

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</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 ___ *JH*
 Reporting Category _____

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

No fiscal impact.

C. Departmental Fiscal Review: *William J. Mansson*

III. REVIEW COMMENTS

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

Laura Mente 12/9/2020
 OFMB *LM* 12/9

J. S. Jacobson 12/11/2020
 Contract Dev. and Control
 12-10-2020

B. Legal Sufficiency:

Anne Delgent 12-15-2020
 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: 00-42-43-36-015-000-0010 (portion)
Project: PBI Post Distr LLC/PODS Warehouse/Wallis Rd.

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 electric utility facilities, cables, conduits and appurtenant equipment and 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 the following parcel 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 (the “Easement Premises”)**

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:
JOSEPH ABRUZZO
CLERK OF THE CIRCUIT
COURT & 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: _____
Assistant County Attorney

By: *RW* *Laura Burke*
Department Director

EXHIBIT "A"

DESCRIPTION:

A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF MILITARY TRAIL AND WALLIS ROAD; THENCE ALONG THE CENTERLINE OF SAID WALLIS ROAD AS SHOWN IN THAT CERTAIN PALM BEACH COUNTY, FLORIDA, RESOLUTION NO. R-2016-0862 RECORDED IN OFFICIAL RECORDS BOOK 28461, PAGE 659 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, N*88*42'39"W., A DISTANCE OF 1,490.65 FEET; THENCE LEAVING SAID CENTERLINE, S*01*17'21"W., A DISTANCE OF 40.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF WALLIS ROAD AS SHOWN IN SAID RESOLUTION AND THE POINT OF BEGINNING; THENCE S*01*24'22"W., A DISTANCE OF 10.00 FEET; THENCE N*88*42'39"W., A DISTANCE OF 515.09 FEET; THENCE S*01*24'23"W., A DISTANCE OF 272.93 FEET; THENCE N*88*35'22"W., A DISTANCE OF 5.00 FEET; THENCE N*01*24'22"E., A DISTANCE OF 282.92 FEET TO AN INTERSECTION WITH SAID SOUTH RIGHT-OF-WAY LINE OF WALLIS ROAD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE, S.88*42'39"E., A DISTANCE OF 520.09 FEET TO THE POINT OF BEGINNING.

CONTAINING 6,566 SQUARE FEET OR 0.1507 ACRE, MORE OR LESS.

SAID LANDS SITUATE IN THE CITY OF WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

SURVEYOR'S NOTES:

- 1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH A SURVEYOR'S SEAL.
2. SURVEY MAPS, OR THE COPIES THEREOF, ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE, OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER.
3. THERE HAS BEEN NO REVIEW OF THE TITLE POLICY OR OWNERSHIP AND ENCUMBRANCE REPORT ISSUED WITHIN THE PAST TWELVE MONTHS FOR SUBJECT LANDS.
4. UNDERGROUND FOUNDATIONS/AND OR ENCROACHMENTS WERE NOT LOCATED.
5. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
6. GRID BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, TRANSFER MERCATOR PROJECTION, NORTH AMERICAN DATUM OF 1983 WITH THE 1990 ADJUSTMENT (NAD 83/90). THE WEST LINE OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEARS NORTH 01*22'23" EAST.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON NOVEMBER 19, 2020. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 4

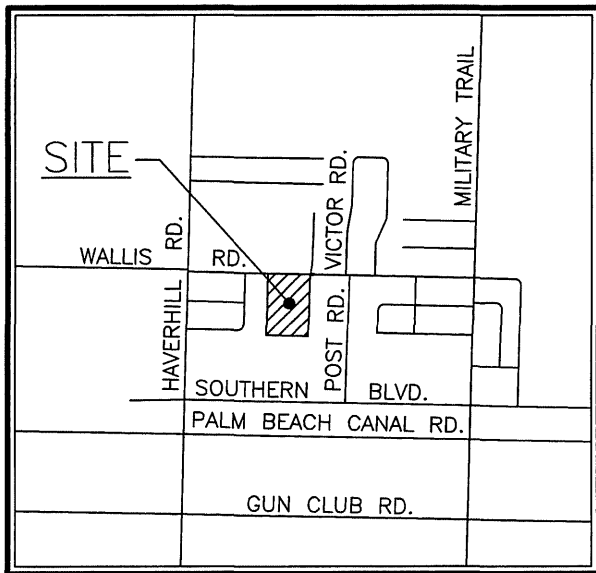
CAULFIELD & WHEELER, INC. CIVIL ENGINEERING LANDSCAPE ARCHITECTURE - SURVEYING 7900 GLADES ROAD - SUITE 100 BOCA RATON, FLORIDA 33434 PHONE (561)-392-1991 / FAX (561)-750-1452

David Lindley Digitally signed by David Lindley... DAVID P. LINDLEY REGISTERED LAND SURVEYOR NO. 5005 STATE OF FLORIDA L.B. 3591

Table with 2 columns: Field Name and Value. Fields include DATE (11/19/20), DRAWN BY (TW), F.B./ PG. (N/A), SCALE (NONE), and JOB NO. (8909).

PALM BEACH COUNTY UTILITY EASEMENT PODS DISTRIBUTION CENTER SKETCH AND DESCRIPTION

EXHIBIT "A"



LOCATION MAP
(NOT TO SCALE)

NOTES
COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID
 DATUM = NAD 83 (90 ADJUSTMENT)
 ZONE = FLORIDA EAST
 LINEAR UNIT = US SURVEY FEET
 COORDINATE SYSTEM 1983 STATE PLANE
 TRANSVERSE MERCATOR PROJECTION
 ALL DISTANCES ARE GROUND, UNLESS OTHERWISE NOTED
 SCALE FACTOR = 1.000036758
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
 BEARINGS AS SHOWN HEREON ARE GRID DATUM,
 NAD 83 (90 ADJUSTMENT), FLORIDA EAST ZONE.

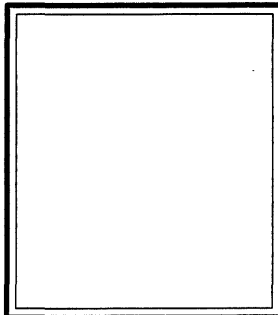
LEGEND:

- D.B. - DEED BOOK
- O.R.B. - OFFICIAL RECORD BOOK
- P.B.C.R. - PALM BEACH COUNTY RECORDS
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- P.B.C.U.E. - PALM BEACH COUNTY UTILITY EASEMENT
- R/W - RIGHT-OF-WAY
- PG. - PAGE
- SECTION 36-43S-42E - DENOTES "SECTION 36, TOWNSHIP 43 SOUTH, RANGE 42 EAST"
- ℄ - CENTERLINE

SHEET 2 OF 4



CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452



DATE	11/19/20
DRAWN BY	TW
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	8909-UE

PALM BEACH COUNTY UTILITY EASEMENT
 PODS DISTRIBUTION CENTER
SKETCH AND DESCRIPTION

EXHIBIT "A"
PALM BEACH COUNTY CONTROL POINTS

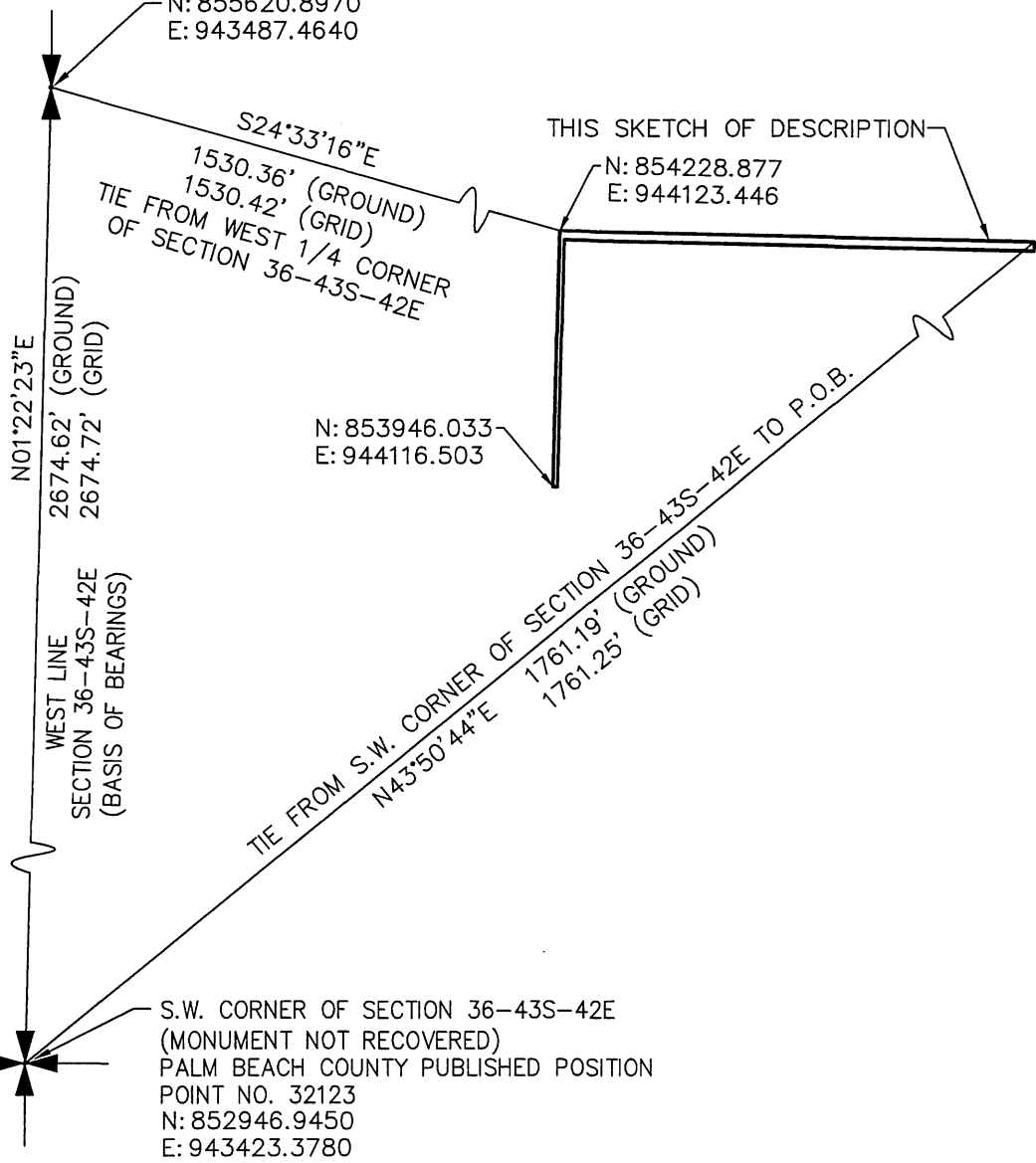
WEST 1/4 CORNER OF SECTION 36-43S-42E
(MONUMENT NOT RECOVERED)
PALM BEACH COUNTY PUBLISHED POSITION
POINT NO. 32118
N: 855620.8970
E: 943487.4640

THIS SKETCH OF DESCRIPTION

N: 854228.877
E: 944123.446

P.O.B.
N: 854217.174
E: 944643.427

N: 853946.033
E: 944116.503




S.W. CORNER OF SECTION 36-43S-42E
(MONUMENT NOT RECOVERED)
PALM BEACH COUNTY PUBLISHED POSITION
POINT NO. 32123
N: 852946.9450
E: 943423.3780

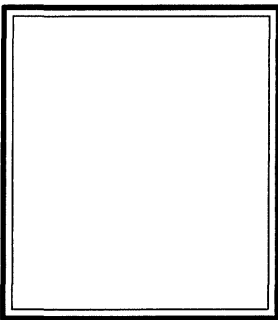


NOT TO SCALE

SEE SHEET 2 FOR LEGEND

SHEET 3 OF 4

	CAULFIELD & WHEELER, INC.
	CIVIL ENGINEERING
	LANDSCAPE ARCHITECTURE - SURVEYING
	7900 GLADES ROAD - SUITE 100
	BOCA RATON, FLORIDA 33434 PHONE (561)-392-1991 / FAX (561)-750-1452

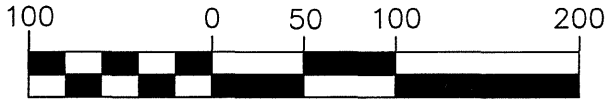


DATE	11/19/20
DRAWN BY	TW
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8909-UE

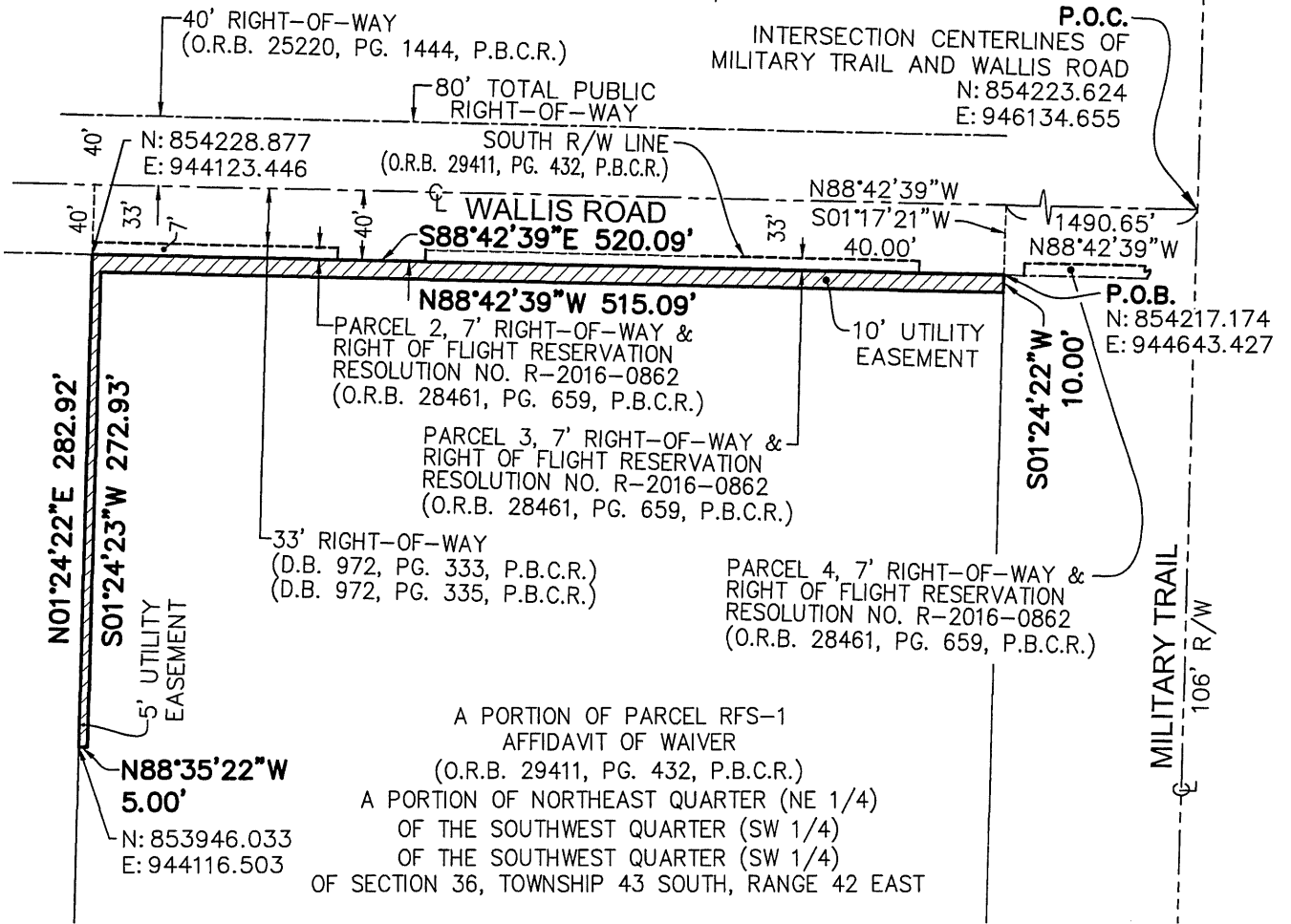
PALM BEACH COUNTY UTILITY EASEMENT
PODS DISTRIBUTION CENTER
SKETCH AND DESCRIPTION

EXHIBIT "A"

GRAPHIC SCALE



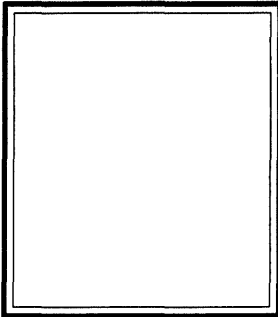
(IN FEET)
1 INCH = 100 FT.



SEE SHEET 2 FOR LEGEND
SEE SHEET 3 FOR PALM BEACH COUNTY CONTROL POINTS

SHEET 4 OF 4

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE - SURVEYING
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DATE	11/19/20
DRAWN BY	TW
F.B./ PG.	N/A
SCALE	AS SHOWN
JOB NO.	8909-UE

PALM BEACH COUNTY UTILITY EASEMENT
PODS DISTRIBUTION CENTER
SKETCH AND DESCRIPTION