

Meeting Date
May 17, 2016



AGENDA	
Section	Consent
Item No.	II.A.12

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval Re: Resolution and Easement in favor of Florida Power and Light Company for the South Central Wastewater Treatment Facility to improve service to the surrounding areas -District 4. (Fiscal Impact: None)
DEPT/OFFICE:	Public Works Department / Land Acquisition Section / Utilities Services Department

Requested Action:

It is requested that the Board of County Commissioners approve and authorize the Chairman to execute a Resolution and Easement in favor of Florida Power and Light Company.

Summary Explanation & Background:

The subject property is located in Section 18, Township 26 South, Range 36 East.

The County-owned property is located at 10001 North Wickham Road. The Utility Services Department has requested that the County convey an easement to FP&L in order to provide upgrades to the County facility to improve service to the surrounding areas.

Land Acquisition Policies and Procedures require approval and acceptance by the Board of County Commissioners for all easements.

Fiscal impact: FY 2015-2016: No impact
FY 2016-2017: No impact

Clerk to the Board Instructions: Forward the Board approval memo, executed Resolution, and 2(two) executed easements to the Department.

Exhibits Attached: Resolution with Exhibit A, 2 (two) FPL Easements with Exhibit A, Location Map, Property Fact Sheet

Contract /Agreement (If attached): Reviewed by	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Attorney						

County Manager	Assistant County Manager	Department Director / Extension
Stockton Whitten	Assistant County Manager	John Denninghoff / 57202
		Jim Helmer / 52091



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

May 18, 2016

MEMORANDUM

TO: John Denninghoff, Public Works Director

RE: Item II.A.12, Resolution and Easement with Florida Power and Light Company for South Central Wastewater Treatment Facility to Improve Service to the Surrounding Areas

The Board of County Commissioners, in regular session on May 17, 2016, adopted Resolution No. 16-073; and authorized the Chairman to execute an Easement to Florida Power and Light in order to provide upgrades to the County facility to improve service to the surrounding areas. Enclosed are two certified copies of the Resolution, and two fully-executed copies of the Easement.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/cm

Encls. (4)

cc: Asset Management
Land Acquisition
Utilities Department Director
Contracts Administration
Finance
Budget

BOARD OF COUNTY COMMISSIONERS

AGENDA: RESOLUTION AND EASEMENT FROM BREVARD COUNTY IN FAVOR OF FLORIDA POWER AND LIGHT COMPANY TO SERVE THE SOUTH CENTRAL WASTEWATER TREATMENT FACILITY – DISTRICT 4

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION/
UTILITY SERVICES DEPARTMENT

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847(52886)

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan P. Jones, Supervisor	<u>DPJ</u>	_____	<u>4/27/16</u>
COUNTY ATTORNEY Cristina Berrios, Assistant County Attorney	<u>see attached</u>	_____	<u>4/18/16</u>
PUBLIC WORKS John P. Denninghoff, Director	<u>JPD</u>	_____	<u>5/3/16</u>
UTILITY SERVICES DEPARTMENT Jim Helmer, Director	<u>JH</u>	_____	<u>4/19/16</u>

AGENDA DUE DATE: MAY 3, 2016 FOR THE MAY 17, 2016 MEETING

IF ANY REVIEWING OFFICE HAS QUESTIONS OR CONCERNS REGARDING THIS PACKAGE, PLEASE ADVISE AGENCY CONTACT IMMEDIATELY.

PLEASE CALL DEBBIE CRUZ AT 690-6847 (5-2726) WHEN READY TO BE PICKED UP.

THANK YOU.

BOARD OF COUNTY COMMISSIONERS

AGENDA: RESOLUTION AND EASEMENT FROM BREVARD COUNTY IN FAVOR OF FLORIDA POWER AND LIGHT COMPANY TO SERVE THE SOUTH CENTRAL WASTEWATER TREATMENT FACILITY – DISTRICT 4

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION/ UTILITY SERVICES DEPARTMENT

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847(52886)

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan P. Jones, Supervisor	<u>DPJ</u>	_____	<u>4/2/16</u>
COUNTY ATTORNEY Cristina Berrios, Assistant County Attorney	<u>[Signature]</u> *	_____	<u>4/18/16</u>
PUBLIC WORKS John P. Denninghoff, Director	_____	_____	_____
UTILITY SERVICES DEPARTMENT Jim Helmer, Director	_____	_____	_____

AGENDA DUE DATE: MAY 3, 2016 FOR THE MAY 17, 2016 MEETING

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PLEASE CALL DEBBIE CRUZ AT 690-6847 (5-2726) WHEN READY TO BE PICKED UP.

THANK YOU.

* CAO recommends removal of duplicate easement paperwork.

RESOLUTION NO. 16-073

RESOLUTION PURSUANT TO SECTION 125.38, FLORIDA STATUTES AUTHORIZING THE CONVEYANCE OF REAL PROPERTY INTEREST BY THE COUNTY.

WHEREAS, Brevard County, Florida (County), a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, hereafter known as COUNTY, owns certain real property described in Exhibit "A"; and

WHEREAS, Florida Power and Light Company needs a perpetual easement for the purpose of installation and maintenance of their facilities and structures to provide improved power to a COUNTY Facility over a portion of said property; and


WHEREAS, said utility easement will not conflict with the County's use of the underlying property,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, that;

The County hereby agrees to convey a perpetual easement for the purpose of placement of power lines, and necessary structures as needed to provide electric service within said easement area for the benefit of the County by Florida Power and Light Company.

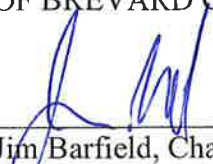
DONE, ORDERED, and ADOPTED in Regular Session this 17 day of May, 2016.

ATTEST:
Clerk of the Court:



Scott Ellis, Clerk of the Court

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Jim Barfield, Chairman

As approved by the Board on May 17, 2016
Item # II.A.12

Work Request No. 6010393

UNDERGROUND EASEMENT (BUSINESS)

Sec. 18 Twp 26 S, Rge 36 E

This Instrument Prepared By

Parcel I.D. 26-36-18-00-00002.0
(Maintained by County Appraiser)

Name: Luis M. Beltran
Co. Name: Florida Power & Light
Address: 9001 Ellis Rd.
Melbourne, FL 32904

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of underground electric utility facilities (including cables, conduits, appurtenant equipment, and appurtenant above-ground equipment) 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 described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area") Attached hereto and made a part of this agreement.

Together with the right to permit any other person, firm, or corporation to attach or place wires to or within any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area, which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on May 17, 2016

Signed, sealed and delivered in the presence of:

Tammy Rowe
(Witness Signature)

Print Name: Tammy Rowe
(Witness)

Claire Folsom
(Witness Signature)

Print Name: Claire Folsom
(Witness)

Brevard County, Florida

By: [Signature]

Print Name: Jim Barfield, Chairman

Print Address: 2725 Judge Fran Jamieson Way
Viera, Florida, 32940

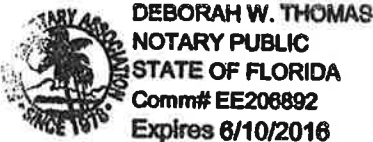
Approved by the Board on May 17, 2016

STATE OF Florida AND COUNTY OF Brevard. The foregoing instrument was acknowledged before me this 17 day of MAY, 2016, by Jim Barfield, the Chairman of the Brevard County Board of County Commissioners, who is personally known to me or has produced _____ as identification, and who did (did not) take an oath.
(Type of Identification)

My Commission Expires:

[Signature]
Notary Public, Signature

Print Name Deborah Thomas



LEGAL DESCRIPTION

EXHIBIT A
SHEET 1 OF 2
NOT VALID WITHOUT
SHEET 2 OF 2

SECTION 18, TOWNSHIP 26 S, RANGE 36 E
PARCEL 801
PARENT PARCEL ID # 26-36-18-00-00002.0-0000.00

PURPOSE: FLORIDA POWER & LIGHT EASEMENT

LEGAL DESCRIPTION: 10 FOOT WIDE FLORIDA POWER & LIGHT EASEMENT, BY SURVEYOR:

A PORTION OF THE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 2951, PAGES 1574 THROUGH 1578 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 36 EAST; THENCE N88°40'32"W ALONG THE NORTH LINE OF SAID SECTION 18, A DISTANCE OF 119.63 FEET TO THE POINT OF BEGINNING; THENCE S00°00'00"W, A DISTANCE OF 495.65 FEET; THENCE N88°37'05"W, A DISTANCE OF 497.79 FEET; THENCE S00°00'00"W, A DISTANCE OF 26.16 FEET; THENCE S90°00'00"W, A DISTANCE OF 10.00 FEET; THENCE N00°00'00"E, A DISTANCE OF 36.40 FEET; THENCE S88°37'05"E, A DISTANCE OF 124.99 FEET; THENCE N00°00'00"E, A DISTANCE OF 45.61 FEET; THENCE N90°00'00"E, A DISTANCE OF 10.00 FEET; THENCE S00°00'00"W, A DISTANCE OF 45.85 FEET; THENCE S88°37'05"E, A DISTANCE OF 362.80 FEET; THENCE N00°00'00"E, A DISTANCE OF 475.63 FEET; THENCE N88°40'32"W PARALLEL WITH AND 10.00 FEET SOUTH OF THE NORTH LINE OF THE SAID SECTION 18, A DISTANCE OF 636.34 FEET; THENCE S00°00'00"W, A DISTANCE OF 83.60 FEET; THENCE S90°00'00"W, A DISTANCE OF 10.00 FEET; THENCE N00°00'00"E, A DISTANCE OF 93.84 FEET TO THE NORTH LINE OF SAID SECTION 18; THENCE S88°40'32"E ALONG THE SAID NORTH LINE, A DISTANCE OF 656.35 FEET TO THE POINT OF BEGINNING.

CONTAINING 17,955.03 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS DEPICTED HEREON ARE BASED ON THE NORTH LINE OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 36 EAST HAVING A FLORIDA STATE PLANE NORTH AMERICAN DATUM OF 1983 GRID BEARING OF N88°40'32"W.
4. THIS DESCRIPTION WAS PREPARED WITH THE BENEFIT OF B&B TITLE SERVICES, INC. OWNERSHIP AND ENCUMBRANCE CERTIFICATE, CUSTOMER FILE NO. 15-1379.
5. SKETCH DOES NOT WARRANT TITLE.
6. THIS SKETCH WAS PREPARED FOR THE EXCLUSIVE USE OF THE CLIENT (S) SHOWN HEREON; COPIES ARE VALID ONLY WHEN SIGNED, DATED AND EMBOSSED WITH THE SURVEYOR'S SEAL.

MAP OF LEGAL DESCRIPTION PREPARED FOR AND CERTIFIED TO: THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

 3/23/16
DAVID J. KUGELMANN, PLS NO. 5117
NOT VALID UNLESS SIGNED AND SEALED

KUGELMANN LAND SURVEYING, INC.

30 NORTH TROPICAL TRAIL, SUITE B
MERRITT ISLAND, FLORIDA 32953
L.B. NO. 6575 - PHONE (321) 459-0930

DRAWN BY: <u>DJK</u>	CHECKED BY: <u>DJK</u>	DRAWING NO. <u>2014074</u>	SECTION <u>18</u>
DATE: <u>1-19-16</u>	SHEET <u>1</u> OF <u>2</u>	REVISIONS _____	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>36</u> EAST

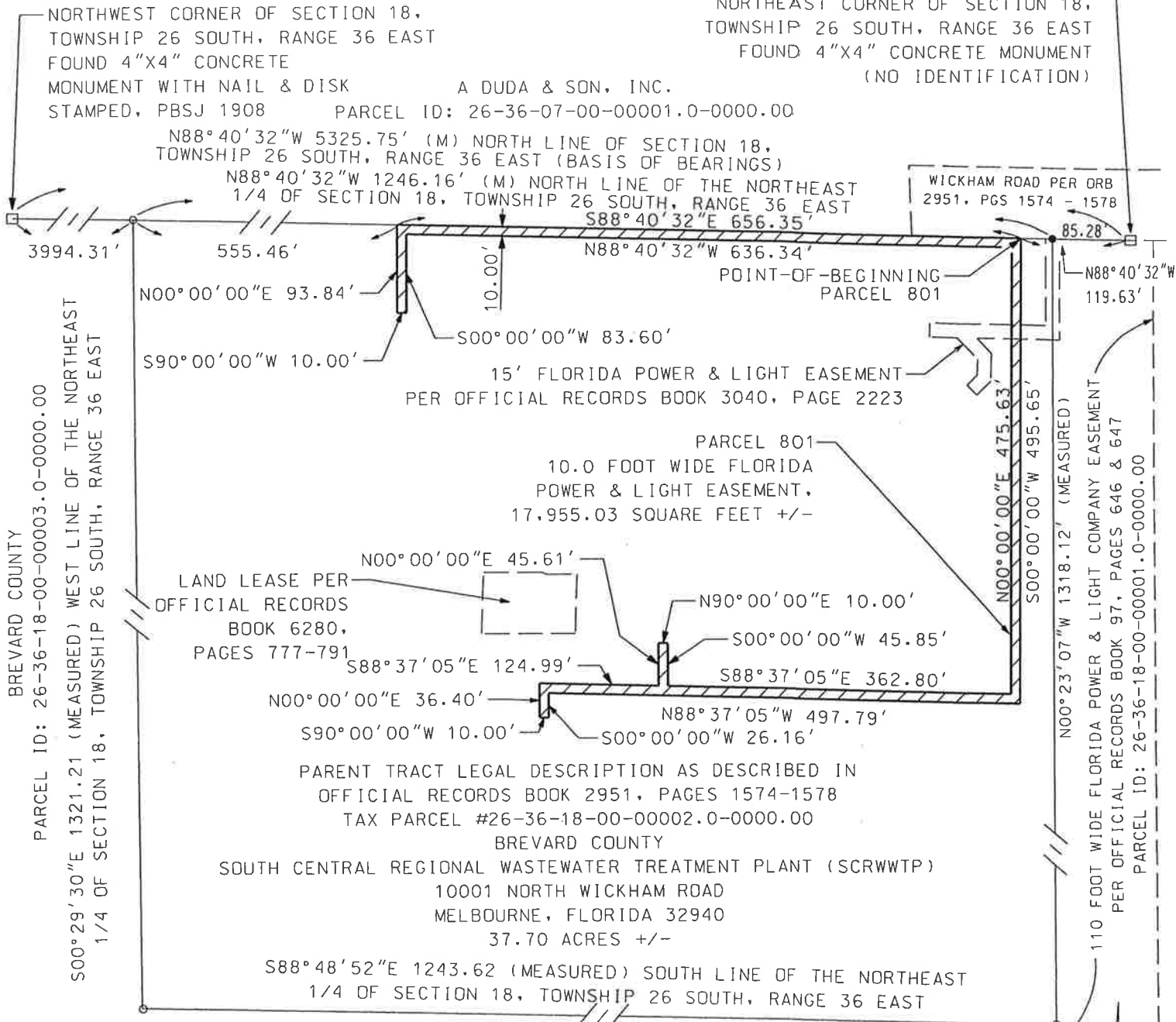
SKETCH OF DESCRIPTION

EXHIBIT A
SHEET 2 OF 2
THIS SKETCH IS NOT A SURVEY AND
IS NOT VALID WITHOUT
SHEET 1 OF 2

SECTION 18, TOWNSHIP 26 S, RANGE 36 E
PARCEL 801
THIS IS NOT A SURVEY BUT ONLY A GRAPHIC
DEPICTION OF THE LEGAL DESCRIPTION
SHOWN HEREON.

PURPOSE: FLORIDA POWER & LIGHT EASEMENT
PARENT PARCEL ID # 26-36-18-00-00002.0-0000.00

POINT-OF-COMMENCEMENT
PARCEL 801
NORTHEAST CORNER OF SECTION 18,
TOWNSHIP 26 SOUTH, RANGE 36 EAST
FOUND 4"X4" CONCRETE MONUMENT
(NO IDENTIFICATION)

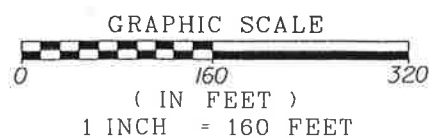


BREVARD COUNTY
PARCEL ID: 26-36-18-00-00003.0-0000.00
S00°29'30"E 1321.21 (MEASURED) WEST LINE OF THE NORTHEAST
1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 36 EAST

BREVARD COUNTY
PARCEL ID: 26-36-18-00-00003.0-0000.00

ABBREVIATIONS:

FND	FOUND	PG(S)	PAGE(S)
N&D	NAIL & DISK	P.B.	PLAT BOOK
ID	IDENTIFICATION	ORB	OFFICIAL RECORDS BOOK
ESMT	EASEMENT	O.R.	OFFICIAL RECORDS
SS	SANITARY SEWER	PC	POINT OF CURVATURE
		PT	POINT OF TANGENCY
		M	MEASURED



PROJECT NO. 2014074
SECTION 18, TOWNSHIP 26
SOUTH, RANGE 36 EAST

PREPARED BY:
DAVID J. KUGELMANN, PLS NO. 5117



LEGAL DESCRIPTION

EXHIBIT A
SHEET 1 OF 2
NOT VALID WITHOUT
SHEET 2 OF 2

SECTION 18, TOWNSHIP 26 S, RANGE 36 E
PARCEL 801
PARENT PARCEL ID # 26-36-18-00-00002.0-0000.00

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 3/23/16
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DRAWN BY: DJK

CHECKED BY: DJK

DRAWING NO. 2014074

SECTION 18

DATE: 1-19-16

SHEET 1 OF 2

REVISIONS _____

TOWNSHIP 26 SOUTH

RANGE 36 EAST

SKETCH OF DESCRIPTION

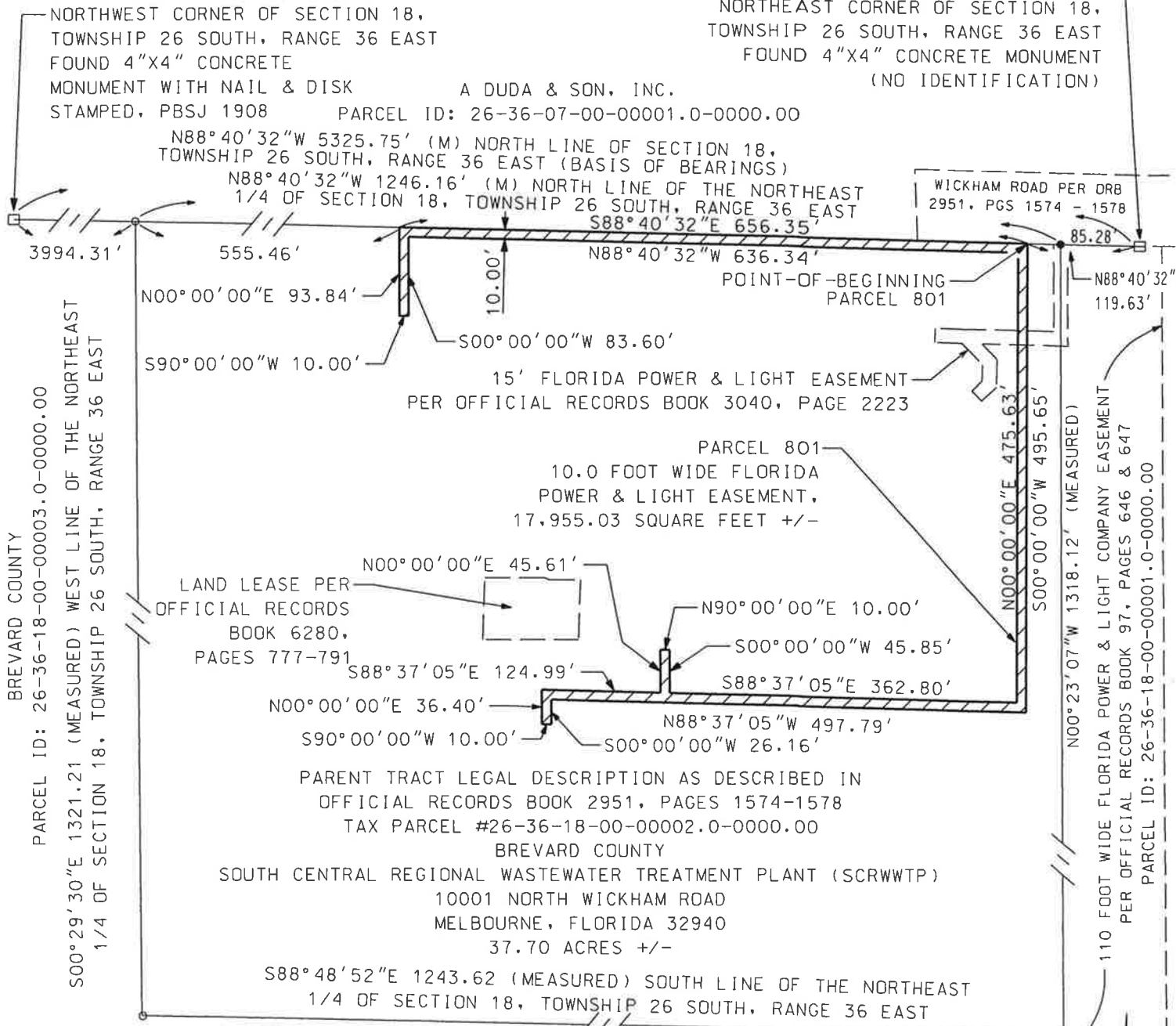
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SHEET 2 OF 2

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 PARCEL 801
 THIS IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREON.

PURPOSE: FLORIDA POWER & LIGHT EASEMENT
 PARENT PARCEL ID # 26-36-18-00-00002.0-0000.00



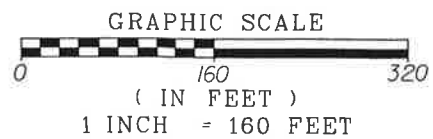
BREVARD COUNTY
 PARCEL ID: 26-36-18-00-00003.0-0000.00
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PARENT TRACT LEGAL DESCRIPTION AS DESCRIBED IN OFFICIAL RECORDS BOOK 2951, PAGES 1574-1578
 TAX PARCEL #26-36-18-00-00002.0-0000.00
 BREVARD COUNTY
 SOUTH CENTRAL REGIONAL WASTEWATER TREATMENT PLANT (SCRWWTP)
 10001 NORTH WICKHAM ROAD
 MELBOURNE, FLORIDA 32940
 37.70 ACRES +/-
 S88°48'52"E 1243.62 (MEASURED) SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 26 SOUTH, RANGE 36 EAST

BREVARD COUNTY
 PARCEL ID: 26-36-18-00-00003.0-0000.00

ABBREVIATIONS:

FND	FOUND	PG(S)	PAGE(S)
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SS	SANITARY SEWER	PC	POINT OF CURVATURE
		PT	POINT OF TANGENCY
		M	MEASURED



PROJECT NO. 2014074
 SECTION 18, TOWNSHIP 26
 SOUTH, RANGE 36 EAST

PREPARED BY:
 DAVID J. KUGELMANN, PLS NO. 5117

LOCATION MAP

SEC: 18 TWP: 26 RNG: 36 DISTRICT: 4

STREET NAME: 10001 WICKHAM ROAD

OWNER'S NAME: BREVARD COUNTY (UTILITY SERVICES DEPARTMENT)



EXISTING SOUTH
CENTRAL
WASTEWATER
TREATMENT
FACILITY

STADIUM
PARKWAY

TRAFFIC
CIRCLE @
WICKHAM RD. &
LAKE ANDREW
DR.

SR# 195

NORTH

PROPERTY FACT SHEET

**PROJECT: SOUTH CENTRAL WASTEWATER TREATMENT FACILITY
CONVEYANCE OF EASEMENT TO FP&L**

OWNER:	BREVARD COUNTY
PARCEL LOCATION:	10001 NORTH WICKHAM ROAD, MELBOURNE, FLORIDA, 32940
PARCEL SIZE:	38.68 ACRES
ACQUISITION AREA:	17, 955.03 SQUARE FEET ±
ZONING/LANDUSE:	C-COUNTY OWNED LAND
IMPROVEMENTS:	BUILDING AND STRUCTURES ASSOCIATED WITH THE OPERATION OF A SEWAGE TREATMENT FACILITY
TOPOGRAPHY:	LEVEL WITH ROAD GRADE
FLOOD ZONE:	X (OUTSIDE 500 YEAR FLOOD PLAIN)
TAX PARCEL ID#:	26-36-18-00-00002.0-0000.00
ESTIMATED MARKET VALUE: (PROPERTY APPRAISER'S RECORDS)	\$12,485,580.00
PUBLIC UTILITIES:	ALL UTILITIES ARE AVAILABLE
PROPERTY TRANSACTION:	10/14/1988 \$0.00