

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	July 10, 2018	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:	Facilities Development & Operations		


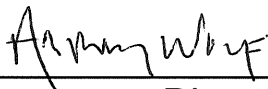

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: an easement in favor of Florida Power & Light (FPL) for underground electric utility facilities and an above ground pad-mounted transformer to service the expansion project within Burt Reynolds Park located in Jupiter.

Summary: On July 12, 2016, the Board approved a contract with Ahrens Enterprises, Inc. d/b/a Ahrens Companies (R2016-0881) to construct the Burt Reynolds Park west side expansion project (Project), which was completed in late 2017. The new construction required the replacement and relocation of the existing transformer and underground power cable. A non-exclusive easement in favor of FPL will be granted for underground electric utility facilities and an above ground pad-mounted transformer. The easement area is approximately 10 feet in width by approximately 447 feet in length, containing approximately 4,330 square feet (0.10 acres). This easement is being granted at no charge as the improvements will only service the Park. (PREM) District 1 (HJF)

Background and Justification: Burt Reynolds Park is very popular with boaters and the parking lot is often completely full on weekends and holidays. The Project consisted of demolition of the existing building; reconfiguration of the parking area with associated drainage, lighting, landscape, and irrigation; construction of a new restroom/pavilion building and a pedestrian pathway connecting to the east side of the Park; and the addition of new boat/trailer parking spaces. The reconfigured parking and drive aisles provides easier access for boat launching. The easement will be recorded in the public records of Palm Beach County to document its existence and location. An easement was never granted to FPL for the old transformer or the underground electrical improvements that fed said transformer.

- Attachments:**
- 1. Location Map
 - 2. Utility Easement Agreement (w/Exhibit "A")

Recommended By:			6/26/18
		Department Director	Date
Approved By:			7/5/18
	County Administrator		Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
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 _____

Does this item include the use of federal funds? Yes _____ No X

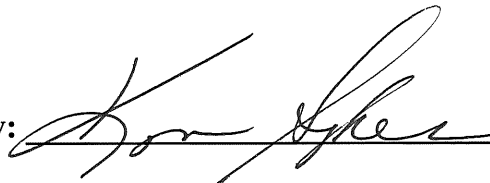
Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
Program _____

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

No fiscal impact.

Fixed Asset Number N/A

C. Departmental Fiscal Review:



III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 6/22/18
OFMB  6/21
 7/2/18
Contract Development and Control

B. Legal Sufficiency:

 7/3/18
Assistant County Attorney

C. Other Department Review:

Department Director

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

F

E

TWP
40

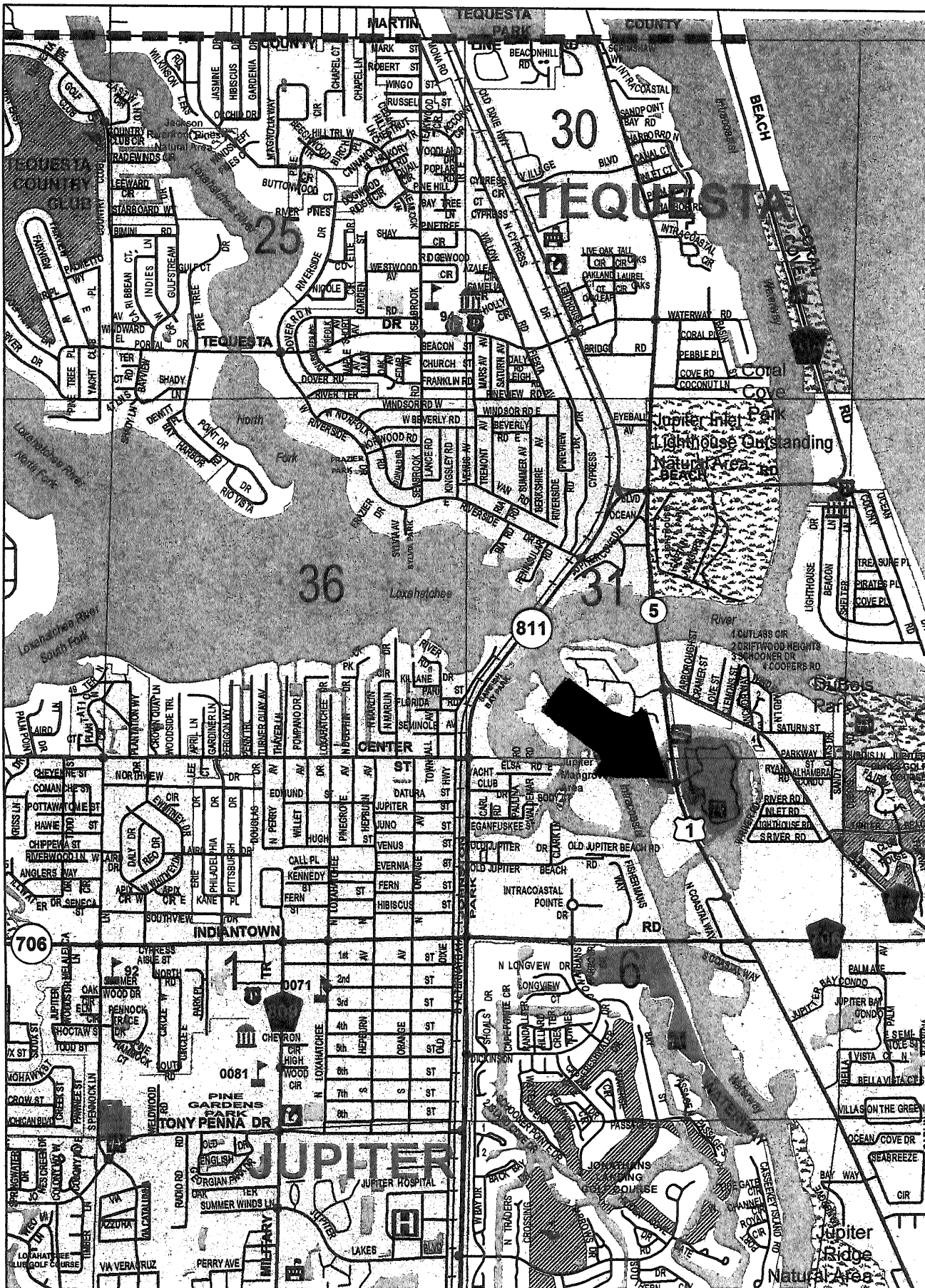
1

TWP
40

2

TWP
41

3



RNG 42

RNG 43

11

ATTACHMENT #2
Utility Easement Agreement with Exhibit "A" - 7 PAGES

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

PCN: 30-43-40-31-00-006-0010

UTILITY EASEMENT AGREEMENT

This EASEMENT is granted _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, (“Grantor”), to **FLORIDA POWER & LIGHT COMPANY**, a Florida corporation, whose legal mailing address is Post Office Box 14000, Juno Beach, Florida 33408-0420, (“Grantee”).

W I T N E S S E T H:

That said Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid, the receipt and sufficiency of which are hereby acknowledged, hereby grants unto Grantee, its successors and assigns, a perpetual non-exclusive easement (the “Easement”) for the construction, operation and maintenance of underground electric utility facilities, including wires, cables, conduits, and appurtenant equipment, and an above-ground pad-mounted transformer (the “Facilities”) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as the size of and remove such Facilities or any of them within an easement

upon, under and across the following described real property (the "Easement Premises")
situate, lying and being in the County of Palm Beach, State of Florida to wit:

**See legal description/site sketch marked Exhibit "A"
attached hereto and made a part hereof**

Together with the right to permit any other person, firm or corporation to lay cable and conduit within the Easement Premises and to operate the same for communications purposes. Together with [the right of reasonable ingress and egress to said Easement Premises at all times, the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Premises; and the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Premises which might interfere with or fall upon the Facilities installed within the Easement Premises.

THE CONDITIONS OF THIS RIGHT OF USAGE ARE SUCH THAT:

1. Grantee shall cause the Facilities and their appurtenances to be constructed within the confines of the Easement Premises.
2. Grantee hereby expressly agrees that in the event Grantee abandons use of the Easement Premises for the purpose herein expressed, the Easement granted hereby shall become null and void, and all the rights in and to the Easement Premises shall revert to Grantor.

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

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

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Melissa McKinlay, Mayor

Signed and delivered
in the presence of:

Witness Signature

Print Witness Name

Witness Signature

Print Witness Name

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
Assistant County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

By: _____
Department Director

EXHIBIT A

AN FPL EASEMENT IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, TOWN OF JUPITER, PALM BEACH COUNTY, FLORIDA, 10.00 FEET WIDE, AND LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED TWO (2) CENTERLINES:

COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 6;
THENCE ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 6,
S01°47'38"W FOR 182.00 FEET;
THENCE S88°12'22"E FOR 97.00 FEET TO POINT OF BEGINNING 1;
THENCE N71°00'00"E FOR 7.14 FEET TO POINT "A";
THENCE CONTINUE N71°00'00"E FOR 30.86 FEET TO THE END OF CENTERLINE 1.

AND THE FOLLOWING DESCRIBED CENTERLINE:

BEGIN AT SAID POINT "A";
THENCE S89°00'00"E FOR 26.57 FEET; THENCE S51°00'00"E FOR 4.54 FEET;
THENCE S27°20'00"E FOR 28.50 FEET; THENCE S30°30'00"E FOR 200.00 FEET;
THENCE S28°10'00"E FOR 150.00 FEET TO THE SOUTH BOUNDARY OF BURT REYNOLDS PARK PROPERTY, THE NORTH BOUNDARY OF A TOWN OF JUPITER PARCEL RECORDED IN OFFICIAL RECORD BOOK 11236, PAGE 1939, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE END OF SAID CENTERLINE 2.

CONTAINING 4330 SQUARE FEET, MORE OR LESS.

NOTES:


- 1) BEARING BASIS: S01°47'38"W (GRID, NAD 1983/1990 ADJUSTMENT) ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST.
- 2) RECORD INFORMATION SHOWN WAS FURNISHED TO BROWN & PHILLIPS, INC. PER SOUTHEAST GUARANTY & TITLE, INC. COMMITMENT No.2612003, DATED 9/19/2013.
NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY BROWN & PHILLIPS, INC.
- 3) ABBREVIATIONS: C - CENTERLINE R/W - RIGHT-OF-WAY
FPL - FLORIDA POWER & LIGHT RPB - ROAD PLAT BOOK
P.O.C. - POINT OF COMMENCEMENT P.B. - PLAT BOOK
P.O.B. - POINT OF BEGINNING
- 4) STATE PLANE COORDINATES:

A. COORDINATES SHOWN ARE GRID F. TRANSVERSE MERCATOR PROJECTION
B. DATUM - NAD 83, 1990 ADJUSTMENT G. ALL DISTANCES ARE GROUND EXCEPT WHERE SHOWN AS GRID
C. ZONE - FLORIDA EAST H. SCALE FACTOR - 1.000043041
D. LINEAR UNIT - US SURVEY FOOT I. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
E. COORDINATE SYSTEM 1983 STATE PLANE J. ROTATION EQUATION: NONE

CERTIFICATION:
I HEREBY CERTIFY THAT THE SKETCH AND DESCRIPTION AS SHOWN HEREON, MEETS THOSE STANDARDS CONTAINED IN CHAPTER 5J-17.050-052, FLORIDA ADMINISTRATIVE CODE, ESTABLISHED PER CHAPTER 472.027 FLORIDA STATUTES, AND PALM BEACH COUNTY'S STATE PLANE COORDINATE REQUIREMENTS AS SET FORTH IN PALM BEACH COUNTY PPM# CW-0-058.
THIS SKETCH AND DESCRIPTION OR COPIES HEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF A FLORIDA SURVEYOR AND MAPPER.

REVISIONS:

5/3/18-ADDRESS PALM BEACH COUNTY 4/25/18 COMMENTS



BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES


CERTIFICATE OF AUTHORIZATION # LB 6473

1860 OLD OKEECHOBEE ROAD., SUITE 509,

WEST PALM BEACH, FLORIDA 33409

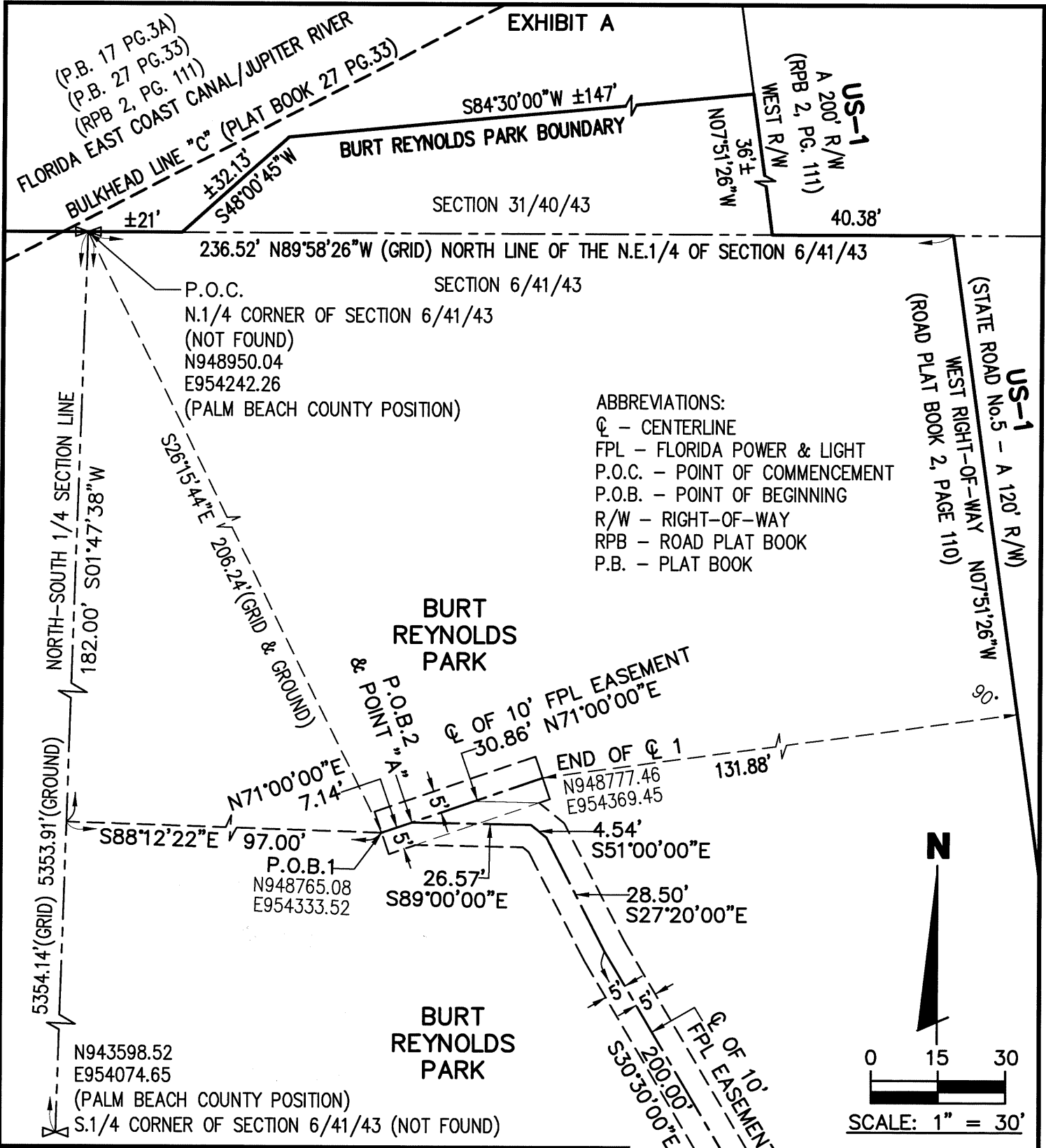
TELEPHONE (561)-615-3988, 615-3991 FAX

E-Mail: info@brown-phillips.com



JOHN E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4826
DATE: 5/9/18

LEGAL DESCRIPTION	
BURT REYNOLDS PARK	
DRAWN: MDB	PROJ. No. 13-028
CHECKED: JEP	SCALE: NONE
FPL EASEMENT	DATE: 2/5/18
	SHEET 1 OF 3



REVISIONS:

5/3/18-ADDRESS PALM BEACH COUNTY 4/25/18 COMMENTS

SEE SHEET 3 OF 3



BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
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WEST PALM BEACH, FLORIDA 33409
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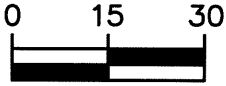
**SKETCH TO ACCOMPANY
LEGAL DESCRIPTION**
(THIS SKETCH IS NOT A SURVEY)

DRAWN: MDB	PROJ. No. 13-028
CHECKED: JEP	SCALE: 1" = 30'
FPL EASEMENT	DATE: 2/5/18
	SHEET 2 OF 3

SEE SHEET 2 OF 3

EXHIBIT A

N



SCALE: 1" = 30'

ABBREVIATIONS:

- CL - CENTERLINE
FPL - FLORIDA POWER & LIGHT
P.O.C. - POINT OF COMMENCEMENT
P.O.B. - POINT OF BEGINNING
R/W - RIGHT-OF-WAY
RPB - ROAD PLAT BOOK
P.B. - PLAT BOOK

CL OF 10'
FPL EASEMENT
S30°30'00"E 200.00'

US-1
(STATE ROAD No.5 - A 120' R/W)
WEST RIGHT-OF-WAY
(ROAD PLAT BOOK 2, PAGE 110)
R=2924.93'

BURT
REYNOLDS
PARK

R=98.50'
BULKHEAD LINE "C"
(P.B. 27 PG. 33)

S28°10'00"E 150.00'

8.50'

S. BOUNDARY BURT REYNOLDS PARK

N86°21'04"E 102.25'

END OF CL 2

N. BOUNDARY-TOWN OF JUPITER
(ORB 11236 PG.1939)-UNPLATTED

N948434.22
E954555.76

N948434.76
E954564.25

REVISIONS: 5/3/18-ADDRESS PALM BEACH
COUNTY 4/25/18 COMMENTS

E-Mail: info@brown-phillips.com



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WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

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LEGAL DESCRIPTION**

(THIS SKETCH IS NOT A SURVEY)

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CHECKED: JEP	SCALE: 1" = 30'
FPL EASEMENT	DATE: 2/5/18
	SHEET 3 OF 3