

COUNCIL ITEM 8B
DATE 8/22/11

~~COUNCIL ITEM 10B
DATE 8/8/11~~

ORDINANCE 11 - 56

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF AN EASEMENT FROM THE CITY OF PORT ST. LUCIE TO FLORIDA POWER & LIGHT COMPANY, A FLORIDA CORPORATION, FOR THE PRINEVILLE WATER TREATMENT FACILITY; PROVIDING AN EFFECTIVE DATE.

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. That there is hereby authorized the conveyance an easement from the City of Port St. Lucie to Florida Power & Light Company, a Florida corporation ("FPL"), which is necessary for the installation, operation, and maintenance of FPL'S electrical facilities that provide electrical service to the Prineville Water Treatment Facility. The easement to be conveyed to FPL is more particularly described in the proposed Easement, attached hereto as Exhibit "A," and said Easement is authorized and approved in substantially the same form attached hereto. The Mayor and City officials are hereby authorized to execute any and all documents necessary to complete the conveyance.

Section 2. That this ordinance shall become effective ten (10) days after its final adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2011.

ATTEST:

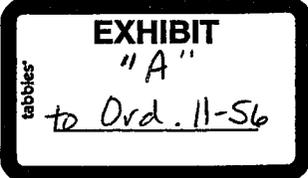
CITY COUNCIL
CITY OF PORT ST. LUCIE

Karen A. Phillips, City Clerk

BY: _____
JoAnn M, Faiella, Mayor

APPROVED AS TO FORM:

BY: _____
Roger G. Orr, City Attorney



Work Request No.

EASEMENT

This Instrument Prepared By

Sec. 2, Twp 36 S Rge 40 E

Parcel I.D. 3428-700-0001-000/9 (Maintained by County Appraiser)

Name: Co. Name: Address: pg 1 of 3.

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 licensees, agents, successors, and assigns, an 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 10 feet in width described as follows:

Reserved for Clerk of the Circuit Court Official Records/Recording Department

See the attached Exhibit "A" for the Easement identified as Prineville Plat Easement #1

Together with the right, upon permission of the City of Port St. Lucie, to permit any other person, firm or corporation to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for communications purposes; the right of ingress and egress to said premises at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the easement area; 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 land heretofore described, over, along, under and across the roads, streets or highways adjoining or through said property.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 2007.

Signed, sealed and delivered in the presence of:

City of Port St. Lucie

(Witness' Signature)

By: _____

Print Name: _____
(Witness)

Print Name: JoAnn M. Faiella, Mayor

(Witness' Signature)

Print Address: 121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984

Print Name: _____
(Witness)

This Easement to FPL has been duly authorized and approved by the City Council of the City of Port St. Lucie by Ordinance 11-56.

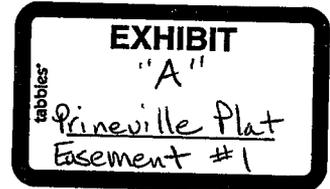
STATE OF FLORIDA)
) ss
COUNTY OF ST. LUCIE)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____, Mayor of the City of Port St. Lucie, a Florida municipal corporation, who is personally known to me or has produced _____ as identification.

NOTARY SEAL/STAMP

Notary Public, Signature
Print Name _____

DESCRIPTION TO ACCOMPANY SKETCH
PRINEVILLE - OGDEN PLAT
ST. LUCIE COUNTY, FLORIDA



LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 33, TOWNSHIP 36 SOUTH, RANGE 40 EAST, BEING A PORTION OF "PRINEVILLE - OGDEN PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 63, PAGE 14, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID "PRINEVILLE - OGDEN PLAT", THENCE NORTH 00°01'51" WEST, ALONG THE WEST LINE OF SAID "PRINEVILLE - OGDEN PLAT", ALSO BEING THE EAST RIGHT-OF-WAY LINE OF PRINEVILLE STREET, A DISTANCE OF 347.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°01'51" WEST ALONG SAID WEST LINE AND EAST RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET; THENCE DEPARTING SAID WEST LINE AND EAST RIGHT-OF-WAY LINE, NORTH 88°32'48" EAST, A DISTANCE OF 137.21 FEET; THENCE NORTH 00°18'55" WEST, A DISTANCE OF 60.32 FEET; THENCE SOUTH 89°51'01" WEST, A DISTANCE OF 1.97 FEET; THENCE NORTH 00°08'59" WEST, A DISTANCE OF 14.58 FEET; THENCE NORTH 89°51'01" EAST, A DISTANCE OF 8.09 FEET; THENCE SOUTH 00°08'59" EAST, A DISTANCE OF 14.58 FEET; THENCE NORTH 89°51'01" EAST, A DISTANCE OF 3.89 FEET; THENCE SOUTH 00°18'55" EAST, A DISTANCE OF 60.09 FEET; THENCE NORTH 88°32'48" EAST, A DISTANCE OF 19.05 FEET; THENCE SOUTH 01°27'12" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 88°32'48" WEST, A DISTANCE OF 166.51 FEET TO AN INTERSECTION WITH THE WEST LINE OF "PRINEVILLE - OGDEN PLAT" AND EAST RIGHT-OF-WAY LINE OF PRINEVILLE STREET AND THE POINT OF BEGINNING.

CONTAINING 2384 SQUARE FEET OR 0.055 ACRES, MORE OR LESS.

LEGEND

- FPL FLORIDA POWER & LIGHT
- LB LICENSED BUSINESS
- N/A NOT APPLICABLE
- NO. NUMBER
- P.S.M. PROFESSIONAL SURVEYOR AND MAPPER
-  FPL EASEMENT

SURVEYOR'S NOTES

1. THE BEARINGS SHOWN HEREON ARE BASED UPON PRINEVILLE - OGDEN PLAT, AS RECORDED IN PLAT BOOK 63, PAGE 15, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. THE EAST LINE OF SAID PLAT BEARING SOUTH 12°58'24" EAST.
2. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FURNISHED TO THE SURVEYOR EXCEPT AS SHOWN HEREON. NO OPINION OF TITLE IS EXPRESSED OR IMPLIED.

NOTE: SEE SHEETS 2 AND 3 OF 3, FOR SKETCH OF DESCRIPTION. DESCRIPTION NOT VALID UNLESS ACCOMPANIED WITH SKETCH OF DESCRIPTION AS SHOWN ON SHEETS 2 AND 3 OF 3, OF THIS DOCUMENT.

THIS IS NOT A SURVEY

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SKETCH AND DESCRIPTION SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE "MINIMUM TECHNICAL STANDARDS" FOR SURVEYING AND MAPPING IN THE STATE OF FLORIDA AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

PATRICK B. MEEDS, P.S.M.
FLORIDA LICENSE No. LS - 4728
CORPORATION CERTIFICATE OF AUTHORIZATION No. LB 6705


PATRICK B. MEEDS, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER

JUN 07 2011
DATE OF SIGNATURE

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CREECH
ENGINEERS, INC.

CIVILIZATION ENGINEERED
7881 S.W. ELLIPSE WAY, STUART, FLORIDA 34997 (561) 745-4495
OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL

BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 5139
PROFESSIONAL SURVEYORS AND MAPPERS, AMENDED CERTIFICATE NO. LB-0006705

"FLORIDA POWER & LIGHT EASEMENT"
A PORTION OF
PRINEVILLE - OGDEN PLAT

ST. LUCIE COUNTY

FLORIDA

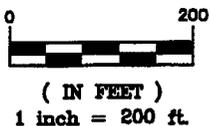
PROJECT NO. 25031.21 (ESMT 1)

DATE: JUNE 2, 2011

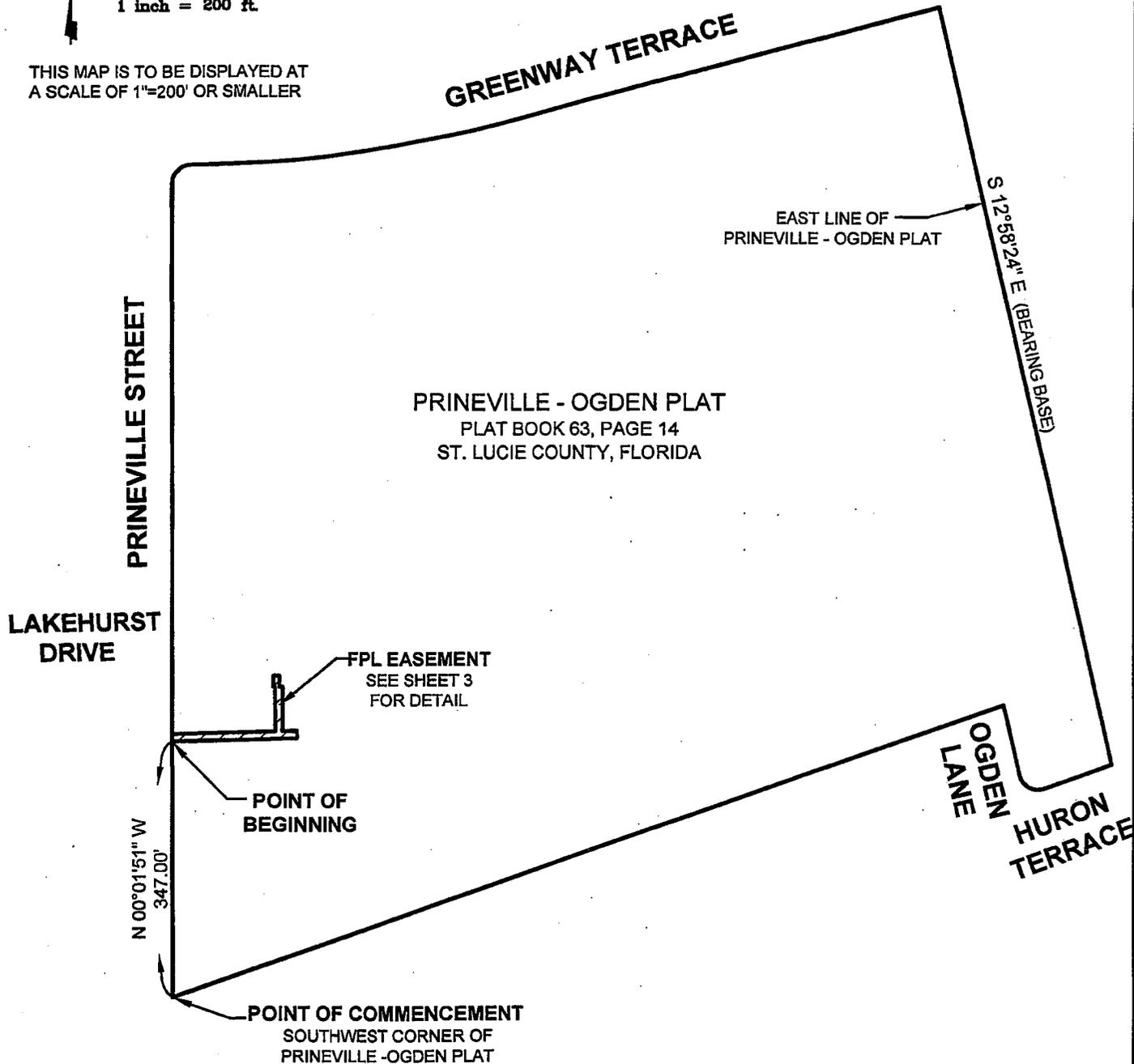
CADD FILE: 2503121_PB63-15 PRINEVILLE SCALE: N/A

SHEET 1 OF 3

SKETCH TO ACCOMPANY DESCRIPTION
 PRINEVILLE - OGDEN PLAT
 ST. LUCIE COUNTY, FLORIDA



THIS MAP IS TO BE DISPLAYED AT
 A SCALE OF 1"=200' OR SMALLER



THIS IS NOT A SURVEY

NOTE: SEE SHEET 1 OF 3, FOR DESCRIPTION OF SKETCH. SEE SHEET 3 OF 3, FOR DETAILED SKETCH. SKETCH NOT VALID UNLESS ACCOMPANIED WITH DESCRIPTION AS SHOWN ON SHEET 1 OF 3, AND DETAIL AS SHOWN ON SHEET 3 OF THIS DOCUMENT.

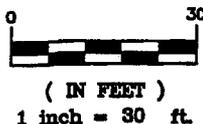
CREECH
 ENGINEERS, INC.

CIVILIZATION ENGINEERED
 7881 S.W. ELLIPSE WAY, STUART, FLORIDA 34997 (561) 745-4495
 OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL.
 BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 5139
 PROFESSIONAL SURVEYORS AND MAPPERS, AMENDED CERTIFICATE NO. LB-0006705

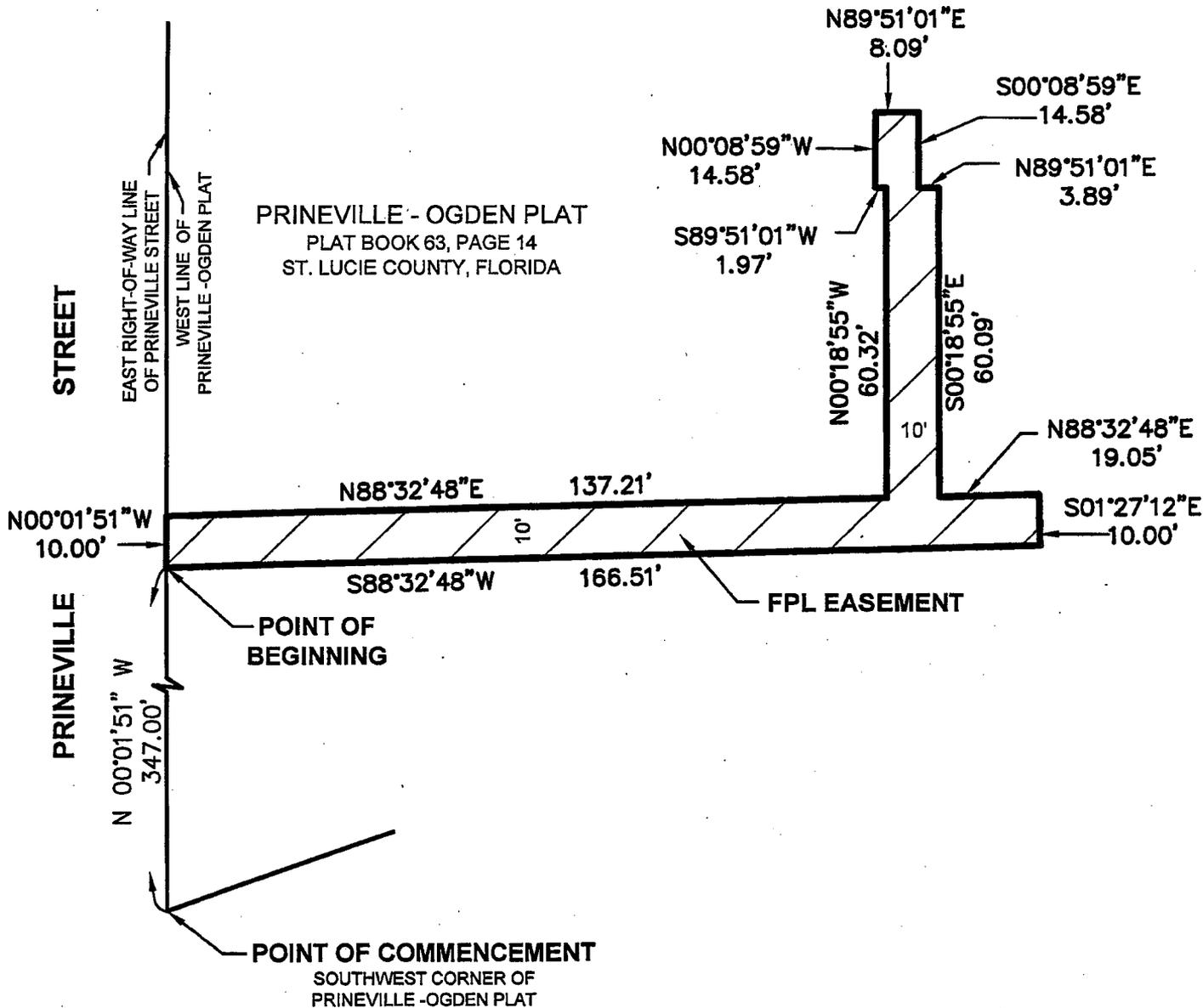
"FLORIDA POWER & LIGHT EASEMENT"
 A PORTION OF
 PRINEVILLE - OGDEN PLAT

ST. LUCIE COUNTY		FLORIDA
PROJECT NO. 25031.21 (ESMT 1)	DATE: JUNE 2, 2011	
CADD FILE: 2503121_PB63-15 PRINEVILLE	SCALE: 1"=200'	SHEET 2 OF 3

SKETCH TO ACCOMPANY DESCRIPTION
 PRINEVILLE - OGDEN PLAT
 ST. LUCIE COUNTY, FLORIDA



THIS MAP IS TO BE DISPLAYED AT
 A SCALE OF 1"=30' OR SMALLER



NOTE: SEE SHEET 1 OF 3, FOR DESCRIPTION OF SKETCH. SEE SHEET 2 OF 3, FOR OVERALL SKETCH OF DESCRIPTION. DETAILED SKETCH NOT VALID UNLESS ACCOMPANIED WITH DESCRIPTION AS SHOWN ON SHEET 1 OF 3, AND OVERALL SKETCH AS SHOWN ON SHEET 2 OF THIS DOCUMENT.

THIS IS NOT A SURVEY

CREECH
ENGINEERS, INC.
 CIVILIZATION ENGINEERED
 7881 S.W. ELLIPSE WAY, STUART, FLORIDA 34997 (561) 745-4495
 OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL.
 BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 5139
 PROFESSIONAL SURVEYORS AND MAPPERS, AMENDED CERTIFICATE NO. LB-0006705

"FLORIDA POWER & LIGHT EASEMENT"
A PORTION OF
PRINEVILLE - OGDEN PLAT
ST. LUCIE COUNTY **FLORIDA**
 PROJECT NO. 25031.21 (ESMT 1) | DATE: JUNE 2, 2011
 CADD FILE: 2503121_PB63-15 PRINEVILLE | SCALE: 1"=30' | SHEET 3 OF 3

INTEROFFICE MEMORANDUM

TO: Jerry A. Bentrrott, City Manager
THRU: Jesus A. Merejo, Utility Systems Director *JAM*
FROM: Donna M. Rhoden, Utility Safety & Public Affairs Mgr. *DR*
SUBJECT: Granting Five Easements to FPL (Prineville Plat Site)
DATE: August 1, 2011

At the Utility's request, the primary overhead Florida Power & Light (FPL) feed serving the Prineville RO Water Treatment Plant has been relocated off Ogden Lane to enter from Greenway Terrace and it is now underground. An appropriate action would be for the City to grant FPL an easement corresponding to the new feed.

In 2010, in anticipation that the FPL feed was going to be relocated, and having learned that certain FPL facilities existed on the Prineville compound without benefit of recorded easements, FPL and the City entered into a 3-year License Agreement that allows FPL legal access to all of its facilities located within the boundaries of the Prineville Plat.

A condition of the License Agreement requires the City to grant specific easements to FPL for its on-site facilities prior to the agreement's 2013 expiration. No further FPL service relocations are anticipated so the Utility has had sketches and legal descriptions prepared for easements governing the five on-site FPL facility locations. Ordinances associated with the easement conveyances have also been drafted.

Assistant City Attorney, Azlina Goldstein Siegel, has reviewed and approved the attached ordinances (#11-56 through #11-60), easement forms, and legal descriptions as to form and sufficiency.

With this memo, it is recommended that the Council approve the conveyance of the subject easements and that it adopts the five associated ordinances. Your assistance is requested in having this matter scheduled to appear on the next available Council meeting agenda.

Should you have questions regarding this matter, or need additional information, please let me know.

/dr

Attachments: Location Map
Ordinances 11-56 through 11-60
Proposed FPL Easement Form and Exhibits (1-5)

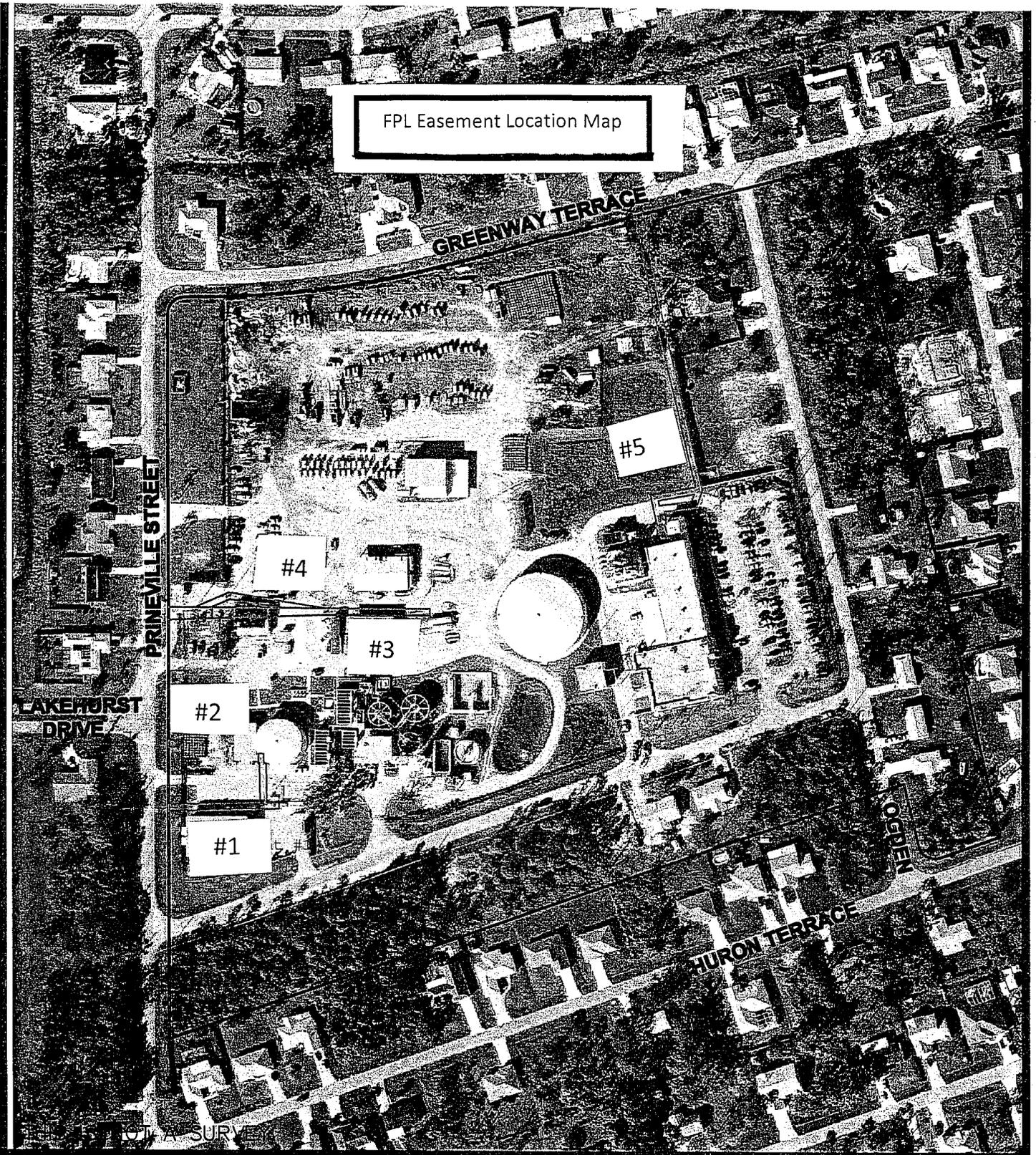
c: Azlina Goldstein Seigel, Asst. City Attorney
Bradley E. Macek, Assistant Utility Systems Director
Laney C. Southerly, P.E., Utility Engineering Manager
Richard J. Schoenborn, P.E., Project Engineer

RECEIVED

AUG 03 2011

City Manager's Office

FPL Easement Location Map



CREECH

ENGINEERS, INC.

CIVILIZATION ENGINEERED
 7881 S.W. ELLIPSE WAY, STUART, FLORIDA 34997 (561) 745-4495
 OFFICES ALSO IN MELBOURNE, PORT ST. LUCIE AND TALLAHASSEE FL.
 BOARD OF PROFESSIONAL ENGINEERS, CERTIFICATE OF AUTHORIZATION NUMBER 6130
 PROFESSIONAL SURVEYORS AND MAPPERS, AMENDED CERTIFICATE NO. LB-006706

EXHIBIT

FLORIDA POWER & LIGHT EASEMENTS A PORTION OF PRINEVILLE - OGDEN PLAT

ST. LUCIE COUNTY

FLORIDA

PROJECT NO. 25031.21

DATE: JUNE 2, 2011

CADD FILE: 2503121_PB63-15 PRINEVILLE | SCALE: 1"=200'

SHEET 1 OF 1