Agenda Item #: 3H-8

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

| Meeting Date: | June 6, 2023 | [X] Consent [] Ordinance | [] Regul | lar c Hearing |
|--|---|--|--|---|
| Department: | Facilities Develop | pment & Operation | S | |
| | | I. EXECUTIVE B | RIEF | |
| in favor of Florida an above ground | Power & Light Compad-mounted transfo | ipany (FPL) for over | head and und new Fire St | asement Agreement (Easement) erground electrical services and ation No. 40 Facility (Facility) |
| unincorporated Pa an above ground p Easement Premise approximately 39 acre) and provides Premise 2 is for ex and 10 feet in wite easement will be g | Im Beach County. Do ad-mounted transform 1 and Easement Profeet in length and 10 service to the Facility isting overhead and 10th, containing app | puring the development of the control of the contro | ent process, u The Easement Premise 1 in Ining approxication connects to 1 lines being a square feet (| just east of Military Trail in nderground electric service and nt includes two easement areas is an underground utility being mately 353.78 square feet (0.01) Easement Premise 2. Easement pproximately 660 feet in length (0.1522 acre). A non-exclusive rvice to the Facility. (Property |
| square feet in size water retention sys and is anticipated the recently install | , with 2 bays, 9 bunk stems, and other asso to be completed this | crooms, signalization ciated infrastructure. s summer. A non-exements that service the ser | n, a detached Construction clusive easer | ire station approximately 6,700 generator, a dumpster building n commenced in August of 2022 ment will be granted to FPL for the easement will be recorded in |
| | ation Map ity Easement Agreen | nent w/Exhibit "A & | B" | . , |
| Recommended B | | partment Director | welles _ | 5/5/23 Date |
| Annuared Dre | Jet 1/9 | Bakes. | | 5/1/2022 |
| Approved By: _ | Cou | unty Administrator | | |

II. FISCAL IMPACT ANALYSIS

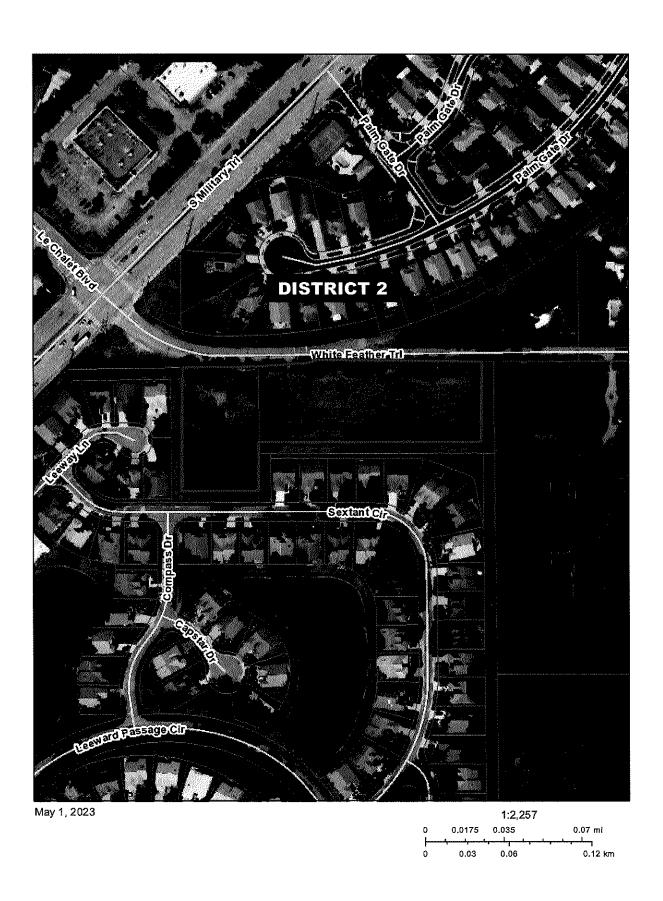
| A. Five Year Summary of F | iscal Impac | :t: | | | |
|--|----------------|---------------|--|----------------------|-------------|
| Fiscal Years | 2023 | 2024 | 2025 | 2026 | 2027 |
| Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County | | | | | |
| NET FISCAL IMPACT | * 0 | 0 | 0 | 0 | <u>O</u> |
| # ADDITIONAL FTE POSITIONS (Cumulative) | | | | | |
| Is Item Included in Current B | udget: | Yes | | NoX | <u> </u> |
| Does this item include the use | of federal f | unds? Yes | | No <u>X</u> | |
| Budget Account No: Fund | Pr | Dept ogram | and a contract of the second o | Unit | Object _ |
| B. Recommended Sources of * No fiscal impact | of Funds/Su | mmary of Fisc | al Impact | : | |
| Fixed Assets Number N/. C. Departmental Fiscal Rev | riew: | VIEW COMM | ENTS | | |
| A. OFMB Fiscal and/or Con Live Mate 5/16/19 | | | , J. | Jacobsol and Control | 5/11/2 |
| B. Legal Sufficiency: Assistant County Attorney | <u>[/15/23</u> | l | <i>, v</i> | | |
| C. Other Department Revie | ew: | | | | |
| Department Director | | | | | |

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

Fire Rescue Station No. 40 (White Feather)

PCNs:

00-42-45-13-00-000-3030 00-42-45-13-08-002-0020



Attachment No. 1 Location Map

Utility Easement Agreement w/Exhibits "A & B" Attachment 2

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

PCN: 00-42-45-13-08-002-0020 and 00-42-45-13-00-000-3030

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 i) underground electric utility facilities, including wires, cables, conduits, and appurtenant equipment, and an above-ground pad-mounted transformer to be installed from time to time ("Facilities No. 1"), with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as the size of and remove such Facilities No. 1 or any of them within an easement upon, under and across the following described real property (the "Easement

Premises No. 1") as legally described on Exhibit "A" attached hereto and made a part hereof; and ii) overhead and underground electric utility facilities, wires, poles, guys, cables, conduits and appurtenant equipment, including transformers to be installed from time to time ("Facilities No. 2") with the right to reconstruct, improve, add to, enlarge, change the voltage, as well as the size of and remove such Facilities No. 2 or any of them within an easement upon, under and across the following described real property (the "Easement Premises No. 2") as legally described in Exhibit "B" attached hereto and made a part hereof. Easement Premises No. 1 and Easement Premises No. 2 shall be collectively hereafter be referred to as the "Premises". Facilities No. 1 and Facilities No. 2 as set forth herein shall collectively hereafter be referred to as the "Facilities".

Together with the right to permit any other person, firm or corporation to attach wires to any Facilities No. 2 hereunder and lay cable and conduit within the Easement Premises No.2 and to operate the same for communications purposes. Together with the right of reasonable ingress and egress to said Premises at all times, the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the 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 Premises which might interfere with or fall upon the Facilities installed within the Premises.

THE CONDITIONS OF THIS RIGHT OF USAGE ARE SUCH THAT:

1. Grantee shall cause the Facilities and their appurtenances set forth herein to Page 1 of 1

be constructed within the confines of the Premises.

- 2. Grantee hereby expressly agrees that in the event Grantee abandons use of the Premises for the purpose herein expressed, the Easement granted hereby shall become null and void, and all rights in and to the 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 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 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:

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Witness Signature

Print Witness Name

Assistant County Attorney

APPROVED AS TO TERMS AND CONDITIONS

Department Director

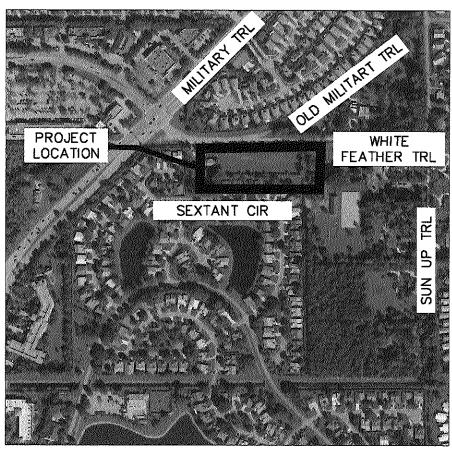
\\pbcgov.org\\FDO\\Common\\PREM\\Dev\\Open Projects\\FS #40 - Whitefeather Tr\\FPL Electrical Easement 2023\\FPL overhead.underground. HF approved 4.20.23.docx

Exhibit "A"

Easement Premises No. 1

SKETCH & DESCRIPTION 10' WIDE FLORIDA POWER & LIGHT EASEMENT **BOYNTON BEACH** PALM BEACH COUNTY, FLORIDA

VICINITY MAP



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DESN BY: CRM DRWN BY: CRM

RVWD BY: DAR FLD BK:

BK PG: DATE: 3/14/23 LEGEND

LICENSED BUSINESS LB ĹS LICENSED SURVEYOR

PB PLAT BOOK P.C.N. PARCEL CONTROL NUMBER

PĢ PAGE

P.O.B. POINT OF BEGINNING P.O.C. POINT OF COMMENCEMENT

P.U.D. PLANNED UNIT DEVELOPMENT RNG RANGE

SEC SECTION TWP TOWNSHIP

EASEMENT SKETCH & DESCRIPTION 21-112 PBC FIRE RESCUE STATION 40 FOR: MORGANTI GROUP, INC. 4700 WHITE FEATHER TRAIL, BOYNTON BEACH PALM BEACH COUNTY, FLORIDA LOCATED IN SEC 13, TWP 45S, RNG 42E

FLORIDA POWER & LIGHT

THE MORGANTI GROUP, INC.

CERTIFIED TO:



LB-8265 SUPPLYING SURVEY SOLUTIONS 5119 BEECHWOOD RD, DELRAY BEACH, FL 33484 PH: 561-634-6701 www.ritzel-mason.com

SKETCH & DESCRIPTION

10' WIDE FLORIDA POWER & LIGHT EASEMENT
BOYNTON BEACH
PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

A PORTION OF LAND SITUATE IN SECTION 13, TOWNSHIP 45 SOUTH, RANGE 42 EAST, AND BEING A PART OF LOT CIVIC SITE TRACT "C" ACCORDING TO THE PLAT OF WINDWARD PALM BEACH (A P.U.D.), AS RECORDED IN PLAT BOOK 61, PAGE 75 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY. SAID LAND BEING FOR THE PURPOSE OF AN EASEMENT 10 FEET WIDE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT AT THE NORTHEAST CORNER OF SAID CIVIC SITE TRACT "C" ACCORDING TO THE AFOREMENTIONED PLAT; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID CIVIC SITE TRACT "C" S 89*36'04" W, A DISTANCE OF 276.73 FEET TO THE POINT OF BEGINNING; THENCE LEAVING THE NORTHERLY LINE AT A RIGHT—ANGLE S 00*23'56" E, A DISTANCE OF 8.81 FEET; THENCE S 32*40'21" E, A DISTANCE OF 23.68 FEET; THENCE S 57*19'39" W, A DISTANCE OF 10.00 FEET; THENCE N 32*40'21" W, A DISTANCE OF 26.57 FEET; THENCE N 00*23'56" W, A DISTANCE OF 11.70 FEET TO A POINT ON THE NORTHERLY LINE OF CIVIC SITE TRACT "C"; THENCE EASTERLY ALONG THE NORTHERLY LINE OF CIVIC SITE TRACT "C" N 89*36'04" E A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 353.78 SQUARE FEET (0.0081 ACRES), MORE OR LESS.

Sheet 2 of 5

DESN BY: CRM
DRWN BY: CRM
RVWD BY: DAR
FLD BK: ____
BK PG: ____
DATE: ____3/14/23

EASEMENT SKETCH & DESCRIPTION

21-112 PBC FIRE RESCUE STATION 40

FOR: MORGANTI GROUP, INC

4700 WHITE FEATHER TRAIL, BOYNTON BEACH
PALM BEACH COUNTY, FLORIDA

LOCATED IN SEC 13, TWP 45S, RNG 42E



LB-8265
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SKETCH & DESCRIPTION

10' WIDE FLORIDA POWER & LIGHT EASEMENT

BOYNTON BEACH

NOTES:

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PALM BEACH COUNTY, FLORIDA

THIS IS NOT A BOUNDARY SURVEY.

THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENT OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.

REPRODUCTIONS, ADDITIONS, OR DELETIONS ARE NOT VALID WITHOUT ORIGINAL SIGNATURE & RAISED SEAL, OR CERTIFIED DIGITAL SIGNATURE AND SEAL OF THE FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.

THE SKETCH IS INTENDED TO BE DISPLAYED AT A 1/100 SCALE ON AN 8.5"X11" SHEET.

ALL BEARINGS SHOWN HEREON ARE REFERENCED TO THE NORTH LINE OF CIVIC SITE TRACT "C" ACCORDING TO THE PLAT WINDWARD PALM BEACH (A P.U.D.) RECORDED IN PLAT BOOK 61, PAGE 75, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, HAVING A BEARING OF S 89° 36' 04" W.

THE INTENT OF THIS EASEMENT IS TO ENCOMPASS THE RECENTLY INSTALLED ELECTRICAL FEATURES THAT WERE AS-BUILT IN THEIR INSTALLED LOCATION BY RITZEL-MASON, INC. ON 08/18/2022.

THIS EASEMENT FORMS A CLOSED GEOMETRIC FIGURE.

STATE PLANE COORDINATES: COORDINATES SHOWN ARE GRID DATUM — NAD 83, 1990 ADJUSTMENT ZONE — FLORIDA EAST

LINEAR UNIT - US SURVEY FOOT

COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND EXCEPT WHERE SHOWN AS GRID
SCALE FACTOR — 1.0000365
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

ROTATION EQUATION: S00°27'04"W (PLAT) 0°0'02" COUNTER-CLOCKWISE

ROTATION EQUATION: S00°27'04"W (PLAT) 0°0'02" COUNTER—CLOCKWIS S00°27'06"W (GRID) PLAT TO GRID

PUBLISHED STATE PLANE COORDINATES FOR PRM'S WERE ESTABLISHED FROM THE PROVIDED SURVEY DATA FOR THE CONSTRUCTION OF THE NEW FIRE STATION 40 AND WERE FIELD VERIFIED TO BE ACCURATE.

CERTIFICATION:

DESN BY: _CRM
DRWN BY: _CRM
RVWD BY: _DAR
FLD BK: ____
BK PG: ____
DATE: __3/14/23

TO SECTION 472.027 FLORIDA STATUTES.

I HEREBY CERTIFY THAT THIS SKETCH AND LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECTION AND THAT SAID SKETCH AND LEGAL DESCRIPTION IS IN COMPLIANCE WITH THE STANDARDS AND PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.050, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

EASEMENT SKETCH & DESCRIPTION

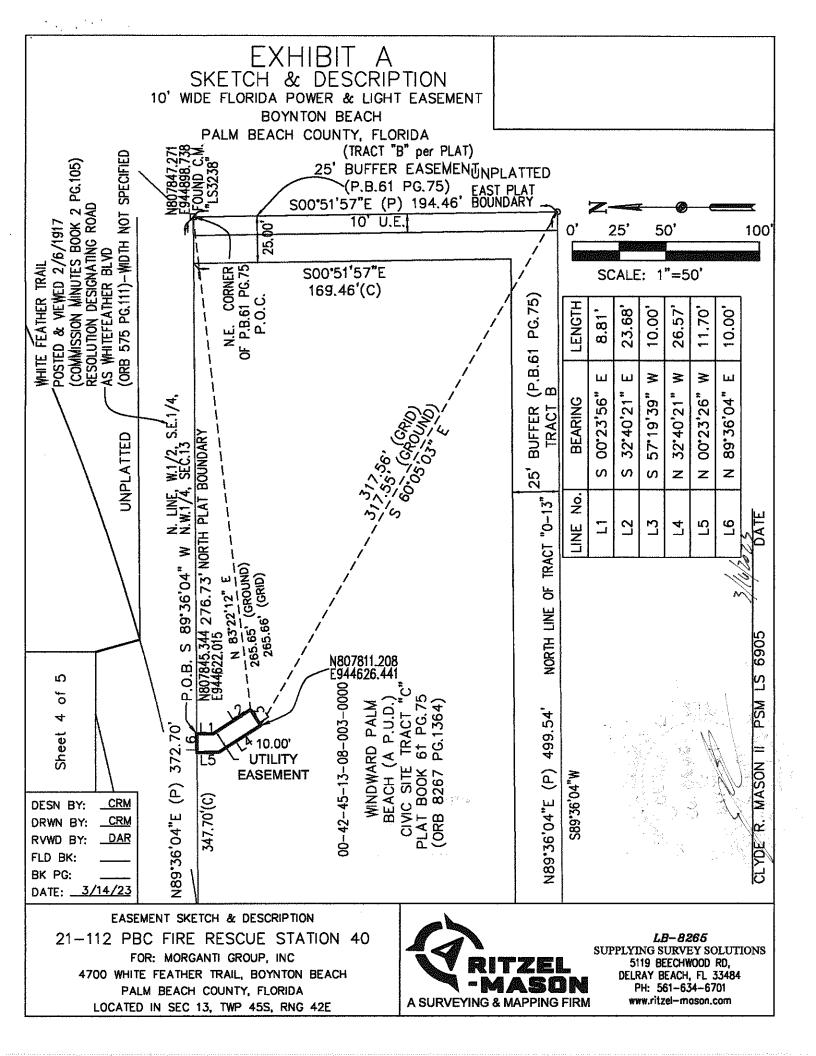
21-112 PBC FIRE RESCUE STATION 40
FOR: MORGANTI GROUP, INC
4700 WHITE FEATHER TRAIL, BOYNTON BEACH
PALM BEACH COUNTY, FLORIDA
LOCATED IN SEC 13, TWP 45S, RNG 42E



LB-8265
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DELRAY BEACH, FL 33484
PH: 561-634-6701
www.ritzel-moson.com

DATE

CLYDE R. MASON II PSM LS 6905



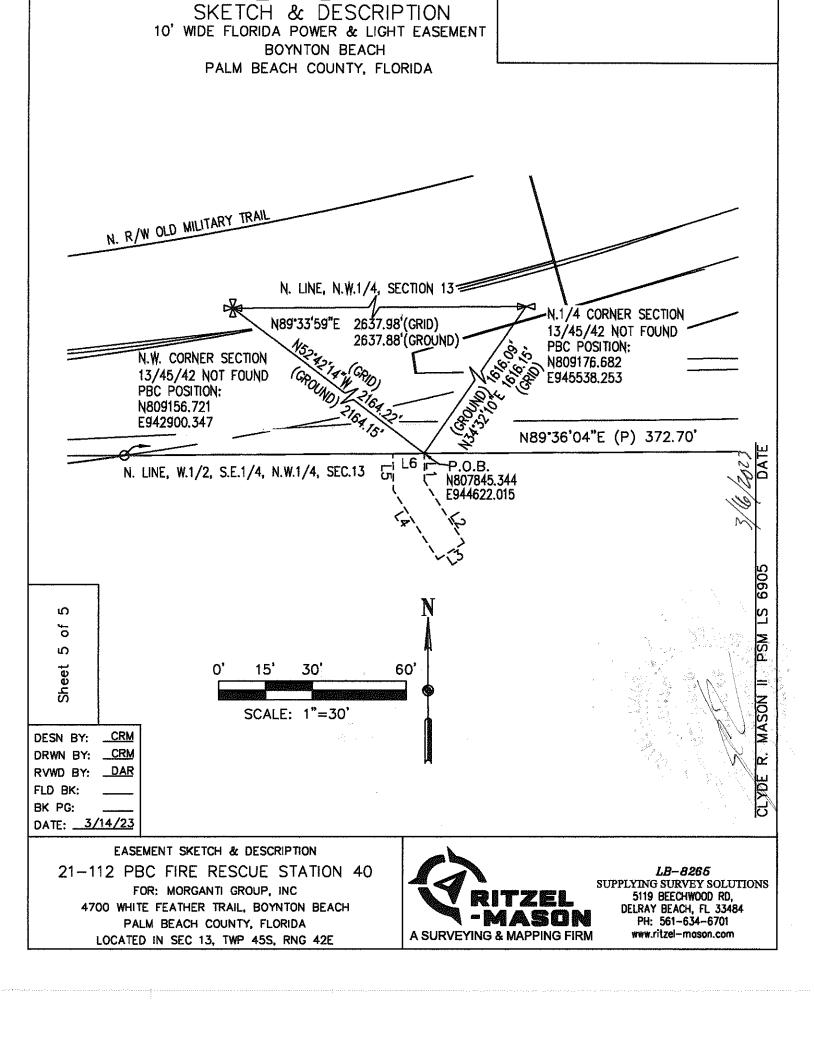


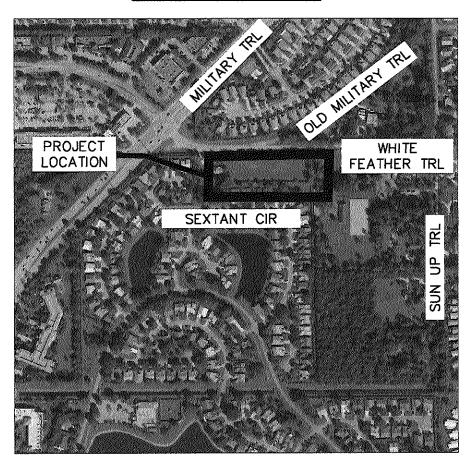
Exhibit "B"

Easement Premises No. 2

EXHIBIT B

SKETCH & DESCRIPTION 10' WIDE UTILITY EASEMENT BOYNTON BEACH PALM BEACH COUNTY, FLORIDA

VICINITY MAP



ŏ Sheet

CRM DESN BY: CRM DRWN BY:

RVWD BY: _DAR FLD BK:

BK PG: DATE: 04/18/23

CERTIFIED TO: THE MORGANTI GROUP, INC. **LEGEND**

LICENSED BUSINESS LICENSED SURVEYOR

PB PLAT BOOK P.C.N. PARCEL CONTROL NUMBER

PG PAGE P.O.B.

SEC

TWP

POINT OF BEGINNING POINT OF COMMENCEMENT P.O.C. PLANNED UNIT DEVELOPMENT P.U.D. RNG **RANGE**

SECTION TOWNSHIP

EASEMENT SKETCH & DESCRIPTION 21-112 PBC FIRE RESCUE STATION 40 FOR: MORGANTI GROUP, INC 4700 WHITE FEATHER TRAIL, BOYNTON BEACH PALM BEACH COUNTY, FLORIDA LOCATED IN SEC 13, TWP 45S, RNG 42E



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SKETCH & DESCRIPTION 10' WIDE UTILITY EASEMENT **BOYNTON BEACH**

LAND DESCRIPTION:

PALM BEACH COUNTY, FLORIDA

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COMMENCING AT A POINT AT THE SOUTHEAST CORNER OF SAID CIVIC SITE TRACT "C" ACCORDING TO THE AFOREMENTIONED PLAT; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID CIVIC SITE TRACT "C"N 00"51"55" W, A DISTANCE OF 184.46 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EASTERLY LINE N 00°51'55" W, A DISTANCE OF 10.00 FEET TO A POINT ON THE SOUTH LINE OF THE RIGHT-OF-WAY FOR WHITE FEATHER TRAIL AND THE NORTHERLY LINE OF SAID CIVIC SITE TRACT "C"; THENCE WESTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY OF WHITE FEATHER TRAIL S 89'36'06" W. A DISTANCE OF 372,70 FEET TO A POINT OF NON-TANGENT CURVATURE CONCAVE TO THE NORTH; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS S 85"16'30" W, CHORD LENGTH IS 149.47, RADIUS IS 1178.92 FEET, CENTRAL ANGLE IS 07°16'08", AND ARC LENGTH IS 149.57 FEET, THENCE S 88°54'34" W, A DISTANCE OF 137.70 FEET TO A POINT OF INTERSECTION OF TRACT "B" AND TRACT "R-1" ACCORDING TO THE AFOREMENTIONED PLAT; THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE EDGE OF SAID TRACT "B" S O0'51'45" E, A DISTANCE OF 10.00 FEET; THENCE PARALLEL WITH AND 10 FEET SOUTH OF SAID RIGHT-OF-WAY FOR WHITE FEATHER TRAIL N 88'54'34" E, A DISTANCE OF 137.74 FEET TO A POINT OF CURVATURE CONCAVE TO THE NORTH; THENCE ALONG SAID CURVE WHOSE CHORD BEARING IS N 85'17'30" E, CHORD LENGTH IS 150.04, RADIUS IS 1188.92 FEET, CENTRAL ANGLE IS 07'14'07", AND ARC LENGTH IS 150.14 FEET; THENCE N 89'36'06" E, A DISTANCE OF 97.48 FEET; THENCE LEAVING SAID 10 FOOT PARALLEL LINE S 00°07'24" E A DISTANCE OF 2.00 FEET; THENCE N 89'36'06" E, A DISTANCE OF 15.00 FEET; THENCE

N 00°08'15" W, A DISTANCE OF 2.00 FEET TO A POINT ON A LINE 10 FEET SOUTH OF AND PARALLEL TO THE SOUTHERLY RIGHT-OF-WAY OF WHITE FEATHER TRAIL; THENCE ALONG SAID 10 FOOT PARALLEL LINE N 89°36'06" E, A DISTANCE OF 259.61 FEET

TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 6,629.7 SQUARE FEET (0.1522 ACRES), MORE OR LESS.

CRM DESN BY: _ CRM DRWN BY: DAR RVWD BY: FLD BK: BK PG: DATE: <u>04/18/23</u>

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EASEMENT SKETCH & DESCRIPTION 21-112 PBC FIRE RESCUE STATION 40 FOR: MORGANTI GROUP, INC 4700 WHITE FEATHER TRAIL, BOYNTON BEACH PALM BEACH COUNTY, FLORIDA LOCATED IN SEC 13, TWP 45S, RNG 42E



LB-8265 SUPPLYING SURVEY SOLUTIONS 5119 BEECHWOOD RD, DELRAY BEACH, FL 33484 PH: 561-634-6701 www.ritzel-mason.com

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SKETCH & DESCRIPTION 10' WIDE UTILITY EASEMENT **BOYNTON BEACH** PALM BEACH COUNTY, FLORIDA

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SCALE FACTOR - 1.0000365
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

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CERTIFICATION:

CRM DESN BY: _ DRWN BY: CRM RVWD BY: DAR FLD BK: BK PG:

DATE: 04/18/23

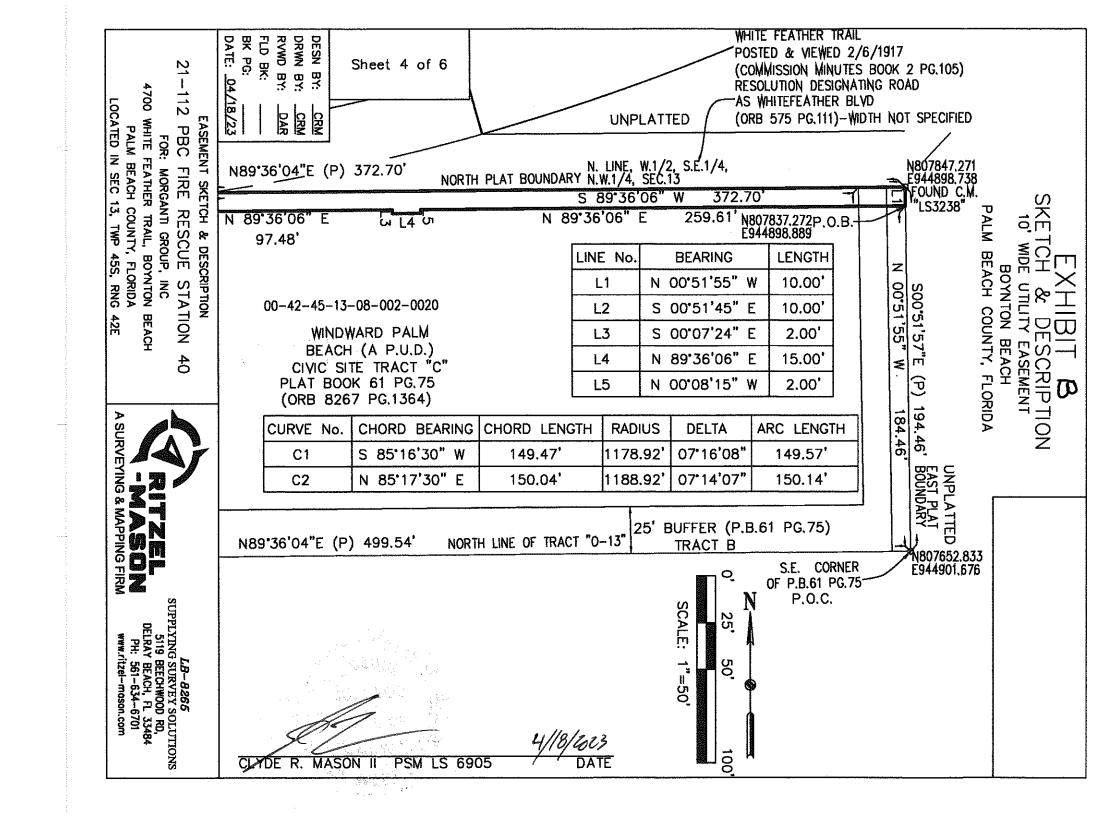
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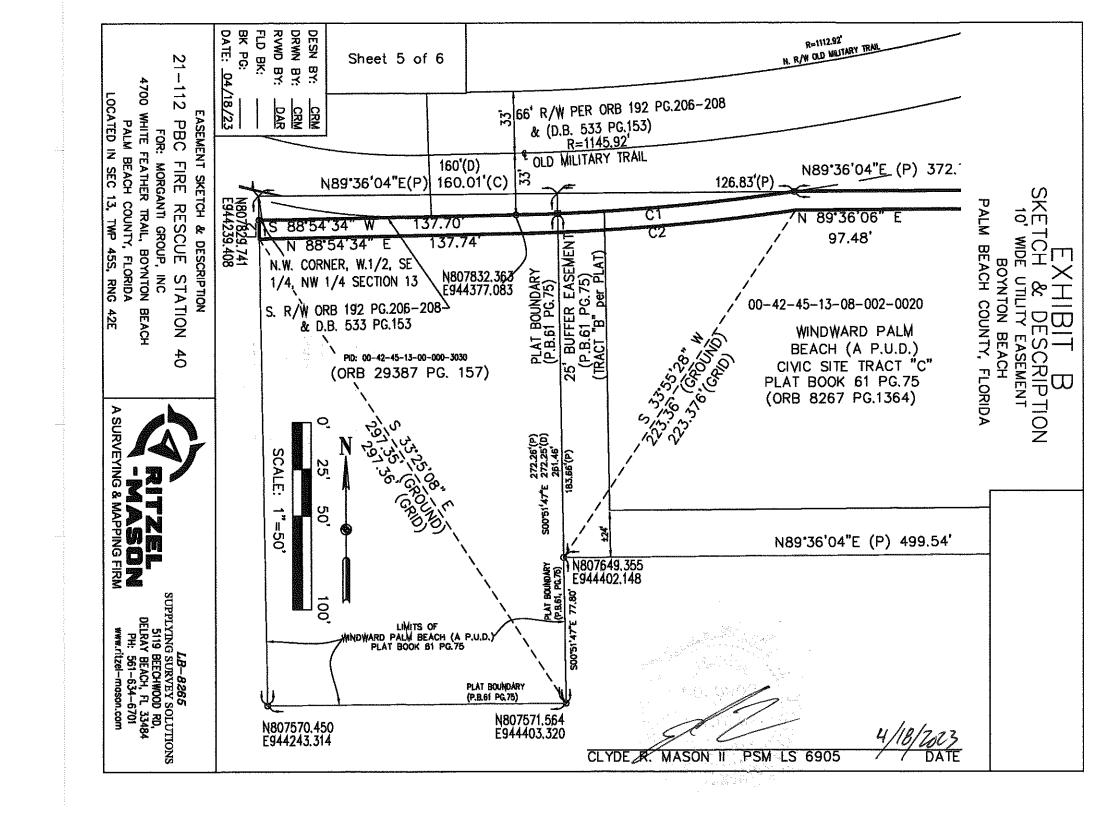
EASEMENT SKETCH & DESCRIPTION

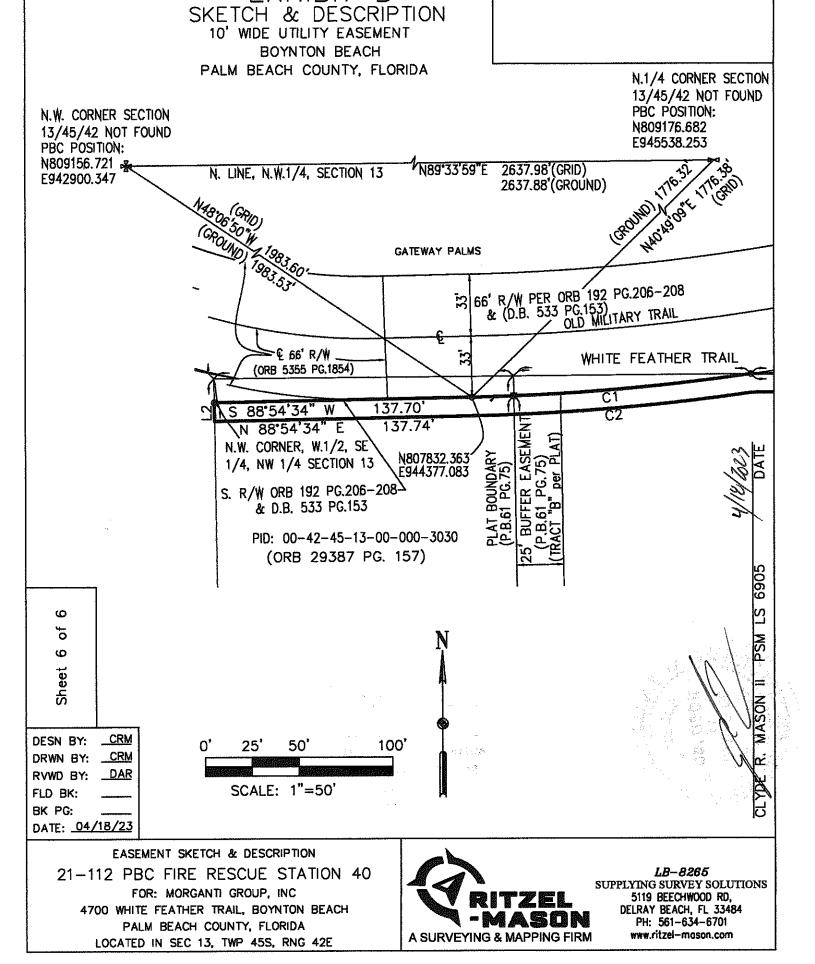
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LB-8265 SUPPLYING SURVEY SOLUTIONS 5119 BEECHWOOD RD, DELRAY BEACH, FL 33484 PH: 561-634-6701 www.ritzel-mason.com







EXHIBIT