

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2023 | 2024 | 2025 | 2026 | 2027 |
|--------------------------|------|------|------|------|------|
| Capital Expenditures | -0- | -0- | -0- | -0- | -0- |
| Operating Costs | -0- | -0- | -0- | -0- | -0- |
| External Revenues | -0- | -0- | -0- | -0- | -0- |
| Program Income (County) | -0- | -0- | -0- | -0- | -0- |
| In-Kind Match (County) | -0- | -0- | -0- | -0- | -0- |
| NET FISCAL IMPACT | -0- | -0- | -0- | -0- | -0- |
| # ADDITIONAL FTE | | | | | |
| POSITIONS (Cumulative) | -0- | -0- | -0- | -0- | -0- |

Is Item Included in Current Budget? Yes No

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

Budget Account No:
Fund Dept Unit Object

Recommended Sources of Funds/Summary of Fiscal Impact:

**This item has no fiscal impact. Approval of the Utility Easement (Easement) will convey an easement for a 10' wide strip of land on Military Trail, north of West Linton Boulevard (Easement) from Palm Beach County (County) to Florida Power & Light (FPL).

C. Departmental Fiscal Review: *Sanny Ramdasingh*

III. REVIEW COMMENTS

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

Lisa M... 8/17/2023
OFMB QA 8/17
MD 8/17

Ar. S. ... 8/21/23
Contract Dev. and Control
7/8/23

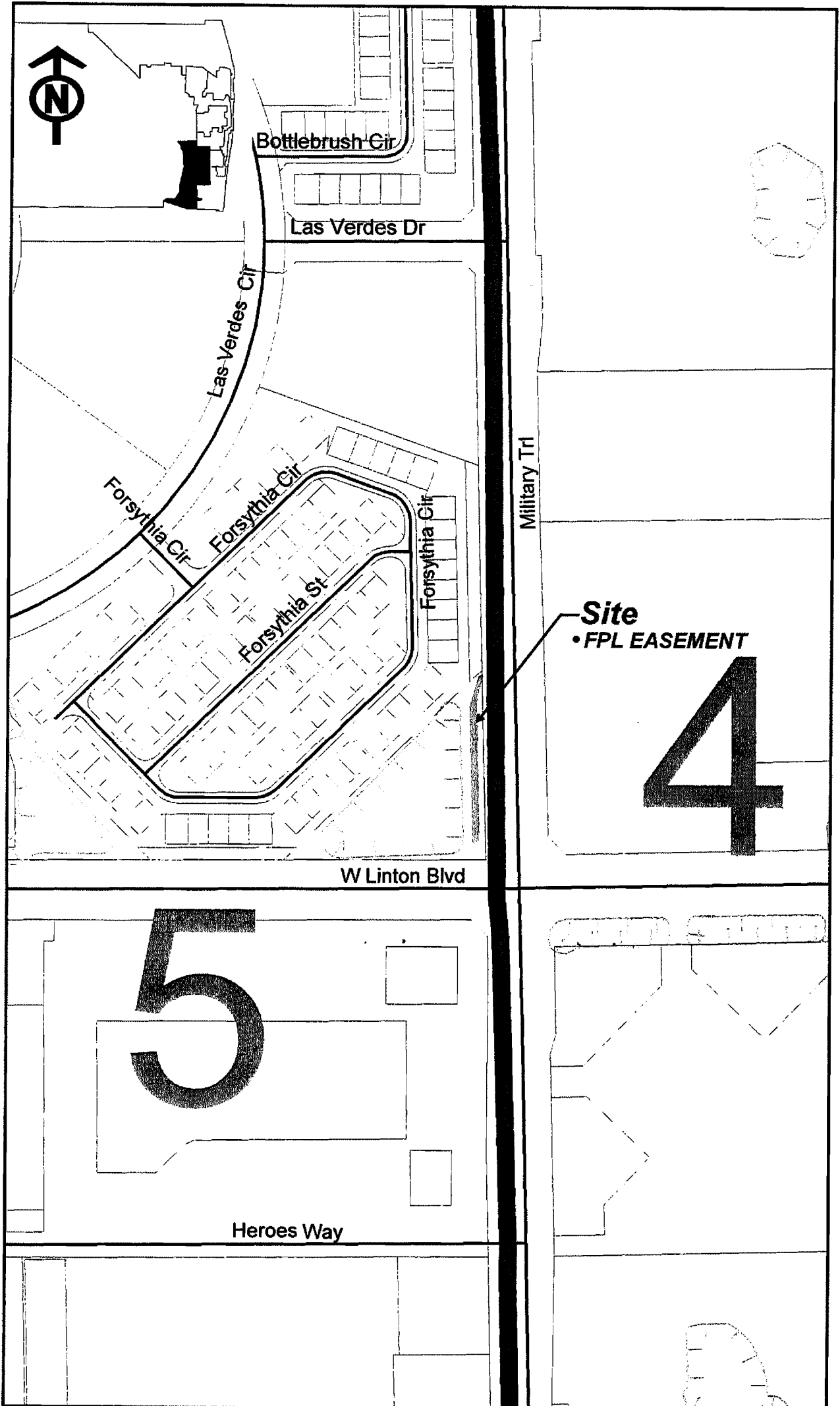
B. Approved as to Form and Legal Sufficiency:
[Signature] 8/22/23
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.
2

Location Map



Document Path: N:\R_O_W\Darren Ross\TEMPLATE\Location_Map_Project_2013500_W_Linton&Military_FPL_Easement_Brent_E_Mar 2 2023.mxd

Return via Palm Beach County interoffice mail to:
Brent Enck, Right-of-Way Specialist
Palm Beach County, Engineering & Public Works Department
Roadway Production Division
2300 North Jog Road, 3rd Floor West
West Palm Beach, Florida 33411-2750

This Instrument Prepared by:
Yelizaveta B. Herman, Assistant County Attorney
Palm Beach County Attorney's Office
Post Office Box 21229
West Palm Beach, Florida 33416-1229

PCN: Portion of 00-42-46-23-29-001-0000

UTILITY EASEMENT

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 Post Office Box 21229, West Palm Beach, Florida 33416-1229, to **FLORIDA POWER & LIGHT COMPANY**, a Florida corporation ("Grantee"), whose legal mailing address is Post Office Box 14000, Juno Beach, Florida 33408-0420.

WITNESSETH:

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 OF THE CIRCUIT
COURT & COMPTROLLER**

**PALM BEACH COUNTY, a political
subdivision of the State of Florida
by and through its Board of County
Commissioners**

By: _____
Deputy Clerk

By: _____
Gregg K. Weiss, 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**

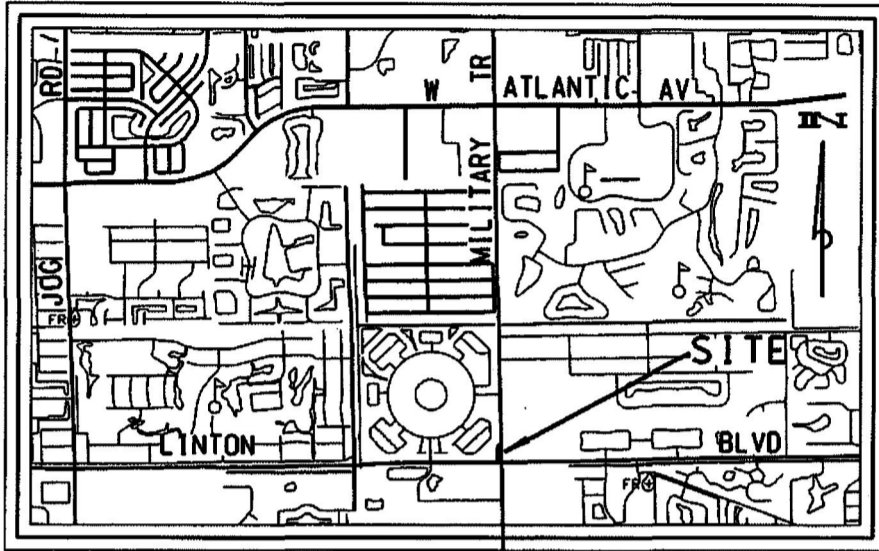
By: ybh/te
Assistant County Attorney

**APPROVED AS TO TERMS AND
CONDITIONS**

By: [Signature]
Division Director

**EXHIBIT A
FPL EASEMENT**

SECTION 23. TOWNSHIP 46 SOUTH. RANGE 42 EAST




**LOCATION MAP
(NOT TO SCALE)**

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE SOUTHEAST QUARTER (S.E. 1/4) OF SECTION 23, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF TRACT "A-2" OF KINGS POINT PLAT NO. THIRTEEN, RECORDED IN PLAT BOOK 50, PAGE 101, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING A PORTION OF THAT CERTAIN RIGHT-OF-WAY PARCEL 102 AS ACQUIRED THROUGH THAT STIPULATED ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 33555, PAGES 387-393, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT "A-2"; THENCE NORTH $01^{\circ}27'42''$ WEST ALONG THE EAST LINE OF SAID TRACT "A-2", A DISTANCE OF 365.14 FEET TO THE POINT OF BEGINING; THENCE SOUTH $15^{\circ}12'11''$ WEST, A DISTANCE OF 47.08 FEET TO A LINE LYING 13.50 FEET WEST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES) THE SAID EAST LINE OF TRACT "A-2"; THENCE SOUTH $01^{\circ}27'42''$ EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 279.78 FEET; THENCE SOUTH $44^{\circ}05'55''$ WEST, A DISTANCE OF 14.01 FEET TO A LINE LYING 23.50 FEET WEST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES) SAID EAST LINE OF TRACT "A-2"; THENCE NORTH $01^{\circ}27'42''$ EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 272.27 FEET; THENCE NORTH $15^{\circ}12'09''$ EAST, A DISTANCE OF 65.16 FEET; THENCE NORTH $88^{\circ}32'18''$ EAST, A DISTANCE OF 4.82 FEET TO THE EAST LINE OF SAID TRACT "A-2" AND THE POINT OF BEGINNING.

CONTAINING 3,019 SQUARE FEET OR 0.0693 ACRES, MORE OR LESS.

| | | | | | | | | |
|------------------------|-----------------|--|----------------------------|-------|--|--------------|------------------|--|
| PROJECT NO. 2013500 | SHEET 1 OF 3 | PROJECT: FPL EASEMENT W. LINTON BLVD & S. MILITARY TRAIL | | NO. 1 | REVISION UPDATE STIPULATED ORDER OF TAKING | BY C.S.P. | DATE 03/01/23 |  PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS ROADWAY PRODUCTION 2300 NORTH JOG ROAD WEST PALM BEACH, FL 33411 |
| | | DESIGN FILE NAME S-1-21-4129.DGN | DRAWING NO. S-1-21-4129 | | | | | |

LEGEND

P.B. = PLAT BOOK
PG. = PAGE
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
P.B.C. = PALM BEACH COUNTY
R/W = RIGHT OF WAY
PCN = PARCEL CONTROL NUMBER
C = CALCULATED
D = DEED
REF = REFERENCE
D.B. = DEED BOOK

O.R.B. = OFFICIAL RECORD BOOK
SEC = SECTION
TWP = TOWNSHIP
RNG = RANGE
R.P.B. = ROAD PLAT BOOK
L.W.D.D. = LAKE WORTH DRAINAGE DISTRICT
FPL = FLORIDA POWER & LIGHT COMPANY

SURVEYOR'S REPORT

THE ABOVE DESCRIBED PARCEL CONTAINS 3,019 SQUARE FEET OR 0.0693 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON N01°27'42"W (GRID NAD 83/90) ALONG THE EAST LINE OF SECTION 23, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PER PALM BEACH COUNTY SURVEY DEPARTMENT SECTION DATA.

THIS INSTRUMENT PREPARED BY SCOTT T. ADAMS SR., GLENN W. MARK, P.L.S. & CRAIG S. PUSEY, P.S.M. IN THE OFFICE OF THE COUNTY ENGINEER, 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411-2745.

NO UNDERGROUND UTILITIES LOCATED BY THIS OFFICE.

NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY THE SIGNING SURVEYOR. IT IS POSSIBLE THAT THERE ARE DEEDS OF RECORD, UNRECORDED DEEDS, EASEMENTS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE SUBJECT PROPERTY, WHICH ARE UNKNOWN TO THE SIGNING SURVEYOR.

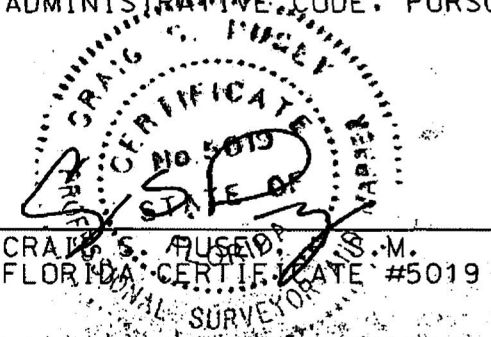
COORDINATES SHOWN ARE GRID
DATUM = NAD 83, 1990 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNITS = US SURVEY FOOT
COORDINATE SYSTEM 1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND.
PROJECT SCALE FACTOR = 1.000036
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE

ALL FEATURE SYMBOLS SHOWN ARE NOT TO SCALE.

THIS IS NOT A SURVEY.

NOT VALID WITHOUT THE DIGITAL SIGNATURE OR SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT THE LEGAL DESCRIPTION AND SKETCH SHOWN HEREON MEETS THE FLORIDA STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17.050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.



DATE 3/1/23

FD 4"X 4"
PRM NO I.D.

459.56' (P)
459.48' (C)
S70°29'17"E (P&C)

5' EASEMENT PER
UNRECORDED
SKETCH FURNISHED BY FPL

N88°32'18"E
4.82'

KINGS POINT
PLAT NO. THIRTEEN
(PER PB 50, PG 101)

P.O.B.
40' 40'
(ORB 1032, PG.354)
65' 40'
(PER RPB 2, PG 221)

EAST QUARTER CORNER OF
SECTION 23/46/42
PBC POSITION:
N: 768972.78
E: 943341.91

5' FPL EASEMENT
(ORB 3124, PG.1168)

EXISTING R/W
PER PB 65, PG 189

DELRAY TOWN CENTER
(PER PB 65, PG 189)

SCALE: 1" = 60'

FPL EASEMENT

TRACT "A-2"
KINGS POINT
PLAT NO. THIRTEEN
(PER PB 50, PG 101)
(WATER MANAGEMENT)
(DRAINAGE EASEMENT)
P.C.N. : 00-42-46-23-
29-001-0000

SOUTH MILITARY TRAIL

EAST LINE OF
SECTION 23/46/42
(GRID-BEARING BASIS)

R/W TRACT "A"
(PER PB 65, PG 189)

STIPULATED ORDER
OF TAKING
(ORB 33555 PG. 387)

SOUTH LINE OF
TRACT "A-2"

12' FPL EASEMENT
(ORB 2453, PG.987)

S44°05'55"W
14.01'
S88°32'17"W
65.00'

EXISTING R/W
PER PB 65, PG 189

(ORB 3903,
PG.119)
(P.B. 50,
PG.101)

N89°38'48"E
53.51'

P.O.C.
S.E. CORNER
OF TRACT "A-2"

SOUTH BOUNDARY (P.B. 50 PG. 101)

(ORB 1218,
PG.353)

SOUTH LINE OF
SECTION 23/46/42
N89°38'48"E

121.28'

2688.21' (GRID)

WEST LINTON BLVD

SOUTHEAST CORNER OF
SECTION 23/46/42
PBC POSITION:
N: 766285.44
E: 943410.49

106'
(PER ORB 1565,
PG 289)

N88°41'05"E