

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date:	March 9, 2021	<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 transmission lines and improvements across a portion of the Water Utilities Department's Mecca Repump Station (Repump Station) property located east of Seminole Pratt Road and north of 100th Lane North.

Summary: FPL has a new distribution substation site located east of the Repump Station in the new Avenir development. The new substation facility will be in-service by June 2021 and will supply long term capacity needs for the immediate area, as well as provide contingency support for the Acreage Substation. The easement area is 75' wide and 732.49' long, containing 1.261 acres. This non-exclusive easement runs within the southern undeveloped portion of the Repump Station property, with the remainder of the route continuing west into the County's adjoining undeveloped 260' wide right-of-way strip. An appraisal was obtained from S. F. Holden Inc., who assigned the proposed easement a \$35,500 market value. FPL agreed with the valuation and has provided a \$35,500 payment for the proposed easement. The balance of the route will be handled by the County's Engineering Department. The easement will be recorded to provide public notice of its location. **(Property & Real Estate Management) District 1 (HJF)**

Background and Justification: The Repump Station is located on a 22.74 acre parcel which was a cut-out of the 1,919.16 acre parcel that was purchased back in December, 2004. The balance of the land being 1,896.50 acres was sold in December, 2013, to South Florida Water Management District for \$26,000,000 at \$13,709 per acre. The appraised value of the proposed easement was based on \$28,000 per acre, totaling \$35,500 for the 1.261 acre easement area. Both the southern 185' and a portion the eastern 125' of the Repump Station property will be used as right-of-way to connect Seminole Pratt Whitney Road to the new Avenir development. The 75' wide easement area abuts the north side of the 185' right-of-way strip and runs parallel with the right-of-way.

Attachments:

1. Location Map
2. Utility Easement Agreement (w/Exhibit "A")

Recommended By:  2/01/21
Department Director Date

Approved By:  2/20/21
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	(\$35,500)	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	(\$35,500)	=====	=====	=====	=====
# 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 2529 Dept 810 Unit 4100 RevSrc 6422

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

The \$35,500 easement payment received from FPL will be used for debt service for fund 2529-147.0M NAV 12DS, Ref 94M 04/38M 04A/133 M 05A

Fixed Asset Number: M06743

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

[Signature] 2/15/21
OFMB *[Signature]* LM 2/10

[Signature] 2/11/21
Contract Development and Control
2-11-21 TW

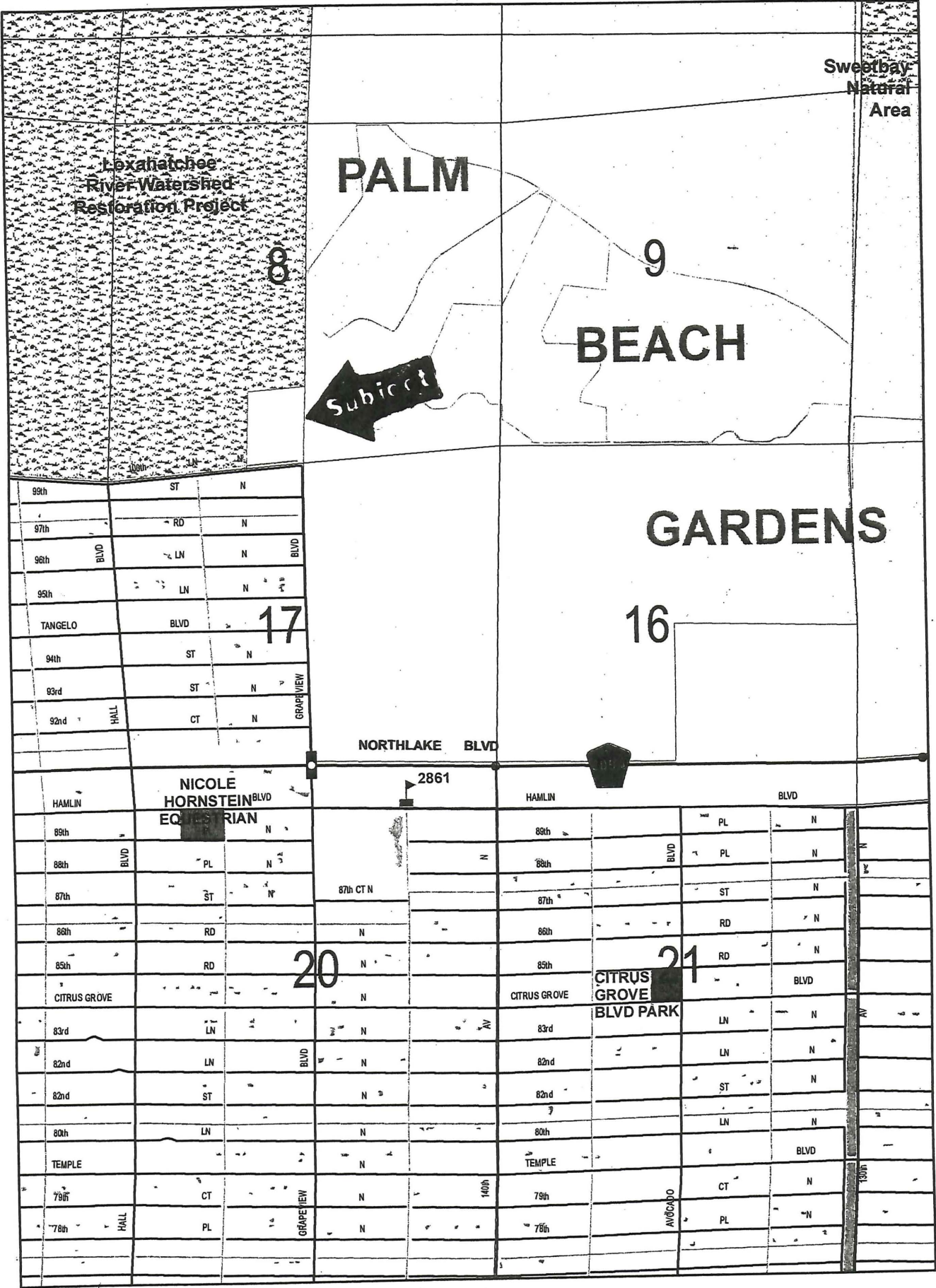
B. Legal Sufficiency:

[Signature] 2/12/21
Assistant County Attorney

C. Other Department Review:

Department Director

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



ATTACHMENT No. 1
Location Map – 1 Page

ATTACHMENT No. 2

Utility Easement Agreement -7 Pages

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

PCN: Portion of 00-41-42-05-01-001-0020

UTILITY EASEMENT AGREEMENT

This EASEMENT is granted _____, 20____ by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners ("Grantor"), whose legal mailing address is 2633 Vista Parkway, West Palm Beach, Florida 33411-5605, to **FLORIDA POWER & LIGHT COMPANY**, a Florida corporation ("Grantee"), whose legal mailing address is Post Office Box 14000, Juno Beach, Florida 33408-0420.

W I T N E S S E T H:

That the 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 overhead electric utility facilities, including wires, poles, guys, cables, conduits and appurtenant equipment, including 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, under, over 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 lay cable and conduit within the Easement Premises and to operate same for Grantee's 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 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 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

Exhibit “A”

Legal Description/Site Sketch



"EXHIBIT A "



LEGAL DESCRIPTION & SKETCH

DESCRIPTION:

A STRIP OF LAND WITHIN THE WEST HALF (W 1/2) OF SECTION 8, TOWNSHIP 42 SOUTH, RANGE 41 EAST AND ALSO BEING A PORTION OF TRACT "A", PALM BEACH COUNTY BIOTECHNOLOGY PARK AS RECORDED IN PLAT BOOK 103, PAGE 108, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 8, TOWNSHIP 42 SOUTH, RANGE 41 EAST, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF WATER PLANT TRACT AS RECORDED IN OFFICIAL RECORD BOOK 26517, PAGE 902, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA: THENCE SOUTH 85°34'42" WEST ALONG THE SOUTH LINE OF SAID SECTION 8, A DISTANCE OF 858.16 FEET TO THE SOUTHWEST CORNER OF SAID WATER PLANT TRACT AND THE SOUTHEAST CORNER OF A PALM BEACH COUNTY ROAD RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORD BOOK 28733, PAGE 877, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 01°28'53" EAST ALONG THE WEST LINE OF SAID WATER PLANT TRACT AND EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 185.98 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE NORTH 01°28'53" EAST ALONG SAID RIGHT-OF-WAY LINE AND TRACT LINE, A DISTANCE OF 75.40 FEET; THENCE NORTH 85°34'42" EAST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 8, A DISTANCE OF 732.49 FEET TO A POINT 125.00 WEST OF AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE WEST HALF OF SECTION 8, TOWNSHIP 42 SOUTH, RANGE 41 EAST; THENCE SOUTH 01°28'53" WEST, PARELLEL WITH THE EAST LINE OF THE WEST HALF OF SAID SECTION 8, A DISTANCE OF 75.40 FEET; THENCE SOUTH 85°34'42" WEST, PARALLEL WITH AND 185.00 FEET NORTH OF AS MEASURE AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 8, A DISTANCE OF 732.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.261 ACRES MORE OR LESS.

1 OF 4	REVISIONS: 03/20/2020 06/08/2020 06/16/2020	FLORIDA POWER & LIGHT EASEMENT	 FPL	 SEXTON ENGINEERING ASSOCIATES, INC.	CONSULTING ENGINEERS AND SURVEYORS 110 PONCE DE LEON STREET, SUITE 100 ROYAL PALM BEACH, FLORIDA 33411 PHONE 561-792-3122 FAX 561-792-3168 PHONE 561-792-3122 FAX 561-792-3168 FL REGISTRATIONS: LB000683T, EB 0007864	LEGAL DESCRIPTION AND SKETCH			
		INDIANTOWN-RANCH 230kv TRANSMISSION LINE							
		EXTENSION TO AVENIR SUBSTATION							
		SEA PROJ. NO. 2022		DATE 02/17/2020					
		SCALE		SHEET 1 OF 4					

"EXHIBIT A "

LEGAL DESCRIPTION & SKETCH

NOTES:

1. THIS IS NOT A MAP OF BOUNDARY SURVEY, BUT IS A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.
2. COORDINATES SHOWN ARE GRID, PUBLISHED BY PALM BEACH COUNTY, FLORIDA.
DATUM = NAD 83, 1990 ADJUSTMENT.
ZONE = FLORIDA EAST.
LINEAR UNITS = U.S. SURVEY FOOT.
COORDINATE SYSTEM: 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION.
DUE TO THE EXTREMELY SMALL SCALE FACTOR ALL DISTANCES ARE GRID.
PROJECT SCALE FACTOR = 1.0000044.
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE.
3. BEARING REFERENCE: BEARINGS SHOWN HEREON ARE REFERENCED TO THE SOUTH LINE OF SECTION 8 TOWNSHIP 42 SOUTH, RANGE 41 EAST, PER THE PLAT OF PALM BEACH BIOTECHNOLOGY RESEARCH PARK, AS RECORDED IN PLATBOOK 103, PAGE 108, OF THE PALM BEACH COUNTY PUBLIC RECORDS. SAID LINE BEARS SOUTH 85°34'42"WEST. ALL LINES ARE RELATIVE THERETO.

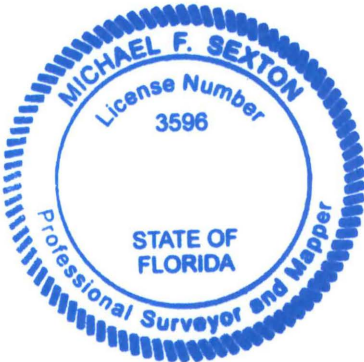
CERTIFICATION:



I HEREBY CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION AND SKETCH OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION.

I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
SEXTON ENGINEERING ASSOCIATES INC.
110 PONCE DE LEON ST., SUITE 100
ROYAL PALM BEACH, FLORIDA 33411
L.B. NO. 6837


MICHAEL F. SEXTON
PROFESSIONAL SURVEYOR AND MAPPER
NO. 3596, STATE OF FLORIDA



2 OF 4	REVISIONS: 03/20/2020 06/08/2020 06/16/2020			SEXTON ENGINEERING ASSOCIATES, INC. CONSULTING ENGINEERS AND SURVEYORS 110 PONCE DE LEON STREET, SUITE 100 ROYAL PALM BEACH, FLORIDA 33411 PHONE 561-792-3122 FAX 561-792-3168 PHONE 561-792-3122 FAX 561-792-3168 FL REGISTRATIONS: LB0006837, EB 0007854	LEGAL DESCRIPTION AND SKETCH INDIANTOWN-RANCH 230kv TRANSMISSION LINE EXTENSION TO AVENIR SUBSTATION	
					SEA PROJ. NO. 2022	DATE 02/17/2020
					SCALE	SHEET 2 OF 4

ENCUMBRANCE SUMMARY
CHICAGO TITLE INSURANCE AGENCY, INC.
CERTIFICATE NO. 42536
JULY 31, 2019 @ 6:00 A.M.

ENCUMBRANCE NO.	RECORD DOCUMENT	DOCUMENT TYPE	AFFECTS PROPOSED EASEMENT	ACTION TAKEN
1	O.R.B. 899, PG.214	WARRANTY DEED	YES	NO PLOTTABLE ITEMS
2	O.R.B. 939, PG.67	WARRANTY DEED	YES	NO PLOTTABLE ITEMS
2A	O.R.B. 1802, PG.266	INDENTURE	YES	NO PLOTTABLE ITEMS
2B	O.R.B. 2492, PG.1359	NOTICE	YES	NO PLOTTABLE ITEMS
2C	O.R.B. 3710, PG.1109	DEED	YES	NO PLOTTABLE ITEMS
2D	O.R.B. 3710, PG.1111	DEED	YES	NO PLOTTABLE ITEMS
2E	O.R.B. 5302, PG.1896	QUIT -CLAIM DEED	YES	NO PLOTTABLE ITEMS
2F	O.R.B. 5302, PG.1897	QUIT -CLAIM DEED	YES	NO PLOTTABLE ITEMS
2G	O.R.B. 5302, PG.1898	QUIT -CLAIM DEED	YES	NO PLOTTABLE ITEMS
2H	O.R.B. 5926, PG.1774	QUIT -CLAIM DEED	YES	NO PLOTTABLE ITEMS
2I	O.R.B. 8320, PG.686	RELEASE	YES	NO PLOTTABLE ITEMS
2J	O.R.B. 8611, PG.1722	WARRANTY DEED	YES	NO PLOTTABLE ITEMS
2K	O.R.B. 16747, PG.304	WARRANTY DEED	YES	NO PLOTTABLE ITEMS
3	O.R.B. 2462, PG.856	AFFIDAVIT	YES	NO PLOTTABLE ITEMS
4	O.R.B. 17432, PG.387	AGREEMENT	NO	NO ENCUMBRANCES
5	O.R.B. 17432, PG.387	AGREEMENT	YES	NO PLOTTABLE ITEMS
6	PLAT BOOK. 103, PG.108	RECORDED PLAT	YES	PLOTTED
7	O.R.B. 19598, PG.1040	AGREEMENT	YES	NO PLOTTABLE ITEMS
8	O.R.B. 21666, PG.904	EASEMENT	YES	PLOTTED
9	O.R.B. 24491, PG.1363	PERMIT	YES	NO PLOTTABLE ITEMS
*	O.R.B. 26517, PG.914	COUNTY DEED	YES	PLOTTED
*	O.R.B. 26517, PG.902	AGREEMENT	YES	PLOTTED

* DOCUMENTS ADDED AT THE REQUEST OF PALM BEACH COUNTY ROADWAY PRODUCTION.

3 OF 4

REVISIONS:
05/20/2020
06/08/2020
06/16/2020

FLORIDA POWER & LIGHT EASEMENT
LOCATED IN
SECTIONS 7 & 8, TOWNSHIP 42 SOUTH,
RANGE 41 EAST & SECTIONS 12 & 13,
TOWNSHIP 42 SOUTH, RANGE 40 EAST,
PALM BEACH COUNTY, FLORIDA



SEXTON ENGINEERING ASSOCIATES, INC.
CONSULTING ENGINEERS AND SURVEYORS
110 PONCE DE LEON STREET, SUITE 100
ROYAL PALM BEACH, FLORIDA 33411
PHONE 561-792-3122 FAX 561-792-3168
PHONE 561-792-3122 FAX 561-792-3168
FL REGISTRATIONS: LB0006837, EB 0007864



LEGAL DESCRIPTION AND SKETCH
INDIANTOWN-RANCH 230kv TRANSMISSION LINE
EXTENSION TO AVENIR SUBSTATION

SEA PROJ. NO. 2022

DATE 02/17/2020

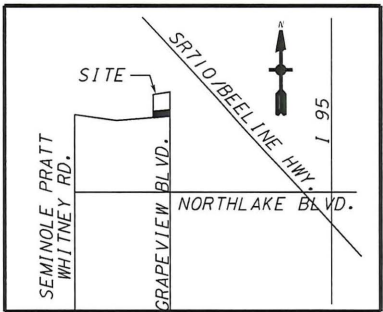
SCALE 1" = 200'

SHEET 3 OF 4

"EXHIBIT A"
LEGAL DESCRIPTION & SKETCH

LEGEND / ABBREVIATIONS:

CL CENTER LINE
C CALCULATED
FP&L FLORIDA POWER & LIGHT
O.R.B. OFFICIAL RECORD BOOK
PG. PAGE
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

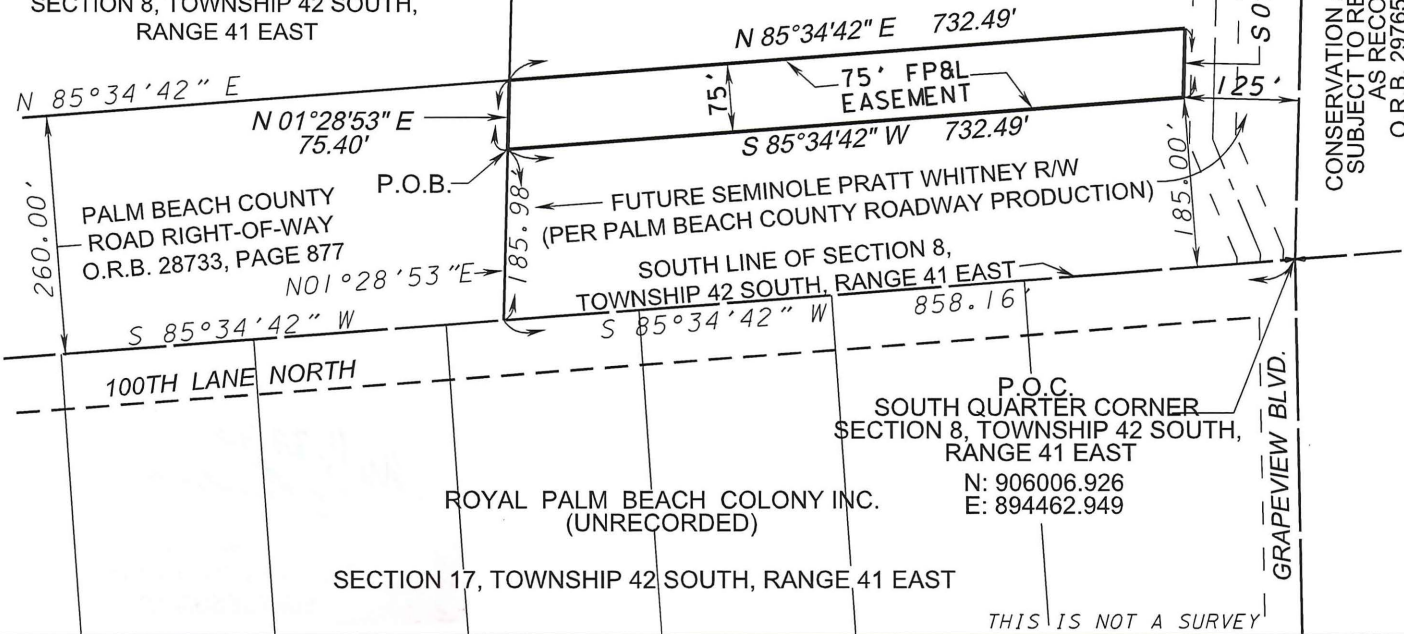


LOCATION MAP
NOT TO SCALE

SOUTH FLORIDA WATER MANAGEMENT
DISTRICT
O.R.B. 26517, PG. 902

TRACT "A"
PALM BEACH COUNTY BIOTECHNOLOGY PARK
P.B.103, PG.108

SECTION 8, TOWNSHIP 42 SOUTH,
RANGE 41 EAST




THIS IS NOT A SURVEY

4 OF 4

REVISED:
03/20/2020
06/16/2020

FLORIDA POWER & LIGHT
EASEMENT
LOCATED IN
SECTION 8, TOWNSHIP 42 SOUTH,
RANGE 41 EAST & SECTIONS 12 & 13,
TOWNSHIP 42 SOUTH, RANGE 40 EAST,
PALM BEACH COUNTY, FLORIDA


FPL

SEXTON ENGINEERING ASSOCIATES, INC.
CONSULTING ENGINEERS AND SURVEYORS
110 PONCE DE LEON STREET, SUITE 100
ROYAL PALM BEACH, FLORIDA 33411
PHONE 561-792-3122 FAX 561-792-3168
PHONE 561-792-3122 FAX 561-792-3168
FL. REGISTRATIONS: LB0006837, EB 0007864

LEGAL DESCRIPTION AND SKETCH
INDIANTOWN-RANCH 230kv TRANSMISSION LINE
EXTENSION TO AVENIR SUBSTATION

SEA PROJ. NO.	2022	DATE	02/17/2020
SCALE	1" = 200'	SHEET	4 OF 4