

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	<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 _____	Program _____	Dept _____	Unit _____	Object _____

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

* No fiscal impact

Fixed Assets Number N/A

C. Departmental Fiscal Review: *[Signature]*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

[Signature]
OFMB QA 6-18-21
LM
6/18

[Signature] 6/25/21
Contract Development and Control
6-24-21 TW

B. Legal Sufficiency:

[Signature] 6/25/21
Assistant County Attorney

C. Other Department Review:

Department Director

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

F

E

TWP 46

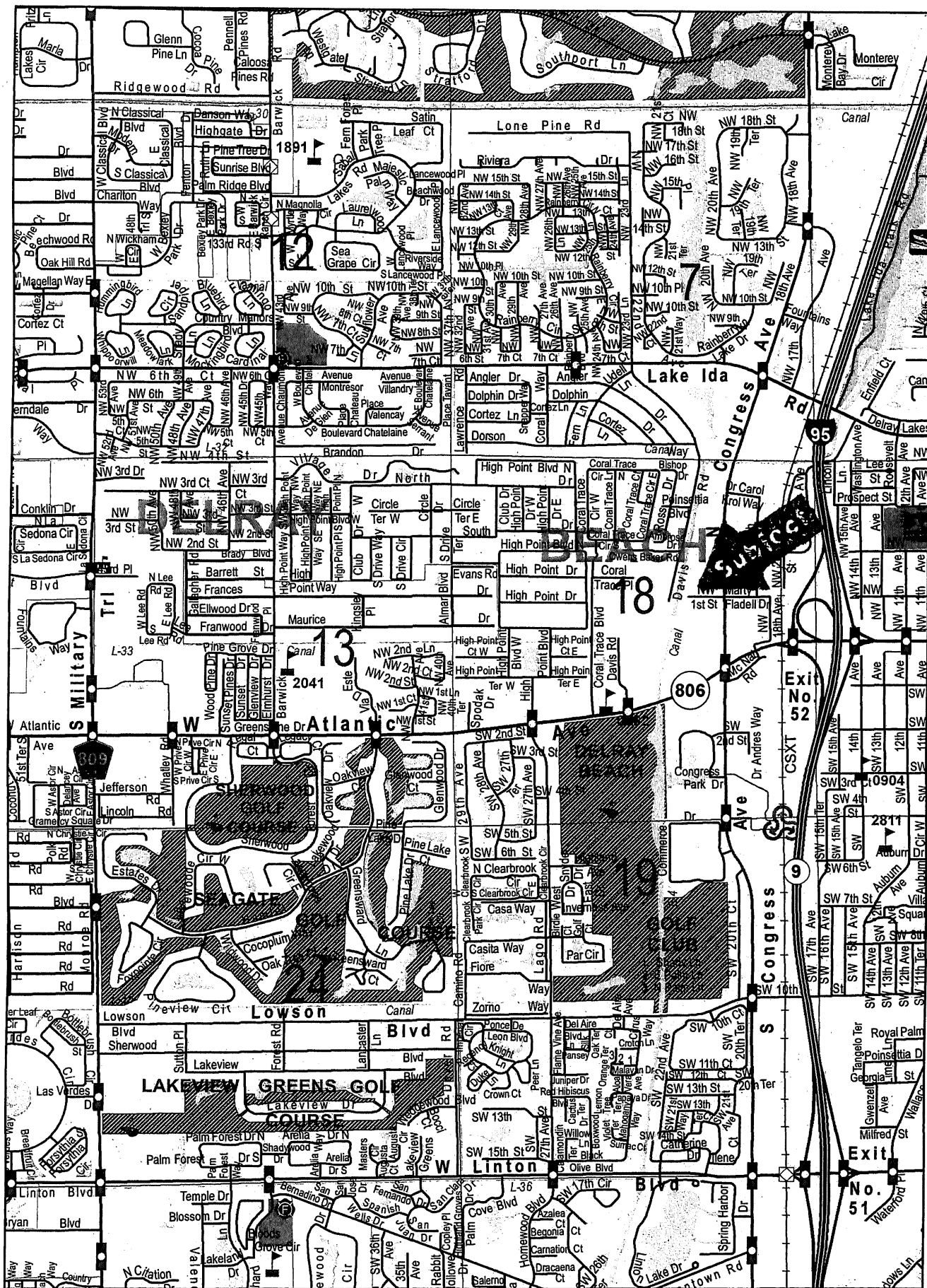
34

40

35

TWP 46

36



RNG 42

RNG 43

Handwritten signature or initials.

Attachment No. 2
Utility Easement Agreement – 4 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: 12-43-46-18-70-001-0000

UTILITY EASEMENT AGREEMENT

This EASEMENT is granted _____, by **PALM BEACH COUNTY**, a political subdivision of the State of Florida, 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 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.

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

Signed and delivered
in the presence of:

Witness Signature

Print Witness Name

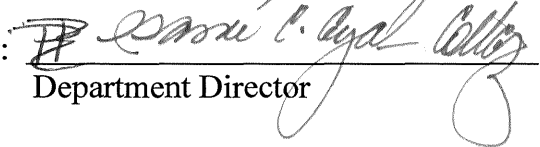
Witness Signature

Print Witness Name

**APPROVED AS TO
LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS AND
CONDITIONS**

By: 
Assistant County Attorney

By: 
Department Director

CONSENT AND JOINDER TO UTILITY EASEMENT AGREEMENT

CITY OF DELRAY BEACH, a Florida Municipal Corporation, whose mailing address is 100 NW 1st Avenue, Delray Beach, FL 33444 (hereinafter referred to as the "City"), has an exclusive 12' wide Waterline Easement and a 12' wide Sewer Easement (the "City Easements") that were dedicated to the City via Plat Book 81, Page 187, as recorded in the Public Records of Palm Beach County. A portion of the Easement Premises as defined in the Utility Easement Agreement being granted by Palm Beach County to Florida Power and Light Company to which this Consent and Joinder is attached will cross the City Easements and the City does hereby join in and consent to the granting of the Utility Easement Agreement.

IN WITNESS WHEREOF, City has hereunto set its hand on the date written hereinafter.

ATTEST:

By: Katerri Johnson
Katerri Johnson, City Clerk

CITY OF DELRAY BEACH, a Florida
Municipal Corporation
By: Shelly Petrolia
Shelly Petrolia, Mayor
Date: 4/29/2021

Signed, sealed and delivered
in the presence of:

Anthony Burson
(Witness Signature)

Anthony Burson
(Print Name of Witness)

Bess Case
(Witness Signature)

BESS CASE
(Print Name of Witness)

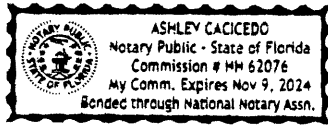


APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

By: Lynn Gelin
Lynn Gelin, City Attorney

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30th, day of April, 2021, by Shelly Petrolia, as Mayor, who is personally known to me or have produced _____, identification and who did (did not) take an oath.



Ashley Cacicedo
Notary Signature

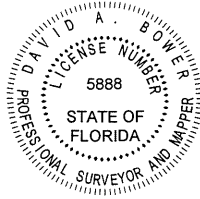
Ashley Cacicedo
Name

Commission No. # HH 62076
My commission expires: 11/09/2024

EXHIBIT "A"

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. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17.050 THROUGH 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

David A Bower Digitally signed
by David A Bower
Date: 2021.01.19
15:31:01 -05'00'



DAVID A. BOWER
PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA
CERTIFICATE NO. LS 5888

DESCRIPTION:

A parcel of land lying within a portion of Tract 1, PALM TRAN SOUTH COUNTY FACILITY, according to the Plat thereof, as recorded in Plat Book 127, Page 194 of the Public Records of Palm Beach County, Florida;

COMMENCING at the Easternmost Southeast corner of said Tract 1;

Thence North 00°47'37" East (as a basis of bearings) along the East line of said Tract 1, a distance of 146.60 feet to the POINT OF BEGINNING;

Thence continue North 00°47'37" East along the East line of said Tract 1, a distance of 58.85 feet;

Thence North 89°12'23" West, a distance of 12.00 feet to a point being on the West line of the 12 foot wide Sewer Easement, PALM-TRAN SATELLITE FACILITY, according to the Plat thereof, as recorded in Plat Book 81, Page 187 of the Public Records of Palm Beach County, Florida;

Thence South 00°47'37" West along the West line of said Sewer Easement, a distance of 16.88 feet;

Thence South 75°04'29" West, a distance of 297.88 feet;

Thence South 73°59'20" West, a distance of 87.48 feet;

Thence South 05°56'24" East, a distance of 10.22 feet;

(DESCRIPTION CONTINUED
ON SHEET 2 OF 7)

3	01/19/21	REVISE PER COUNTY COMMENTS	MT
2	11/30/20	REVISE CONFIGURATION	MT
1	08/27/20	REVISE CONFIGURATION	MT
NO.	DATE	REVISIONS	BY

Dennis J. Leavy & Associates, Inc.
Land Surveyors * Mappers
460 Business Park Way * Suite B
Royal Palm Beach, Florida 33411
Phone: (561) 753-0650 Email: survey@djlasurvey.net

SKETCH & DESCRIPTION
FOR: THE MORGANTI GROUP

DRAWN: MT	SCALE: N/A	DATE: 08/03/20
CHK: DAB	JOB# 18-053-003	SHEET: 1 OF 7

EXHIBIT "A"

DESCRIPTION:

(CONTINUED FROM SHEET 1 OF 7)

Thence South 82°08'05" East, a distance of 302.30 feet;

Thence South 51°35'23" East, a distance of 82.89 feet to a point being on the Southeast line of said Tract 1;

Thence North 46°16'30" East along the Southeast line of said Tract 1, a distance of 10.09 feet;

Thence North 51°35'23" West, a distance of 87.00 feet;

Thence North 82°08'05" West, a distance of 282.58 feet;

Thence North 73°59'20" East, a distance of 64.60 feet;

Thence North 75°04'29" East, a distance of 294.97 to a point being on the West line of said 12 foot wide Sewer Easement;

Thence South 00°47'37" West along the West line of said Sewer Easement, a distance of 19.57 feet;

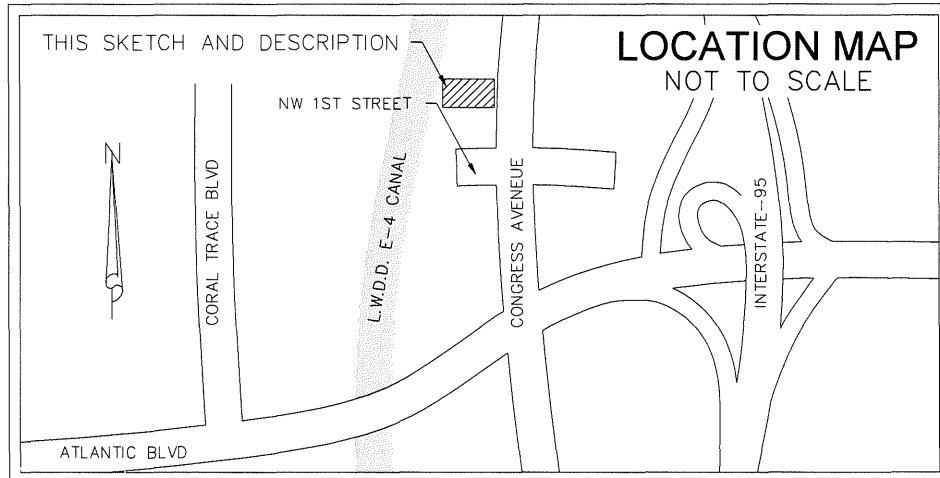
Thence North 89°12'23" West, a distance of 6.00 feet to a point lying 6.00 feet West of and parallel with (as measured at right angles) the West line of said Sewer Easement;

Thence South 00°47'37" West along said parallel line, a distance of 12.00 feet;

Thence South 89°12'23" East, a distance of 18.00 feet to the POINT OF BEGINNING;

Said lands situate, lying and being in Section 18, Township 46 South, Range 43 East, City of Delray Beach, Palm Beach County, Florida.

Containing 8,402 square feet or 0.1929 acres, more or less.



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 Land Surveyors * Mappers
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 Phone: (561) 753-0650 Email: survey@djlasurvey.net

SKETCH & DESCRIPTION
 FOR: THE MORGANTI GROUP

DRAWN: MT	SCALE: N/A	DATE: 08/03/20
CHK: DAB	JOB# 18-053-003	SHEET: 2 OF 7

SURVEYOR'S NOTES:

1. BEARINGS DEPICTED HEREON ARE BASED UPON THE EAST LINE OF TRACT 1, PLAM TRAN SOUTH COUNTY FACILITY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 127, PAGE 194 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LINE HAVING A BEARING OF SOUTH 00°47'37" WEST.
2. THE UNDERSIGNED MAKES NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER, THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.
3. THE LICENSED BUSINESS NUMBER FOR DENNIS J. LEAVY & ASSOCIATES INC. IS LB #6599, THE CERTIFYING SURVEYORS LICENSE NUMBER IS LS #5888.
4. THIS IS NOT A SURVEY.

COORDINATE TRANSLATION DATA:

- COORIDINATES SHOWN HEREON ARE GRID
- DATUM = NAD 83 1990 ADJUSTMENT
- ZONE = FLORIDA EAST
- LINEAR UNIT = US SURVEY FEET
- COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
- ALL DISTANCES ARE GROUND
- SCALE FACTOR: 1.0000421
- GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
- ROTATION EQUATION:

$$\frac{S\ 00^{\circ}47'37''\ W\ (PLAT)}{S\ 00^{\circ}54'25''\ E\ (GRID)} = \frac{01^{\circ}42'02''}{\text{COUNTERCLOCKWISE}} \text{ (PLAT TO GRID)}$$

LEGEND:

- (P) PALM TRAN SOUTH COUNTY FACILITY
(P.B. 127, PG 194, P.B.C.R.)
- (P2) PLAT OF PALM-TRAN SATELLITE FACILITY
CITY OF DELRAY BEACH, PALM BEACH
COUNTY, FLORIDA
(P.B. 81, PG. 187, P.B.C.R.)
- P.B. PLAT BOOK
P.B.C.R. PALM BEACH COUNTY RECORDS
PG. PAGE

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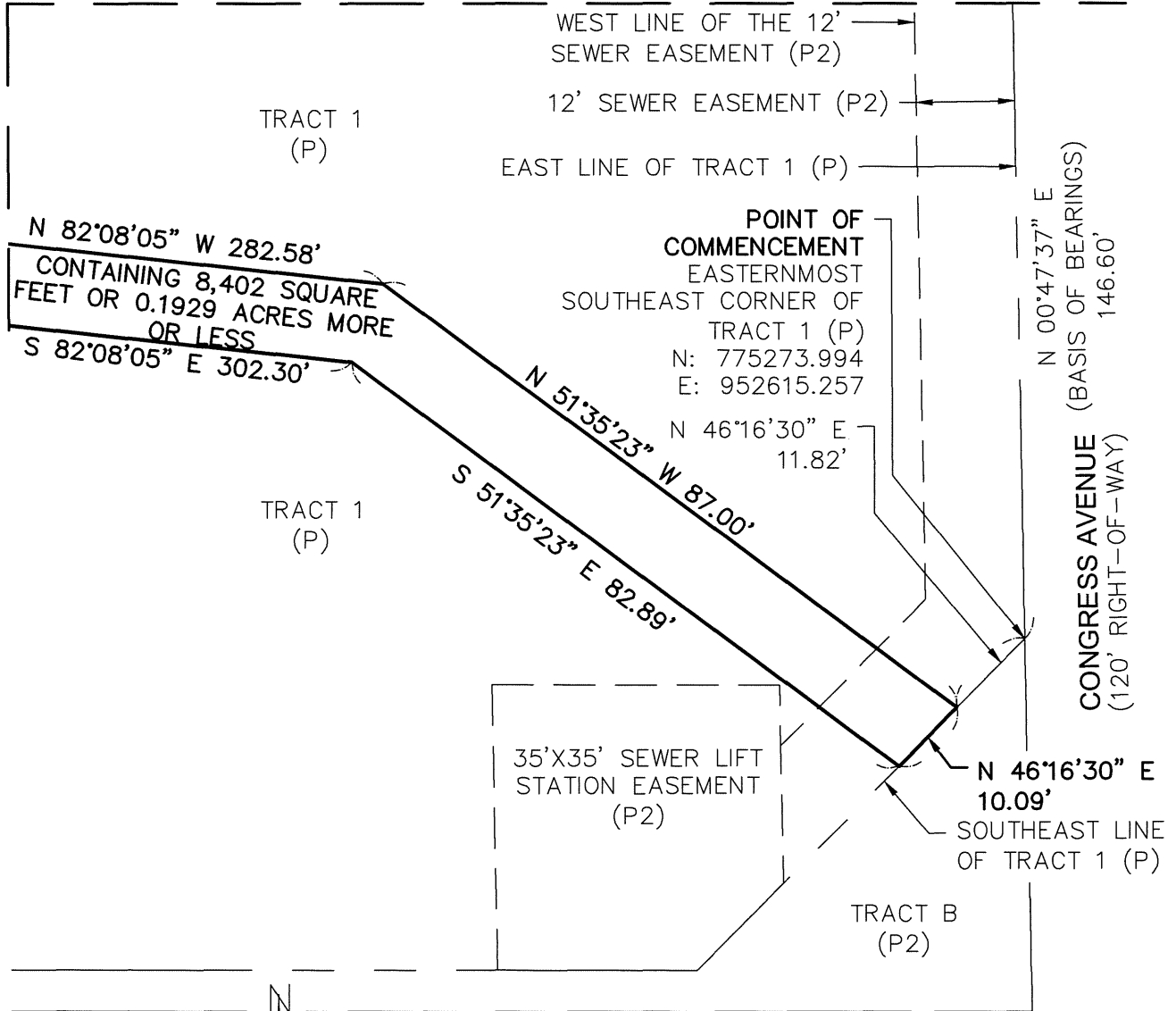
**SKETCH & DESCRIPTION
FOR: THE MORGANTI GROUP**

DRAWN: MT	SCALE: N/A	DATE: 08/03/20
CHK: DAB	JOB# 18-053-003	SHEET: 3 OF 7

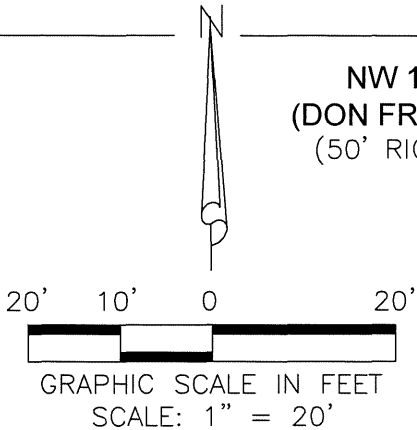
EXHIBIT "A"

MATCHLINE- SEE SHEET 5 OF 7

MATCHLINE- SEE SHEET 6 OF 7



NW 1ST STREET
(DON FRANCISCO WAY)
(50' RIGHT-OF-WAY)

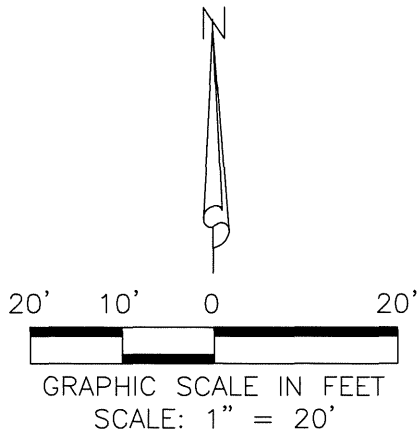


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SKETCH & DESCRIPTION
FOR: THE MORGANTI GROUP

DRAWN: MT	SCALE: 1" = 20'	DATE: 08/03/20
CHK: DAB	JOB# 18-053-003	SHEET: 4 OF 7

EXHIBIT "A"



NORTHEAST CORNER OF TRACT 1 (P)
 N: 775833.358
 E: 952606.402

N: 775479.427
 E: 952612.005

N 89°12'23" W
 12.00'

S 00°47'37" W
 16.88'

353.98' (GRID)

TRACT 1
 (P)

S 75°04'29" W 297.88'
 CONTAINING 8,402 SQUARE FEET OR
 0.1929 ACRES MORE OR LESS

N 75°04'29" E 294.97'

TRACT 1
 (P)

S 00°47'37" W
 19.57'

N 89°12'23" W
 6.00'

S 00°47'37" W
 12.00'

S 89°12'23" E
 18.00'

POINT OF BEGINNING
 N: 775420.582
 E: 952612.936

WEST LINE OF THE 12'
 SEWER EASEMENT (P2)

12' SEWER EASEMENT (P2)

EAST LINE OF TRACT 1 (P)

N 00°47'37" E 58.85'

CONGRESS AVENUE
 (120' RIGHT-OF-WAY)

N 00°47'37" E
 146.60'
 (BASIS OF BEARINGS)

MATCHLINE— SEE SHEET 6 OF 7

MATCHLINE— SEE SHEET 4 OF 7

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SKETCH & DESCRIPTION
 FOR: THE MORGANTI GROUP

DRAWN: MT	SCALE: 1" = 20'	DATE: 08/03/20
CHK: DAB	JOB# 18-053-003	SHEET: 5 OF 7

EXHIBIT "A"

MATCHLINE-- SEE SHEET 7 OF 7

MATCHLINE-- SEE SHEET 5 OF 7

MATCHLINE-- SEE SHEET 4 OF 7

TRACT 1
(P)

S 75°04'29" W 297.88'
CONTAINING 8,402 SQUARE
FEET OR 0.1929 ACRES MORE
OR LESS

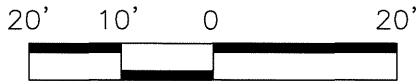
N 75°04'29" E 294.97'

TRACT 1
(P)

N 82°08'05" W 282.58'
CONTAINING 8,402 SQUARE
FEET OR 0.1929 ACRES MORE
OR LESS

S 82°08'05" E 302.30'

TRACT 1
(P)



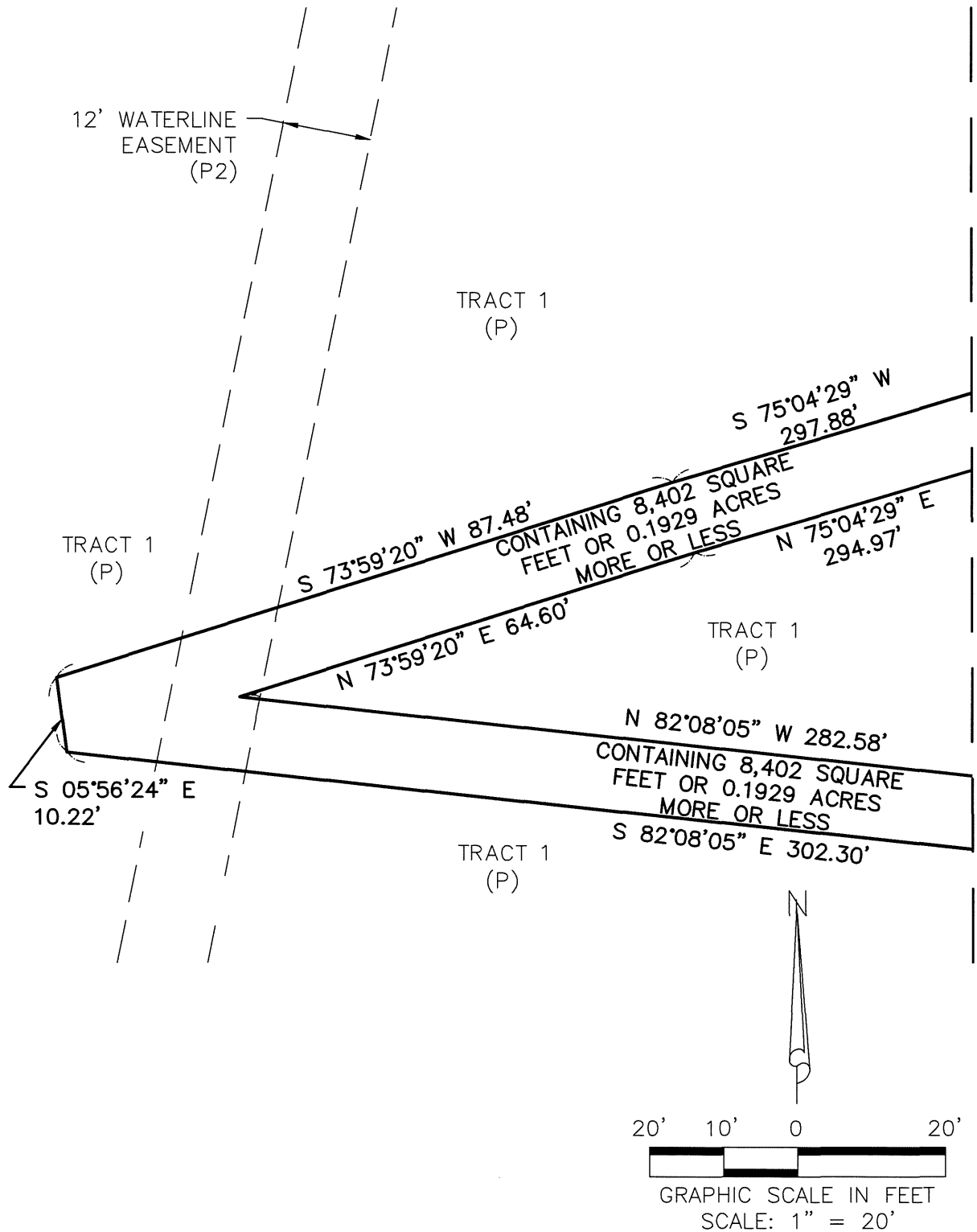
GRAPHIC SCALE IN FEET
SCALE: 1" = 20'

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SKETCH & DESCRIPTION
FOR: THE MORGANTI GROUP

DRAWN: MT	SCALE: 1" = 20'	DATE: 08/03/20
CHK: DAB	JOB# 18-053-003	SHEET: 6 OF 7

EXHIBIT "A"



MATCHLINE-- SEE SHEET 6 OF 7

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CHK: DAB	JOB# 18-053-003	SHEET: 7 OF 7