

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

Meeting Date:	November 18, 2025	☒ Consent	☐ Regular
		☐ Ordinance	☐ Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

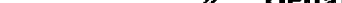
Motion and Title: Staff recommends motion to receive and file: a Utility Easement Agreement (Easement) in favor of Florida Power & Light Company for the construction, operation, and maintenance of underground electrical facilities and an above-ground pad-mounted transformer (FPL Facilities) at the new Mack Bernard Park Neighborhood Center (Facility), located at 5675 Parke Ave in West Palm Beach.

Summary: In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. The attached Easement was executed by the Director of the Facilities Development and Operations Department (Director), as designee of the County Administrator, on behalf of the Board of County Commissioners (BCC), pursuant to authority delegated by Section 22-105 of the County Code of Ordinances (Code). The Easement Premises is approximately 30 feet in length and ten (10) feet in width, containing approximately 300 square feet (0.007 acre). The executed Easement is now being submitted to the BCC as a receive and file item. There is no fiscal impact associated with this item. **(Property & Real Estate Management)**
District 7 (ZQ)

Background and Justification: The Easement accommodates the installation of the FPL Facilities to ensure reliable utility services to the Facility. The 11,000-square-foot Facility features a multipurpose room, classrooms, a kitchen, offices, parking lots, and a mulch-surfaced walking trail. The Facility has been granted its Temporary Certificate of Occupancy and is pending some punch list items. The development of the Facility is a previously approved capital improvement project; accordingly, Section 22-105 of the Code provides delegated authority to the County Administrator or designee, who in this case is the Director, to execute the Easement as related to the BCC-approved capital improvement project. The Easement is recorded in the Public Records of Palm Beach County, Florida, to provide notice of its existence and location.

Attachments:

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

Recommended By:  10/16/25
Department Director Date

Approved By:  10/23/25
Deputy County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2026	2027	2028	2029	2030
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	N/A	N/A	N/A	N/A	N/A
# 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:

There is no fiscal impact associated with this item.

Fixed Asset Number: N/A

PCN Number: 74-42-43-02-11-001-0000

MM
ANGELO DIPIERRO
FIXED ASSETS MANAGER (OFMB)
10-16-2025

C. Departmental Fiscal Review: [Signature]
[Signature] 10-21-25

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:
[Signature] 10/21/2025 OFMB 10/21/25
[Signature] 10/22/25 Contract Development and Control 26, 10-22-25
10-22-25 TW

B. Legal Sufficiency:
[Signature] 10/23/25
Assistant County Attorney

C. Other Department Review:

Department Director

LOCATION MAP



PCN(S):
74-42-43-02-11-001-0000

District:
7

Acres:
1.9

Site Ownership:
PALM BEACH COUNTY

Address:
5675 Parke Ave West Palm
Beach 33407

Zoning:
W (City)

As of 10/07/2025



North view from 45th Street



West view from Parke Avenue

This map is provided for informational purposes only and is not intended to be used for description, conveyance, or authoritative definition of legal boundary. The Property and Real Estate Management Division does not accept responsibility for damages experienced as a result of using, modifying, contributing or distributing the enclosed material.

ATTACHMENT 1

ATTACHMENT #2
UTILITY EASEMENT AGREEMENT
9 PAGES W EXHIBITS

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: 74-42-43-02-11-001-0000

UTILITY EASEMENT AGREEMENT

This EASEMENT is granted May 22, 2025, 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.

5. **Nongovernmental Entity Human Trafficking.** Grantee warrants and represents that it does not use coercion for labor or services as defined in Section 787.06, Florida Statutes. Grantee has executed Nongovernmental Entity Human Trafficking Affidavit, which is attached hereto and incorporated herein as Exhibit "B".

(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, pursuant to authority delegated by Palm Beach County Code, Section 22-105.

PALM BEACH COUNTY, a political subdivision of the State of Florida

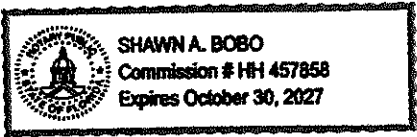
By: Isami C. Ayala-Collazo
Isami C. Ayala-Collazo, Department Director

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was sworn to, subscribed and acknowledged before me by means of [☒] physical presence or [☐] online notarization this 22 day of May, 2025, by Isami C. Ayala-Collazo, Department Director of Facilities Development & Operations on behalf of Palm Beach County, a political subdivision of the State of Florida (☒) who is personally known to me or (☐) who has produced N/A as identification and who (☐) did (☒) not take an oath.

Shawn A. Bobo
Notary Public
Shawn A. Bobo
Print Notary Name

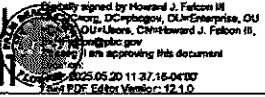
(Stamp/Seal)



NOTARY PUBLIC
State of Florida at Large
HH 457858
Commission Number
My Commission Expires: 10/30/27

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: Howard J. Falcon III
Assistant County Attorney



APPROVED AS TO TERMS AND
CONDITIONS

By: Purvi Bhogaita
Purvi Bhogaita, Division Director,
PREM

Exhibit “A”

Legal Description/Site Sketch

EXHIBIT A

LEGAL DESCRIPTION:

A FLORIDA POWER & LIGHT EASEMENT IN TRACT A, GRAMERCY COUNTY PARK, RECORDED IN PLAT BOOK 117, PAGE 113 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 2, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN EASEMENT 10.00 FEET IN WIDTH, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT A;
THENCE ALONG THE EAST LINE OF TRACT A AND THE WEST RIGHT-OF-WAY OF PARKE AVENUE, N01°28'38"E FOR 169.82 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE;

THENCE ALONG SAID CENTERLINE, N61°57'10"W FOR 30.00 FEET TO THE TERMINATION OF SAID CENTERLINE.

IT IS INTENDED FOR THE SIDELINES OF SAID EASEMENT TO BE SHORTENED OF LENGTHENED AT THE POINT OF BEGINNING TO INTERSECT THE SAID EAST LINE OF TRACT A AND WEST RIGHT-OF-WAY OF PARKE AVENUE,

CONTAINING 300 SQUARE FEET (0.007 ACRES), MORE OR LESS.

THE DESCRIPTION SKETCH AND THE DESCRIPTION TEXT COMPRISE THE COMPLETE LEGAL DESCRIPTION.
THE LEGAL DESCRIPTION IS NOT VALID UNLESS BOTH ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS DOCUMENT ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND STAMP, OR A DIGITALLY VERIFIED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY BROWN & PHILLIPS, INC.

John E Phillips Digitally signed by John E Phillips
Date: 2025.05.01 12:33:22 -04'00'

JOHN E. PHILLIPS, III
PROFESSIONAL LAND SURVEYOR
STATE OF FLORIDA No. 4826
DATE: _____

REVISIONS:

4/3/25 REVISED PER PBC 4/1/25 COMMENTS.
4/23/25 REVISED PER PBC 4/23/25 COMMENTS.
5/1/25 REVISED PER PBC 4/28/25 COMMENTS.



E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

10' FPL EASEMENT
TRACT A, GRAMERCY COUNTY PARK
(THIS IS NOT A SURVEY)

DRAWN: DKN	PROJ. No. 24-009
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 1/16/25
	SHEET 1 OF 3

I:\2024 drawing files\24-009\24-009 GRAMERCY FPL EASEMENT.dwg, 5/1/2025 9:55:04 AM, AUTOCAD PLT (General Documentation).pc3

EXHIBIT A

WELL SITE
(ORB 13232, PG.1739)

TRACT A
GRAMERCY COUNTY PARK
(P.B. 117, PG.113)

P.O.T.
N883261.597
E941791.893

€ 10' FPL EASEMENT

P.O.C.
SE CORNER
TRACT A

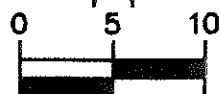
EAST LINE TRACT A
WEST R/W PARKE AVE.

NE CORNER
SECTION 2/43/42
NOT FOUND
PBC POSITION:
N884945.136
E944556.139

P.O.B.
N883247.491
E941818.370

PARKE AVENUE
(PB 27, PG.51)

NE CORNER
SECTION 11/43/42
NOT FOUND
PBC POSITION:
N879615.834
E944096.399



SCALE: 1" = 10'

45th STREET

N01°28'38"E 169.82'

N58°11'51"E 3221.27'
3221.39'(G)

S32°05'56"E 4286.84'
4287.00'(G)

S04°55'50"W 5348.90'
5349.10'(G)

B BROWN & PHILLIPS, INC.
PROFESSIONAL SURVEYING SERVICES
CERTIFICATE OF AUTHORIZATION # LB 6473
1860 OLD OKEECHOBEE ROAD., SUITE 509,
WEST PALM BEACH, FLORIDA 33409
TELEPHONE (561)-615-3988, 615-3991 FAX

E-Mail: info@brown-phillips.com

10' FPL EASEMENT
TRACT A, GRAMERCY COUNTY PARK
(THIS SKETCH IS NOT A SURVEY)

DRAWN: DKN	PROJ. No. 24-009
CHECKED: JEP	SCALE: 1" = 10'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 1/16/25
	SHEET 2 OF 3

EXHIBIT A

NOTES:

- 1) STATE PLANE COORDINATES:
A. COORDINATES SHOWN ARE GRID
B. DATUM - NAD 83, 1990 ADJUSTMENT
C. ZONE - FLORIDA EAST
D. LINEAR UNIT - US SURVEY FOOT
E. COORDINATE SYSTEM 1983 STATE PLANE
F. TRANSVERSE MERCATOR PROJECTION
G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE
H. SCALE FACTOR - 1.0000364
I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
J. ROTATION EQUATION: NONE
- 2) THIS DESCRIPTION IS BASED ON THE PLAT OF GRAMERCY COUNTY PARK, PLAT BOOK 117, PAGE 113 AND INSTRUCTIONS FROM CLIENT.

NO ENCUMBRANCES OF RECORD WERE NOTED EXCEPT AS SHOWN ON THE ATTACHED SKETCH.

NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY BROWN & PHILLIPS, INC.
- 3) ABBREVIATIONS:
P.O.C. - POINT OF COMMENCEMENT
P.O.B. - POINT OF BEGINNING
P.O.T. - POINT OF TERMINATION
P.B. - PLAT BOOK
PG. - PAGE
(G) - GRID DISTANCE
PBC - PALM BEACH COUNTY
NAD - NORTH AMERICAN DATUM
FPL - FLORIDA POWER & LIGHT
R/W - RIGHT-OF-WAY
CL - CENTERLINE
R - RADIUS
- 4) BEARINGS ARE BASED ON S04°55'50"W (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE LINE BETWEEN THE NE CORNER OF SECTION 4, TOWNSHIP 43, RANGE 42 AND NE CORNER OF SECTION 11, TOWNSHIP 43, RANGE 42.



E-Mail: info@brown-phillips.com

BROWN & PHILLIPS, INC.

PROFESSIONAL SURVEYING SERVICES

CERTIFICATE OF AUTHORIZATION # LB 6473

1860 OLD OKEECHOBEE ROAD., SUITE 509,

WEST PALM BEACH, FLORIDA 33409

TELEPHONE (561)-615-3988, 615-3991 FAX

10' FPL EASEMENT TRACT A, GRAMERCY COUNTY PARK (THIS SKETCH IS NOT A SURVEY)	
DRAWN: DKN	PROJ. No. 24-009
CHECKED: JEP	SCALE: NONE
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 1/16/25 SHEET 3 OF 3

Exhibit "B"

NONGOVERNMENTAL ENTITY
HUMAN TRAFFICKING AFFIDAVIT (§787.06(13), Fla. Stat.)
THIS AFFIDAVIT MUST BE SIGNED AND NOTARIZED

I, the undersigned, am an officer or representative of Florida Power & Light Company
(GRANTEE), and attest that GRANTEE does not use coercion for labor or services as defined in
Section 787.06, Florida Statutes.

Under penalty of perjury, I hereby declare and affirm that the above stated facts are true
and correct.

[Signature]
(signature of officer or representative)

Melissa Roettger
(print name of officer or representative)

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was sworn to and subscribed before me by means of ☒ physical
presence or ☐ online notarization this 20 day of May, 2025, by Melissa Roettger
the Sr. Customer Advisor of FPL, who ☐ is personally known
to me or ☒ has produced DL as identification.

(Notary Seal)



VANEETA ARORA
Commission # HM 536533
Expires September 7, 2026

[Signature]
Notary Public, State of Florida

Print Notary Name: _____
My Commission Expires: _____