

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating 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 _____ Department _____ Unit _____ Object _____
 Reporting Category _____

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

*No fiscal impact.

C. Departmental Fiscal Review: M Simmer

III. REVIEW COMMENTS

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

 Lisa P... 7/24/17
 OFMB 7/21

 [Signature] for [Name]
 Contract Dev. and Control
 7/27/17

B. Legal Sufficiency:

 Anne [Signature] 8/9/17
 Assistant County Attorney

C. Other Department Review:

 Department Director

REVISED 9/03
 ADM FORM 01
 (THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

PREPARED BY AND RETURN TO:
Laura Beebe, Deputy Director, Airports Business Affairs
Palm Beach County Department of Airports
846 Palm Beach International Airport
West Palm Beach, FL 33406

Property Control Number: 00-43-43-32-00-000-1090 (portion)

UTILITY EASEMENT AGREEMENT

This **UTILITY EASEMENT AGREEMENT**, granted _____ between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401-4791, ("Grantor"), and **BELLSOUTH TELECOMMUNICATIONS, LLC, d/b/a AT&T Florida**, a Georgia limited liability company authorized to do business in Florida, whose legal mailing address is c/o Engineering, 120 N K Street, Lake Worth, FL 33460 ("Grantee").

WITNESSETH:

That Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid, the receipt and sufficiency of which is hereby acknowledged, hereby grants unto Grantee, its successors and assigns, a perpetual non-exclusive Easement (the "Easement") for the construction, operation and maintenance of telecommunications facilities, including an underground fiber optic cable, wires, cables, conduits and appurtenant equipment (the "Facilities") to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, and remove such Facilities or any of them within an easement upon, over and across the following described real property (the "Easement Premises") situate, lying and being in the County of Palm Beach, State of Florida, to wit:

See Legal Description/Site Sketch marked Exhibit "A"

Attached Hereto and Made a Part Hereof

Together with the right of reasonable ingress and egress to the Easement Premises at all time and the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions 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. Notwithstanding any provision of this Easement to the contrary, Grantee agrees for itself, its successors and assigns to restrict the height of any Facilities, structures, objects of natural growth and other obstructions within the Easement Premises to a height not to exceed ten (10) feet.
3. Grantee agrees for itself, its successors and assigns to prevent any use of the Easement Premises which would interfere with the landing or taking off of aircraft at the Palm Beach International Airport (the "Airport"); interfere with air navigation and/or communication facilities serving the Airport; or otherwise would constitute an airport hazard.
4. Grantee acknowledges that noise and vibration are inherent to the operation of the Airport and hereby releases Grantor from any and all liability for the same.
5. Grantee for itself, its successors and assigns covenants with Grantor for the direct benefit of the Airport to construct the Facilities on and to use the Easement Premises in accordance with Federal Aviation Administration ("FAA") Advisory Circulars, Orders and Regulations, as now or hereafter amended.
6. Grantee hereby expressly agrees that in the event that Grantee ceases to use the Easement Premises for the purpose herein expressed, the Easement granted hereby shall become null and void, and all the right, title and interest in and to the Easement Premises shall revert to Grantor.
7. This Easement shall be subject and subordinate to the terms and conditions of any agreements entered by and between Grantor and the State of Florida and/or United States of America, and any agencies thereof, relating to the acquisition of the Easement Premises by Grantor.
8. This Easement is expressly subordinated and subject to the provisions of the pledge, transfer, hypothecation or assignment made by Grantor in the Palm Beach County Airport System Bond Resolution dated April 3, 1984 (Resolution No. 84-427), as amended and supplemented (the "Bond Resolution"), as amended and supplemented.

9. Grantee shall not be required to remove or relocate of any Facilities located within the Easement Premises, unless the Facilities are constructed, operated or maintained in violation of the terms and conditions of this Easement.

10. Grantee expressly agrees to maintain in good condition and repair, at its sole cost and expense, its Facilities and equipment within the Easement Premises at all times during the term hereof.

11. The grant of this Easement shall in no way restrict the right and interest of Grantor in the use, maintenance and quiet enjoyment of the Easement Premises to the extent that such does not interfere with the rights granted herein.

12. By exercise of the rights granted to Grantee by this instrument, Grantee acknowledges and agrees that the conditions and restrictions imposed herein shall bind and be enforceable against Grantee, its successors and assigns to the same extent as if such party had physically executed this instrument.

IN WITNESS WHEREOF, Grantor part 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: _____
Paulette Burdick, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
Assistant County Attorney


By: 
Department Director

EXHIBIT "A"
(EASEMENT PREMISES)



Wantman Group, Inc.

Engineering ♦ Planning ♦ Surveying ♦ Environmental

2035 VISTA PARKWAY, SUITE 100, WEST PALM BEACH, FL 33411

(866) 909-2220 phone (561) 687-1110 fax

CERTIFICATE OF AUTHORIZATION No. LB 7055

JACKSONVILLE - ORLANDO - TALLAHASSEE - TAMPA

www.wantmangroup.com

DESCRIPTION & SKETCH

PREPARED FOR:

AT&T-FLORIDA

EXHIBIT "A"

LEGAL DESCRIPTION: 10' AT&T EASEMENT

A 10' WIDE EASEMENT LOCATED WITHIN PALM BEACH COUNTY INTERNATIONAL AIRPORT PROPERTY, SITUATE IN SECTION 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 32;
THENCE SOUTH 00°45'40" WEST, ALONG THE NORTH-SOUTH 1/4 SECTION LINE OF SAID SECTION 32, A DISTANCE OF 40 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF BELVEDERE ROAD ACCORDING TO ROAD PLAT BOOK 3, PAGES 91 THROUGH 94 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA
THENCE NORTH 88°26'54" WEST, ALONG THE EXISTING SOUTH RIGHT OF WAY LINE OF SAID BELVEDERE ROAD, A DISTANCE OF 35.75 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE;
THENCE SOUTH 02°04'21" WEST, PARALLEL TO THE EAST LINE OF THE PBI A TRAVEL PLAZA LEASE PARCEL 1, A DISTANCE OF 328.35 FEET;
THENCE SOUTH 34°39'18" WEST, A DISTANCE OF 163.76 FEET;
THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 209.22 FEET;
THENCE SOUTH 50°36'50" EAST, A DISTANCE OF 132.38 FEET;
THENCE SOUTH 38°34'08" WEST, A DISTANCE OF 271.23 FEET TO THE POINT OF TERMINATION.

THE EASEMENT CONTAINS 11,049.6 SQUARE FEET OR 0.2537 ACRES MORE OR LESS.

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

For The Firm
Wantman Group, Inc.

BY: *[Signature]*

ERIC MATTHEWS, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER, FLORIDA LICENSE NO. 6717

DATE: 7/13/17

DATE:	REVISION:	BY:
6/29/17	EDITS PER PBCO MARKUP	DAD

OFFICE	DAD	DATE 4/20/2017	JOB 31411582.44
CHECKED	ERM	SHEET 1 of 5	DWG 158244



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SURVEYOR'S NOTES:

1. DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
2. BEARINGS ARE BASED ON A GRID (NAD 83, 1990) BEARING OF NORTH 88°26'54" WEST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 43 EAST AS SHOWN ON THIS SKETCH AND DESCRIPTION EXHIBIT AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
3. 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 HEREIN.
4. NO RIGHT OF WAY (R/W) INFORMATION AVAILABLE FOR AIRPORT ROADS "JAMES L TURNAGE BLVD", "AIRPORT ACCESS ROAD", AND "PERIMETER ROAD".
5. THIS SKETCH AND LEGAL DESCRIPTION HAVE BEEN PREPARED WITHOUT A REVIEW OF THE TITLE POLICY OR OWNERSHIP AND ENCUMBRANCE REPORT; AND THAT IS IS POSSIBLE THAT THERE ARE EASEMENTS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, IN PARTICULAR OTHER EASEMENTS OF RECORD THAT MAY BE IN CONFLICT WITH THE GRANTING OF THIS EASEMENT.
6. COORDINATES SHOWN ARE GRID.
 DATUM = NAD 83, 1990 ADJUSTEMENT
 ZONE = FLORIDA EAST
 LINEAR UNITS = U.S. SURVEY FOOT
 COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE
 MERCATOR PROJECTION.
 ALL DISTANCES ARE GROUND
 SCALE FACTOR = (1.000044878)
 GROUND DISTANCE x SCALE FACTOR = GRID DISTANCE
 GRID DISTANCE / SCALE FACTOR = GROUND DISTANCE

DATE:	REVISION:	BY:				
6/29/17	EDITS PER PBCO MARKUP	DAD	(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)			
			OFFICE	DAD	DATE 4/20/2017	JOB 31411582.44
			CHECKED	ERM	SHEET 2 of 5	DWG 158244



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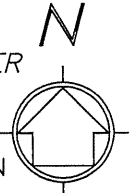
LEGEND:

= 1/4 SECTION CORNER

ORB. = OFFICIAL RECORDS BOOK

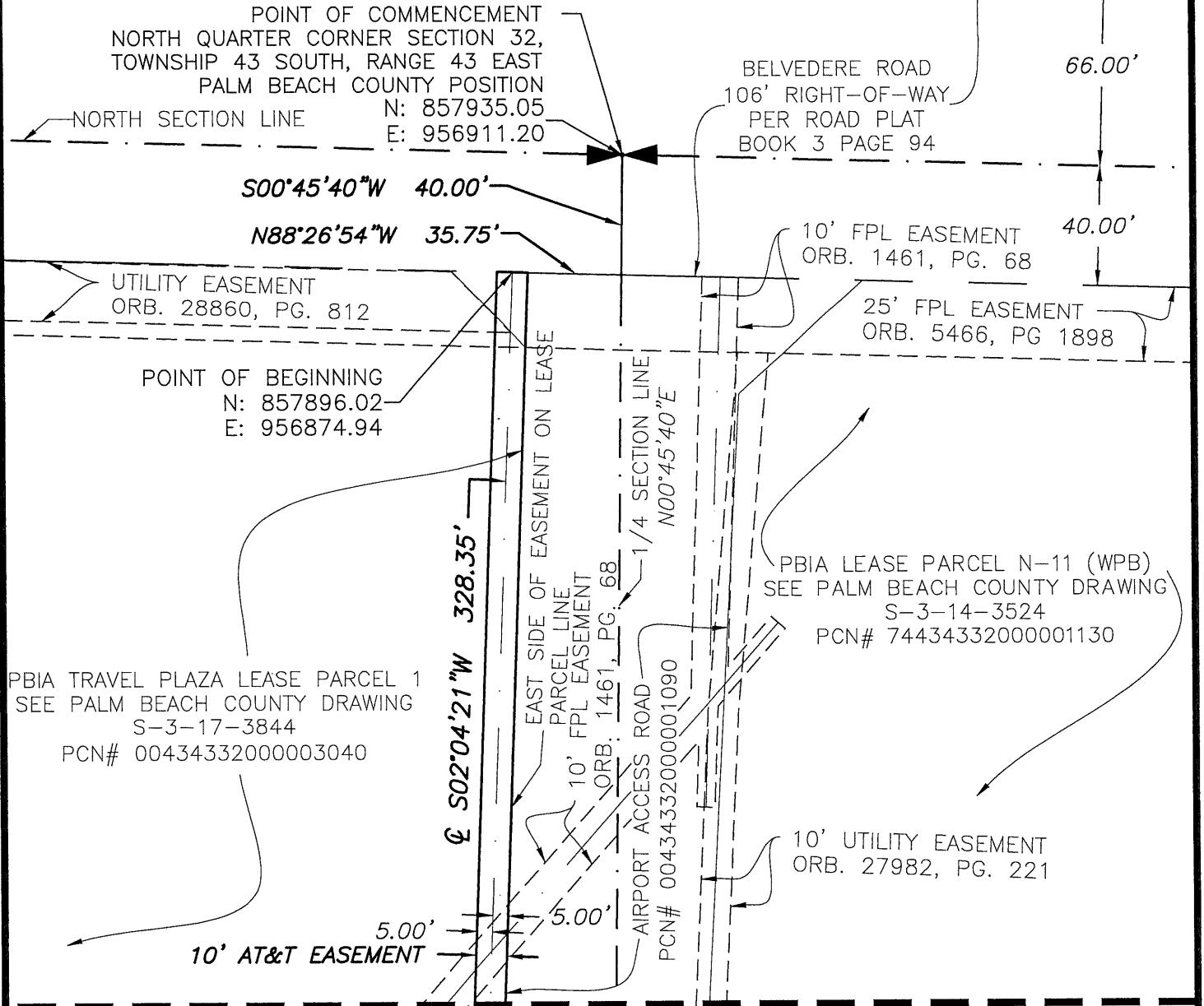
PG. = PAGE

ALL OFFICIAL RECORDS SHOWN IN THIS SKETCH AND DESCRIPTION ARE DERIVED FROM THE OFFICIAL RECORDS OF PALM BEACH COUNTY



SCALE: 1" = 50'
(Intended Display Scale)

EXHIBIT "A"



MATCH LINE SEE SHEET 4

DATE:	REVISION:	BY:	(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)			
6/29/17	EDITS PER PBCO MARKUP	DAD	OFFICE	DAD	DATE 4/20/2017	JOB 31411582.44
			CHECKED	ERM	SHEET 3 of 5	DWG 158244



WGI

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LEGEND:

= 1/4 SECTION CORNER

ORB. = OFFICIAL RECORDS BOOK

PG. = PAGE

ALL OFFICIAL RECORDS SHOWN IN THIS SKETCH AND DESCRIPTION

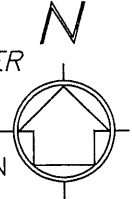
ARE DERIVED FROM THE

OFFICIAL RECORDS OF

PALM BEACH COUNTY

SCALE: 1" = 50'

(Intended Display Scale)



MATCH LINE SEE SHEET 3

EXHIBIT "A"

PBIA TRAVEL PLAZA LEASE PARCEL 1
SEE PALM BEACH COUNTY DRAWING
S-3-17-3844

PCN# 00434332000003040

☉ S02°04'21"W 328.35'

20' UTILITY EASEMENT
ORB. 27982, PG. 221

20' UTILITY EASEMENT
ORB. 28860, PG. 812

PBIA LEASE PARCEL
N-11 (WPB)
SEE PALM BEACH
COUNTY DRAWING
S-3-14-3524
PCN#
74434332000001130

PBIA LEASE PARCEL
N-11 (PBC)
SEE PALM BEACH
COUNTY DRAWING
S-3-14-3525

☉ S34°39'18"W 163.76'

10' AT&T EASEMENT

1/4 SECTION LINE N00°45'40"E 5315.91 (GRID)
5315.67' (GROUND)

PCN# 00434332000001090

MATCH LINE SEE SHEET 5

DATE:

REVISION:

BY:

6/29/17

EDITS PER PBCO MARKUP

DAD

(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

OFFICE

DAD

DATE 4/20/2017

JOB 31411582.44

CHECKED

ERM

SHEET 4 of 5

DWG 158244



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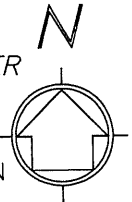
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THIS SKETCH AND DESCRIPTION

ARE DERIVED FROM THE

OFFICIAL RECORDS OF

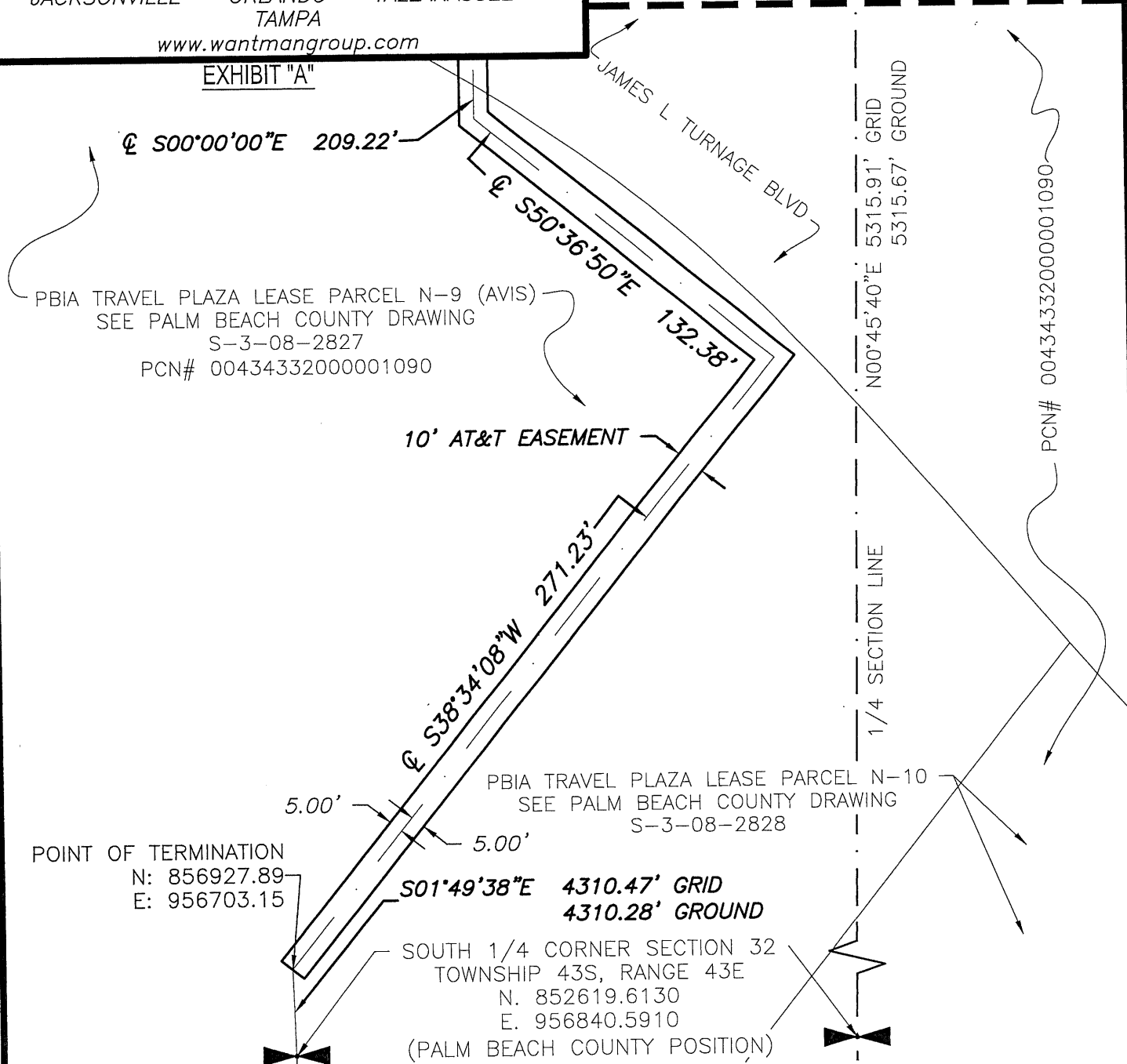
PALM BEACH COUNTY



SCALE: 1" = 50'

(Intended Display Scale)

MATCH LINE SEE SHEET 4



DATE:

REVISION:

BY:

6/29/17	EDITS PER PBCO MARKUP	DAD
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(NOT A SURVEY-DESCRIPTION AND SKETCH ONLY)

OFFICE	DAD	DATE 4/20/2017	JOB 31411582.44
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