

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

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Meeting Date: March 5, 2024       Consent       Regular  
    Ordinance       Public Hearing

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Department: Facilities Development & Operations

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**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: a Utility Easement Agreement (Easement) in favor of Florida Power & Light Company (FPL) for underground electrical service in Carlin Park.

**Summary:** FPL is improving the reliability of service to customers on the west side of Carlin Park (Park) located at 750 South A1A, just east of US Highway 1 in Jupiter. Underground conduit/cables were installed on the west side of the Park strengthening the level of redundancy to the area. The non-exclusive easement is being granted at no charge as the electrical improvements provide service to the Park. The easement area varies in length and is approximately 10 feet in width, containing approximately 9,508.30 square feet (0.22 acre). There is no fiscal impact associated with the approval of this agenda item. **(Property and Real Estate Management) District 1 (HJF)**

**Background and Justification:** FPL requested County to allow the connection of two existing feeder lines to support a cable feeder tie loop for the Park and the adjacent residents. The Parks and Recreation Department met with FPL and agreed to a proposed underground route. Installation of the underground improvements has been completed. This proposed non-exclusive easement is being granted to FPL for the recently installed electrical improvements to the Park. 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"

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Recommended By: \_\_\_\_\_

Department Director

Date

Approved By: \_\_\_\_\_

County Administrator

*1/31/24*

*2/16/24*

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<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

Does this item include the use of state funds? Yes \_\_\_\_\_ No x

Budget Account No: Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
 Program \_\_\_\_\_

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

No fiscal impact.

*No asset number required; easement will be filed and recorded at Clerk and Comptroller, A. Di Rienzo, Neg. Files, 2/12/24*

Fixed Asset Number \_\_\_\_\_

**C. Departmental Fiscal Review:** *[Signature]*

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Development Comments:**

*[Signature]* 2/12/24  
 OFMB JAF d/a  
 ESW 2-2-2024

*[Signature]* 2/13/24  
 Contract Development and Control  
 TMB 2/13/24

**B. Legal Sufficiency:**

*[Signature]* 2/15/24  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

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

# LOCATION MAP

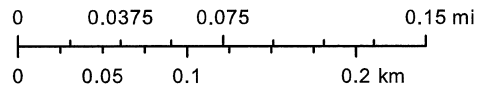
## CARLIN PARK

30-43-41-05-00-004-0060



August 17, 2023

1:4,514



Attachment No.1

Attachment No. 2  
Utility Easement Agreement w/Exhibit "A"  
(5 Pages)

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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

Portion of PCN: 30-43-41-05-00-004-0060

## UTILITY EASEMENT AGREEMENT

**This EASEMENT** is granted \_\_\_\_\_, 20\_\_\_\_ 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”).

### 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 underground electric utility facilities including wires, cables, conduits, and appurtenant equipment, including two existing feeder lines (the “Facilities”) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage and the size of, and remove, replace, relocate such Facilities or any part 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 descriptions/site sketches marked Exhibit "A"  
attached hereto and made a part hereof.**

Together with the right to permit Grantee 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 activities do 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**

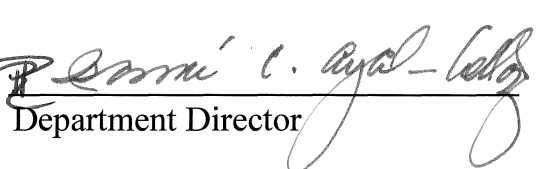
By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Maria Sachs, Mayor

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS AND  
CONDITIONS**

By:   
Assistant County Attorney

By:   
Department Director

**"EXHIBIT A"**  
**FLORIDA POWER & LIGHT CO. ELECTRICAL EASEMENT  
 SKETCH & DESCRIPTION**

**DESCRIPTION:**

A 10 FOOT WIDE PARCEL OF LAND LYING WITHIN A PORTION OF SECTION 5, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THE CENTERLINE OF SAID 10 FOOT WIDE PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH QUARTER CORNER OF SAID SECTION 5; THENCE ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5, SOUTH 89°36'32" WEST, A DISTANCE OF 11.86 FEET TO THE INTERSECTION OF A 10 FOOT F.P.L. EASEMENT CENTERLINE AS RECORDED ON OFFICIAL RECORD BOOK 22931, PAGE 1264, AND THE SOUTH LINE OF SAID SECTION 5, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE NORTH 79°00'00" WEST, A DISTANCE OF 165.35 FEET; THENCE SOUTH 87°00'00" WEST, A DISTANCE OF 381.00 FEET; THENCE NORTH 26°00'00" WEST, A DISTANCE OF 174.00 FEET; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 104.55 FEET; THENCE NORTH 83°51'06" WEST, A DISTANCE OF 5.03 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED CENTERLINE:  
 THENCE CONTINUE NORTH 83°51'06" WEST, A DISTANCE 669.39; THENCE NORTH 01°15'34" EAST, A DISTANCE OF 270.89 FEET; THENCE NORTH 89°13'59" WEST, A DISTANCE OF 10.55 FEET TO THE POINT OF TERMINATION OF SAID CENTERLINE, AND ALSO THE EAST LINE OF TRACT "D" OF PLAT BOOK 41, PAGE 49, PALM BEACH COUNTY RECORDS.

SIDELINES OF SAID 10 FOOT WIDE PARCEL OF LAND TO BE EXTENDED OR SHORTENED TO MEET AT ANGLE POINTS AND TO FORM A CONTINUOUS STRIP OF LAND.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, CONTAINING 9,508 SQUARE FEET MORE OR LESS.

**SURVEYORS CERTIFICATION:**

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

  
 DONALD J. SULLIVAN  
 PROFESSIONAL SURVEYOR & MAPPER  
 FLORIDA REGISTRATION NO. 6422

**Donald  
 Sullivan**

Digitally signed  
 by Donald  
 Sullivan  
 Date:  
 2023.11.03  
 09:00:08 -04'00'

DATED: 2/18/2019

ADDRESS COUNTY COMMENTS	10/19/2023	K.A.	D.J.S.	ELEC
ADDRESS COUNTY COMMENTS	10/12/2023	K.A.	D.J.S.	ELEC
ADDRESS COUNTY COMMENTS	08/24/2023	K.A.	D.J.S.	ELEC
REVISIONS	DATE	BY	CHKD	F.B./PG.



**DJS SURVEYORS, INC.**  
 PROFESSIONAL SURVEYORS AND MAPPERS  
 20283 STATE ROAD 7, SUITE 200  
 BOCA RATON, FL 33498  
 PH. 561.883.0470, FX. 561.883.0480  
 CERTIFICATE OF AUTHORIZATION NO. LB 7870  
 WWW.DJSSURVEYORS.COM

JOB No:	<b>18-114</b>
FB/PG:	N/A
DRAWN BY:	S.T.
CKD. BY:	D.J.S.
SCALE:	N/A

SHEET No:  
**1/3**



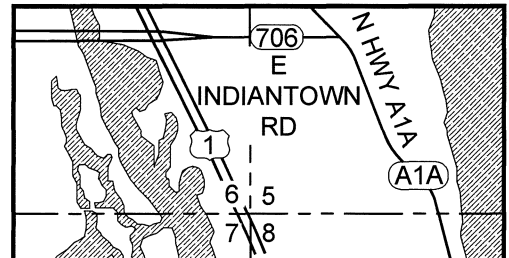
**"EXHIBIT A"**  
**FLORIDA POWER & LIGHT CO. ELECTRICAL EASEMENT  
 SKETCH & DESCRIPTION**

**NOTES:**

1. THIS IS NOT A MAP OF BOUNDARY SURVEY, BUT IS A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON.
2. NO MONUMENTATION WAS SET DURING THE PREPARATION OF THIS INSTRUMENT.
3. THE UNDERSIGNED & DJS SURVEYORS, INC., MAKE 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 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 RECORD.
4. BEARINGS SHOWN AND DESCRIBED HEREON ARE BASED ON A GRID (NAD 83/90) BEARING OF SOUTH 89°36'32" WEST ALONG THE SOUTH LINE OF SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 41 SOUTH, RANGE 43 SOUTH.
5. POSITION AND ORIENTATION:
  - a. COORDINATES SHOWN ARE GRID
  - b. DATUM=NORTH AMERICAN DATUM (NAD) OF 1983, 1990 ADJUSTMENT
  - c. ZONE=FLORIDA EAST ZONE
  - d. LINEAR UNIT=U.S. SURVEY FOOT
  - e. COORDINATE SYSTEM=1983 STATE PLANE TRANSVERSE MERCATOR PROJECTION
  - f. ALL DISTANCES ARE GROUND DISTANCES.
  - g. PROJECT SCALE FACTOR IS 1.000046718.
  - h. GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
6. THIS SKETCH AND DESCRIPTION CONSISTS OF THREE (3) SHEETS AND IS NOT COMPLETE WITHOUT ALL SHEETS.
7. THE SKETCH AND DESCRIPTION IS NOT VALID UNLESS IT BEARS THE DIGITAL SIGNATURE AND SEAL OF THE CERTIFYING SURVEYOR. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY DONALD J. SULLIVAN ON 08/23/2022.

**LEGEND:**

B.B.....	BEARING BASE	PG. ....	PAGE
FPL .....	FLORIDA	P.O.B.....	POINT OF BEGINNING
O.R.B. ....	OFFICIAL RECORD BOOK	P.O.C.....	POINT OF COMMENCE
P.B. ....	PLAT BOOK	P.O.T.....	POINT OF TERMINATION
P.B.C.R.....	PALM BEACH COUNTY RECORDS	R/W .....	RIGHT-OF-WAY



LOCATION MAP (N.T.S.)

ADDRESS COUNTY COMMENTS	DATE	BY	CHKD	F.B./PG.
ADDRESS COUNTY COMMENTS	10/19/2023	K.A.	D.J.S.	ELEC
ADDRESS COUNTY COMMENTS	10/12/2023	K.A.	D.J.S.	ELEC
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JOB No: **18-114**

FB/PG: N/A

DRAWN BY: S.T.

CKD. BY: D.J.S.

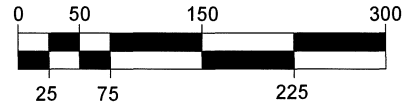
SCALE: N/A

SHEET No:

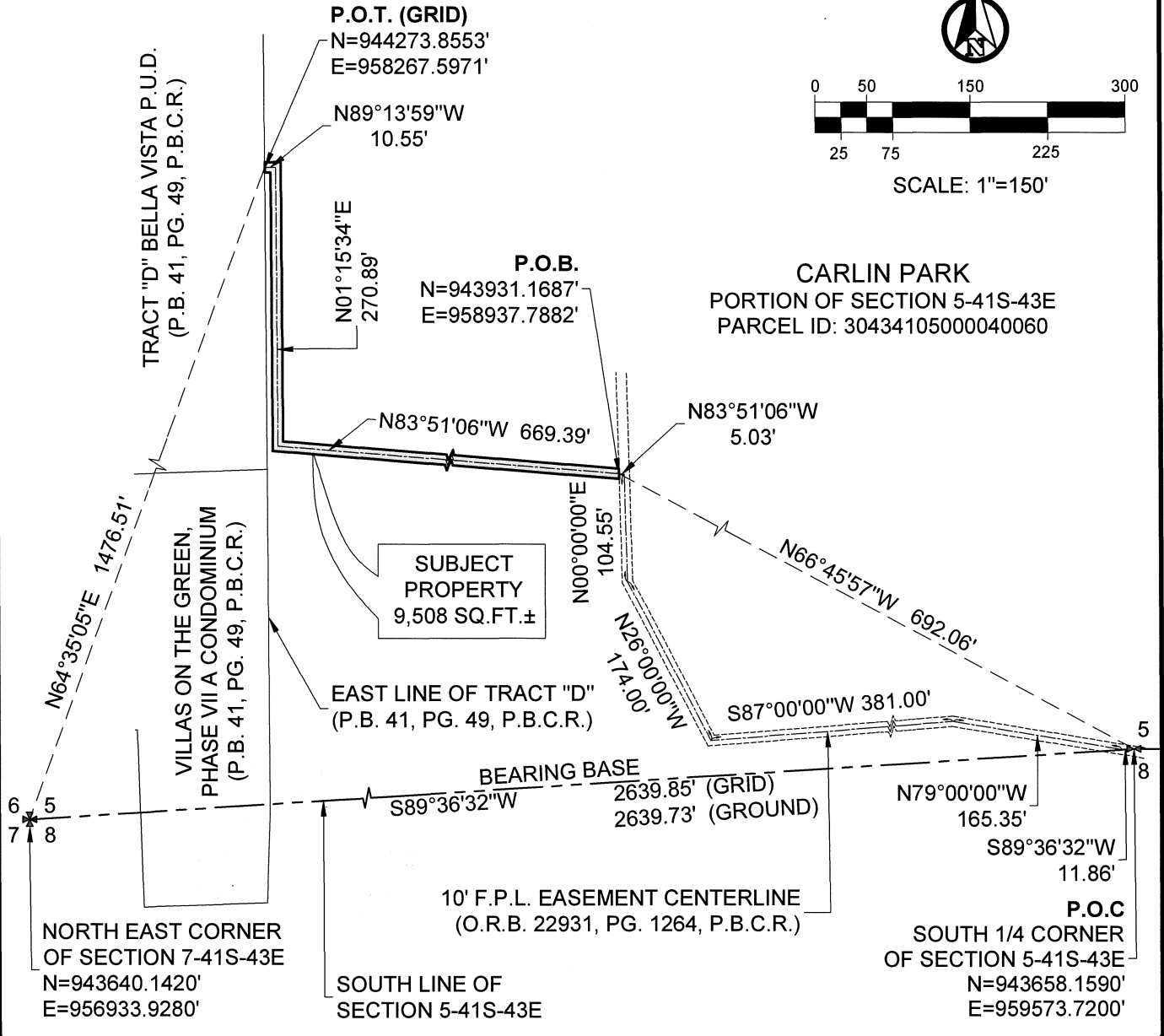
**2/3**

# "EXHIBIT A"

## FLORIDA POWER & LIGHT CO. ELECTRICAL EASEMENT SKETCH & DESCRIPTION



SCALE: 1"=150'



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# 3/3