Agenda Item #: 3H-7

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date:	October 16, 2018	[X] Consent [] Ordinance	[] Regular [] Public Hearing	
Department:	Facilities Development	& Operations		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a First Amendment to Utility Easement in favor of the Town of Jupiter for a water utility line serving Bert Winters Park.

Summary: Bert Winters Park is located on the west side of Ellison Wilson Road, just south of Donald Ross Road in Juno Beach. The County has recently completed a redevelopment of the Park to improve the existing boat ramp, add a picnic area and bathroom, and add additional boat trailer parking. During preliminary design, it was discovered that there was an existing water line serving the existing bathrooms, but an easement had never been granted to the Town. This was corrected in May of 2014 when the County granted the Town a 12' wide water line easement (R2014-0600) for the existing bathrooms, which was recorded in ORB 26794, Page 1518. The redevelopment included the addition of new bathroom facilities in the picnic area near the boat ramp which required an extension of the existing utility lines. Construction of the new bathrooms and utility lines serving the bathrooms has been completed and the Town requires an easement for those lines. This First Amendment to Utility Easement adds an approximate 303' long leg to the existing water line easement, which new leg covers an area of-3,637 square feet (.084 acre). This First Amendment will be recorded to provide notice of its existence and location. (**PREM**) <u>District 1</u> (HJF)

Background and Justification: Redevelopment of the Park is now finished and a grand re-opening and ribbon cutting ceremony was held by the Parks Department on July 25, 2018.

Attachments:

- 1. Location Map
- 2. First Amendment to Utility Easement

Recommended By:	Annu Wif	9/26/18
	Department Director	Date ¹
Approved By:	MBala	10/3/18
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County					
MET FISCAL IMPACT # ADDITIONAL FTE	<u>0</u>				
POSITIONS (Cumulative)					
Is Item Included in Current Ba Does this item include the use of			No No <u>X</u>	_	
Budget Account No: Fund	Dep Program	ot 1	Unit	Object	

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

No fiscal impact.

Fixed Asset Number <u>n/a</u>

C. Departmental Fiscal Review:

XVI

III. <u>REVIEW COMMENTS</u>

A. OFMB Fiscal and/or Contract Development Comments:

811211X 0 \$9/20 a120

118 tract Development and Control

B. Legal Sufficiency:

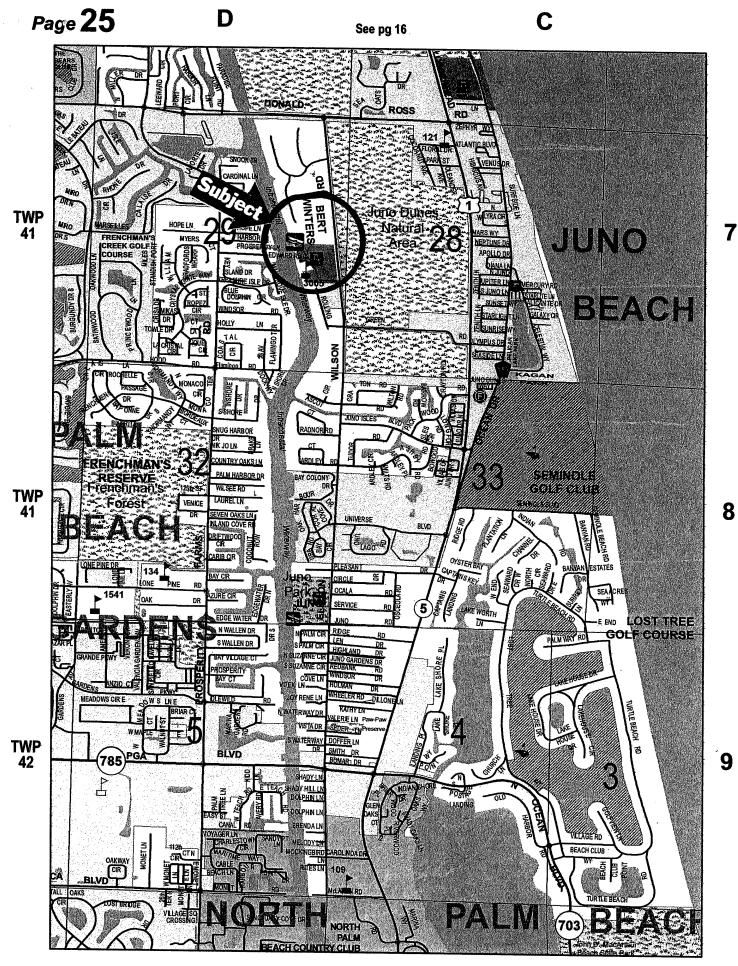
Assistant County Attorney

C. Other Department Review:

Department Director

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

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RNG 43

Attachment/ 1pg

See pg 35

MAP

RNG 43

Page **25**

Attachment 2 First Amendment to Utility Easement (7 pages) Property Control Number: 00-43-41-29-36-001-0000

FIRST AMENDMENT TO UTILITY EASEMENT

THIS FIRST AMENDMENT TO UTILITY EASEMENT, (the "First Amendment"), granted this _______, by and between PALM BEACH COUNTY, a political subdivision of the State of Florida, by and through its Board of County Commissioners, whose mailing address is 2300 Vista Parkway, West Palm Beach, Florida 33411-5605, ("County"), and the TOWN OF JUPITER, a municipal corporation of the State of Florida, whose address is 210 Military Trail, Jupiter, Florida 33458-5784, ("Town").

WITNESSETH:

WHEREAS, County granted Town a Utility Easement recorded in the public records of Palm Beach County in Official Record Book 26794, Page 1518 (the "Easement"); and

WHEREAS, the parties wish to increase the Easement Premises by adding the area as legally described in Exhibit "A-1", attached hereto and made a part hereof, for new service resulting from the County park improvements; and

WHEREAS, the parties hereto desire to amend the Easement in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, and various other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Page 1 of 4

1. The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning as ascribed to them in the Easement.

2. Exhibit "A-1" is hereby added to the Easement Premises.

3. Except as modified by this First Amendment, the Easement remains unmodified and in full force and effect and the parties hereby ratify, confirm, and adopt the Easement, as amended, in accordance with the terms thereof.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

Page 2 of 4

IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed

in its name, by their proper officers thereunto duly authorized, the day and year first above written.

ATTEST:

SHARON R. BOCK CLERK & COMPTROLLER

By: ____

Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Assistant County Attorney

[Additional Signatures on Following Page]

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

By:

Melissa McKinlay, Mayor

APPROVED AS TO TERMS AND CONDITIONS

CH Annu Wir Department Director By:

Page 3 of 4

By

Boylan, Town Clerk

Jenna Gurman Print Name of Witness

Signature of Witness

Fauls) and er 5

Print Name of Witness

STATE OF FLORIDA COUNTY OF PALM BEACH

TOWN:

TOWN OF JUPITER, a municipal corporation of the State of Florida

JKUnuur Todd Wodraska, Mayor By:_ CLORIDA (OFFICIAL TOWN SE **APPROVED AS TO FORM** AND LEGAL SUFFICIENCY By? Legal Counsel

The foregoing instrument was acknowledged before me this _____ day of Manager of the Town of Jupiter, who is personally known to me or has produced as identification and did (did not) take an oath.

STACEY RIVERA Notary Public - State of Florida Commission # FF 978244 My Comm. Expires Apr 7, 2020 Bonded through National Notary Assn

<u>Macuz Xu</u> Notary (Signature) Stace, Pivera Name (Type, Print or Stamp)

Commission No. 41712020 My commission expires:

G:\PREM\Dev\Open Projects\PR-Bert Winters\Easements\1st Amendment Easement-water-jupiter. hf approved 4-3-2018.docx

Page 4 of 4

SKETCH OF DESCRIPTION THIS IS NOT A SURVEY NOT VALID WITHOUT ACCOMPANYING SHEETS 2 & 3 DONALD ROSS ROAD 5 \subset Z ്ഗ ITRACOAST. NOSI SITE **WILSON** P ٧A TERWAY ROAD ROLLING GR <u>GRE</u>EN TOWN OF JUPITER, FLORIDA LOCATION AND SHEET KEY MAP N.T.S

DESCRIPTION:

A UTILITY EASEMENT 12 FEET IN WIDTH SITUATED IN SECTION 29, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER (1/4) OF SAID SECTION 29, TOWNSHIP 41 SOUTH, RANGE 43 EAST; THENCE ALONG THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER (1/4) OF SECTION 29, TOWNSHIP 41 SOUTH, RANGE 43 EAST SO1°14'17"W A DISTANCE OF 309.61 FEET; THENCE LEAVING SAID EAST LINE N88°44'49"W A DISTANCE OF 792.72 FEET TO THE **POINT OF BEGINNING**;

THENCE N38'08'29"W A DISTANCE OF 12.00 FEET; THENCE S51'51'31"W A DISTANCE OF 38.26 FEET; THENCE S38'08'29"E A DISTANCE OF 12.00 FEET; THENCE N51'51'31"E A DISTANCE OF 12.36 FEET; THENCE S34'50'42"E A DISTANCE OF 175.83 FEET; THENCE S29'05'13"E A DISTANCE OF 57.73 FEET; THENCE S03'50'31"E A DISTANCE OF 2.39 FEET; THENCE S44'19'10"W A DISTANCE OF 20.01 FEET; THENCE S46'29'48"E A DISTANCE OF 12.00 FEET; THENCE N44'19'10"E A DISTANCE OF 25.20 FEET; THENCE N03'50'31"W A DISTANCE OF 10.44 FEET; THENCE N29'05'13"W A DISTANCE OF 61.02 FEET; THENCE N34'50'42"W A DISTANCE OF 177.13 FEET; THENCE N51'51'31"E A DISTANCE OF 13.88 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3,637.66 SQUARE FEET (0.084 ACRES) MORE OR LESS.

EXHIBIT "A-1"

NIMME 1		DATE SCALE CAD FILE PROJECT DRAWN	JCM	COOPYRIGHT 2018 BY ENGENUITY GROUP, INC. THIS DRAWING IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY, UNLESS SIGNED AND SEALED BY A REGISTERED PROFESSIONAL SURVEYOR AND MAPPER REPRESENTING ENGENUITY GROUP, INC.	SKETCH AND DESCRIPTION FOR TOWN OF JUPITER WATER UTILITY WATER LINE EASEMENT BERT WINTERS PARK	A Higher Standard of Excellence ENGLISHER - SURVIVES - GE MAPPERS GROUP INC., 1220 NORTH CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 3340
U	/095.01	CHECKED	CAR	ENGENUITI GROUP, INC.		1260 NORTH CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 3390 PH (561)655-1151 + FAX (561)832-9390 + WWW ENCENDUTYCROUP COM

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SKETCH OF DESCRIPTION THIS IS NOT A SURVEY NOT VALID WITHOUT ACCOMPANYING SHEETS 1 & 3

EXHIBIT "A-1"

NOTES:

1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY ENGENUITY GROUP. INC.

2. THIS SKETCH IS BASED ON INFORMATION FURNISHED BY CLIENT OR CLIENT'S REPRESENTATIVE.

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

4. BEARINGS SHOWN HERON ARE BASED ON A CALCULATED BEARING OF SOUTH 01"14'17" WEST ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER (1/4) OF SECTION 29, TOWNSHIP 41 SOUTH, RANGE 43 EAST, OTHER BEARINGS ARE RELATIVE THÉRÉTO.

5. DISTANCES SHOWN HEREON ARE GROUND DISTANCES EXPRESSED IN U.S. FEET AND DECIMAL PARTS THEREOF.

6. THIS SURVEY MEETS THE 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 AND THE PALM BEACH COUNTY'S STATE PLANE COORDINATES REQUIREMENTS AS SET FORTH IN PALM BEACH COUNTY'S PPM CW-0-058.

7. COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE GRID, EAST ZONE, USING THE NORTH AMERICAN DATUM OF 1983 WITH THE 1990 ADJUSTMENT (NAD 83-90). SCALE FACTOR: 1.0000476 GROUND DISTANCE x SCALE FACTOR = GRID DISTANCE

LEGEND 29-41S-43E ORB P.B. PG(S) UE SF PBC E-WM	SECTION-TOWNSHIP-RANGE OFFICIAL RECORDS BOOK PLAT BOOK PAGE UTILITY EASEMENT SQUARE FEET PALM BEACH COUNTY UNDERGROUND WATERMAIN SECTION CORNER QUARTER SECTION CORNER		SURVEYOR'S CERTIFICATE I HEREBY CERTIFY THAT THE SKETCH REPRESENTED HEREON COMPLIES WITH THE STANDARDS OF PRACTICE, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES.	
H SCALE N/	95.01SK INFORMATIONAL PURPOSES ONLY, UNLESS SIGNED AND 5.01 SEALED BY A REDISTERED PROFESSIONAL SURVEYOR AND MAPPER REPRESENTING	FOR TOWN OF J WATER L	ND DESCRIPTION UPITER WATER UTILITY LINE EASEMENT WINTERS PARK	A Higher Standard of Excellence encoders - surveyout - de MAPPERS GROUP - Inc. 1280 NORTH CONGRESS AVENUE, SUITE 101, WEST PAUL BEACH, FLORIDA 33409 BU (SPENSE-1181 - A BU (SPENSE-0160 - MAPPERS) MAPPERS CONTROL OF CONSTRUCTION OF CONTROL

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