

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

Meeting Date:	June 6, 2017	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing

Department: Facilities Development & Operations

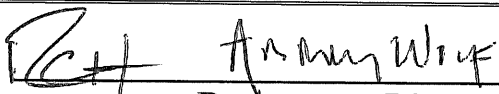

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Declaration of Easement for an underground cable television and communication line that services the Airport Center Hilton Hotel (Hotel) located in West Palm Beach.

Summary: The Hotel is located within the County owned Airport Center Complex at 150 Australian Avenue, West Palm Beach, FL 33406, pursuant to a lease with MSP Partners Realty. An underground cable television and communications line was recently installed to provide additional bandwidth service to the Hotel. The easement area is approximately 10' wide by approximately 624.95' long and covers an area of 6,250 square feet (.1434 acre). The Declaration of Easement will be recorded in the public records to document its existence and location. **(PREM) District 2 (HJF)**

Background and Justification: MSP Partners Realty, LLC currently leases County owned property managed by Department of Airports, for their Airport Center Hilton Hotel. The Hotel requested the installation of a cable television and communications cable to increase bandwidth for their guests. An underground cable was recently installed by Comcast.

- Attachments:**
1. Location Map
 2. Declaration of Easement (with Exhibit "A")

Recommended By:		5/10/17
	Department Director	Date
Approved By:		5/23/17
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>* 0</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 Account No: Fund _____ Dept _____ Unit _____ Object _____
 Program _____

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

** No Fiscal Impact,*

Fixed Asset Numbers:

C. Departmental Fiscal Review: *Kim Spive 5/12/17*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

J. Williams 5/17/17
 OFMB/ETS/5/15/17 *ck 5/16*

Ann J. Lambert 5/23/17
 Contract Development and Control
5/23/17 (TW)

B. Legal Sufficiency:

H. J. Lee 5/25/17
 Chief Assistant County Attorney

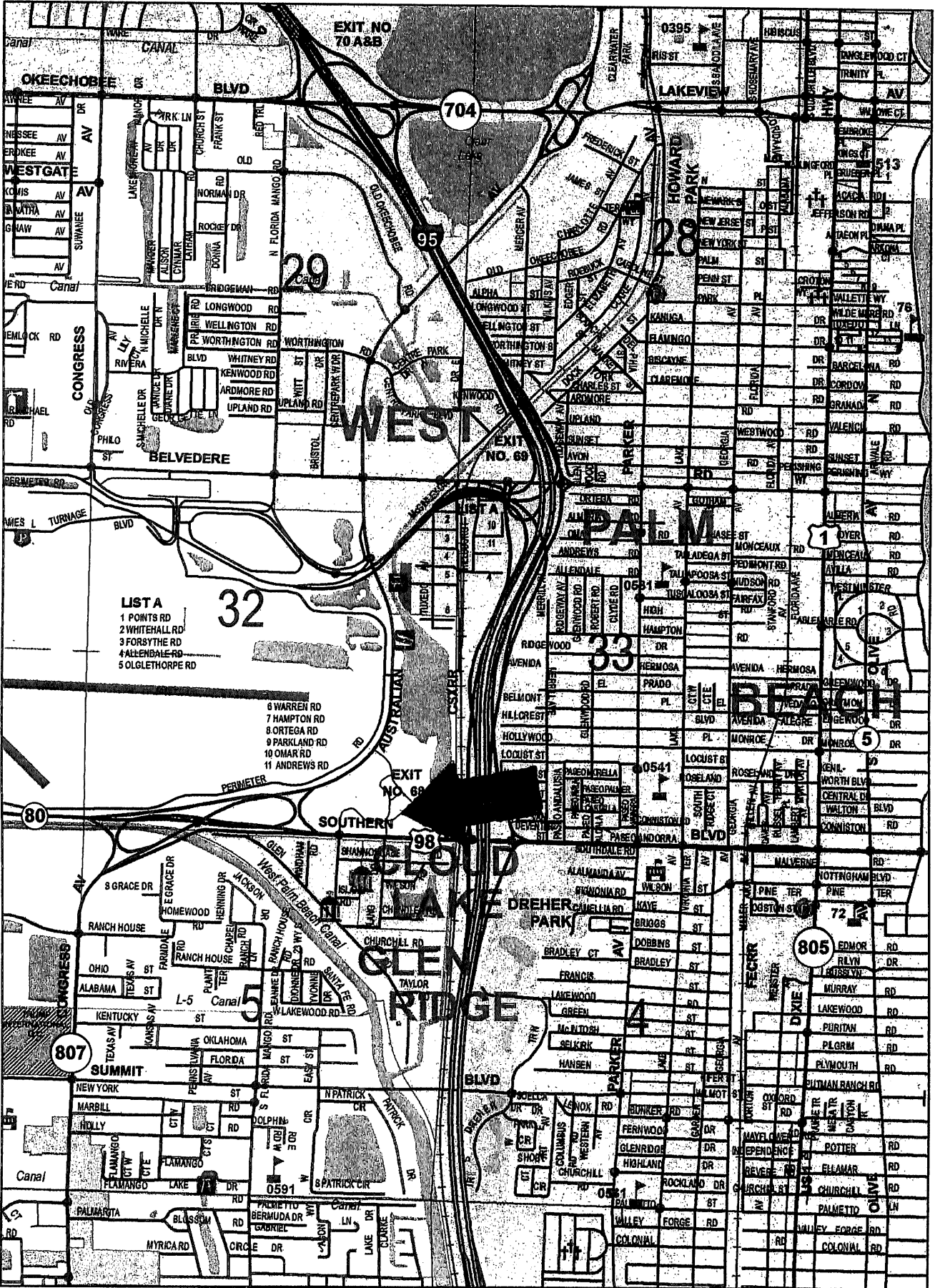
C. Other Department Review:

 Department Director

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

D

C



TWP 43

19

TWP 43

20

TWP 44

21

RNG 43

RNG 43

LOCATION MAP



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

PCN: 00-43-43-32-00-000-5060 and 00-43-43-32-00-000-5040

DECLARATION OF EASEMENT

THIS IS A DECLARATION OF EASEMENT, made _____, by **PALM BEACH COUNTY**, by and through its Board of County Commissioners, a political subdivision of the State of Florida ("County"), whose address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605.

WHEREAS, County is the owner of that certain real property located within Palm Beach County, Florida as set forth on **Exhibit "A"** attached hereto and made a part hereof (the "Easement Premises"); and

WHEREAS, County desires to create an easement to be recorded into the public records to document the location and existence of underground cable television systems and other communication services upon the Easement Premises for the purposes set forth hereinafter; and

WHEREAS, County desires that such easement be extinguished upon a subsequent conveyance of the Property by County.

WITNESSETH:

NOW THEREFORE, County does hereby declare, grant and create an in gross cable television and communications easement for the benefit of County, its successors and assigns. This easement shall be for the purpose of constructing, operating and maintaining underground cable television systems and other communication services ("Communications Facilities") to be installed below ground as necessary from time to time with the right to reconstruct, improve, add to, enlarge, change size of and remove such Communications Facilities or any of them within the Easement Premises.

The easement created hereby shall automatically be extinguished upon the County's conveyance of the Property.

IN WITNESS WHEREOF, the County has caused this Declaration of Easement to be executed as of the day and year first above written.

ATTEST:

COUNTY:

**SHARON R. BOCK
CLERK & COMPTROLLER**

**PALM BEACH COUNTY, by and through
its Board of County Commissioners, a
political subdivision of the State of Florida**

By: _____
Deputy Clerk

By: _____
Paulette Burdick, 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**

**APPROVED AS TO TERMS AND
CONDITIONS**

By: 
Assistant County Attorney

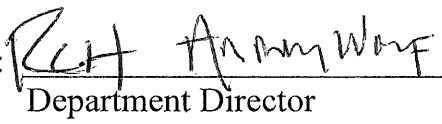
By: 
Department Director

EXHIBIT "A"

10.00' UTILITY EASEMENT
(AIRPORT HILTON COMPLEX)

A STRIP OF LAND 10.00 FEET IN WIDTH FOR UTILITY EASEMENT PURPOSES, LOCATED WITHIN THE AIRPORT HILTON COMPLEX PROPERTY, SITUATED IN SECTION 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, SAID STRIP LYING 5.00 FEET ON EACH SIDE OF THE CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE NORTH 87°53'52" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32, A DISTANCE OF 1064.34 FEET; THENCE NORTH 02°06'08" EAST AT RIGHT ANGLES TO SAID SECTION LINE, A DISTANCE OF 153.51 FEET TO POINT OF BEGINNING; THENCE NORTH 78°47'51" EAST, A DISTANCE OF 45.77 FEET; THENCE NORTH 73°44'31" EAST, A DISTANCE OF 30.72 FEET; THENCE NORTH 41°06'51" EAST, A DISTANCE OF 19.51 FEET; THENCE NORTH 45°35'07" EAST, A DISTANCE OF 48.70 FEET; THENCE NORTH 42°29'00" EAST, A DISTANCE OF 24.29 FEET; THENCE NORTH 47°12'18" EAST, A DISTANCE OF 395.92 FEET; THENCE NORTH 83°32'32" EAST, A DISTANCE OF 43.99 FEET; THENCE SOUTH 32°02'12" EAST, A DISTANCE OF 16.05 FEET TO THE POINT OF TERMINUS.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO TERMINATE AT THE RIGHT ANGLES TO THE POINT OF BEGINNING AND THE POINT OF TERMINUS OF THE DESCRIBED 10' UTILITY EASEMENT.

SURVEYOR'S REPORT

SAID EASEMENT CONTAINS 6,250 SQUARE FEET MORE OR LESS.

BEARINGS ARE BASED ON A GRID (NAD 83, 1990 ADJUSTMENT) BEARING OF NORTH 87°53'52" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST AS DETERMINED BY PALM BEACH COUNTY AND ALL OTHER BEARINGS ARE RELATIVE THERETO.


THIS INSTRUMENT PREPARED BY GLENN W. MARK, P.L.S. IN THE OFFICE OF THE COUNTY ENGINEER, 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

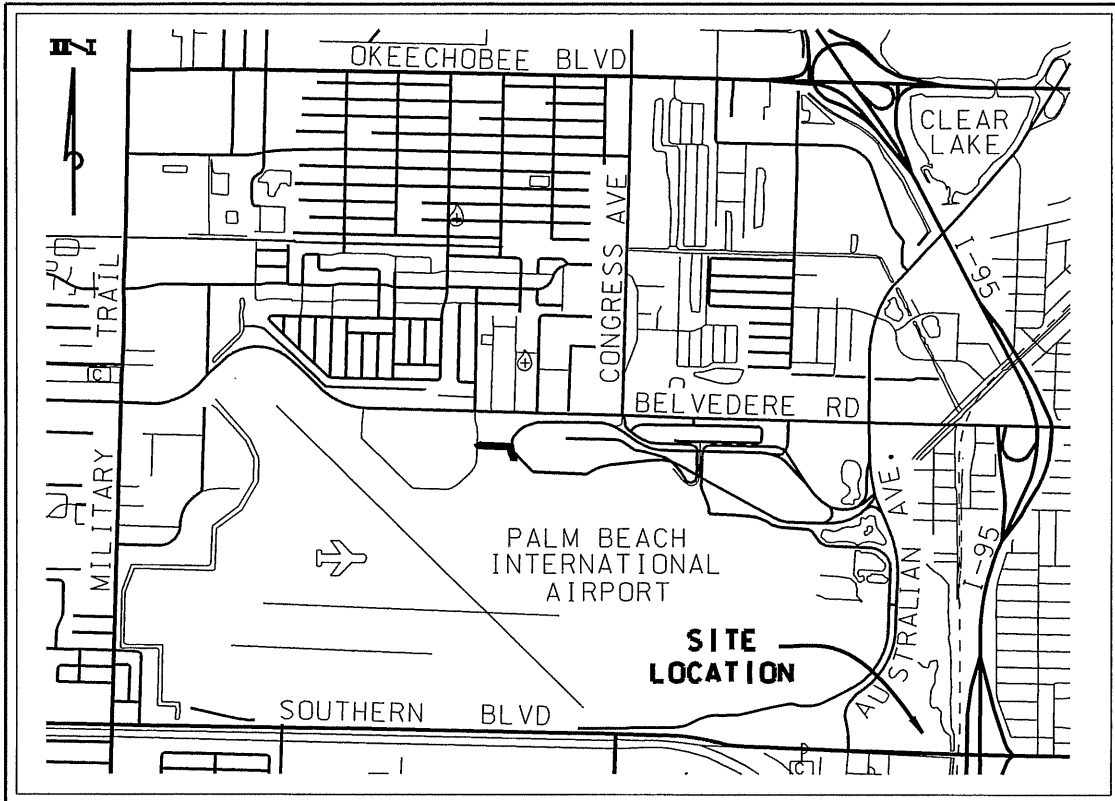
NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR. IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.

COORDINATES SHOWN ARE GRID.

DATUM = NAD 83, 1990 ADJUSTMENT.

EVIDENCE OF UNDERGROUND INSTALLATION WAS FIELD LOCATED ON 09/22/2016 IN FIELD BOOK 1123BB, PAGE 39. EASEMENT STARTS AT A FIELD LOCATED CONCRETE POWER POLE AT THE POINT OF BEGINNING AND ENDS AT A FIELD LOCATED CABLE TV BOX AT THE POINT OF TERMINUS.

PROJECT NO. 2016009-15	SHEET: 1	PROJECT: 10' UTILITY EASEMENT AIRPORT HILTON COMPLEX	DATE DRAWN: 10/24/16	SCALE: 1" = 80'	NO.	REVISION	BY	DATE	 PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ROADWAY PRODUCTION 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411
		DESIGN FILE NAME S-1-16-3820.DGN	DRAWING NO. S-1-16-3820						



LOCATION MAP

N.T.S.

ZONE = FLORIDA EAST.

LINEAR UNITS = US SURVEY FOOT.

COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION.

ALL DISTANCES ARE GROUND.

PROJECT SCALE FACTOR = 1.000046717

GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE.

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

THIS IS NOT A SURVEY.

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

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE FLORIDA STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

Glenn W. Mark

 GLENN W. MARK, P.L.S.
 FLORIDA CERTIFICATE #5304

3/1/17

 DATE

SCALE 1" = 80'

AIRPORT HILTON COMPLEX

AIRPORT HILTON COMPLEX

CENTERLINE 12' F.P.L. ESMT. O.R.B. 4387, PG. 720

ESMT. TO P.B. CO. ORB 5647, P 1319

CENTERLINE OF 20' UTILITY EASEMENT O.R.B. 23302, PG. 978

N83°32'32"E 43.99'

CENTERLINE 10' F.P.L. ESMT. O.R.B. 4387, PG. 720 & O.R.B. 4477, PG. 547

S32°02'12"E 16.05'

P.O.T.

LEASE AGREEMENT R 92 471 D

O.R.B. 7247, PG 1108 PARCEL III

CENTERLINE OF 10' UTILITY EASEMENT

ASPHALT PARKING LOT

ASPHALT PARKING LOT

AIRPORT HILTON COMPLEX

SEE UNDERLYING BOUNDARY SURVEY PBC. DRAWING NO. S-3-02-1717 FOR ADDITIONAL INFORMATION

N42°29'00"E 24.29'

CENTERLINE OF 10' F.P.L. EASEMENT O.R.B. 4477, PG. 547 O.R.B. 4387, PG. 720

OFFICE BUILDING NO. 1

N45°35'07"E 48.70'

N78°47'51"E 45.77'

N41°06'51"E 19.51'

N73°44'31"E 30.72'

TEMPORARY EASEMENT STIPULATED ORDER OF TAKING NO. CA-01-09787-AF

AIRPORT HILTON PROPERTY LINE

END LIMITED ACCESS R/W LINE "B"

852619.613
956840.591
N02°06'08"E
153.51'

ENTRANCE ROAD

SOUTHERN BOULEVARD (STATE ROAD 80) S.R.D. DRAWING 9312 - 110

NORTH RIGHT-OF-WAY LINE

S. LINE OF THE SE.1/4 OF SEC. 32/43/43

POINT OF COMMENCEMENT
SOUTHEAST CORNER SECTION 32,
TOWNSHIP 43 SOUTH, RANGE 43 EAST.
PALM BEACH COUNTY POSITION

N87°53'52"W

1064.34'

SOUTH QUARTER CORNER SECTION 32,
TOWNSHIP 43 SOUTH, RANGE 43 EAST.
PALM BEACH COUNTY POSITION

N 852519.571
E 959566.122

PROJECT NO. 2016009-15

DRAWING NO.

S-1-16-3820

PROJECT:

10' UTILITY EASEMENT AIRPORT HILTON COMPLEX

SHEET: 3 OF 3