

Meeting Date
March 15, 2016



AGENDA	
Section	Consent
Item No.	II.A.1

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval Re: Resolution and Easement in favor of Florida Power & Light Company-District 4 (Fiscal Impact: None)		
DEPT/OFFICE:	Public Works Department / Land Acquisition Section / Parks and Recreation Department		
Requested Action:	It is requested that the Board of County Commissioners authorize the Chairman to approve and execute the Resolution and Easement in favor of Florida Power & Light Company.		
Summary Explanation & Background:	<p>The subject property is located in Section 2, Township 27 South, Range 37 East</p> <p>The property located at 750 Jamaica Blvd., is owned by Brevard County and currently leased to the City of Satellite Beach. The property is being utilized by the City as a Public Park, "Satellite Beach Sports and Recreation Park." The City of Satellite Beach intends to install lighting, at their expense, to allow for nighttime use of the park by the Public. They have requested that the County convey an easement to FP&L in order to provide upgraded electrical service capacity for the purposes of lighting the fields.</p> <p>Fiscal impact: FY 2015-2016: No impact FY 2016-2017: No impact</p>		
Clerk to the Board Instructions:	Forward the executed Resolution, two executed Easements, and Board Approval memo to the Department.		
Exhibits Attached:	Resolution, Two (2) FP&L Easements, Location Map, Property Fact Sheet		
Contract /Agreement (If attached):	Reviewed by County Attorney	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> PR <input type="checkbox"/>
County Manager	Assistant County Manager	Department Director / Extension	
Stockton Whitten 	Assistant County Manager	 John Denninghoff / 57202	
		Jack Masson / 52046 	



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

March 16, 2016

MEMORANDUM

TO: John Denninghoff, Public Works Director

RE: Item II.A.1., Resolution and Easement with Florida Power & Light Company to Provide Upgraded Electrical Service Capacity

The Board of County Commissioners, in regular session on March 15, 2016, adopted Resolution No. 16-030, and executed Easement with Florida Power & Light Company to provide upgraded electrical service capacity for the purposes of lighting the fields at Satellite Beach Sports and Recreation Park. Enclosed are two certified Resolutions and two fully-executed Easements.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

Encls. (4)

cc: Parks and Recreation Director
Asset Management
Contract Administration

BOARD OF COUNTY COMMISSIONERS

AGENDA: APPROVAL OF RESOLUTION AND EASEMENT FROM BREVARD COUNTY TO FLORIDA POWER & LIGHT COMPANY TO SERVE THE EXISTING SATELLITE BEACH SPORTS AND RECREATION PARK - DISTRICT 4

AGENCY: PUBLIC WORKS DEPARTMENT / LAND ACQUISITION SECTION / PARKS AND RECREATION DEPARTMENT

AGENCY CONTACT: BLAISE M. MANCINI, LAND ACQUISITION SPECIALIST

CONTACT PHONE: 321-690-6847

REVIEW

	APPROVE	DISAPPROVE	DATE
LAND ACQUISITION SECTION Dan Jones, Supervisor	<u>DPJ</u>	_____	<u>2/17/16</u>
COUNTY ATTORNEY Christina Berrios, Assistant County Attorney	<u>see attached</u>	_____	<u>2/18/16</u>
PUBLIC WORKS DEPARTMENT John Denninghoff, Director	<u>JD</u>	_____	<u>2/29/16</u>
PARKS & RECREATION DEPARTMENT Jack Masson, Director	<u>JM</u>	_____	<u>2/25/16</u>

AGENDA DUE DATE: March 1, 2016 for the March 15, 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 WHEN READY TO BE PICKED UP.

THANK YOU.

BOARD OF COUNTY COMMISSIONERS

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LAND ACQUISITION SECTION Dan Jones, Supervisor	<u>DS</u>	_____	<u>2/17/16</u>
COUNTY ATTORNEY Christina Berrios, Assistant County Attorney	<u>CB*</u>	_____	<u>2/18/16</u>
PUBLIC WORKS DEPARTMENT John Denninghoff, Director	_____	_____	_____
PARKS & RECREATION DEPARTMENT Jack Masson, Director	_____	_____	_____

AGENDA DUE DATE: March 1, 2016 for the March 15, 2016 Meeting

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

THANK YOU.

* with changes as noted. Specifically, adding "Florida" after "Brevard" on signature block.

RESOLUTION NO. 16-030

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 & Light Company needs a perpetual easement to provide electric service to said property; and

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

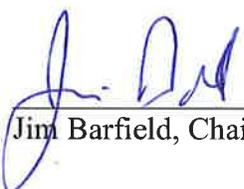
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA; that

The County hereby agrees to convey a perpetual easement for the purpose of placement of facilities within said easement area in order for Florida Power & Light Company to provide electric service.

DONE, ORDERED, and ADOPTED in Regular Session this 15th day of MARCH, 2016.

ATTEST:
Clerk of the Court:


Scott Ellis, Clerk

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


Jim Barfield, Chairman

As approved by the Board on 3/15/16.

Item # II.A.1

Work Request No. 6519127

Sec. 02, Twp 27 S, Rge 37 E

Parcel I.D. 27-37-02-00-00751 & 0755
(Maintained by County Appraiser)

EASEMENT (BUSINESS)

This Instrument Prepared By

Name: Dan Riley
Co. Name: FPL
Address: 9001 Ellis Rd
Melbourne, Fl

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 overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant 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")

Together with the right to permit any other person, firm, or corporation to attach wires to 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 heretofore described, 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 MARCH 15, 2016

Signed, sealed and delivered in the presence of:

Donna Scott
(Witness' Signature)

Print Name: Donna Scott
(Witness)

Christine Mulligan
(Witness' Signature)

Print Name: Christine Mulligan
(Witness)

Brevard County, Florida

By: J. Barfield

Print Name: Jim Barfield, Chairman

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

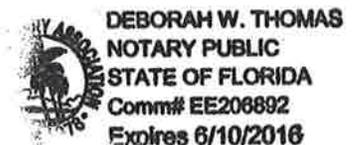
Approved by board 3/15/16

STATE OF FLORIDA AND COUNTY OF BREVARD. The foregoing instrument was acknowledged before me this 15 day of MARCH, 2016 by JIM BARFIELD, the CHAIRMAN of BREVARD COUNTY BOARD OF 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:

Deborah Thomas
Notary Public, Signature

Print Name Deborah Thomas



LEGAL DESCRIPTION

EXHIBIT "A"

SECTION 2, TOWNSHIP 27 SOUTH, RANGE 37 EAST, PARCEL 801
PARENT PARCEL ID NUMBER 27-37-02-00-00751.0-0000.00 &
27-37-02-00-00755.0-0000.00

SHEET 1 OF 3

PURPOSE OF SURVEY: FLORIDA POWER & LIGHT EASEMENT

NOT VALID WITHOUT THE
SKETCH OF SHEET 2 OF 3
& SKETCH ON SHEET 3 OF 3

LEGAL DESCRIPTION: PARCEL 801, 10 FOOT WIDE FLORIDA POWER & LIGHT EASEMENT, BY SURVEYOR

A 10 FOOT WIDE STRIP OF LAND IN SECTION 2, TOWNSHIP 27 SOUTH, RANGE 37 EAST AND BEING A PART OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1469, PAGE 0902 AND OFFICIAL RECORDS BOOK 2005, PAGE 0052 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA. THE CENTERLINE OF SAID STRIP BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 69 INDIAN HARBOUR BEACH SECTION 8 AS RECORDED IN PLAT BOOK 16, PAGE 52 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE S89°25'53"W ALONG THE NORTH LINE OF SAID LOT 69, A DISTANCE OF 308.81 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE HEREIN DESCRIBED; THENCE N28°16'28"E, 518.29 FEET TO POINT OF TERMINATION OF THE CENTERLINE HEREIN DESCRIBED.

CONTAINING 5182.83 SQUARE FEET (0.12 ACRES) AND SUBJECT TO ANY EASEMENTS AND/OR RIGHTS OF WAY OF RECORD.

SURVEYOR'S NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BEARINGS DEPICTED HEREON ARE ASSUMED, BASED ON THE NORTH LINE OF LOT 69, PLAT OF INDIAN HARBOUR BEACH SECTION 8 AS RECORDED IN PLAT BOOK 16, PAGE 52 OF THE PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, BEING S89°25'53"W.
3. THIS DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH.
4. SKETCH DOES NOT WARRANT TITLE.
5. THIS SKETCH WAS PREPARED FOR THE EXCLUSIVE USE OF THE CLIENT (S) SHOWN HEREON; COPIES ARE VALID ONLY WHEN SIGNED, DATED AND EMBROSSED WITH THE SURVEYOR'S SEAL.

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



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>KKW</u>	DRAWING NO. <u>2016004E SMT.DGN</u>	SECTION <u>2</u>
DATE: <u>1/27/16</u>	SHEET <u>1</u> OF <u>3</u>	REVISIONS _____	TOWNSHIP <u>27</u> SOUTH
			RANGE <u>37</u> EAST

SKETCH OF DESCRIPTION

SHEET 2 OF 3
 NOT VALID WITHOUT THE LEGAL
 DESCRIPTION ON SHEET 1 OF 3
 & SKETCH ON SHEET 3 OF 3

SECTION 2, TOWNSHIP 27 SOUTH, RANGE 37 EAST,
 PARCEL 801
 PARENT PARCEL ID NUMBER 27-37-02-00-00751.0-0000.00 &
 27-37-02-00-00755.0-0000.00
 PURPOSE OF SURVEY: FLORIDA POWER &
 LIGHT EASEMENT

ORB 1469, PAGE 0902
 POINT-OF-TERMINATION



VICINITY MAP
 (NOT TO SCALE)

ORB 1469,
 PAGE 0902

ORB 1469, PAGE 0902

PARCEL 801
 FLORIDA POWER & LIGHT EASEMENT
 5182.83 SQUARE FEET

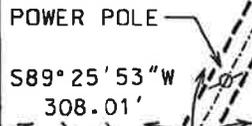
OWNER: BREVARD COUNTY
 TAX PARCEL #27-37-02-00-00751.0-0000.00
 750 JAMAICA BOULEVARD, SATELLITE BEACH, 32937
 ORB 1469, PAGE 0902

- ABBREVIATIONS:
- R/W RIGHT OF WAY
 - FPL FLORIDA POWER & LIGHT
 - ESMT EASEMENT
 - ORB OFFICIAL RECORDS BOOK
 - P.U. & D.E. PUBLIC UTILITY & DRAINAGE EASEMENT

OWNER: BREVARD COUNTY
 TAX PARCEL
 #27-37-02-00-00755.0-0000.00
 ORB 2005, PAGE 0052

500°35'38"E 1335.01' WEST PROPERTY LINE

ORB 2005, PAGE 0052



S89°25'53"W 308.81' NORTH LINE OF LOT 69

POINT-OF-COMMENCEMENT
 FPL EASEMENT
 NE CORNER OF LOT 69

POINT-OF-BEGINNING
 FPL EASEMENT

25.0' P.U. & D.E.

25.0' P.U. & D.E.

LOT 69
 INDIAN HARBOUR BEACH SECTION 8
 PLAT BOOK 16, PAGE 52

LOT 13
 INDIAN HARBOUR BEACH
 SECTION 8
 PLAT BOOK 16, PAGE 52



SECTION 2 TOWNSHIP 27 SOUTH, RANGE 37 EAST

PROJECT NO. 2016004
 PREPARED BY: DAVID J. KUGELMANN, PLS



SKETCH OF DESCRIPTION

SECTION 2, TOWNSHIP 27 SOUTH, RANGE 37 EAST,
PARCEL 801

PARENT PARCEL ID NUMBER 27-37-02-00-00751.0-0000.00 &
27-37-02-00-00755.0-0000.00

PURPOSE OF SURVEY: FLORIDA POWER &
LIGHT EASEMENT

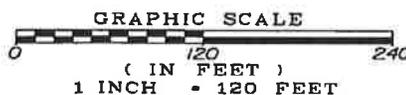
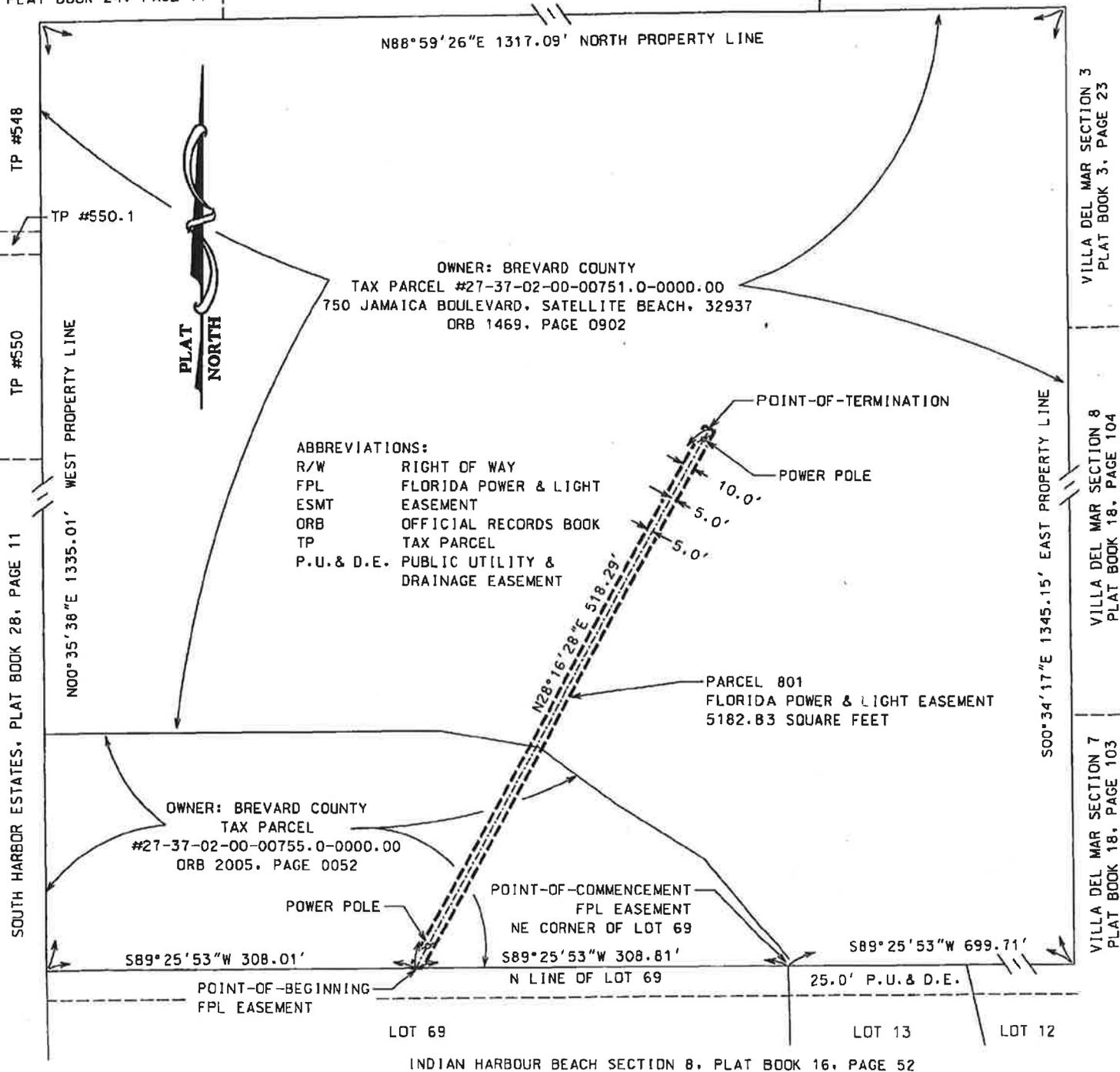
SHEET 3 OF 3

NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 3
& SKETCH ON SHEET 2 OF 3

DESOTO PARK UNIT 2
PLAT BOOK 24, PAGE 17

DESOTO PARK, PLAT BOOK 21, PAGE 68

JAMAICA SHORES UNIT 1
PLAT BOOK 21, PAGE 95



SECTION 2 TOWNSHIP 27 SOUTH, RANGE 37 EAST

PROJECT NO. 2016004
PREPARED BY: DAVID J. KUGELMANN, PLS

SATELLITE BEACH SPORTS & RECREATION PARK

FP&L EASEMENT

LOCATION MAP

SEC: 2 TWP: 27 RNG: 37 DISTRICT: 4

STREET NAME: 750 Jamaica Boulevard

OWNER'S NAME: BREVARD COUNTY



PROPERTY FACT SHEET

PROJECT: SATELLITE BEACH SPORTS & RECREATION PARK FPL EASEMENT

OWNER:	Brevard County
PARCEL LOCATION:	750 Jamaica Boulevard
PARENT PARCEL SIZE:	37.96 acres
TO BE GRANTED	5,182.83 Square Feet
ZONING/LANDUSE:	County Owned Land
TOPOGRAPHY:	Level with road grade, no wetlands indicated
FLOOD ZONE:	X (outside 500-year flood)
TAX PARCEL ID#:	27-37-02-00-00751.0-0000.00
MARKET VALUE:	\$1,022,920 Brevard County Property Appraiser's 2015 Records
PUBLIC UTILITIES:	All utilities
PROPERTY TRANSACTION: (Clerk of the Court Records)	Purchase date: August 30, 1974 Sale amount: \$120,900.00