

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: January 12, 2021 Consent Regular
 Ordinance Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Utility Easement Agreement (Easement) in favor of Florida Power & Light (FPL), for underground electrical services and an above ground pad-mounted transformer to service the new Palm Beach County Sheriff’s Office Forensic Sciences and Technology Facility (Facility).

Summary: The Facility is located at the northwest corner of Congress Avenue and Gun Club Road in West Palm Beach. During the development process, underground electric services and an aboveground pad-mounted transformer were installed. A non-exclusive easement in favor of FPL will be granted at no charge, as the electrical improvements will only service the Facility. The easement area is approximately 10 feet in width by approximately 359 feet in length, containing approximately 3,593.6 square feet (0.082 acres). **(Property and Real Estate Management) District 2 (HJF)**

Background and Justification: The Facility was recently constructed on a 15.83 acre County-owned parcel to accommodate the Palm Beach County Sheriff’s Office Evidence Division, the Crime Scene Unit and the Crime Laboratory along with an impound lot. This Facility is located across the street from the County’s Criminal Justice Complex. A non-exclusive easement will be granted to FPL for the recently installed electrical improvements that service the Facility. The Easement will be recorded in the public records to document its existence and location.

Attachments:

- 1. Location Map
- 2. Utility Easement Agreement (w/Exhibit “A”)

Recommended By: *Danni C. Ayala Collier* *12/04/20*
 Department Director **Date**

Approved By: *W. Balke* *12/17/2020*
 County Administrator **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
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 x _____

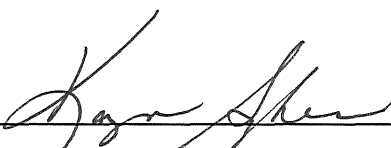
Does this item include the use of federal funds? Yes _____ No x _____

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

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

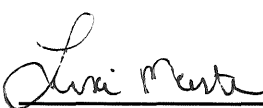
No Fiscal Impact.

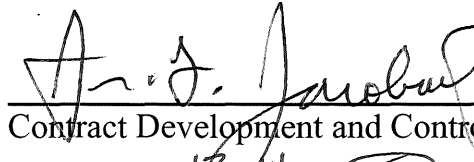
Fixed Asset Number N/A

C. Departmental Fiscal Review: 

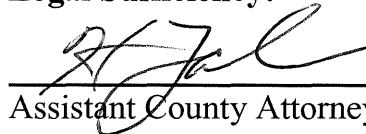
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

 12/18/20
 OFMB LM
 12/18

 12/14/2020
 Contract Development and Control
 12-14-20 TW

B. Legal Sufficiency:

 12/15/20
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

F

E

TWP 43

19

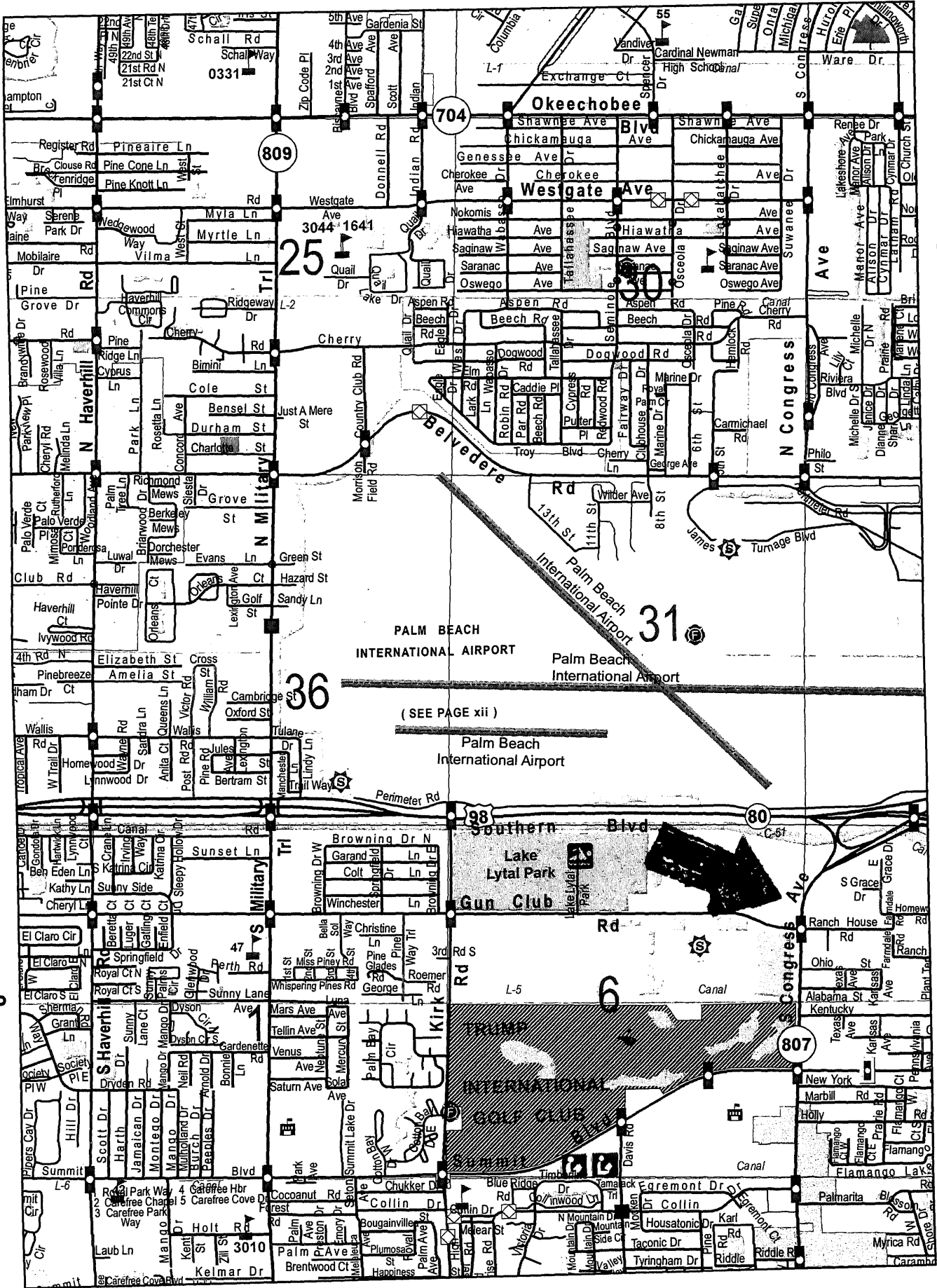
20

21

TWP 44

RNG 42

RNG 43



Handwritten signature or initials.

ATTACHMENT NO. 2
Utility Easement Agreement – 8 Pages

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

PCN: 00-43-44-06-00-000-1060

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").

WITNESSETH:

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:

**JOSEPH ABRUZZO
CLERK & COMPTROLLER**

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

By: _____
Deputy Clerk

By: _____
Dave Kerner, 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

THIS IS NOT A BOUNDARY SURVEY

(EXHIBIT "A")

LEGAL DESCRIPTION

A 10.00 FOOT WIDE FLORIDA POWER AND LIGHT EASEMENT, LYING IN TRACT 8, BLOCK 1 AND TRACT 1, BLOCK 1, ACCORDING TO THE PLAT OF PALM BEACH PLANTATION AS RECORDED IN PLAT BOOK 10, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING IN SECTION 6, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, THE CENTERLINE OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6; THENCE SOUTH 88°38'58" EAST ALONG THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 6 AS ESTABLISHED BY THE PALM BEACH COUNTY SECTIONAL BREAKDOWN, A DISTANCE OF 5022.48 FEET; THENCE NORTH 01°21'02" EAST DEPARTING SAID EAST-WEST QUARTER SECTION LINE, A DISTANCE OF 1180.08 FEET TO A POINT OF THE NORTHERLY RIGHT-OF-WAY LINE OF GUN CLUB ROAD, AS ESTABLISHED IN OFFICIAL RECORDS BOOK 14954, PAGE 1529, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT CENTERLINE; THENCE NORTH 07°10'49" EAST, A DISTANCE OF 58.66 FEET; THENCE SOUTH 88°32'11" EAST, A DISTANCE OF 187.33 FEET; THENCE NORTH 01°03'17" EAST, A DISTANCE OF 113.38 FEET TO THE POINT OF TERMINATION OF SAID EASEMENT.

THE SIDELINES OF SAID EASEMENT LENGTHEN OR SHORTEN TO INTERSECT THE NORTHERLY RIGHT-OF-WAY LINE OF GUN CLUB ROAD AND ARE AT RIGHT ANGLES TO ONE ANOTHER AT THE POINT OF TERMINUS.

CONTAINING 3593.6 SQUARE FEET OR 0.082 ACRES, MORE OR LESS.

**Craig S
Pusey**

Digitally signed by
Craig S Pusey
DN: c=US, o=Michael B
Schorah and Assoc Inc,
ou=A01410D00000170
A6A1EB9C00009F1E,
cn=Craig S Pusey
Date: 2020.10.21
10:15:03 -04'00'

UNLESS THIS DOCUMENT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR ITS AUTHENTICATED DIGITAL EQUIVALENT OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

THIS SURVEY HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY CRAIG S. PUSEY, P.S.M. FLORIDA LICENSE NO. 5019 ON 10/21/20 USING A DIGITAL SIGNATURE.

10/21/20
DATE OF SIGNATURE

CRAIG S. PUSEY
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NUMBER 5019

REVISE PER P.B.C. COMMENTS 10/21/20



MICHAEL B. SCHORAH & ASSOCIATES, INC.

1850 FOREST HILL BLVD., SUITE 206
WEST PALM BEACH, FLORIDA 33406
TEL. (561) 968-0080 FAX. (561) 642-9726 LB# 2438

FIELD: N/A	DRAWN: R.A.B.	SCALE: N/A
BOOK: N/A	DATE: AUG., 2020	CADDFILE:
PAGE: N/A	CHECKED: C.S.P.	1744_10' FPL

SKETCH AND DESCRIPTION
10' F.P.L. EASEMENT
PALM BEACH COUNTY
SHERIFF'S OFFICE FORENSIC SCIENCES
AND TECHNOLOGY FACILITY

SHEET NO. 1 OF 4

JOB NO. 1744

THIS IS NOT A BOUNDARY SURVEY

SURVEY NOTES:

- 1.) NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THIS OFFICE. (EXHIBIT "A")
- 2.) NO RESEARCH OF ADJOINERS WAS PERFORMED BY THIS OFFICE.
- 3.) THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS, RESERVATIONS OR RIGHTS-OF-WAY, NOT SHOWN HEREON, WHICH MAY BE REVEALED BY A SEARCH OF THE PUBLIC RECORDS.
- 4.) BEARINGS AS SHOWN HEREON ARE BASED ON THE EAST / WEST QUARTER SECTION LINE OF SECTION 6, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. HAVING A GRID BEARING OF SOUTH 88°38'58" EAST, WHICH IS RELATIVE TO THE NORTH AMERICAN DATUM (N.A.D.) 83 1990 ADJUSTMENT.
- 5.) THIS SKETCH MEETS THE STANDARDS OF PRACTICE AS REQUIRED BY RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, AS ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS, PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES."
- 6.) THIS SKETCH AND LEGAL WAS PREPARED WITHOUT A REVIEW OF A TITLE POLICY OR OWNERSHIP AND ENCUMBRANCE REPORT; AND 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.
- 7.) REFERENCE SURVEY INFORMATION OBTAINED FROM BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY PALM BEACH COUNTY SURVEY SECTION, DRAWING NO. S-3-15-3628, PROJECT NO. 2015018-01.

LEGEND

- P.O.C. = POINT OF COMMENCEMENT
 P.O.B. = POINT OF BEGINNING
 N/A = NOT APPLICABLE
 O.R.B. = OFFICIAL RECORD BOOK
 P.O.T. = POINT OF TERMINATION
 P.B. = PLAT BOOK
 P.B.C.R. = PALM BEACH COUNTY RECORDS
 R.P. = REFERENCE POINT
 (P.) = PLAT
 P.B.C. = PALM BEACH COUNTY
 U.E. = UTILITY EASEMENT
 P.C.N. = PROPERTY CONTROL NUMBER
 W.U.D. = WATER UTILITY DEPARTMENT
 B.E. = BUFFER EASEMENT
 S.R. = STATE ROAD
 R/W = RIGHT-OF-WAY
 PG. = PAGE
 F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
 C/L = CENTER LINE
 F.P.L. = FLORIDA POWER AND LIGHT

COORDINATES NOTE:

STATE PLANE COORDINATES SHOWN ARE GRID
 DATUM = NAD 83, 1990 ADJUSTMENT
 ZONE = FLORIDA EAST
 LINEAR UNITS = US SURVEY FOOT
 COORDINATE SYSTEM 1983 STATE PLANE
 TRANSVERSE MERCATOR PROJECTION
 ALL DISTANCES ARE GROUND
 PROJECT SCALE FACTOR = 1.000041
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
 BEARINGS AS SHOWN HEREON ARE GRID DATUM,
 NAD 83 1990 ADJUSTMENT, FLORIDA EAST ZONE.
 ROTATION ANGLE: NONE



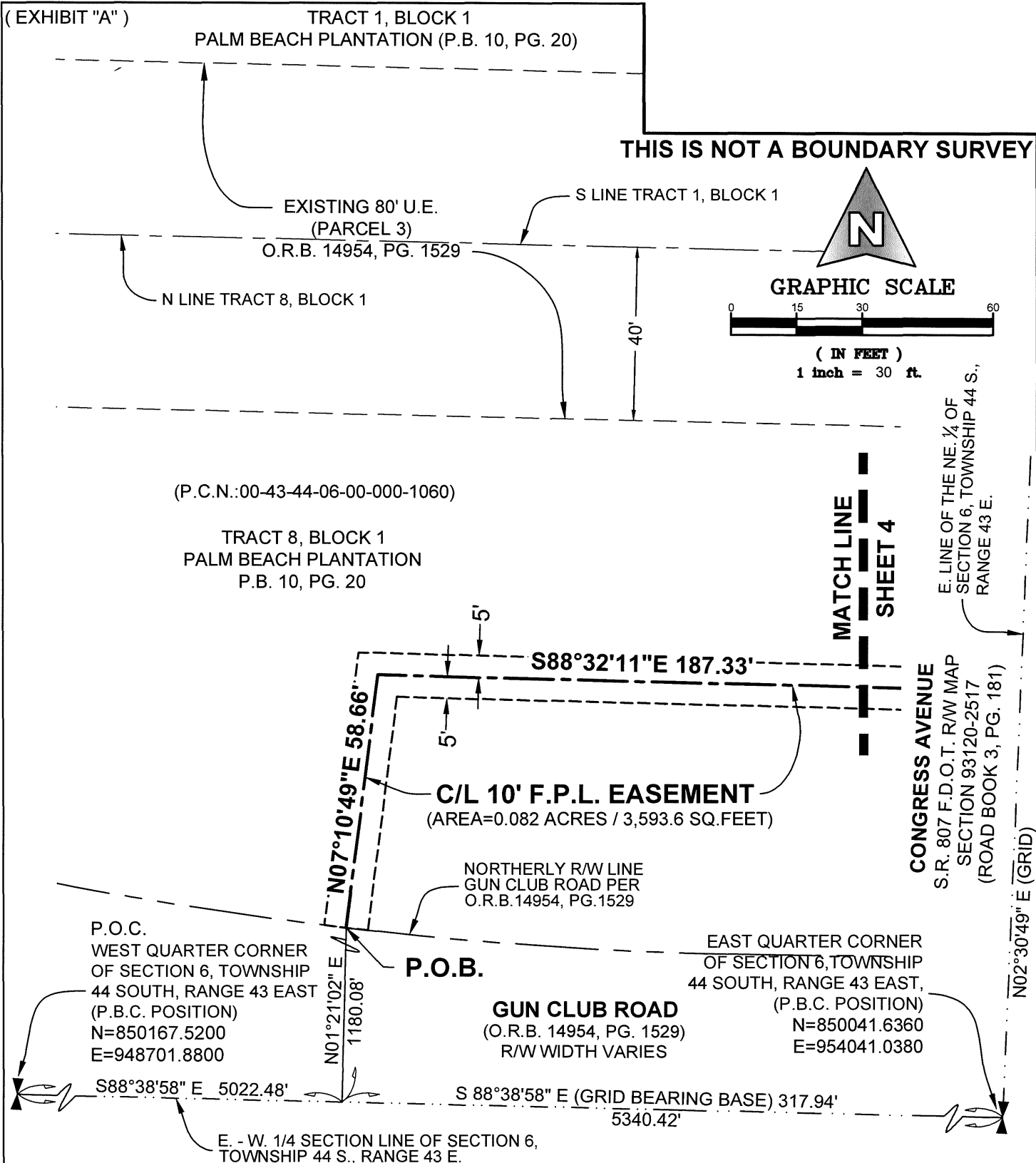
**MICHAEL B. SCHORAH
& ASSOCIATES, INC.**


1850 FOREST HILL BLVD., SUITE 206
 WEST PALM BEACH, FLORIDA 33406
 TEL. (561) 968-0080 FAX. (561) 642-9726 LB# 2438

FIELD: N/A	DRAWN: R.A.B.	SCALE: N/A
BOOK: N/A	DATE: AUG., 2020	CADDFILE:
PAGE: N/A	CHECKED: C.S.P.	1744_10' FPL

SKETCH AND DESCRIPTION
 10' F.P.L. EASEMENT
 PALM BEACH COUNTY
 SHERIFF'S OFFICE FORENSIC SCIENCES
 AND TECHNOLOGY FACILITY

SHEET NO. 2 OF 4 JOB NO. 1744

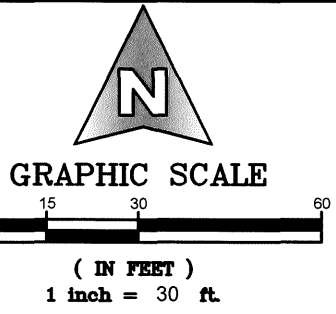
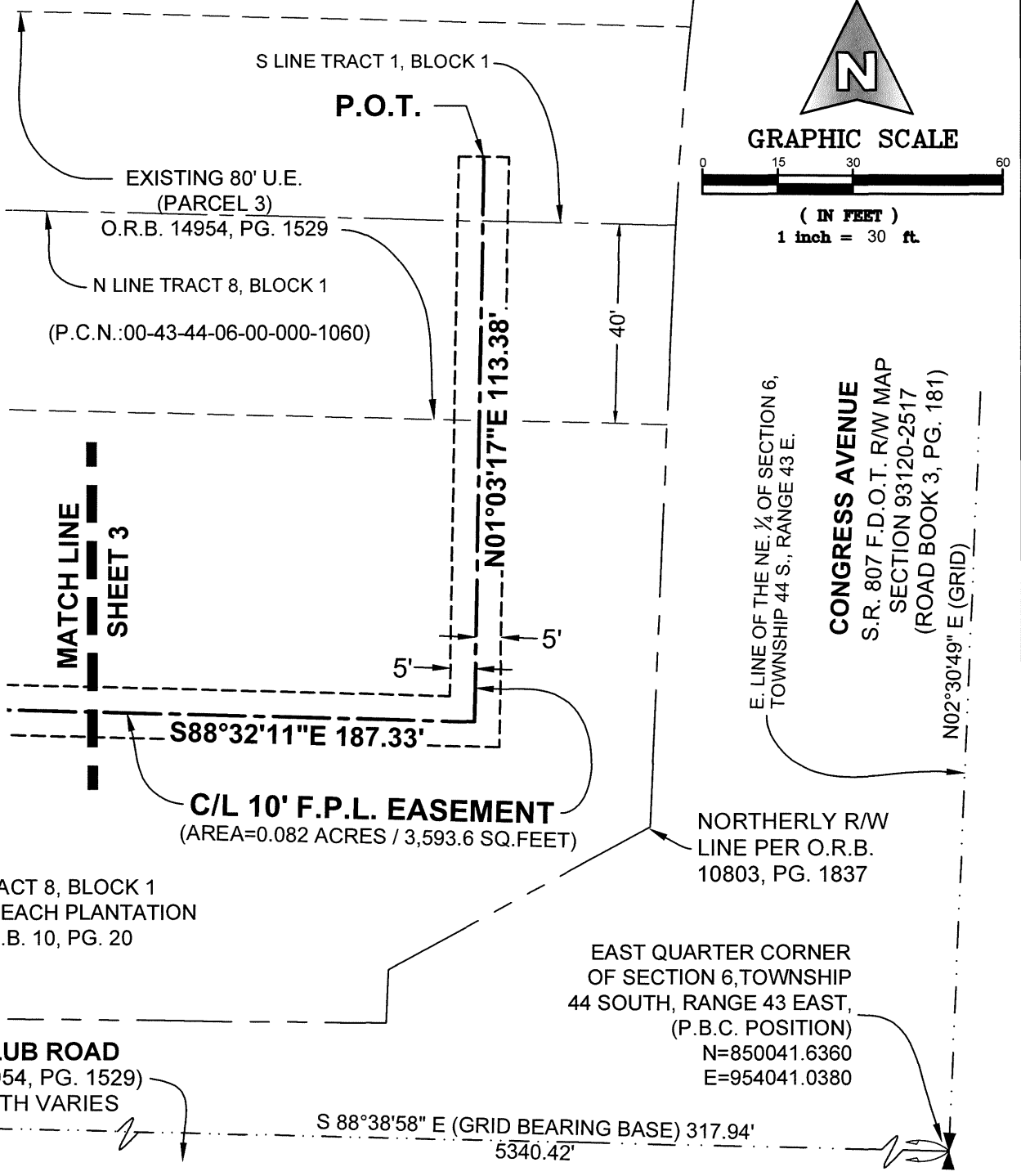


	MICHAEL B. SCHORAH & ASSOCIATES, INC. 1850 FOREST HILL BLVD., SUITE 206 WEST PALM BEACH, FLORIDA 33406 TEL. (561) 968-0080 FAX. (561) 642-9726 LB# 2438			SKETCH AND DESCRIPTION 10' F.P.L. EASEMENT PALM BEACH COUNTY SHERIFF'S OFFICE FORENSIC SCIENCES AND TECHNOLOGY FACILITY			
	FIELD: N/A	DRAWN: R.A.B.	SCALE: 1"=30'			SHEET NO. 3 OF 4	JOB NO. 1744
	BOOK: N/A	DATE: AUG., 2020	CADDFILE:				
PAGE: N/A	CHECKED: C.S.P.	1744_10' FPL					

(EXHIBIT "A")

THIS IS NOT A BOUNDARY SURVEY

TRACT 1, BLOCK 1
PALM BEACH PLANTATION
P.B. 10, PG. 20



CONGRESS AVENUE
S.R. 807 F.D.O.T. R/W MAP
SECTION 93120-2517
(ROAD BOOK 3, PG. 181)

E. LINE OF THE NE 1/4 OF SECTION 6,
TOWNSHIP 44 S., RANGE 43 E.

N02°30'49" E (GRID)

NORTHERLY R/W
LINE PER O.R.B.
10803, PG. 1837

EAST QUARTER CORNER
OF SECTION 6, TOWNSHIP
44 SOUTH, RANGE 43 EAST,
(P.B.C. POSITION)
N=850041.6360
E=954041.0380

TRACT 8, BLOCK 1
PALM BEACH PLANTATION
P.B. 10, PG. 20

GUN CLUB ROAD
(O.R.B. 14954, PG. 1529)
R/W WIDTH VARIES

C/L 10' F.P.L. EASEMENT
(AREA=0.082 ACRES / 3,593.6 SQ.FEET)

S 88°38'58" E (GRID BEARING BASE) 317.94'
5340.42'



**MICHAEL B. SCHORAH
& ASSOCIATES, INC.**
1850 FOREST HILL BLVD., SUITE 206
WEST PALM BEACH, FLORIDA 33406
TEL. (561) 968-0080 FAX. (561) 642-9726 LB# 2438

FIELD:	N/A	DRAWN:	R.A.B.	SCALE:	1"=30'
BOOK:	N/A	DATE:	AUG., 2020	CADDFILE:	1744_10' FPL
PAGE:	N/A	CHECKED:	C.S.P.		

SKETCH AND DESCRIPTION
10' F.P.L. EASEMENT
PALM BEACH COUNTY
SHERIFF'S OFFICE FORENSIC SCIENCES
AND TECHNOLOGY FACILITY

SHEET NO. 4 OF 4 JOB NO. 1744