

COUNCIL ITEM 8F
DATE 10-22-12

COUNCIL ITEM 10D
DATE 10/8/12

ORDINANCE 12-63

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A 10 FOOT WIDE UTILITY EASEMENT BEING A PORTION OF TRACT "B", IN BLOCK 211 AND TRACT "C" IN BLOCK 214, IN SOUTH PORT ST. LUCIE UNIT FIFTEEN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 16 AT PAGE 42 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, FROM THE CITY OF PORT ST. LUCIE TO FLORIDA POWER & LIGHT COMPANY; PROVIDING AN EFFECTIVE DATE.

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. That there is hereby authorized the conveyance of a 10 foot wide Utility Easement being a portion of Tract "B", in Block 211 and Tract "C" in Block 214, in Port St. Lucie, Unit Fifteen, according to the Plat thereof, as recorded in Plat Book 16 at Page 42, of the Public Records of St. Lucie County, Florida, said grant of easement being more particularly described in Exhibit "A", from the City of Port St. Lucie to Florida Power & Light Company, and the Mayor and City officials are hereby authorized to execute any and all documents necessary to complete the conveyance.

Section 2. 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 _____, 2012.

CITY COUNCIL
CITY OF PORT ST. LUCIE

ATTEST:

By: _____
JoAnn M. Faiella, Mayor

Karen A. Phillips, City Clerk

APPROVED AS TO FORM: _____
Roger G. Orr, City Attorney

Work Request No. 4739153

Sec. 2, Twp 37 S, Rge 40 E

Parcel I.D. _____
(Maintained by County Appraiser)

Form 3722 (Stocked) Rev. 6/11

UNDERGROUND EASEMENT (BUSINESS)

This Instrument Prepared By

Name: Advanced Land Surveying

Co. Name: & Mapping

Address: P.O. Box 560598
Orlando Florida 32856-0698

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 ("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" (Pages 2 & 3)

Together with the right to permit FPL to attach wires to any facilities hereunder and lay cable and conduit within the easement and to operate the same for FPL's 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; 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 _____, 20__.

Signed, sealed and delivered in the presence of:

City of Port St Lucie

(Witness' Signature)

By: _____

Print Name: _____
(Witness)

Print Name: _____

(Witness' Signature)

Print Address: _____

Print Name: _____
(Witness)

STATE OF _____ AND COUNTY OF _____. The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____, the _____ of _____ 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:

Notary Public, Signature

Print Name _____





FPL
POWERING TODAY EMPOWERING TOMORROW

Exhibit A

Section _____ Township _____ S, Range _____ E
County, Florida Scale: _____

FPL Work Request # _____

Reserved for Circuit Court

PAGE 1

LEGAL DESCRIPTION (AS PREPARED BY SURVEYOR)

10' FPL UTILITY EASEMENT

A PORTION OF TRACT "B" IN BLOCK 211 AND TRACT "C" IN BLOCK 214 BOTH IN SOUTH PORT ST. LUCIE UNIT FIFTEEN, ACCORDING TO THE PLAT THEREOF AS RECORDED PLAT BOOK 16 AT PAGE 42, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT "B"; THENCE SOUTH 18°44'55" WEST, A DISTANCE OF 586.96 FEET; THENCE DEPARTING SAID EAST LINE, NORTH 89°59'50" WEST, A DISTANCE OF 344.41 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°59'50" WEST, A DISTANCE OF 11.87 FEET; THENCE NORTH 32°33'06" EAST, A DISTANCE OF 390.78 FEET; THENCE SOUTH 57°26'54" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 32°33'04" WEST, A DISTANCE OF 384.39 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.0890 ACRES OR 3876 SQUARE FEET, MORE OR LESS.

SURVEYOR'S NOTES

1. THIS IS A SKETCH OF DESCRIPTION SURVEY.
2. PARENT TRACT INFORMATION SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH.
4. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE EAST LINE OF TRACT "B", BLOCK 211 SOUTH PORT ST. LUCIE UNIT FIFTEEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 16, PAGE 42 AS BEING SOUTH 18°44'55" WEST.
5. UNDERGROUND UTILITIES AND IMPROVEMENTS HAVE NOT BEEN LOCATED.
6. PARENT TRACT INTERIOR IMPROVEMENTS HAVE NOT BEEN LOCATED.
7. (D) DENOTES DESCRIPTION; (F) DENOTES FIELD MEASURED; (P) DENOTES PLAIN; (C) DENOTES CALCULATED.
8. ALL GEODETIC AND VERTICAL DATA, DEPICTED HEREON IS WITHIN THE 10' ACCURACY TOLERANCES AS SET FORTH BY THE F.A.A.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION SURVEY PERFORMED ON SEPTEMBER 05, 2012, IS IN ACCORDANCE WITH THE TECHNICAL STANDARDS AS REQUIRED BY CHAPTER 61-17, FLORIDA ADMINISTRATIVE CODE.

KIRK B MITCHELL, P.S.M., S. No. 5682
CERTIFICATE OF AUTHORIZATION No. L.E. 6685
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

ADVANCED LAND SURVEYING & MAPPING
C.P.S. and Commercial Survey Services

P.O. BOX 68066
ORLANDO, FL 32868-0666
PHONE (407) 899-3378
FAX (407) 212-9329

SKETCH OF DESCRIPTION SURVEY
PREPARED FOR
PJ DEVELOPMENT, LLC.
CPSL2620 LYNCGATE PARK
A PORTION OF SECTION 2, TOWNSHIP 37 SOUTH, RANGE 40 EAST AND
A PORTION OF SECTION 18, TOWNSHIP 36 SOUTH, RANGE 40 EAST
ST. LUCIE COUNTY, FLORIDA

Form 3122, Rev. 11/07



Exhibit A

Section _____ Township _____ S, Range _____ E

County, Florida Scale: _____

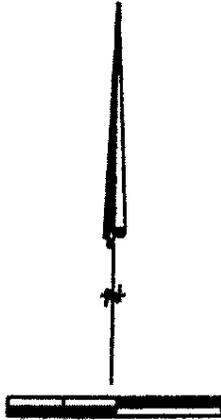
FPL Work Request # _____

Reserved for Circuit Court

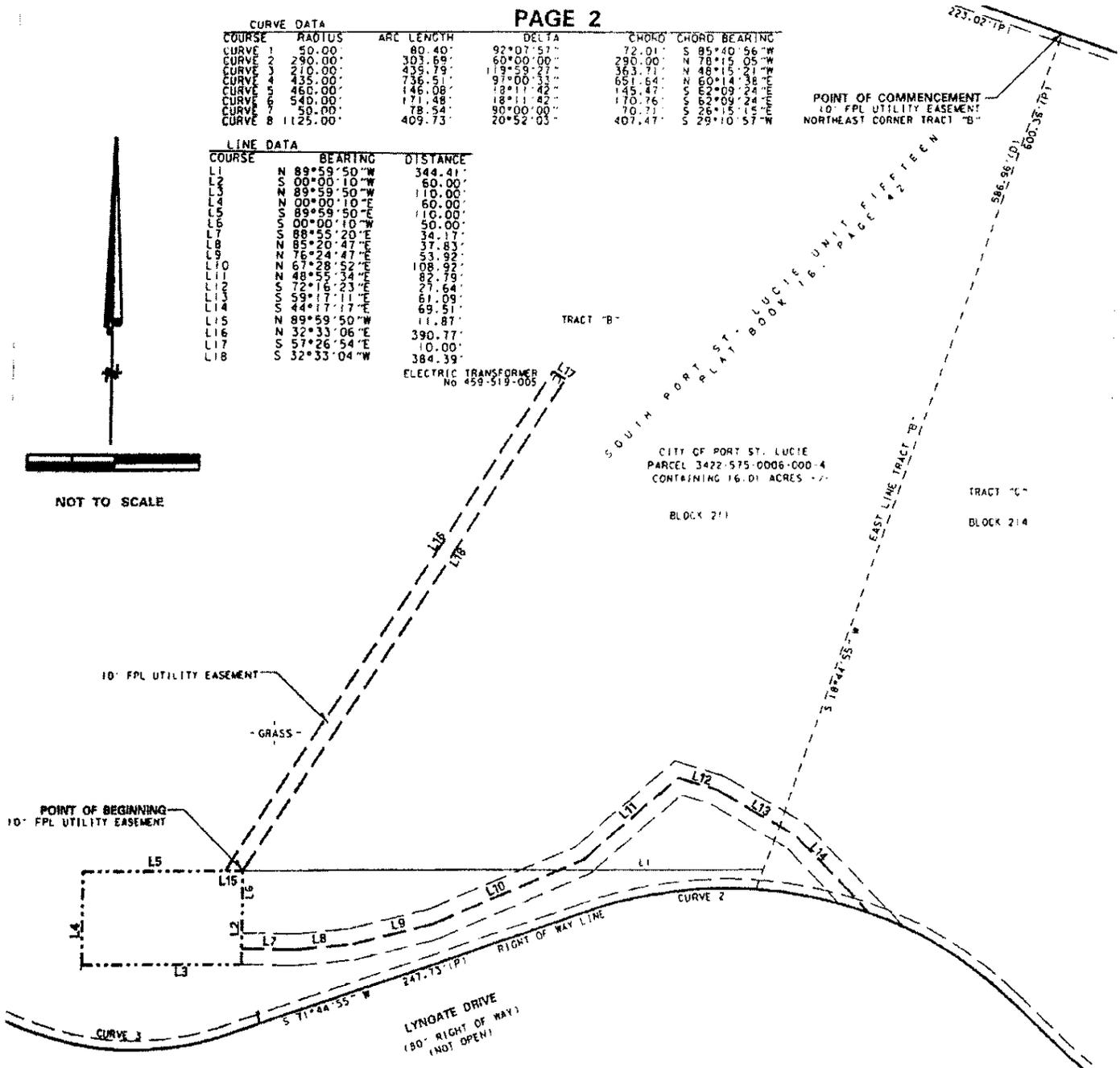
PAGE 2

CURVE DATA						
COURSE	RADIUS	ARC LENGTH	DELTA	CHORD	CHORD BEARING	
CURVE 1	50.00'	80.40'	92°07'57"	72.01'	S	85°40'56"W
CURVE 2	290.00'	303.68'	60°00'00"	290.00'	N	78°15'05"W
CURVE 3	210.00'	459.79'	119°59'27"	363.71'	N	48°15'21"W
CURVE 4	435.00'	736.51'	97°00'51"	651.64'	N	60°14'38"E
CURVE 5	460.00'	146.08'	18°11'42"	145.47'	S	62°09'24"E
CURVE 6	540.00'	171.48'	18°11'42"	170.76'	S	62°09'24"E
CURVE 7	59.00'	78.54'	90°00'00"	70.71'	S	28°15'15"E
CURVE 8	1125.00'	409.73'	20°52'03"	407.47'	S	29°10'57"W

LINE DATA		
COURSE	BEARING	DISTANCE
L1	N 89°59'50"W	344.41'
L2	S 00°00'10"W	60.00'
L3	N 89°59'50"W	110.00'
L4	N 00°00'10"E	60.00'
L5	S 89°59'50"E	110.00'
L6	S 00°00'10"W	50.00'
L7	S 88°55'20"E	34.17'
L8	N 85°20'47"E	37.83'
L9	N 76°24'47"E	53.92'
L10	N 67°28'52"E	108.95'
L11	N 48°25'34"E	82.75'
L12	S 72°16'23"E	82.64'
L13	S 59°17'11"E	61.09'
L14	S 44°17'17"E	69.51'
L15	N 89°59'50"W	11.87'
L16	N 32°33'06"E	390.77'
L17	S 57°26'54"E	10.00'
L18	S 32°33'04"W	384.39'

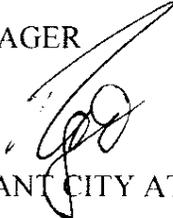


NOT TO SCALE



MEMORANDUM

TO: GREGORY J. ORAVEC, CITY MANAGER

THRU: ROGER G. ORR, CITY ATTORNEY 

FROM: PAM E. BOOKER, SENIOR ASSISTANT CITY ATTORNEY 

DATE: SEPTEMBER 25, 2012

SUBJECT: UTILITY EASEMENT / FLORIDA POWER AND LIGHT
PJ DEVELOPMENT, LLC – LYNGATE PARK CELL TOWER SITE

Attached please find an Ordinance and Easement from the City of Port St. Lucie to Florida Power & Light. On June 14, 2012, the City of Port St. Lucie entered into a Lease Agreement with PJ Development, LLC, for the construction of a telecommunications tower at Lyngate Park. The tower has been constructed. In order for FP&L to provide electrical power to the new tower, they require a utility easement. The Easement has been reviewed and is approved by the Legal Department. Please place this item on the October 8, 2012 City Council agenda. Should you have any questions or need additional information, please contact me at 871-5165.

PB/liw
Attach.

RECEIVED

SEP 26 2012

City Managers Office