

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</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 X
 Does this item include the use of federal funds? Yes _____ No X

Budget Account No: Fund _____ Department _____ Unit _____ RSource _____ FP
 Reporting Category _____

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

No fiscal impact.

C. Departmental Fiscal Review: [Signature]

III. REVIEW COMMENTS

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

[Signature] 7/17/2020
 OFMB [Signature] 7/17

[Signature] for [Signature]
 Contract Dev. and Control
 7-2-20 TW

B. Legal Sufficiency:

Anne Delmont 7-22-20
 Assistant County Attorney

C. Other Department Review:

 Department Director

REVISED 11/17

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

Prepared by & Return to:

Ray Walter, Deputy Director
Palm Beach County Department of Airports
846 Palm Beach International Airport
West Palm Beach, Florida 33406

PCN: 00-42-43-36-05-000-0010 (portion)
Project: Gulfstream Produce Support Corp Hangar

UTILITY EASEMENT AGREEMENT

This EASEMENT is 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 **FLORIDA POWER & LIGHT COMPANY**, a Florida corporation, whose legal mailing address is Post Office Box 14000, Juno Beach, Florida 33408-0420 (“Grantee”).

WITNESSETH:

That the said Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations 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, cables, conduits and appurtenant equipment, and pad-mounted transformers (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, over and across the following described real property consisting of two (2) parcels (collectively, the “Easement Premises”) situate, lying and being in the County of Palm Beach, State of Florida to wit:

**See legal descriptions/site sketches marked Exhibit “A” and Exhibit “B”
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 communication 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 CONDITION 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, the Facilities within the Easement Premises at all times during the term hereof. Grantee shall endeavor to provide Grantor's Department of Airports with prior notice of any maintenance or repair activities within the Easement Premises.

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.

5. Grantee acknowledges and agrees that Grantor may require the relocation of the Facilities installed within the Easement Premises to another location within Grantor's property. In the event that it becomes necessary for Grantee to relocate or alter the location of its Facilities at the request of Grantor, Grantor shall reimburse Grantee for all reasonable costs and expenses involved in such relocation or alteration and shall grant a new utility easement upon the same terms and conditions of this Easement. Grantee shall promptly terminate and release this Easement upon the grant of the new utility easement provided for herein.

6. By acceptance of this Easement, Grantee agrees for itself, its successors and assigns to restrict the height of its Facilities within the Easement Premises to a height so as to comply with 14 CFR Part 77, as now or hereafter amended. Grantee further agrees for itself, its successors and assigns to prevent any use of the Easement Premises which would interfere with the landing at or taking off from the Palm Beach International Airport; interfere with air navigation and/or communication facilities serving the Palm Beach International Airport; or otherwise would constitute an airport hazard. Grantee acknowledges that noise and vibration are inherent to the operation of the Palm Beach International Airport and hereby releases Grantor from any and all liability for the same.

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: _____
Dave Kerner, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: Anne Delgant
Assistant County Attorney

By: Anna Berke *FW*
Department Director

EXHIBIT "A"
OF THE
EASEMENT PREMISES

see legal description and sketch of PBLA Golfview Lease Parcel "B" (W-5) Electrical & Communication Easement, prepared by Brown & Phillips, Inc., Project No. 20-008, dated February 4, 2020, revised and signed by John E. Phillips, III, P.L.S. February 26, 2020, consisting of 3 sheets

Legal description containing approximately 3,039 square feet (0.069 acres, more or less)

**EXHIBIT A
PBC PROJECT NO.2020013-07**

AN EASEMENT FOR ELECTRICAL AND COMMUNICATION PURPOSES LYING WITHIN THE BOUNDARY OF PALM BEACH INTERNATIONAL AIRPORT, BEING A PORTION OF THE AFFIDAVIT OF WAIVER RECORDED IN OFFICIAL RECORD BOOK 23862, PAGE 198 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, IN THE NORTHEAST QUARTER (N.E.1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN EASEMENT 10.00 FEET IN WIDTH, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 36:
THENCE ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 36,
S01°30'22"W FOR 1392.50 FEET;
THENCE PERPENDICULAR TO SAID QUARTER SECTION LINE, S88°29'38"E FOR 1024.62 FEET TO A POINT ON A UTILITY EASEMENT, RECORDED IN OFFICIAL RECORDS BOOK 30965, PAGE 1474 AND BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE;
THENCE ALONG SAID CENTERLINE FOR THE FOLLOWING COURSES:

THENCE S33°22'31"W FOR 25.41 FEET;
THENCE S10°09'40"E FOR 45.75 FEET;
THENCE S45°44'48"E FOR 54.15 FEET;
THENCE S59°47'14"E FOR 99.41 FEET;
THENCE S69°24'11"E FOR 53.73 FEET;
THENCE S00°10'24"W FOR 25.73 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE.


CONTAINING 3,039 SQUARE FEET, MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION. THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER NOTED HEREON.

John E Phillips Digitally signed
by John E Phillips
Date: 2020.02.26
16:56:12 -05'00'

JOHN E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4826
DATE: _____

REVISIONS:
2/7/20 REVISED PER CLIENT
2/11/20 REVISED PER ORB 30965, PG. 1474
2/25/20 REVISED PER PBC SURVEY COMMENTS

 E-Mail: info@brown-phillips.com
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

PBIA GOLFVIEW LEASE PARCEL "B" (W-5) ELECTRICAL & COMMUNICATION EASEMENT (THIS IS NOT A SURVEY)	
DRAWN: DKN	PROJ. No. 20-008
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 2/4/2020
	SHEET 1 OF 3

EXHIBIT A
PBC PROJECT NO.2020013-07

NOTES:

- 1) STATE PLANE COORDINATES:
 A. COORDINATES SHOWN ARE GRID
 B. DATUM – NAD 83, 1990 ADJUSTMENT
 C. ZONE – FLORIDA EAST
 D. LINEAR UNIT – US SURVEY FOOT
 E. COORDINATE SYSTEM 1983 STATE PLANE
 F. TRANSVERSE MERCATOR PROJECTION
 G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE
 H. SCALE FACTOR – 1.0000374
 I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
 J. ROTATION EQUATION:NONE
- 2) THIS DESCRIPTION IS BASED ON PBIA PLAT WAIVER RECORDED IN ORB 23862, PG. 198 AND AN ALTA/NSPS LAND TITLE SURVEY FOR PBIA GOLFVIEW LEASE PARCEL "B" (W-5) PREPARED BY THIS OFFICE, AND ON A TITLE COMMITMENT PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO.: NCS-923135-ORL, EFFECTIVE DATE: OCTOBER 23, 2018;

NO ENCUMBRANCES OF RECORD WERE NOTED EXCEPT AS SHOWN ON THE ATTACHED SKETCH. IT 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.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.

- 3) ABBREVIATIONS:
- | | |
|--------------------------------|-------------------------------|
| P.O.C. – POINT OF COMMENCEMENT | R/W – RIGHT-OF-WAY |
| P.O.B. – POINT OF BEGINNING | CL – CENTERLINE |
| ORB – OFFICIAL RECORD BOOK | R – RADIUS |
| PG. – PAGE | Δ – CENTRAL ANGLE |
| SEC. – SECTION | A – ARC LENGTH |
| PBC – PALM BEACH COUNTY | P.O.T. – POINT OF TERMINATION |
| NAD – NORTH AMERICAN DATUM | |

- 4) BEARINGS ARE BASED ON S01°30'22"W (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE NORTH-SOUTH 1/4 SECTION LINE OF SECTION 36/43/42.



E-Mail: info@brown-phillips.com

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

PBIA GOLFVIEW LEASE PARCEL "B" (W-5)
ELECTRICAL & COMMUNICATION EASEMENT
 (THIS SKETCH IS NOT A SURVEY)

DRAWN: DKN	PROJ. No. 20-008
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 2/4/2020
	SHEET 3 OF 3

EXHIBIT "B"
OF THE
EASEMENT PREMISES

*see legal description and sketch of PBLA Golfview Lease Parcel "B" (W-5),
FPL Easement – Site Lighting, prepared by Brown & Phillips, Inc., Project No. 20-008,
dated May 21, 2020, revised and signed by John E. Phillips, III, P.L.S. May 22, 2020,
consisting of 3 sheets*

Legal description containing approximately 7,402 square feet (0.170 acres, more or less)

EXHIBIT B

A FLORIDA POWER & LIGHT EASEMENT WITHIN THE BOUNDARY OF PALM BEACH INTERNATIONAL AIRPORT, LYING WITHIN THE AFFIDAVIT OF WAIVER RECORDED IN OFFICIAL RECORD BOOK 23862, PAGE 198 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, IN THE NORTHEAST QUARTER (N.E.1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, 10.00 FEET IN WIDTH, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINES:

COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 36;
 THENCE ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 36,
 S01°30'22"W FOR 1392.50 FEET;
 THENCE PERPENDICULAR TO SAID QUARTER SECTION LINE, S88°29'38"E FOR 1064.22 FEET
 TO THE POINT OF BEGINNING OF CENTERLINE #1, LYING ON THE SOUTH LINE OF A FPL EASEMENT
 RECORDED IN OFFICIAL RECORD BOOK 30965, PAGE 1474 OF SAID PUBLIC RECORDS;
 THENCE S02°21'22"W FOR 115.30 FEET TO POINT "A":
 THENCE N87°38'34"W FOR 316.58 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE #1;

AND CENTERLINE #2, DESCRIBED AS FOLLOWS:
 BEGIN AT SAID POINT "A";
 THENCE S87°38'34"E FOR 173.97 FEET;
 THENCE N88°29'32"E FOR 139.31 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE #2.

IT IS INTENDED FOR THE SIDELINES OF SAID EASEMENT TO BE SHORTENED OR LENGTHENED AT THE POINT OF BEGINNING OF CENTERLINE #1, TO INTERSECT THE EXISTING FPL EASEMENT RECORDED IN OFFICIAL RECORD BOOK 30965, PAGE 1474 OF SAID PUBLIC RECORDS.

CONTAINING 7,402 SQUARE FEET (0.170 ACRES), MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.

THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.


**John E
Phillips**

Digitally signed by
John E Phillips
Date: 2020.05.29
11:52:14 -04'00'

JOHN E. PHILLIPS, III
 PROFESSIONAL LAND SURVEYOR
 STATE OF FLORIDA No. 4826
 DATE: _____

REVISIONS:

5/22/20 - REVISED POINT OF BEGINNING
5/29/20 - REVISED PER PBC SURVEY COMMENTS

 <p>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</p>	E-Mail: info@brown-phillips.com
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GOLFVIEW LEASE PARCEL "B" (W-5) FPL EASEMENT - SITE LIGHTING (THIS IS NOT A SURVEY)	
DRAWN: DKN	PROJ. No. 20-008
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 5/21/20
	SHEET 1 OF 3

EXHIBIT B

NOTES:

1) STATE PLANE COORDINATES:

- | | |
|---------------------------------------|---|
| A. COORDINATES SHOWN ARE GRID | F. TRANSVERSE MERCATOR PROJECTION |
| B. DATUM – NAD 83, 1990 ADJUSTMENT | G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE |
| C. ZONE – FLORIDA EAST | H. SCALE FACTOR – 1.0000381 |
| D. LINEAR UNIT – US SURVEY FOOT | I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE |
| E. COORDINATE SYSTEM 1983 STATE PLANE | J. ROTATION EQUATION: NONE |

2) THIS DESCRIPTION IS BASED ON THE PBI PLAT WAIVER RECORDED IN ORB 23862, PG. 198 AND AN ALTA/NSPS LAND TITLE SURVEY FOR PBI GOLFVIEW LEASE PARCEL "B" (W-5) PREPARED BY THIS OFFICE, AND ON A TITLE COMMITMENT PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO.: NCS-923135-ORL, EFFECTIVE DATE: OCTOBER 23, 2018.

NO ENCUMBRANCES OF RECORD WERE NOTED EXCEPT AS SHOWN ON THE ATTACHED SKETCH. IT 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.

3) ABBREVIATIONS:

- P.O.C. – POINT OF COMMENCEMENT
- P.O.B. – POINT OF BEGINNING
- P.O.T. – POINT OF TERMINATION
- ORB – OFFICIAL RECORD BOOK
- PG. – PG.
- PBCWUDE – PALM BEACH COUNTY WATER UTILITIES DEPARTMENT EASEMENT
- Ⓞ – CENTERLINE
- PBC – PALM BEACH COUNTY
- NAD – NORTH AMERICAN DATUM
- SEC. – SECTION
- PBI – PALM BEACH INTERNATIONAL AIRPORT
- FPL – FLORIDA POWER & LIGHT
- DWG – DRAWING

4) BEARINGS ARE BASED ON S01°30'22"W (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST.

S:\2020 drawing files\20-008\20-008 PBI Gulfstream Golfview Area Parcel B - Legal and Sketches.dwg, 5/29/2020 11:35:40 AM, DWG To PDF.pc3



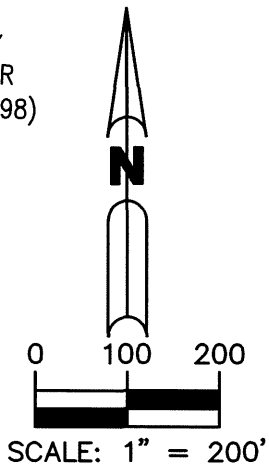
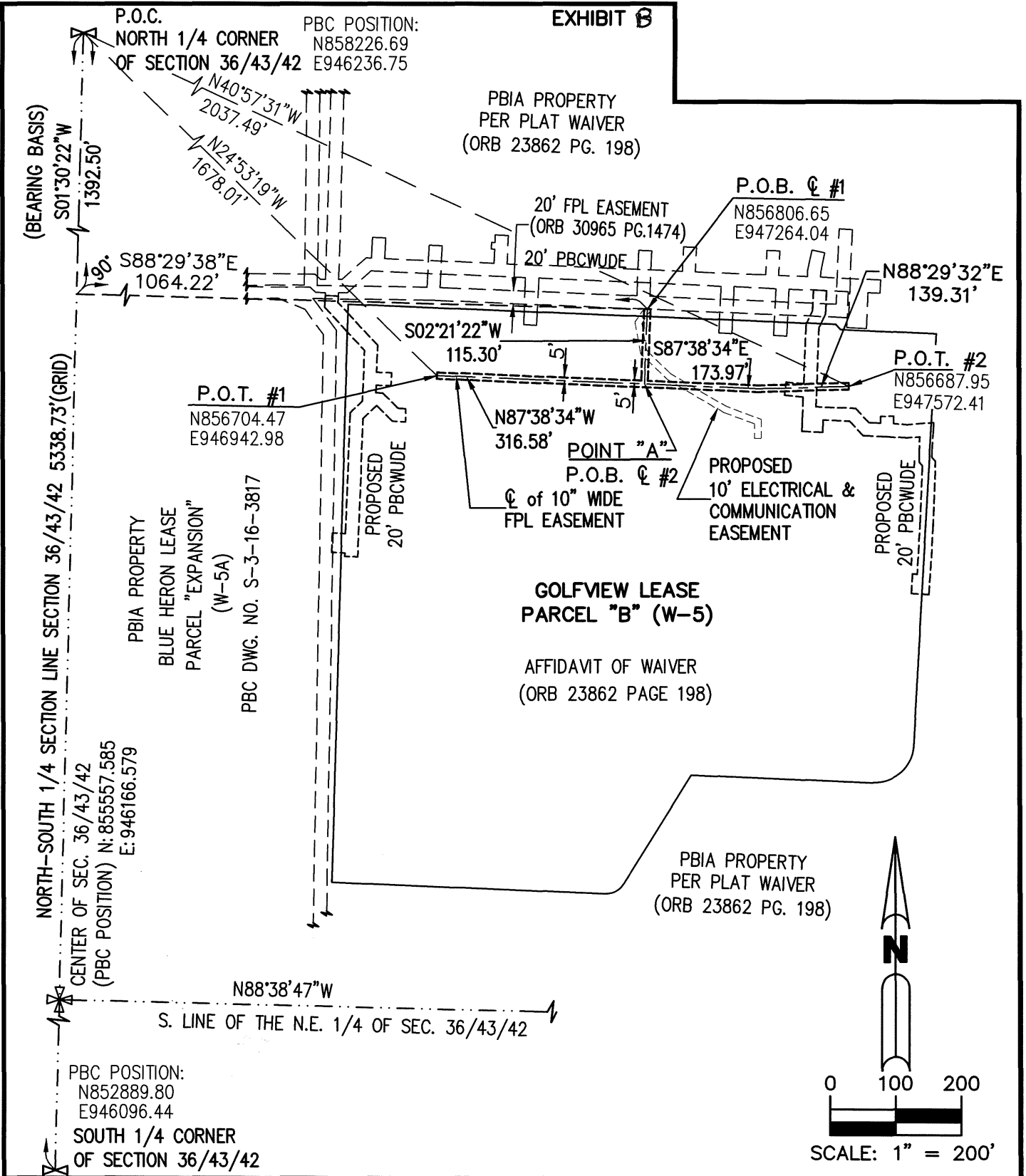
E-Mail: info@brown-philips.com

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GOLFVIEW LEASE PARCEL "B" (W-5)
FPL EASEMENT – SITE LIGHTING
 (THIS SKETCH IS NOT A SURVEY)

DRAWN: DKN	PROJ. No. 20-008
CHECKED: JEP	SCALE: NONE
DESCRIPTION NOTES	DATE: 5/21/20
	SHEET 3 OF 3

EXHIBIT B



S:\2020 drawing files\20-008\20-008 PBI Gulfstream Golfview Area Parcel B - Legal and Sketches.dwg, 5/29/2020 11:34:25 AM, DWG To PDF.pc3

B BROWN & PHILLIPS, INC.
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 WEST PALM BEACH, FLORIDA 33409
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E-Mail: info@brown-phillips.com

GOLFVIEW LEASE PARCEL "B" (W-5)	
FPL EASEMENT - SITE LIGHTING	
(THIS SKETCH IS NOT A SURVEY)	
DRAWN: DKN	PROJ. No. 20-008
CHECKED: JEP	SCALE: 1" = 200'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 5/21/20
	SHEET 2 OF 3