



AGENDA REPORT
July 10, 2018

Approval Re: Resolution and Easement in favor of Florida Power & Light for utility improvements related to Valkaria Airport Improvements Project (Airport Terminal) District 3

SUBJECT:

Approval Re: Resolution and Easement in favor of Florida Power & Light for utility improvements related to Valkaria Airport Improvements Project (Airport Terminal) District 3

FISCAL IMPACT:

FY 2017-2018: No Impact

FY 2018-2019: No Impact

DEPT/OFFICE:

Agenda Coordinator

REQUESTED ACTION:

It is requested that the Board of County Commissioners approve and authorize the Chair to sign the Resolution and Easement in favor of Florida Power & Light.

SUMMARY EXPLANATION and BACKGROUND:

The property is located in Sections 127 and 18, Township 29 South, Range 38 East.

The proposed easement is located within the Valkaria Airport site and is intended to allow for providing power as related to the Valkaria Airport Improvements Project to build a new Airport Terminal, which requires a new power service from FP&L. The new power service requires an easement for the FP&L owned and maintained portion of the new power service. All costs associated with this power service are included in the previously approved new airport terminal capital improvements project.

CLERK TO THE BOARD INSTRUCTIONS:

Return original executed FP&L Easement form and original Resolution to Land Acquisition.

ATTACHMENTS:

Description

- **CAO Reviewed Easement and Resolution re Valkaria Airport Improvements Project**

BOARD OF COUNTY COMMISSIONERS

AGENDA: RESOLUTION AND EASEMENT IN FAVOR OF FP&L FOR THE
VALKARIA AIRPORT IMPROVEMENTS PROJECT - DISTRICT 3

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

AGENCY CONTACT: DAN JONES LAND ACQUISITION SUPERVISOR

CONTACT PHONE: 321-690-6847 (5-2726)

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION Dan Jones, Supervisor	<u>DPJ</u>	_____	<u>6/19/18</u>
<i>Asst</i> COUNTY ATTORNEY Eden Bentley <u>JAD BERGER</u> County Attorney	<u>JMB</u>	_____	<u>6/19/18</u>

AGENDA DUE DATE: June 26, 2018 for the July 10, 2018 Board meeting

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

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

THANK YOU.



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

July 11, 2018

M E M O R A N D U M

TO: Andy Holmes, Public Works Director Attn: Dan Jones

RE: Item F.20., Resolution and Easement in Favor of Florida Power and Light Company (FPL) for Utility Improvements to Valkaria Airport Capital Improvements Project (CIP) – Airport Terminal

The Board of County Commissioners, in regular session on July 10, 2018, executed and adopted Resolution No. 18-090, conveying a perpetual easement; and approved Easement in favor of FPL for the utility improvements needed to the Valkaria Airport CIP – Airport Terminal. Enclosed are the fully-executed Resolution and fully-executed Easement for your action.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)

cc: Utility Services
 Contracts Administration
 Asset Management

Work Request No. 7758638

Sec. 18, Twp 29 S, Rge 38 E

Parcel I.D. 29-38-17-00-253
(Maintained by County Appraiser)

UNDERGROUND EASEMENT (BUSINESS)

This Instrument Prepared By

Name: Jason Balog
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:

see Exhibit A attached

Reserved for Circuit Court

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 JULY 10, 2018

Signed, sealed and delivered in the presence of:

Tammy Rowe
(Witness Signature)

Print Name: Tammy Rowe
(Witness)

Donna M. Scott
(Witness Signature)

Print Name: Donna M. Scott
(Witness)

Brevard County
By: Rita Pritchett

Print Name: Rita Pritchett, Chair

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

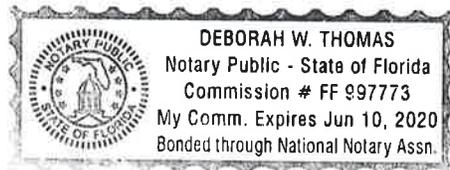
ATTEST: Scott Ellis
SCOTT ELLIS, CLERK
As Approved by Board 7/10/18

STATE OF Florida AND COUNTY OF Brevard. The foregoing instrument was acknowledged before me this 10 day of July, 2018 by Rita Pritchett, the Commissioner of Brevard a _____, 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:

Deborah W. Thomas
Notary Public, Signature

Print Name Deborah W. Thomas



RESOLUTION NO. 2018-90

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 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 10th day of July, 2018.

ATTEST:
Clerk of the Court:



Scott Ellis, Clerk of the Court

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Rita Pritchett, Chair

As approved by the Board on July 10, 2018

Item # 20

LEGAL DESCRIPTION

EXHIBIT "A"
SHEET 1 OF 3

PARCEL 801

SECTIONS 17 & 18, TOWNSHIP 29 SOUTH, RANGE 38 EAST
PARENT PARCEL ID NO.: 29-38-17-00-253
PURPOSE: EASEMENT

NOT VALID WITHOUT SHEETS 2 & 3 OF 3
THIS IS NOT A SURVEY

LEGAL DESCRIPTION: PARCEL 801, EASEMENT (BY SURVEYOR)

A PARCEL OF LAND BEING A 20.00 FOOT WIDE STRIP OF LAND (CONSISTING OF A SOUTHEASTERLY PORTION AND A SOUTHWESTERLY PORTION) LOCATED WITHIN SECTIONS 17 AND 18, TOWNSHIP 29 SOUTH, RANGE 38 EAST, BREVARD COUNTY, FLORIDA, LYING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINES:

COMMENCE AT THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4925, PAGE 2002 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE NORTH 56° 53' 43" EAST FOR A DISTANCE OF 286.58 FEET TO THE POINT OF BEGINNING OF THE SOUTHEASTERLY PORTION OF THE HEREIN DESCRIBED CENTERLINE; THENCE SOUTH 58° 38' 47" EAST A DISTANCE OF 72.32 FEET TO REFERENCE POINT "A"; THENCE CONTINUE SOUTHEASTERLY FROM REFERENCE POINT "A" SOUTH 86° 36' 16" EAST FOR A DISTANCE OF 148.07 FEET; THENCE SOUTH 46° 54' 18" EAST FOR A DISTANCE OF 325.36 FEET; THENCE SOUTH 18° 26' 51" EAST FOR A DISTANCE OF 570.00 FEET; THENCE SOUTH 44° 09' 26" EAST FOR A DISTANCE OF 570.00 FEET; THENCE NORTH 89° 59' 54" EAST FOR A DISTANCE OF 425.49 FEET; THENCE SOUTH 00° 00' 06" EAST FOR A DISTANCE OF 530.26 FEET; TO THE POINT OF TERMINUS OF THE SOUTHEASTERLY PORTION OF THE 20.00 WIDE STRIP OF LAND;

RETURN TO AND BEGIN AT THE AFORESAID REFERENCE POINT "A" FOR THE SOUTHWESTERLY PORTION OF THE 20.00 WIDE STRIP OF LAND; THENCE SOUTH 13°37'23" WEST FOR A DISTANCE OF 105.78 FEET; THENCE SOUTH 43° 38' 42" WEST FOR A DISTANCE OF 333.55 FEET; THENCE SOUTH 39° 39' 50" WEST FOR A DISTANCE OF 328.65 FEET; THENCE SOUTH 36° 10' 08" WEST FOR A DISTANCE OF 101.99 FEET; TO THE POINT OF TERMINUS OF THE SOUTHWESTERLY PORTION OF THE 20.00 WIDE STRIP OF LAND; CONTAINING 1.61 ACRES (70,048 SQUARE FEET), MORE OR LESS.

UNLESS OTHERWISE INDICATED, ALL PUBLIC RECORDS REFER TO THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE ABOVE DESCRIBED LANDS IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, COVENANTS, AND RESTRICTIONS OF RECORD. THIS SURVEYOR DID NOT PERFORM A SEARCH OF THE PUBLIC RECORDS; NO TITLE OPINION IS EXPRESSED OR IMPLIED.

SURVEYORS NOTES:

1. THIS SKETCH IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREIN.
2. BEARINGS SHOWN HEREON ARE SPECIFICALLY BASED ON THE SOUTH LINE OF OFFICIAL RECORDS BOOK 4925, PAGE 2002 AS BEING SOUTH 89°39'53" WEST AS DETERMINED BY THEIR COORDINATE VALUES PER SAID FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE 0901.3.
3. ONLY RIGHTS OF WAY AND EASEMENTS SHOWN ON APPLICABLE RECORD PLATS ARE INDICATED HEREON. NO OWNERSHIP AND ENCUMBRANCE REPORT OR OTHER INFORMATION WAS FURNISHED TO THE SURVEYOR AND MAPPER.
4. REFERENCE MATERIAL:
 - a. VALKARIA AIRPORT, RUNWAY 14-32 REHABILITATION, NEW PRIMARY POWER PLAN PREPARED BY AVCON, INC., PROJECT NO. 2016.115.01, DATED JANUARY 2018, DRAWING E527.

PREPARED FOR AND CERTIFIED TO:
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

MICHAEL J. SWEENEY, PSM 4870
PROFESSIONAL SURVEYOR & MAPPER
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: BREVARD COUNTY PUBLIC WORKS SURVEYING AND MAPPING DIVISION
ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220, VIERA, FLORIDA 32940
PHONE: (321) 633-2080



DRAWN BY: R. HENNING	CHECKED BY: M. J. SWEENEY	DRAWING NO. 293817-18_SK_FPL ESMT.dwg		SECTIONS 17 & 18 TOWNSHIP 29 SOUTH RANGE 38 EAST
		REVISIONS	DATE	
DATE: JUNE, 2018	SHEET: 1 OF 3		6/18/18	

SKETCH OF DESCRIPTION

PARCEL 801

SECTIONS 17 & 18, TOWNSHIP 29 SOUTH, RANGE 38 EAST
 PARENT PARCEL ID NO.: 29-38-17-00-253
 PURPOSE: EASEMENT

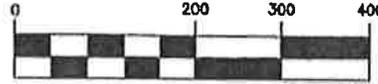
EXHIBIT "A"

SHEET 2 OF 3

NOT VALID WITHOUT SHEETS 1 & 3 OF 3
THIS IS NOT A SURVEY

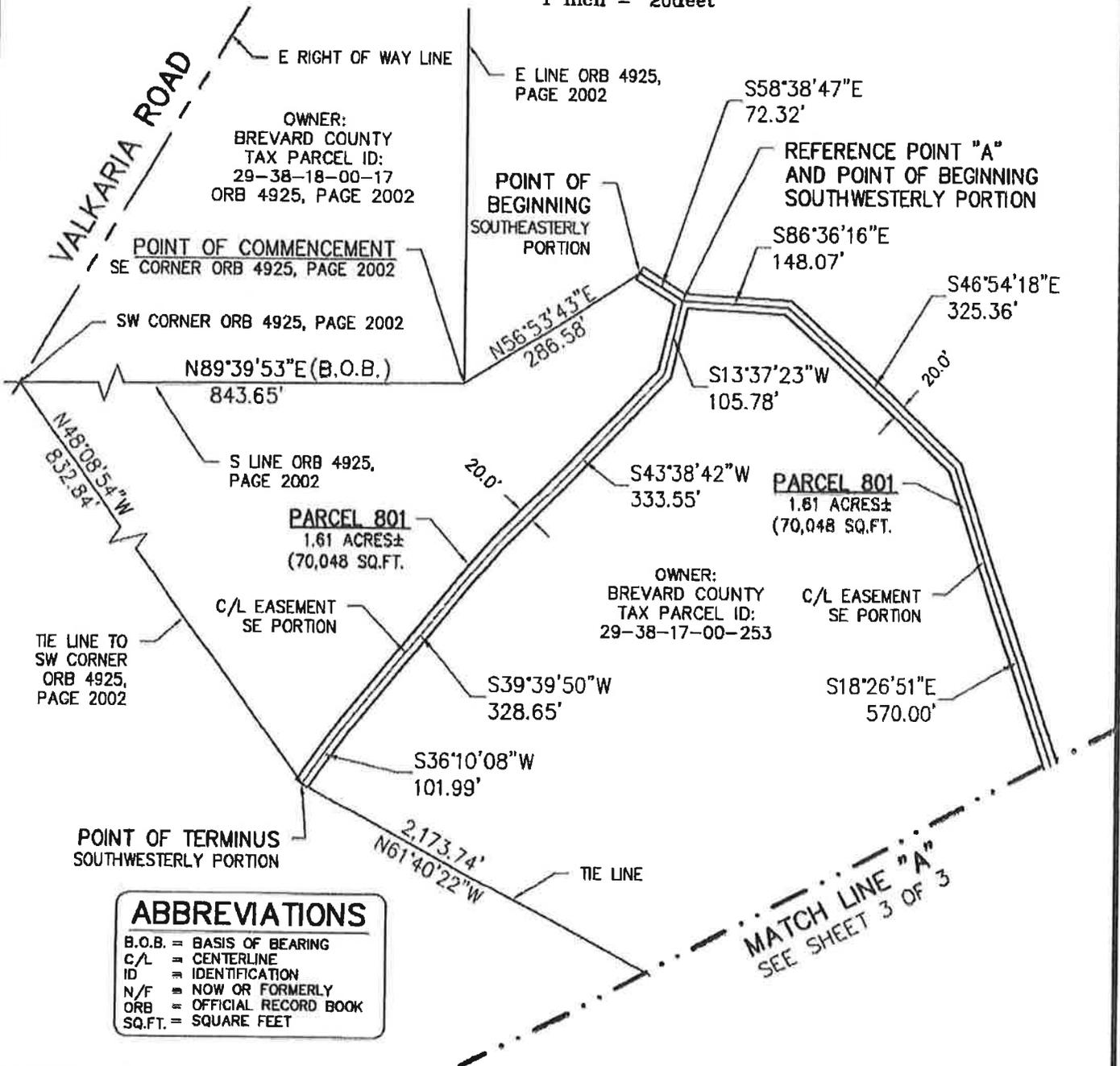


GRAPHIC SCALE



(IN FEET)

1 inch = 200feet



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 SURVEYING AND MAPPING DIVISION
 ADDRESS: 2725 JUDGE FRAN JAMIESON WAY, SUITE A220,
 VERA, FLORIDA 32940
 PHONE: (321) 633-2080

SCALE:
 1"=200'
 DRAWING NO.:
 293817-1B_SK_FPL ESMT.dwg

SECTIONS 17 & 18
 TOWNSHIP 29 SOUTH
 RANGE 38 EAST

SKETCH OF DESCRIPTION

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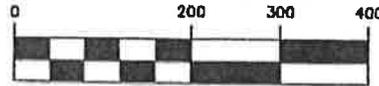


EXHIBIT "A"

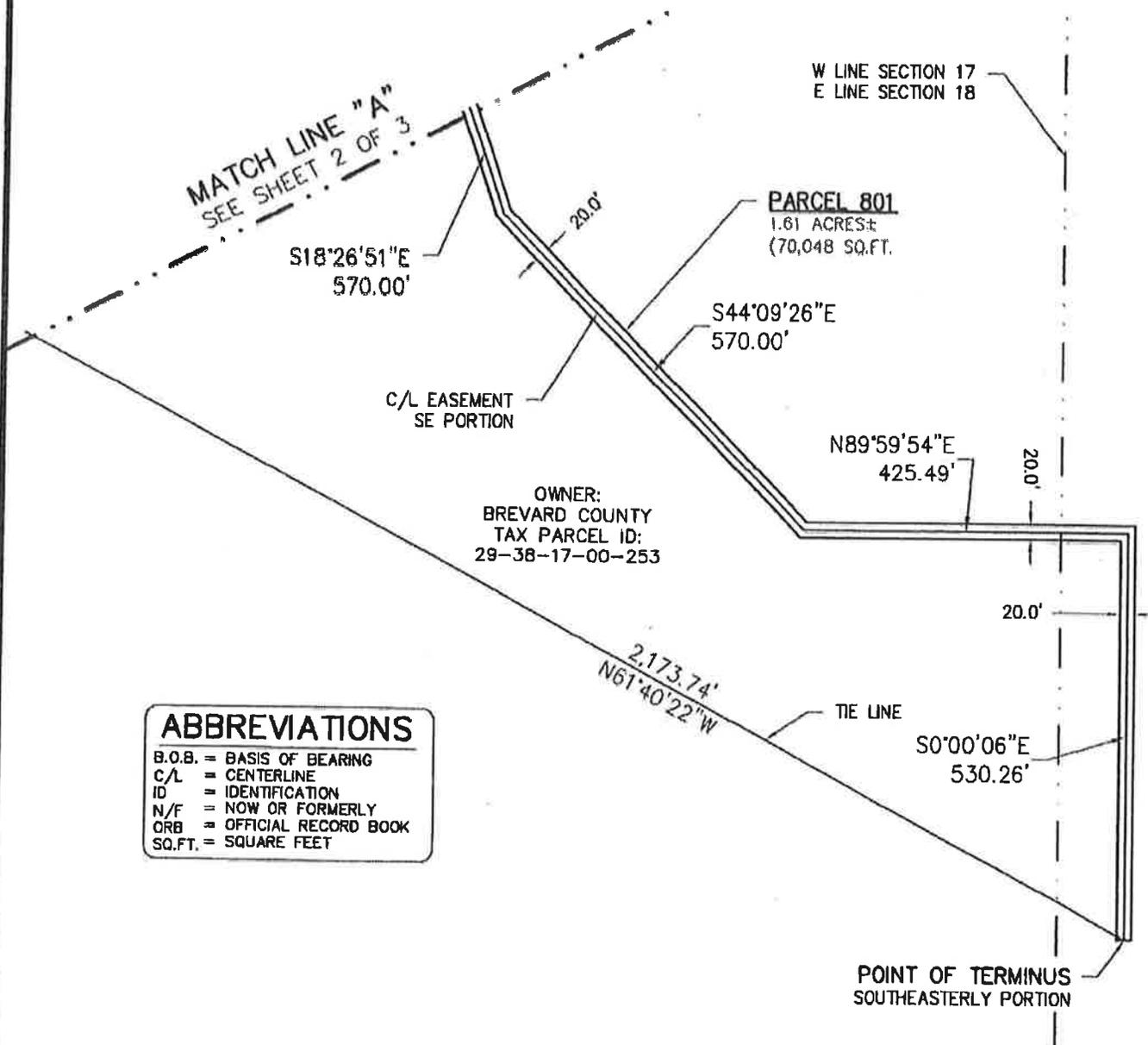
SHEET 3 OF 3

NOT VALID WITHOUT SHEETS 1 & 2 OF 3
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GRAPHIC SCALE



(IN FEET)
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ABBREVIATIONS

- B.O.B. = BASIS OF BEARING
- C/L = CENTERLINE
- ID = IDENTIFICATION
- N/F = NOW OR FORMERLY
- ORB = OFFICIAL RECORD BOOK
- SQ.FT. = SQUARE FEET



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SCALE:
 1"=200'
 DRAWING NO.:
 293817-18_SK_FPL ESMT.dwg

SECTIONS 17 & 18
 TOWNSHIP 29 SOUTH
 RANGE 38 EAST

Location Map
Valkaria Airport
Account # 2954516
Parcel ID# 29-38-17-00-253

Map Subject Property [i] [c] [f] Open Map in New Window [i]

MapView [i]

EagleView [i]

StreetView [i]

2018	4'
2017	
2016	
2015	
2014	

Account: (1234567)

Parcel ID: []

Sale: BCPAO Market Value

Owner: []

Address: []

Map labels include: HESHORN RD, GUSCO ST, HENDERSON, VALKARIA AIRPORT, WILSON WAY, WADSWORTH, HIGHWAY 41, FEDERALWAY, WILSON WAY, WADSWORTH, VALKARIA AIRPORT, WILSON WAY, WADSWORTH, VALKARIA AIRPORT, WILSON WAY, WADSWORTH, VALKARIA AIRPORT.

INSTRUCTIONS: (/Docs/misc/Instructions_MapSearch.pdf#20170405)

BOARD OF COUNTY COMMISSIONERS

AGENDA: RESOLUTION AND EASEMENT IN FAVOR OF FP&L FOR THE
VALKARIA AIRPORT IMPROVEMENTS PROJECT - DISTRICT 3

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION

AGENCY CONTACT: DAN JONES LAND ACQUISITION SUPERVISOR

CONTACT PHONE: 321-690-6847 (5-2726)

REVIEW

	APPROVE	DISAPPROVE	DATE
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<i>Asst</i> COUNTY ATTORNEY Eden Bentley <u>JAD BREWER</u> County Attorney	<u>JMB</u>	_____	<u>6/19/18</u>

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THANK YOU.