

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u><u>\$-0-</u></u>	<u><u>\$-0-</u></u>	<u><u>\$-0-</u></u>	<u><u>\$-0-</u></u>	<u><u>\$-0-</u></u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

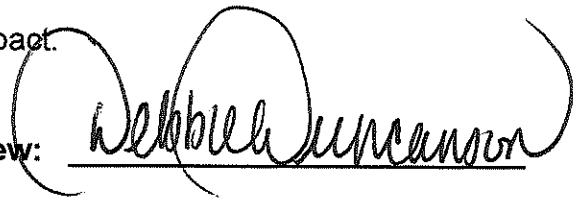
Is Item Included in Proposed Budget? Yes ___ No X
 Does this item include the use of federal funds? Yes ___ No X
 Does this item include the use of state funds? Yes ___ No X

Budget Account No: Fund ___ Department ___ Unit ___ Resource ___
 Reporting Category _____

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

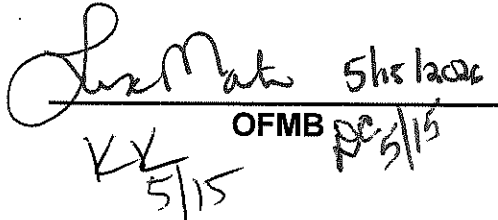
This item has no fiscal impact.

C. Departmental Fiscal Review:



III. REVIEW COMMENTS

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


 OFMB pe 5/15
 KV 5/15


 Contract Dev. and Control
 2025.18.26

B. Legal Sufficiency:


 Assistant County Attorney

C. Other Department Review:

 Department Director

Prepared by & Return to:

Prepared by and return to:
Laura Beebe, Director
Palm Beach County Dept. of Airports
846 Palm Beach International Airport
West Palm Beach, FL 33406

PCN: 00-43-43-31-01-001-0010 (portion)

UTILITY EASEMENT AGREEMENT

This EASEMENT is granted June 9, 2020, between PALM BEACH COUNTY, a political subdivision of the State of Florida, whose legal mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401-4791 (“Grantor”), and FLORIDA POWER & LIGHT COMPANY, a Florida corporation, whose legal mailing address is Post Office Box 14000, Juno Beach, Florida 33408-0420 (“Grantee”).

WITNESSETH:

That the said Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations 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, cables, conduits and appurtenant equipment, and 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, 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 permit any other person, firm or corporation to lay cable and conduit within the Easement Premises and to operate the same for 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 CONDITION 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 the 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, the Facilities within the Easement Premises at all times during the term hereof. Grantee shall endeavor to provide Grantor's Department of Airports with prior notice of any maintenance or repair activities within the Easement Premises.

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. Grantee acknowledges and agrees that Grantor may require the relocation of the Facilities installed within the Easement Premises to another location within Grantor's property. In the event that it becomes necessary for Grantee to relocate or alter the location of its Facilities at the request of Grantor, Grantor shall reimburse Grantee for all reasonable costs and expenses involved in such relocation or alteration and shall grant a new utility easement upon the same terms and conditions of this Easement. Grantee shall promptly terminate and release this Easement upon the grant of the new utility easement provided for herein.

6. By acceptance of this Easement, Grantee agrees for itself, its successors and assigns to restrict the height of its Facilities within the Easement Premises to a height so as to comply with 14 CFR Part 77, as now or hereafter amended. Grantee further agrees for itself, its successors and assigns to prevent any use of the Easement Premises which would interfere with the landing at or taking off from the Palm Beach International Airport ("Airport"); interfere with air navigation and/or communication facilities serving the Airport; or otherwise would constitute an airport hazard. Grantee acknowledges that noise and vibration are inherent to the operation of the Airport and hereby releases Grantor from any and all liability for the same.

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:
Michael A. Caruso,
Clerk of the Circuit Court
and Comptroller

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

By: _____
Deputy Clerk

By: _____
Sara Baxter, Mayor

(SEAL)

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: Anne Helgert
Assistant County Attorney

APPROVED AS TO TERMS AND
CONDITIONS

By: Laura Bubi
Department Director

JOINDER AND CONSENT OF TENANT

KNOW ALL MEN BY THESE PRESENTS:

THAT ATLANTIC AVIATION - WEST PALM BEACH, LLC, a Delaware limited liability company, having its office and principal place of business at 5525 Granite Parkway, Suite 1700, Plano, TX 75024 (hereinafter "Tenant"), hereby certifies it is the Tenant under that certain LEASE AGREEMENT between Palm Bach County, a political subdivision of the State of Florida ("County") and Tenant, dated October 18, 2000 (R2000-1067, as amended) (hereinafter "Lease") which encumbers a portion of the property described on Exhibit "A" attached hereto and incorporated herein, owned by County.

Tenant hereby joins in and consents to the Utility Easement Agreement to which this Joinder and Consent is attached, as to that portion of the Easement Premises located within the leasehold premises described in the Lease.

IN WITNESS WHEREOF, this Joinder and Consent is executed by the undersigned this 11th day of February 2026.

**ATLANTIC AVIATION –
WEST PALM BEACH, LLC**

By: [Signature]
Print Name: Jeff Foland

Title: Chief Executive Officer

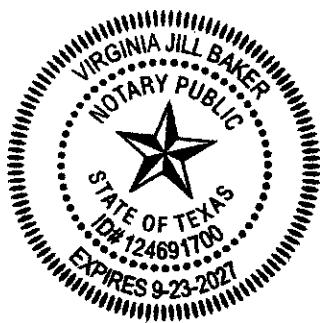
WITNESSES

[Signature]
Print Name: Brent Makumbea
Address: 5525 Granite Pkwy
Plano, TX 75024
[Signature]
Print Name: JAIME REYES
Address: 5525 Granite Pkwy
Plano, TX 75024

STATE OF Texas
COUNTY OF Collin

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 11th day of February 2026, by Jeff Foland OR _____ as _____ for

Personally Known X OR Produced Identification _____
Type of Identification Produced _____



Virginia Jill Baker
Signature of Notary Public
Virginia Jill Baker
Printed Name Notary Public
Commission No. 124691700
My Commission Expires: 9.23.27

EXHIBIT A

A FLORIDA POWER & LIGHT EASEMENT LYING WITHIN THE PLAT OF COUNTRY CLUB DISTRICT RECORDED IN PLAT BOOK 13, PAGE 2 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 31;
THENCE ALONG THE SOUTH LINE OF SAID SECTION 31, S88°47'38"E FOR 1668.36 FEET; THENCE DEPARTING SAID SOUTH LINE, N01°12'22"E FOR 250.00 FEET TO THE POINT OF BEGINNING;**

**THENCE N01°41'06"E FOR 80.08 FEET; THENCE N88°18'54"W FOR 2.50 FEET;
THENCE N01°41'06"E FOR 15.00 FEET; THENCE S88°18'54"E FOR 15.00 FEET;
THENCE S01°41'06"W FOR 15.00 FEET; THENCE N88°18'54"W FOR 2.50 FEET;
THENCE S01°41'06"W FOR 80.00 FEET; THENCE N88°47'38"W FOR 10.00 FEET TO THE POINT OF BEGINNING.**

CONTAINING 1025 SQUARE FEET (0.024 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.

Digitally signed by John E Phillips
Date: 2026.03.23 16:57:11 -04'00'

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

REVISIONS:

Revised per FPL comments. 9/22/25
Revised square footage 1/22/26 - FC
Revised per 2/4/26 PBC comments. 3/2/26
Revised per 3/4/26 PBC comments. 3/12/26
Revised per 3/17/26 PBC comments. 3/23/26

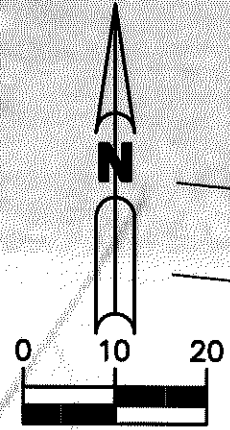
 <p align="center">E-Mail: info@brown-phillips.com</p> <p>BROWN & PHILLIPS, INC. PROFESSIONAL SURVEYING SERVICES CERTIFICATE OF AUTHORIZATION # LB 6473 1860 OLD OKEECHOBEE ROAD., SUITE 509, WEST PALM BEACH, FLORIDA 33409 TELEPHONE (561)-615-3988, 615-3991 FAX</p>

PBIA ATLANTIC AVIATION FPL EASEMENT (THIS IS NOT A SURVEY)	
DRAWN: DKN	PROJ. No. 25-078
CHECKED: JEP	SCALE: NONE
LEGAL DESCRIPTION	DATE: 9/17/25
	SHEET 1 OF 5

EXHIBIT A

ATLANTIC AVIATION

COUNTRY CLUB DISTRICT
P.B. 13, PG.2



SCALE: 1" = 20'

N88°18'54"W 2.50'

S88°18'54"E 15.00'

N853140.409
E950461.417

N01°41'06"E 15.00'

S01°41'06"W 15.00'

N88°18'54"W 2.50'

10' B.S.E.
(ORB 11514 PG.235)

PROPOSED
FPL EASEMENT

N01°41'06"E 80.08'

S01°41'06"W 80.00'

PBIA PERIMETER RD.

P.O.B.
N853045.730
E950446.126

16' W.L.E.
(ORB 11692, PG.1567)

P.O.C.
SW CORNER
SECTION 31/43/43
N852830.920
E948772.871

N82°41'04"E 1686.92'
1686.99'(G)

N88°47'38"W 10.00'

S88°47'38"E
NORTH R/W

STATE ROAD 80 (SOUTHERN BLVD.)
(108' PUBLIC R/W PER FDOT R/W MAP
93120-2110, 93120-2517, 93120-2553)

SOUTH R/W

S88°47'38"E 1668.36'

SOUTH LINE OF SECTION 31/43/43



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

**PBIA ATLANTIC AVIATION
FPL EASEMENT**

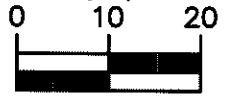
(THIS SKETCH IS NOT A SURVEY)

DRAWN: DKN	PROJ. No. 25-078
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 9/17/25
	SHEET 2 OF 5

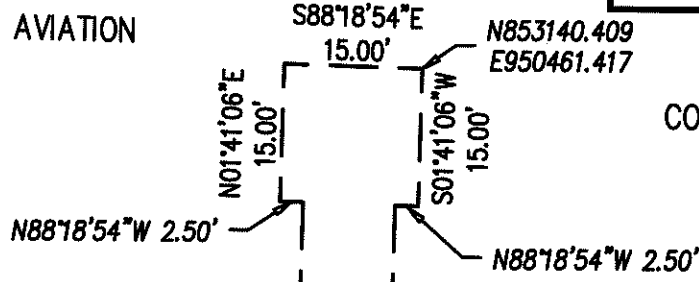
EXHIBIT A

ATLANTIC AVIATION

COUNTRY CLUB DISTRICT
P.B. 13, PG.2



SCALE: 1" = 20'



PROPOSED
FPL EASEMENT

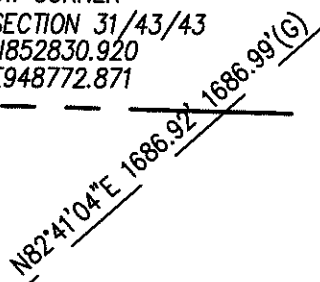
10' B.S.E.
(ORB 11514 PG.235)

PBIA PERIMETER RD.

P.O.B.
N853045.730
E950446.126

16' W.L.E.
(ORB 11692, PG.1567)

P.O.C.
SW CORNER
SECTION 31/43/43
N852830.920
E948772.871



N88°47'38"W
10.00'
S88°47'38"E
NORTH R/W

STATE ROAD 80 (SOUTHERN BLVD.)
(108' PUBLIC R/W PER FDOT R/W MAP
93120-2110, 93120-2517, 93120-2553)

SOUTH R/W

S88°47'38"E 1668.36'

SOUTH LINE OF SECTION 31/43/43



E-Mail: info@brown-phillips.com

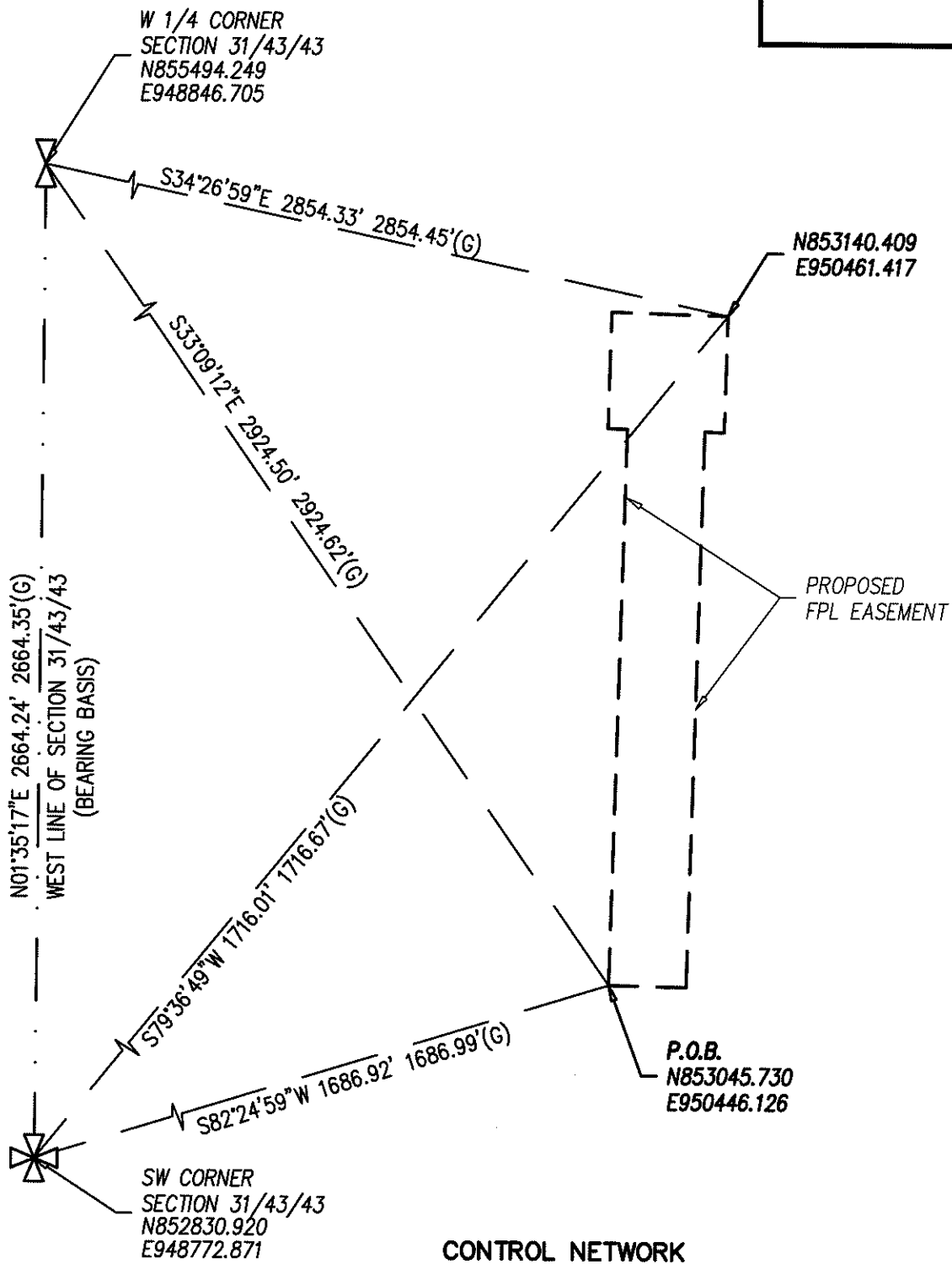
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**PBIA ATLANTIC AVIATION
FPL EASEMENT**

(THIS SKETCH IS NOT A SURVEY)

DRAWN: DKN	PROJ. No. 25-078
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 9/17/25
	SHEET 3 OF 5

EXHIBIT A



S:\2025 drawing files\25-078\25-078 PBIA Atlantic Aviation FPL easement.dwg, 3/23/2026 3:08:52 PM, AutoCAD PDF (General Documentation).pc3



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**PBIA ATLANTIC AVIATION
 FPL EASEMENT**

(THIS SKETCH IS NOT A SURVEY)

DRAWN: DKN	PROJ. No. 25-078
CHECKED: JEP	SCALE: 1" = 20'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION	DATE: 9/17/25
	SHEET 4 OF 5

EXHIBIT A

NOTES:

- 1) THIS DESCRIPTION IS BASED ON THE PLAT OF COUNTRY CLUB DISTRICT, PLAT BOOK 13, PAGE 2, PALM BEACH COUNTY SURVEY DEPARTMENT CONTROL AND INSTRUCTIONS FROM CLIENT.
- 2) EASEMENTS, RESTRICTIONS AND OTHER ITEMS OF RECORD SHOWN ARE PER AN OWNERSHIP AND ENCUMBRANCE REPORT PREPARED BY ATTORNEYS' TITLE INSURANCE FUND, FUND FILE NUMBER: 1536913, EFFECTIVE DATES: APRIL 10, 1961 TO JUNE 6, 2024.

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.

- 2) STATE PLANE COORDINATES:


A. COORDINATES SHOWN ARE GRID	F. TRANSVERSE MERCATOR PROJECTION
B. DATUM – NAD '83, 1990 ADJUSTMENT	G. ALL DISTANCES ARE GROUND, UNLESS NOTED OTHERWISE
C. ZONE – FLORIDA EAST	H. SCALE FACTOR – 1.0000404
D. LINEAR UNIT – US SURVEY FOOT	I. GROUND DISTANCE X SCALE FACTOR =GRID DISTANCE
E. COORDINATE SYSTEM 1983 STATE PLANE	J. ROTATION EQUATION: NONE

- 2) ABBREVIATIONS:

P.O.C. – POINT OF COMMENCEMENT	☉ – CENTERLINE
P.O.B. – POINT OF BEGINNING	R/W – RIGHT-OF-WAY
P.O.T. – POINT OF TERMINATION	PBIA – PALM BEACH INTERNATIONAL AIRPORT
P.B. – PLAT BOOK	FDOT – FLORIDA DEPARTMENT OF TRANSPORTATION
ORB – OFFICIAL RECORD BOOK	FPL – FLORIDA POWER & LIGHT
PG. – PAGE	B.S.E. – BELL SOUTH EASEMENT
PBC – PALM BEACH COUNTY	W.L.E. – WATER LINE EASEMENT
NAD – NORTH AMERICAN DATUM	SEC. – SECTION

- 3) BEARINGS ARE BASED ON N01°35'38"E (GRID, NAD '83, 1990 ADJUSTMENT) ALONG THE WEST LINE OF SECTION 31, TOWNSHIP 43 SOUTH, RANGE 43 EAST.

S:\2025 drawing files\25-078\25-078 PBIA Atlantic Aviation FPL easement.dwg, 3/23/2026 3:18:48 PM, AutoCAD PDF (General Documentation).pc3

 <p align="center">E-Mail: info@brown-phillips.com</p> <p>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</p>	<p>PBIA ATLANTIC AVIATION FPL EASEMENT</p> <p>(THIS SKETCH IS NOT A SURVEY)</p>	
	DRAWN: DKN	PROJ. No. 25-078
	CHECKED: JEP	SCALE: NONE
	<p>DESCRIPTION NOTES</p>	
		DATE: 9/17/25 SHEET 5 OF 5