R.B. 11655, PG. 584

STA: 63+11.45  
OFFSET: 56.00' LT.  
N 900804.30  
E 948464.35

N. R/W LINE PER  
D.B. 946, PG. 453

SOUTH LINE OF  
NORTHMIL PLAZA PLAT

NOTE:  
COORDINATES SHOWN ARE FLORIDA  
STATE PLANE, EAST ZONE, NAD 83,  
1990 ADJUSTMENT. SCALE FACTOR  
1.000038589

**BASELINE**

SOUTH LINE OF THE S.E.  
1/4 OF SEC. 13-42-42

NORTH LAKE BLVD. (C.R. 809-A)

FDOT. R/W MAP - SECTION 9368-150

**LEGEND:**

CL - CENTERLINE  
C.R. - COUNTY ROAD  
D.B. - DEED BOOK  
FDOT - FLORIDA DEPARTMENT  
OF TRANSPORTATION  
L.A.E. - LIMITED ACCESS EASEMENT  
LT. - LEFT  
P.O.C. - POINT OF COMMENCEMENT  
P.O.B. - POINT OF BEGINNING  
O.R.B. - OFFICIAL RECORDS BOOK  
PBCO - PALM BEACH COUNTY

101 - PARCEL NUMBER  
(P.) - PLAT  
PG. - PAGE  
RGE. - RANGE  
R/W - RIGHT-OF-WAY  
SEC. - SECTION  
S.T. - SURVEY TIE  
STA. - STATION  
TWP. - TOWNSHIP  
N 903472.19 - COORDINATES  
E 886633.00

S.E. CORNER OF  
SEC. 13, TWP. 42 S.,  
RGE. 42 E.  
BASED ON PBCO SURVEY  
DEPARTMENT POSITION  
N 900701.89  
E 950293.35



**ARCADIS**

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1500 Gateway Boulevard, Suite 200  
Boynton Beach, Florida 33426

Tel: (561) 697-7000 Fax: (561) 369-4731  
www.arcadis.com

PROJECT MANAGER  
W.F.D.

DEPARTMENT MANAGER  
W.F.D.

SCALE:  
1" = 20'

CHECKED BY  
WFD

SHEET TITLE  
SKETCH OF DESCRIPTION  
R/W ACQUISITION  
PARCEL 101  
SHEET 5 OF 5

DATE:  
08-31-15

DRAWN BY  
JAF

PROJECT NUMBER

DRAWING NUMBER

WF900144

WF900144-SD01

MATCH LINE SEE SHEET 4 OF 5

Plot\\jrm - Wed, 03 Aug 2016 10:07am Path\\Name: G:\Projects\TRA\WF900144\SD01\WF900144-SD01.dwg

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:  
Marlene R. Everitt, Senior Assistant County Attorney  
Palm Beach County, County Attorney's Office  
Post Office Box 21229  
West Palm Beach, Florida 33416-1229

Property Control Number:    Portion of: 52-42-42-13-25-000-0000

**NOT TO BE RECORDED WITHOUT BOARD OF COUNTY COMMISSIONERS ACCEPTANCE DATE**

**SPACE ABOVE THIS LINE FOR PROCESSING DATA**

**PROJECT NO.: 20135169**

**ROAD NAME: NORTHLAKE BLVD**

**PARCEL NO.: 101**

### **SUBORDINATION OF UTILITY INTERESTS**

**THIS AGREEMENT** ("Agreement") is entered into this 24<sup>th</sup> day of August, 2016, by and between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose post office address is Post Office Box 21229, West Palm Beach, Florida 33416-1229, (hereinafter called "County") and **SEACOAST UTILITY AUTHORITY**, an interlocal governmental entity created under Chapter 163, Florida Statutes, whose post office address is 4200 Hood Road, Palm Beach Gardens, Florida 33410-2174, (hereinafter called "Utility").

WHEREAS, the Utility presently has easements on certain property that has been determined necessary for public purposes; and,

WHEREAS, the proposed use of this property will require subordination to the County of the interests claimed in said property by the Utility, and at the request of the County, the Utility has agreed, subject to the following conditions, to relocate its facilities from the Utility's easement onto public right-of-way, or has agreed to leave its facilities on the subordinated property (hereinafter "Property"), described in Exhibit "A" attached hereto and made a part hereof; and,

WHEREAS, the County is willing to pay to have the Utility's facilities relocated as necessary to prevent conflict between the facilities 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:

1. The Utility hereby subordinates any and all of its interest in that portion of the following easement lying within the Property, to the interest of the County, its successors or assigns, through, under, upon or across the Property;

---

<u>NATURE OF ENCUMBRANCE</u>	<u>RECORD DATE</u>	<u>FROM OR AGAINST</u>	<u>IN FAVOR OF</u>	<u>BOOK / PAGE</u>
Easement Deed	3/8/2001	Northmil Partners, L.C.	Seacoast Utility Authority	12361/1694

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2. The Utility shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon all the Property in accordance with the County's current minimum standards for such facilities as of the date of such construction. Any new construction or relocation of the facilities within the Property will be subject to prior approval by the County. Should the County fail to approve any new construction or relocation of facilities by the Utility or hereafter require the Utility to alter, adjust or relocate its facilities from within the Property, the County hereby agrees to pay the Utility's reasonable cost of any required alteration, adjustment or relocation, caused by the County's actions, including the cost of acquiring the necessary easements.
3. The Utility shall have a reasonable right to enter upon the Property for the purposes outlined in paragraph 2 above, including the right to trim such trees, bushes, and growth which might endanger or interfere with the operation and safety of the Utility's facilities.
4. These terms and conditions shall be attached as an addendum to the permit, if any, required by the County for location of facilities on the Property.
5. This agreement is not assignable except to the State of Florida or other governmental entity for the purposes described herein.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF County has caused these presents to be executed in its name by its Board of County Commissioners acting by the Mayor or Vice Mayor of said Board, the day and year aforesaid.

**ATTEST:**

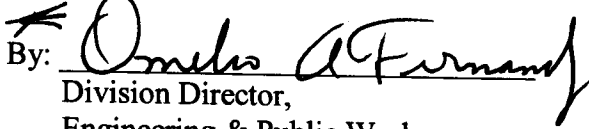
SHARON R. BOCK  
CLERK & COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
Assistant County Attorney

**APPROVED AS TO TERMS AND  
CONDITIONS**

By:  \_\_\_\_\_  
Division Director,  
Engineering & Public Works

**County:**

**PALM BEACH COUNTY,**  
a political subdivision of the State of Florida

By: \_\_\_\_\_  
Paulette Burdick, Mayor

**(Official Seal)**

Signed, sealed and delivered in the presence of:

(Signature of two witnesses  
required by Florida law)

Dave Hess  
Witness Signature (Required)

Bruce Gregg  
Witness Name Printed or Typed

Brandon Selle  
Witness Signature (Required)

Brandon Selle  
Witness Name Printed or Typed

Utility:

**SEACOAST UTILITY AUTHORITY,**  
an interlocal governmental entity created under  
Chapter 163, Florida Statutes

By: Ron Ferris  
Ron Ferris, Chair

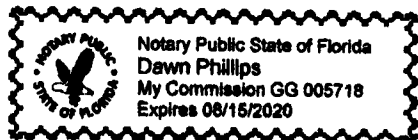
Attest: Jessica Moore  
Jessica Moore, Clerk

STATE OF FLORIDA  
COUNTY OF PALM BEACH

Before me personally appeared Ron Ferris and Jessica Moore, who are personally known to me,  
or have produced \_\_\_\_\_ as identification, and who executed  
the foregoing instrument as Chair and Clerk of **SEACOAST UTILITY AUTHORITY**, an  
interlocal governmental entity created under Chapter 163, Florida Statutes, and severally  
acknowledged to and before me that they executed such instrument as such officers of said  
Utility, and that said instrument is the free act and deed of said Utility.

Witness my hand and official seal this 24<sup>th</sup> day of August, 2016.

(Stamp/Seal)



Dawn Phillips  
Notary Signature  
Notary Public, State of Florida

Dawn Phillips  
Print Notary Name

Commission Number \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

N:\R\_O\_W\KAYE\2013519NORTHLAKE&MILITARY\284SUBORDINATIONOFUTILITYINTERESTS  
Seacoast Utility Authority.docx



EXHIBIT "A"

LEGAL DESCRIPTION: RIGHT-OF-WAY ACQUISITION

A PORTION OF NORTHMIL PLAZA PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 87, PAGES 135 AND 136 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING WITHIN SECTION 13, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER (1/4) CORNER OF SAID SECTION 13; THENCE ALONG THE SOUTH LINE OF SAID SECTION 13, SOUTH 88°32'49" EAST, A DISTANCE OF 350.30 FEET; THENCE NORTH 01°27'11" EAST, A DISTANCE OF 56.00 FEET TO THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID NORTHMIL PLAZA PLAT AND TO THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL OF LAND; THENCE ALONG THE WEST LINE OF SAID NORTHMIL PLAZA PLAT, NORTH 01°45'30" EAST, A DISTANCE OF 5.00 FEET TO A POINT ON A LINE 5.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHMIL PLAZA PLAT; THENCE SOUTH 88°32'49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 461.15 FEET TO POINT ON THE EAST LINE OF SAID NORTHMIL PLAZA PLAT; THENCE ALONG SAID EAST LINE, SOUTH 01°45'30" WEST, A DISTANCE OF 5.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHMIL PLAZA PLAT; THENCE NORTH 88°32'49" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 461.15 FEET TO THE POINT OF BEGINNING.

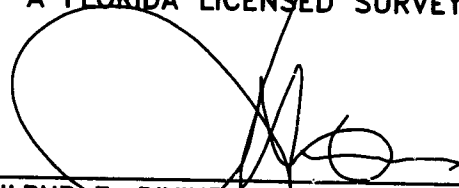
CONTAINING 2,306 SQUARE FEET OR 0.053 ACRES, MORE OR LESS.

ALL BEARINGS SHOWN HEREON ARE GRID AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) SECTION 13, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID LINE BEARS SOUTH 88°32'49" EAST.

SUBJECT TO EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

CERTIFICATION:

THIS SKETCH AND DESCRIPTION ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



WILBUR F. DIVINE  
PROFESSIONAL LAND SURVEYOR & MAPPER  
LICENSE NO. 4190, STATE OF FLORIDA

DATE: 11-05-14

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: REFERENCE TITLE SEARCH REPORT BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED JANUARY 13, 2016.

REV: 03-03-16    REV: 08-03-16  
REV: 02-23-16    REV: 03-28-16  
REV: 08-31-15    REV: 03-24-16



ARCADIS U.S., Inc.  
1500 Gateway Boulevard, Suite 200  
Boynton Beach, Florida 33426

Tel: (561) 697-7000 Fax: (561) 368-4731  
www.arcadis.com

PROJECT MANAGER WFD	DEPARTMENT MANAGER WFD	SCALE:	CHECKED BY W.F.D.
SHEET TITLE SKETCH OF DESCRIPTION R/W ACQUISITION PARCEL 101 SHEET 1 OF 5		DATE: 11-05-14	DRAWN BY JAF
		PROJECT NUMBER WF900144	DRAWING NUMBER WF900144-SD01

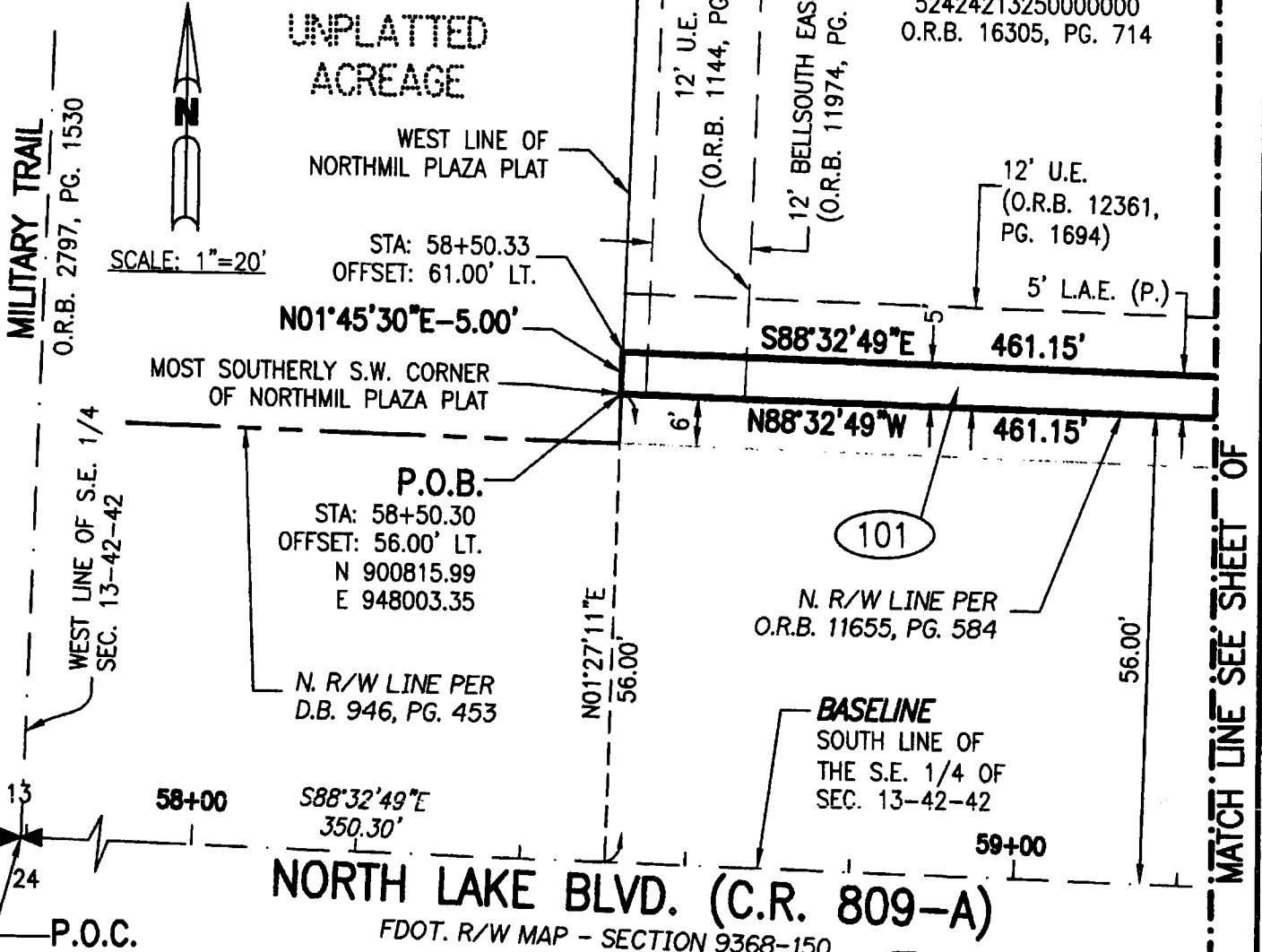
# EXHIBIT "A"

SKETCH TO ACCOMPANY DESCRIPTION. THIS IS NOT A SURVEY!

NOTE:  
COORDINATES SHOWN ARE FLORIDA STATE  
PLANE, EAST ZONE, NAD 83, 1990  
ADJUSTMENT. SCALE FACTOR 1.000038589

**NORTHMIL PLAZA PLAT**  
P.B. 87, PGs. 155 & 156

PARCEL CONTROL NUMBER  
52424213250000000  
O.R.B. 16305, PG. 714



**P.O.C.**  
SOUTH 1/4 CORNER OF  
SEC. 13, TWP. 42 S.,  
RGE. 42 E.  
BASED ON PBCO SURVEY  
DEPARTMENT POSITION  
STA. 55+00.00  
N 900768.89  
E 947651.74

FDOT. R/W MAP - SECTION 9368-150

## LEGEND:

Q - CENTERLINE  
C.R. - COUNTY ROAD  
D.B. - DEED BOOK  
FDOT - FLORIDA DEPARTMENT  
OF TRANSPORTATION  
L.A.E. - LIMITED ACCESS EASEMENT  
LT. - LEFT  
P.O.C. - POINT OF COMMENCEMENT  
P.O.B. - POINT OF BEGINNING  
O.R.B. - OFFICIAL RECORDS BOOK  
PBCO - PALM BEACH COUNTY

101 - PARCEL NUMBER  
(P.) - PLAT  
PG - PAGE  
RGE. - RANGE  
R/W - RIGHT-OF-WAY  
SEC. - SECTION  
S.T. - SURVEY TIE  
STA. - STATION  
TWP. - TOWNSHIP  
N 903472.19 - COORDINATES  
E 886633.00

REV: 08-31-15



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PROJECT MANAGER  
W.F.D.

DEPARTMENT MANAGER  
W.F.D.

SCALE:  
1" = 20'

CHECKED BY  
WFD

SHEET TITLE  
SKETCH OF DESCRIPTION  
R/W ACQUISITION  
PARCEL 101  
SHEET 2 OF 5

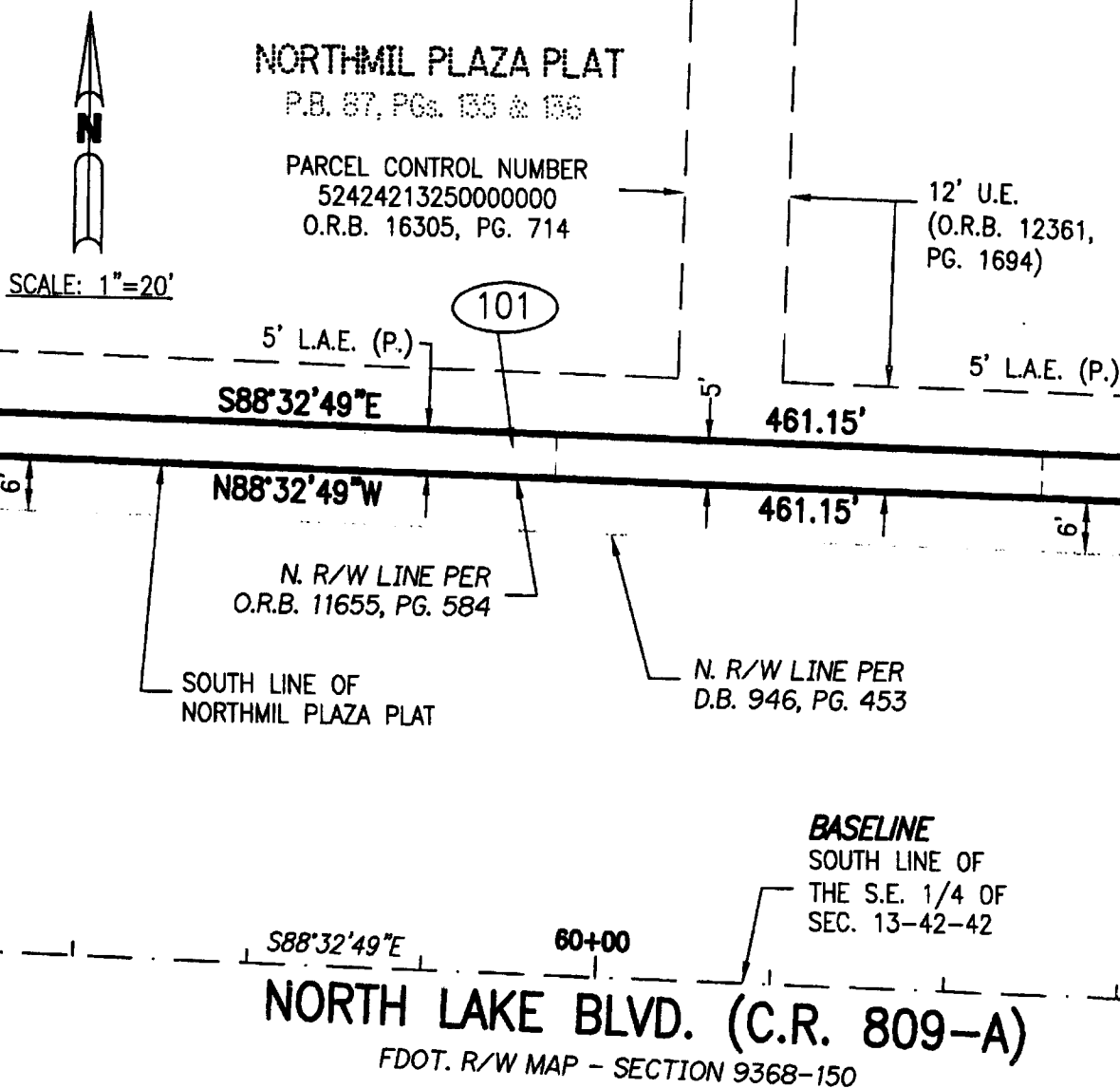
DATE:  
11-05-14

DRAWN BY  
JAF

PROJECT NUMBER  
WF900144

DRAWING NUMBER  
WF900144-SD01

EXHIBIT "A"  
SKETCH TO ACCOMPANY DESCRIPTION. THIS IS NOT A SURVEY!



LEGEND:

- |   |                           |
|---|---------------------------|
| CL - CENTERLINE                             | 101 - PARCEL NUMBER       |
| C.R. - COUNTY ROAD                          | (P.) - PLAT               |
| D.B. - DEED BOOK                            | PG - PAGE                 |
| FDOT - FLORIDA DEPARTMENT OF TRANSPORTATION | RGE. - RANGE              |
| L.A.E. - LIMITED ACCESS EASEMENT            | R/W - RIGHT-OF-WAY        |
| LT. - LEFT                                  | SEC. - SECTION            |
| P.O.C. - POINT OF COMMENCEMENT              | S.T. - SURVEY TIE         |
| P.O.B. - POINT OF BEGINNING                 | STA. - STATION            |
| O.R.B. - OFFICIAL RECORDS BOOK              | TWP. - TOWNSHIP           |
| PBCO - PALM BEACH COUNTY                    | N 903472.19 - COORDINATES |
|   | E 886633.00               |



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PROJECT MANAGER  
W.F.D.

DEPARTMENT MANAGER  
W.F.D.

SCALE:  
1" = 20'

CHECKED BY  
WFD

SHEET TITLE  
SKETCH OF DESCRIPTION  
R/W ACQUISITION  
PARCEL 101  
SHEET 3 OF 5

DATE:  
08-31-15

DRAWN BY  
JAF

PROJECT NUMBER

DRAWING NUMBER

WF900144

WF900144-SD01

EXHIBIT "A"

SKETCH TO ACCOMPANY DESCRIPTION. THIS IS NOT A SURVEY!



SCALE: 1"=20'

NORTHMIL PLAZA PLAT

P.B. 87, PGs. 135 & 136

PARCEL CONTROL NUMBER

5242421325000000

O.R.B. 16305, PG. 714

12' U.E.

(O.R.B. 12361  
PG. 1694)

101

5' L.A.E. (P.)

S88°32'49"E

461.15'

N88°32'49"W

461.15'

N. R/W LINE PER  
O.R.B. 11655, PG. 584

SOUTH LINE OF  
NORTHMIL PLAZA PLAT

N. R/W LINE PER  
D.B. 946, PG. 453

BASELINE

SOUTH LINE OF  
THE S.E. 1/4 OF  
SEC. 13-42-42

61+00

S88°32'49"E

62+00

NORTH LAKE BLVD. (C.R. 809-A)

FDOT. R/W MAP - SECTION 9368-150

LEGEND:

- |        |   |             |                 |
|--------|---|-------------|-----------------|
| CL     | - CENTERLINE                              | 101         | - PARCEL NUMBER |
| C.R.   | - COUNTY ROAD                             | (P.)        | - PLAT          |
| D.B.   | - DEED BOOK                               | PG          | - PAGE          |
| FDOT   | - FLORIDA DEPARTMENT<br>OF TRANSPORTATION | RGE.        | - RANGE         |
| L.A.E. | - LIMITED ACCESS EASEMENT                 | R/W         | - RIGHT-OF-WAY  |
| LT.    | - LEFT                                    | SEC.        | - SECTION       |
| P.O.C. | - POINT OF COMMENCEMENT                   | S.T.        | - SURVEY TIE    |
| P.O.B. | - POINT OF BEGINNING                      | STA.        | - STATION       |
| O.R.B. | - OFFICIAL RECORDS BOOK                   | TWP.        | - TOWNSHIP      |
| PBCO   | - PALM BEACH COUNTY                       | N 903472.19 | - COORDINATES   |
|        |   | E 886633.00 |                 |



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PROJECT MANAGER  
W.F.D.

DEPARTMENT MANAGER  
W.F.D.

SCALE:  
1" = 20'

CHECKED BY  
WFD

SHEET TITLE  
SKETCH OF DESCRIPTION  
R/W ACQUISITION  
PARCEL 101  
SHEET 4 of 5

DATE:  
08-31-15

DRAWN BY  
JAF

PROJECT NUMBER  
WF900144

DRAWING NUMBER  
WF900144-SD01

# EXHIBIT "A"

SKETCH TO ACCOMPANY DESCRIPTION. THIS IS NOT A SURVEY!

## NORTHMIL PLAZA PLAT

P.B. 87, PGs. 135 & 136

PARCEL CONTROL NUMBER

52424213250000000

O.R.B. 16305, PG. 714

SCALE: 1"=20'



UNPLATTED  
ACREAGE

10' F.P.L. EASEMENT  
(O.R.B. 12274,  
PG. 1869)

12' U.E.  
(O.R.B. 12361  
PG. 1694)

EAST LINE OF  
NORTHMIL PLAZA PLAT

STA: 63+11.48  
OFFSET: 61.00' LT.

5' L.A.E. (P.)

S88°32'49"E

101

461.15'

S01°45'30"W  
5.00'

N88°32'49"W

461.15'

N. R/W LINE PER  
O.R.B. 11655, PG. 584

STA: 63+11.45  
OFFSET: 56.00' LT.  
N 900804.30  
E 948464.35

N. R/W LINE PER  
D.B. 946, PG. 453

SOUTH LINE OF  
NORTHMIL PLAZA PLAT

NOTE:  
COORDINATES SHOWN ARE FLORIDA  
STATE PLANE, EAST ZONE, NAD 83,  
1990 ADJUSTMENT. SCALE FACTOR  
1.000038589

### BASELINE

SOUTH LINE OF THE S.E.  
1/4 OF SEC. 13-42-42

S88°32'49"E

63+00

NORTH LAKE BLVD. (C.R. 809-A)

FDOT. R/W MAP - SECTION 9368-150

### LEGEND:

CL - CENTERLINE  
C.R. - COUNTY ROAD  
D.B. - DEED BOOK  
FDOT - FLORIDA DEPARTMENT  
OF TRANSPORTATION  
L.A.E. - LIMITED ACCESS EASEMENT  
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P.O.C. - POINT OF COMMENCEMENT  
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O.R.B. - OFFICIAL RECORDS BOOK  
PBCO - PALM BEACH COUNTY

101

- PARCEL NUMBER

(P.) - PLAT  
PG - PAGE  
RGE. - RANGE  
R/W - RIGHT-OF-WAY  
SEC. - SECTION  
S.T. - SURVEY TIE  
STA. - STATION  
TWP. - TOWNSHIP  
N 903472.19 - COORDINATES  
E 886633.00

S.E. CORNER OF  
SEC. 13, TWP. 42 S.,  
RGE. 42 E.  
BASED ON PBCO SURVEY  
DEPARTMENT POSITION  
N 900701.89  
E 950293.35



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www.arcadis.com

PROJECT MANAGER W.F.D.	DEPARTMENT MANAGER W.F.D.	SCALE: 1" = 20'	CHECKED BY WFD
SHEET TITLE SKETCH OF DESCRIPTION R/W ACQUISITION PARCEL 101 SHEET 5 OF 5		DATE: 08-31-15	DRAWN BY JAF
		PROJECT NUMBER WF900144	DRAWING NUMBER WF900144-SD01

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 Boulevard, CRE/JB  
Juno Beach, Florida 33408

Property Control Number: Portion of 52-42-42-13-25-000-0000

**NOT TO BE RECORDED WITHOUT BOARD OF COUNTY COMMISSIONERS ACCEPTANCE DATE**

**SPACE ABOVE THIS LINE FOR PROCESSING DATA**

**PROJECT NO. 2013519**

**ROAD NAME: NORTH LAKE BLVD**

**PARCEL NO. 101**

**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 \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, 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</u>	<u>IN FAVOR OF</u>	<u>BOOK / PAGE</u>
Easement	9/19/2000	NorthMil Partners	FPL	ORB 12274-1869

---

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

**County:**

**PALM BEACH COUNTY,**  
a political subdivision of the State of  
Florida

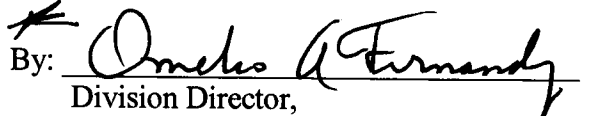
By: \_\_\_\_\_  
Clerk (or Deputy Clerk)

By: \_\_\_\_\_  
Paulette Burdick, Mayor

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
County Attorney

**APPROVED AS TO TERMS AND  
CONDITIONS**

By:   
Division Director,  
Engineering & Public Works Department

N:\R\_O\_WKAYE\2013519NORTHLAKE&MILITARY\284-LGL SUBORDINATION OF UTILITY INTERESTS\with costs  
FPL Subordination Agreement.docx

Signed, sealed and delivered  
in the presence of:

FLORIDA POWER & LIGHT COMPANY,  
a Florida corporation

By: Michelle M. Kahmann

By: Samantha J. Saucier  
Samantha J. Saucier  
Area Real Estate Manager

Print Name: Michelle M. Kahmann

By: Marta Hull

Print Name: Marta Hull

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 Area Real Estate Manager of 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 31<sup>ST</sup> day of January, 20 17

My Commission Expires:



Notary Signature: Michelle M. Kahmann  
Notary Public State of Florida

Printed Name: Michelle M. Kahmann

EXHIBIT "A"

LEGAL DESCRIPTION: RIGHT-OF-WAY ACQUISITION

A PORTION OF NORTHMIL PLAZA PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 87, PAGES 135 AND 136 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING WITHIN SECTION 13, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER (1/4) CORNER OF SAID SECTION 13; THENCE ALONG THE SOUTH LINE OF SAID SECTION 13, SOUTH 88°32'49" EAST, A DISTANCE OF 350.30 FEET; THENCE NORTH 01°27'11" EAST, A DISTANCE OF 56.00 FEET TO THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID NORTHMIL PLAZA PLAT AND TO THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL OF LAND; THENCE ALONG THE WEST LINE OF SAID NORTHMIL PLAZA PLAT, NORTH 01°45'30" EAST, A DISTANCE OF 5.00 FEET TO A POINT ON A LINE 5.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHMIL PLAZA PLAT; THENCE SOUTH 88°32'49" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 461.15 FEET TO POINT ON THE EAST LINE OF SAID NORTHMIL PLAZA PLAT; THENCE ALONG SAID EAST LINE, SOUTH 01°45'30" WEST, A DISTANCE OF 5.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHMIL PLAZA PLAT; THENCE NORTH 88°32'49" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 461.15 FEET TO THE POINT OF BEGINNING.

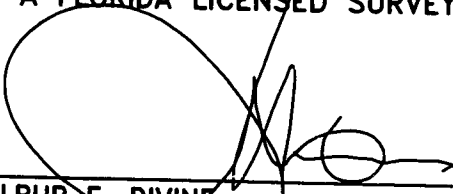
CONTAINING 2,306 SQUARE FEET OR 0.053 ACRES, MORE OR LESS.

ALL BEARINGS SHOWN HEREON ARE GRID AND ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (S.E. 1/4) SECTION 13, TOWNSHIP 42 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID LINE BEARS SOUTH 88°32'49" EAST.

SUBJECT TO EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

CERTIFICATION:

THIS SKETCH AND DESCRIPTION ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



WILBUR F. DIVINE  
PROFESSIONAL LAND SURVEYOR & MAPPER  
LICENSE NO. 4190, STATE OF FLORIDA

DATE: 11-05-14

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: REFERENCE TITLE SEARCH REPORT BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED JANUARY 13, 2016.

REV: 03-03-16    REV: 08-03-16  
REV: 02-23-16    REV: 03-28-16  
REV: 08-31-15    REV: 03-24-16



ARCADIS

ARCADIS U.S., Inc.  
1500 Gateway Boulevard, Suite 200  
Boynton Beach, Florida 33426

Tel: (561) 697-7000 Fax: (561) 369-4731  
www.arcadis.com

11-05-14

PROJECT MANAGER WFD	DEPARTMENT MANAGER WFD	SCALE:	CHECKED BY W.F.D.
SHEET TITLE SKETCH OF DESCRIPTION R/W ACQUISITION PARCEL 101 SHEET 1 OF 5		DATE: 11-05-14	DRAWN BY JAF
		PROJECT NUMBER WF900144	DRAWING NUMBER WF900144-SD01

# EXHIBIT "A"

SKETCH TO ACCOMPANY DESCRIPTION. THIS IS NOT A SURVEY!

NOTE:  
COORDINATES SHOWN ARE FLORIDA STATE  
PLANE, EAST ZONE, NAD 83, 1990  
ADJUSTMENT. SCALE FACTOR 1.000038589

NORTHMIL PLAZA PLAT  
P.B. 87, PGS. 135 & 136

PARCEL CONTROL NUMBER  
5242421325000000  
O.R.B. 16305, PG. 714

UNPLATTED  
ACREAGE

WEST LINE OF  
NORTHMIL PLAZA PLAT

STA: 58+50.33  
OFFSET: 61.00' LT.

N01°45'30"E-5.00'

MOST SOUTHERLY S.W. CORNER  
OF NORTHMIL PLAZA PLAT

P.O.B.

STA: 58+50.30  
OFFSET: 56.00' LT.  
N 900815.99  
E 948003.35

N. R/W LINE PER  
D.B. 946, PG. 453

N. R/W LINE PER  
O.R.B. 11655, PG. 584

BASELINE  
SOUTH LINE OF  
THE S.E. 1/4 OF  
SEC. 13-42-42

NORTH LAKE BLVD. (C.R. 809-A)

FDOT. R/W MAP - SECTION 9368-150

P.O.C.

SOUTH 1/4 CORNER OF  
SEC. 13, TWP. 42 S.,  
RGE. 42 E.  
BASED ON PBCO SURVEY  
DEPARTMENT POSITION  
STA. 55+00.00  
N 900768.89  
E 947651.74

## LEGEND:

Q - CENTERLINE  
C.R. - COUNTY ROAD  
D.B. - DEED BOOK  
FDOT - FLORIDA DEPARTMENT  
OF TRANSPORTATION  
L.A.E. - LIMITED ACCESS EASEMENT  
LT. - LEFT  
P.O.C. - POINT OF COMMENCEMENT  
P.O.B. - POINT OF BEGINNING  
O.R.B. - OFFICIAL RECORDS BOOK  
PBCO - PALM BEACH COUNTY

101 - PARCEL NUMBER

(P.) - PLAT  
PG - PAGE  
RGE. - RANGE  
R/W - RIGHT-OF-WAY  
SEC. - SECTION  
S.T. - SURVEY TIE  
STA. - STATION  
TWP. - TOWNSHIP  
N 903472.19 - COORDINATES  
E 886633.00

REV: 08-31-15



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Boynton Beach, Florida 33426

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PROJECT MANAGER W.F.D.	DEPARTMENT MANAGER W.F.D.	SCALE: 1" = 20'	CHECKED BY WFD
SHEET TITLE SKETCH OF DESCRIPTION R/W ACQUISITION PARCEL 101		DATE: 11-05-14	DRAWN BY JAF
SHEET 2 OF 5		PROJECT NUMBER WF900144	DRAWING NUMBER WF900144-SD01

Date/Time : Wed, 21 Dec 2016 - 10:40am Path Name : C:\Users\jitzgenold\appdata\local\Temp\AcPublish\_5198\WF900144\_SD01-Rev01.dwg

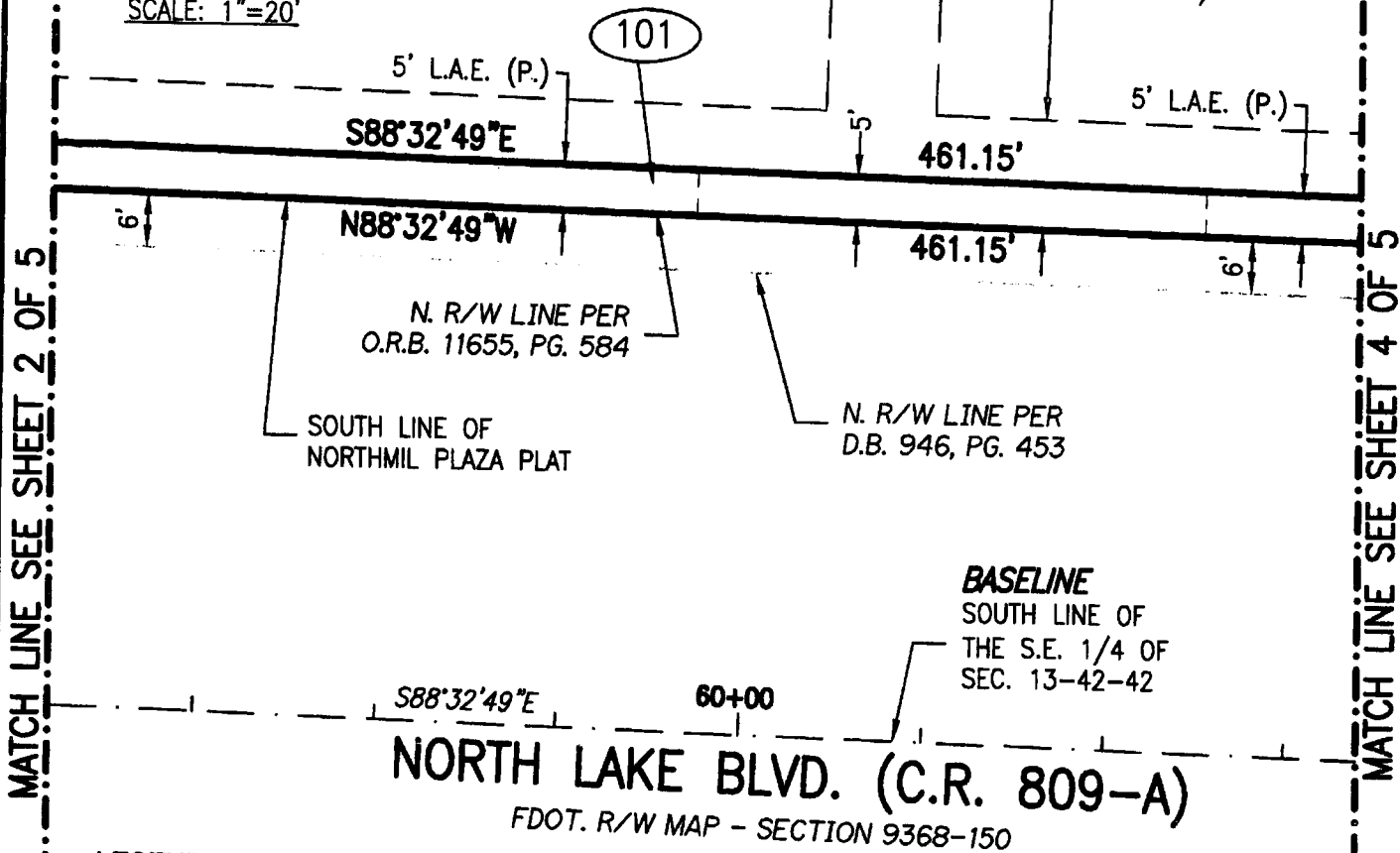
MATCH LINE SEE SHEET OF

EXHIBIT "A"  
SKETCH TO ACCOMPANY DESCRIPTION. THIS IS NOT A SURVEY!

NORTHMIL PLAZA PLAT  
P.B. 87, PGS. 135 & 136  
PARCEL CONTROL NUMBER  
52424213250000000  
O.R.B. 16305, PG. 714

SCALE: 1"=20'

12' U.E.  
(O.R.B. 12361,  
PG. 1694)



LEGEND:

- ☉ - CENTERLINE  
C.R. - COUNTY ROAD  
D.B. - DEED BOOK  
FDOT - FLORIDA DEPARTMENT  
OF TRANSPORTATION  
L.A.E. - LIMITED ACCESS EASEMENT  
LT. - LEFT  
P.O.C. - POINT OF COMMENCEMENT  
P.O.B. - POINT OF BEGINNING  
O.R.B. - OFFICIAL RECORDS BOOK  
PBCO - PALM BEACH COUNTY
- 101 - PARCEL NUMBER  
(P.) - PLAT  
PG. - PAGE  
RGE. - RANGE  
R/W - RIGHT-OF-WAY  
SEC. - SECTION  
S.T. - SURVEY TIE  
STA. - STATION  
TWP. - TOWNSHIP  
N 903472.19 - COORDINATES  
E 886633.00



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PROJECT MANAGER  
W.F.D.

DEPARTMENT MANAGER  
W.F.D.

SCALE:  
1" = 20'

CHECKED BY  
WFD

SHEET TITLE  
SKETCH OF DESCRIPTION  
R/W ACQUISITION  
PARCEL 101  
SHEET 3 OF 5

DATE:  
08-31-15

DRAWN BY  
JAF

PROJECT NUMBER

DRAWING NUMBER

WF900144

WF900144-SD01



**SKETCH TO ACCOMPANY DESCRIPTION. THIS IS NOT A SURVEY!**

P.B. 87, PGs. 135 & 136

52424213250000000

O.R.B. 16305, PG. 714

SCALE: 1"=20'

12' U.E.  
(O.R.B. 12361  
PG. 1694)

10' F.P.L. EASEMENT  
(O.R.B. 12274,  
PG. 1869)

UNPLATTED  
ACREAGE

EAST LINE OF  
NORTHMIL PLAZA PLAT

STA: 63+11.48  
OFFSET: 61.00' LT.

5' L.A.E. (P.)

**S88°32'49"E**

**461.15'**

**N88°32'49"W**

461.15'

**S01°45'30"W**  
**5.00'**

N. R/W LINE PER  
O.R.B. 11655, PG. 584

STA: 63+11.45  
OFFSET: 56.00' LT.  
N 900804.30  
E 948464.35

N. R/W LINE PER  
D.B. 946, PG. 453

SOUTH LINE OF  
NORTHMIL PLAZA PLAT

**NOTE:**  
COORDINATES SHOWN ARE FLORIDA  
STATE PLANE, EAST ZONE, NAD 83,  
1990 ADJUSTMENT. SCALE FACTOR  
1.000038589

**BASELINE**

SOUTH LINE OF THE S.E.  
1/4 OF SEC. 13-42-42

S88°32'49"E

**63+00**

NORTH LAKE BLVD. (C.R. 809-A)

FDOT. R/W MAP - SECTION 9368-150

**LEGEND:**

C. - CENTERLINE  
 C.R. - COUNTY ROAD  
 D.B. - DEED BOOK  
 FDOT - FLORIDA DEPARTMENT  
       OF TRANSPORTATION  
 L.A.E. - LIMITED ACCESS EASEMENT  
 LT. - LEFT  
 P.O.C. - POINT OF COMMENCEMENT  
 P.O.B. - POINT OF BEGINNING  
 O.R.B. - OFFICIAL RECORDS BOOK  
 PBCO - PALM BEACH COUNTY

101 - PARCEL NUMBER  
(P.) - PLAT  
PG - PAGE  
RGE. - RANGE  
R/W - RIGHT-OF-WAY  
SEC. - SECTION  
S.T. - SURVEY TIE  
STA. - STATION  
TWP. - TOWNSHIP  
N 903472.19 - COORDINATES  
E 886633.00

S.E. CORNER OF  
SEC. 13, TWP. 42 S.,  
RGE. 42 E.  
BASED ON PBCO SURVEY  
DEPARTMENT POSITION  
N 900701.89  
E 950293.35

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**www.arcadia.com**

PROJECT MANAGER  
W.F.D.

DEPARTMENT MANAGER  
W.F.D.

SCALE:  
1" = 20'

CHECKED BY  
WED

SHEET TITLE  
SKETCH OF DESCRIPTION  
R/W ACQUISITION  
PARCEL 101  
SHEET 5 OF 5

DATE:

**DRAWN BY**

PROJECT NUMBER	00 01 10
----------------	----------

ON	
DRAWING NUMBER	

WF900144

WF900144-SD01