

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	October 8, 2019	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing
Department:	Facilities Development & Operations		


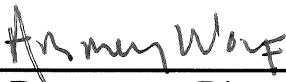

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Utility Easement Agreement in favor of Florida Power & Light (FPL) for electrical service to Fire Rescue Station No. 22 located in Westlake, Florida.

Summary: Fire Rescue Station No. 22 is currently under construction in the new municipality known as Westlake. The station is located at the southeast corner of Seminole Pratt Whitney Road and Town Center Parkway South. The easement is non-exclusive and will provide underground electrical services with a pad mounted transformer to the Fire Rescue Station. The easement is 10 feet wide and 129.27 feet in length and contains 1,293 square feet (.03 acres). The easement will be granted to FPL at no charge as it is required to obtain service to the station and will be recorded to provide public notice of its location. (Property & Real Estate Management) District 6 (HJF)

Background and Policy Issues: The existing Fire Rescue Station No. 22 is located within the Grove Market Shopping Center on Seminole Pratt Whitney Road. A new Fire Rescue Station No. 22 is being constructed on a 4.41 acre civic site conveyed to Palm Beach County by Minto PBLH, LLC, developer of the Minto West PUD. The Fire Rescue Station is scheduled for substantial completion in December 2019.

- Attachments:**
- 1. Location Map
 - 2. Utility Easement Agreement

Recommended By:			9/13/19
	Department Director		Date
Approved By:			9/23/19
	County Administrator		Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	=====	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes _____ No _____

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


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

Program _____

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

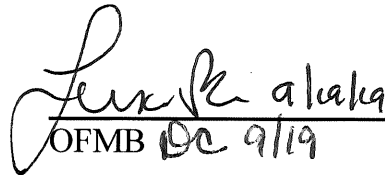

No Fiscal Impact

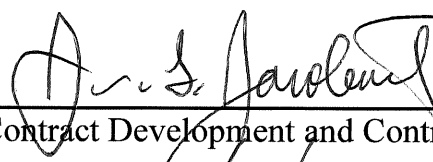
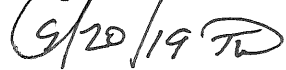
Fixed Assets Number _____

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:


OFMB  9/19 9/19


Contract Development and Control 9/20/19 

B. Legal Sufficiency:


Assistant County Attorney 9/23/19

C. Other Department Review:

Department Director

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



1 PAGE



ATTACHMENT NO. 2

6 PAGES

UTILITY EASEMENT AGREEMENT

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

PCN: 77-40-43-01-02-001-0000

UTILITY EASEMENT AGREEMENT

This EASEMENT is granted _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, 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: _____
Mack Bernard, 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"

DESCRIPTION:

10 FOOT WIDE FLORIDA POWER & LIGHT (FPL) EASEMENT LYING WITHIN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WEST LAKE, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF TRACT "A", FIRE-RESCUE STATION 22 & TOWN CENTER PARKWAY SOUTH, AS RECORDED IN PLAT BOOK 123, PAGES 104 & 105 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING 5.00 FEET EACH SIDE OF, PERPENDICULAR AND PARALLEL WITH THE FOLLOWING DESCRIBED CENTERLINE OF 10 FOOT FPL EASEMENT:
COMMENCING AT THE MOST NORTHERLY NORTHEAST CORNER OF SAID TRACT "A", FIRE-RESCUE STATION 22 & TOWN CENTER PARKWAY SOUTH; THENCE, ALONG THE NORTH LINE OF SAID TRACT "A", N90°00'00"W, A DISTANCE OF 289.63 FEET; THENCE, DEPARTING SAID NORTH LINE, S00°00'00"W, A DISTANCE OF 10.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF THE PLATTED 10 FOOT UTILITY EASEMENT PARALLEL WITH THE SAID NORTH LINE OF TRACT "A" AND THE POINT OF BEGINNING OF THE CENTERLINE OF 10 FOOT FPL EASEMENT; THENCE, ALONG SAID CENTERLINE OF 10 FOOT FPL EASEMENT, S00°00'01"W, A DISTANCE OF 129.27 FEET TO THE POINT OF TERMINUS.

THE SIDES OF THE ABOVE DESCRIBED EASEMENT SHALL BE LENGTHENED OR SHORTENED, AS NECESSARY, IN ORDER TO MAINTAIN A CONTINUOUS STRIP OF LAND 10 FEET IN WIDTH AND TO INTERSECT EXISTING EASEMENTS, PROPERTY LINES AND RIGHTS-OF-WAY OF RECORD.

ABOVE DESCRIBED EASEMENT CONTAINING 1,293 SQUARE FEET OR 0.0297 ACRES, MORE OR LESS.

NOTES:

- 1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH A SURVEYOR'S SEAL.
- 2. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PREFORMED BY THIS OFFICE; IT IS POSSIBLE THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, RESTRICTIONS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR AND ARE NOT SHOWN ON THIS SKETCH OF DESCRIPTION.
- 3. BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE MONUMENTED NORTH LINE OF TRACT "A", ACCORDING TO THE PLAT OF FIRE-RESCUE STATION 22 & TOWN CENTER PARKWAY SOUTH, AS RECORDED IN PLAT BOOK 123, PAGES 104 AND 105 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, HAVING A GRID BEARING OF N90°00'00"W.
- 4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
- 5. DATA SHOWN HEREON WAS COMPILED FROM INSTRUMENTS OF RECORD AND DOES NOT CONSTITUTE A BOUNDARY SURVEY AS SUCH.
- 6. RECORDING INFORMATION SHOWN HEREON IS OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.


LEGEND/ABBREVIATIONS

- | | |
|---------------------------------------|-----------------------------|
| C - CHORD DISTANCE | PB. - PLAT BOOK |
| CB - CHORD BEARING | PG. - PAGE |
| E - EASTING AS RELATED TO COORINATES | POB - POINT OF BEGINNING |
| FPL - FLORIDA POWER & LIGHT | POC - POINT OF COMMENCEMENT |
| L.A.E. - LIMITED ACCESS EASEMENT | POT - POINT OF TERMINUS |
| LB - LICENSED BUSINESS | R/W - RIGHT-OF-WAY |
| N - NORTHING AS RELATED TO COORINATES | U.E. - UTILITY EASEMENT |

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON AUGUST 6, 2019. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 2



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING - LAND SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

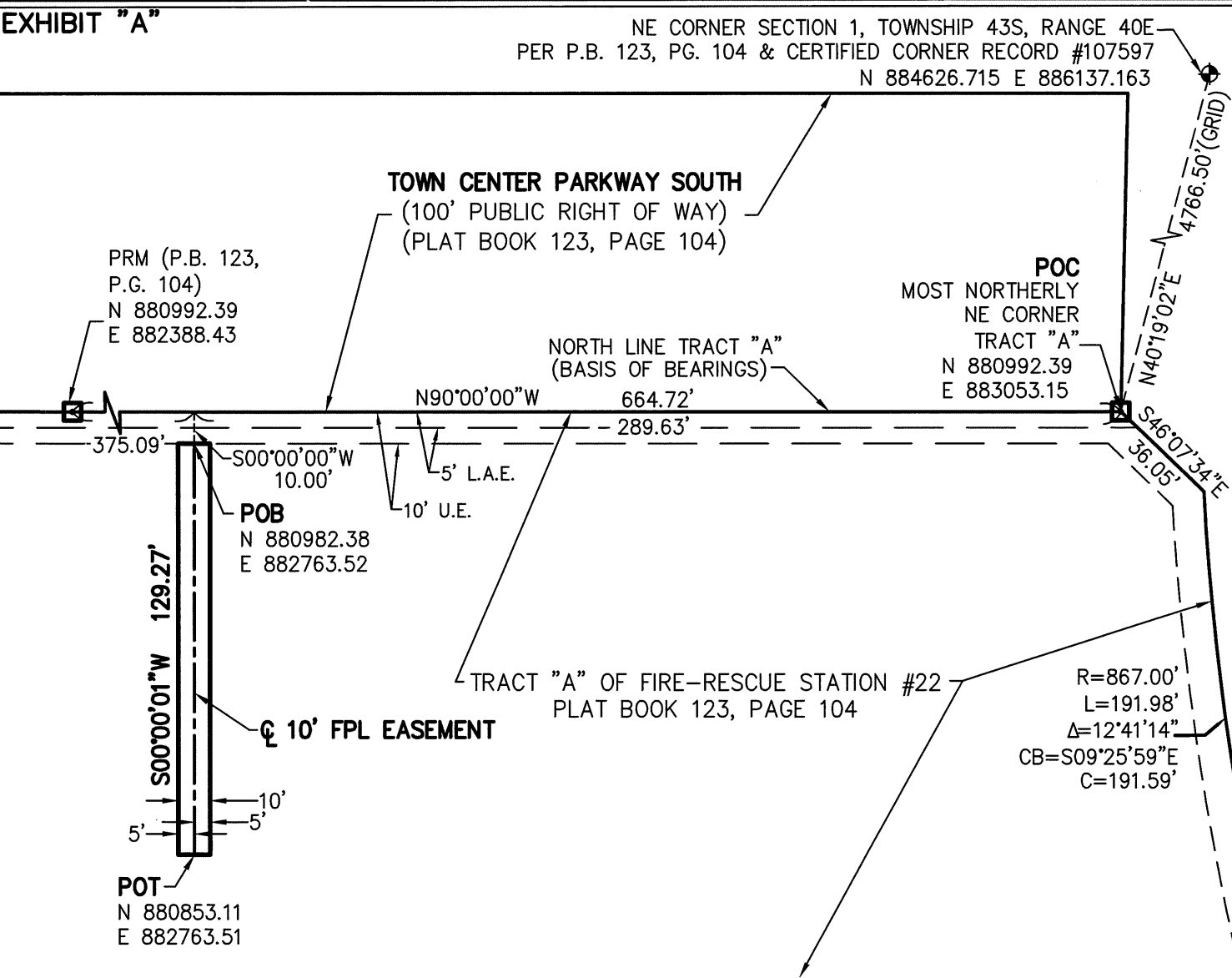
FIRE STATION #22
FLORIDA POWER & LIGHT EASEMENT
SKETCH OF DESCRIPTION


David Lindley

Digitally signed by David Lindley
DN: c=US, st=Florida, l=Boca Raton, ou=Surveying, o=Caulfield & Wheeler, Inc., cn=David Lindley, email=Dave@cwassoc.com
Date: 2019.08.06 17:25:00 -0400

DAVID P. LINDLEY
REGISTERED LAND
SURVEYOR NO. 5005
STATE OF FLORIDA
LB# 3591

DATE	08/06/19
DRAWN BY	DLS
F.B./ PG.	NONE
SCALE	NONE
JOB NO.	8415-FPL2

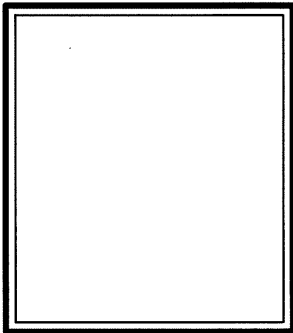




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PHONE (561)–392–1991 / FAX (561)–750–1452

FIRE STATION #22
FLORIDA POWER & LIGHT EASEMENT
SKETCH OF DESCRIPTION



DATE	08/06/19
DRAWN BY	DLS
F.B./ PG.	NONE
SCALE	1"=50'
JOB NO.	8415–FPL2