



## City of Hallandale Beach City Commission Agenda Cover Memo

|   |  |  |   |                               |
|---|--|--|---|-------------------------------|
| Meeting Date:   | Item Type:   |  | 1 <sup>st</sup> Reading   | 2 <sup>nd</sup> Reading       |
| 11/6/2019   | <input type="checkbox"/> Resolution<br><input type="checkbox"/> Ordinance<br><input checked="" type="checkbox"/> Other | Ordinance Reading                                  | Click or tap to enter a date.   | Click or tap to enter a date. |
|   |  | Public Hearing                                     | <input type="checkbox"/>  | <input type="checkbox"/>      |
|   |  | Advertising Required                               | <input type="checkbox"/>  | <input type="checkbox"/>      |
|   |  | Quasi Judicial:                                    | <input type="checkbox"/>  | <input type="checkbox"/>      |
| Fiscal Impact (\$):   | Account Balance (\$):  | Funding Source:                                    | Project Number :  |                               |
| None  | [Type amount]  | 7290   | Multiple  |                               |
| Contract/P.O. Required  | RFP/RFQ/Bid Number:  | Sponsor Name:                                      | Department:   |                               |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |  | Greg Chavarria                                     | City Manager  |                               |
| Strategic Plan Focus Areas:   |  |  |   |                               |
| <input type="checkbox"/> Financial                                  | <input type="checkbox"/> Organizational Capacity   | <input checked="" type="checkbox"/> Infrastructure | <input checked="" type="checkbox"/> Development, Redevelopment and Economic Development |                               |
| Implementation Timeline   |  |  |   |                               |
| Estimated Start Date: 10/30/2019 Estimated End Date: 10/30/2020     |  |  |   |                               |

### SHORT TITLE:

FPL Utility Easement for Sunrise park

### STAFF SUMMARY:

#### Summary:

This item is to request the City Commission to authorize the City Manager to sign the easement agreement for Florida Power & Light (FPL) to underground the existing overhead power line at Sunrise park.

#### Background:

Sunrise Park is a 2.5 acre neighborhood park located in the SE corner of NE 8<sup>th</sup> Avenue and NE 5<sup>th</sup> Street. In 2014 the citizens of Hallandale Beach approved the sell of General Obligation Bonds (G. O. Bond) to improve a number of City Parks including Sunrise park. Undergrounding of the existing overhead power line across the park is part of the Sunrise Park improvements.

**Current Situation:**

During discussions with FPL regarding its service to the park and one residence on the north side of the park, it was determined that no utility easement was ever provided for this purpose.

In order for FPL to underground the line, an easement agreement and the recording of said easement is needed.

**Why Action is Necessary:**

In order to proceed with the undergrounding of the overhead utility lines at Sunrise Park, FPL requires an easement agreement be executed for them to underground their power distribution to the Park and the existing home on the north side of the Park. City Commission authorization for the City Manager to sign such an easement agreement is necessary, according to the City Attorney's Office, pursuant Section 20-16 of the City Code because granting of an easement equates to *conveyance of real property*.

**Cost Benefit:**

The overall aesthetic value of the new park will enhance property values in the neighborhood. Burying the power line in and of itself will be an improvement to the open space.

**PROPOSED ACTION:**

City Commission to authorize the City Manager to sign FPL easement agreement in order to underground the existing overhead power line at Sunrise Park and direct staff to coordinate the undergrounding efforts with FPL.

**ATTACHMENT(S):**

Exhibit 1 – FPL Easement Agreement including survey sketch and legal description.

Work Request No. 8475062

Sec. 22, Twp 51 S, Rge 42 E

Parcel I.D. \_\_\_\_\_  
(Maintained by County Appraiser)

## EASEMENT (BUSINESS)

This Instrument Prepared By

Name: Greg Chavarria, CM  
Co. Name: City of Hallandale Beach  
Address: 400 S. Federal Hwy  
Hallandale Beach, FL 33009

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 \_\_\_\_\_, 20\_\_.

Signed, sealed and delivered in the presence of:

City of Hallanadle Beach

\_\_\_\_\_  
(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 \_\_\_\_\_

# EXHIBIT "A"

Section 22 Township 51 S, Range 42 E

County, Florida Scale:

FPL Work Request No. 8475062

Reserved for Circuit Court

Indicate North

SEE ATTACHED SKETCH OF SURVEY AND LEGAL  
DESCRIPTION FOR:

- 1) 10'x15' FPL TRANSFORMER EASEMENT
- 2) 5' FPL EASEMENT

AT SUNRISE PARK, 800 NE 5<sup>TH</sup> STREET, HALLANDALE  
BEACH, FLORIDA.

FOR: CITY OF HALLANDALE BEACH

# SKETCH AND DESCRIPTION 10'x15' FPL TRANSFORMER EASEMENT

## LEGAL DESCRIPTION:

THE NORTH 7.50 FEET OF THE EAST 10.00 FEET OF LOT 7, BLOCK 3, ATLANTIC TERRACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 1, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA,

TOGETHER WITH:

THE SOUTH 7.50 FEET OF THE EAST 10.00 FEET OF LOT 7, BLOCK 15 1/2, ATLANTIC SHORES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 34 OF SAID PUBLIC RECORDS.

SAID LANDS SITUATE IN THE TOWN OF HALLANDALE BEACH, BROWARD COUNTY, FLORIDA. CONTAINING 150 SQUARE FEET OR 0.003 ACRES MORE OR LESS.

## NOTES:

THIS SKETCH AND DESCRIPTION CONSISTS OF 2 SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHER.

## CERTIFICATE:

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION AND OTHER PERTINENT DATA SHOWN HEREON, OF THE ABOVE DESCRIBED PROPERTY, CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN CHAPTER 5J-17, (FLORIDA ADMINISTRATIVE CODE) AS ADOPTED BY DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

CRAVEN THOMPSON & ASSOCIATES, INC.  
LICENSED BUSINESS NUMBER #271

**Raymond  
Young**

Digitally signed by  
Raymond Young  
Date: 2019.06.07  
07:21:28 -04'00'

## LEGEND

B.C.R. BROWARD COUNTY RECORDS  
D.C.R. DADE COUNTY RECORDS  
O.R.B. OFFICIAL RECORD BOOK  
P.B. PLAT BOOK  
PG. PAGE  
R/W RIGHT-OF-WAY  
U.E. UTILITY EASEMENT

RAYMOND YOUNG  
PROFESSIONAL SURVEYOR AND MAPPER NO 5799  
STATE OF FLORIDA

THIS SKETCH AND DESCRIPTION OR COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR A UNIQUE ELECTRONIC SIGNATURE OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER UNDER CHAPTER RULES 5J-17.061 & 5J-17.062 FLORIDA ADMINISTRATIVE CODE.

R:\SURVEY\2017\17-0042-001-01\_SUNRISE PARK HALLANDALE\DRAWINGS\170042\_SD\_FPL TRANSFORMER

THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property, or monuments set in connection with the preparation of the information shown hereon.

The undersigned and CRAVEN-THOMPSON & ASSOCIATES, INC. make no representations or guarantees as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for right-of-way and/or easements of record.

| UPDATES and/or REVISIONS | DATE   | BY | CK'D |
|--------------------------|--------|----|------|
| 1. REVISE PER COMMENTS   | 6/7/19 | RY | RY   |
|                          |        |    |      |
|                          |        |    |      |
|                          |        |    |      |

**CRAVEN • THOMPSON & ASSOCIATES, INC.**  
ENGINEERS • PLANNERS • SURVEYOR'S  
3563 N.W. 53RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 739-6409 TEL: (954) 739-6400  
FLORIDA LICENSED ENGINEERING, SURVEYING & MAPPING BUSINESS No. 271  
MATERIAL SHOWN HEREON IS THE PROPERTY OF CRAVEN-THOMPSON & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2019

|                         |                     |
|-------------------------|---------------------|
| JOB NO.: 17-0042-001-02 | SHEET 1 OF 2 SHEETS |
| DRAWN BY: RY            | F.B. N/A PG. N/A    |
| CHECKED BY: TCS         | DATED: 05-30-19     |

# 10'x 15' FPL TRANSFORMER EASEMENT

N87°17'25"E 615.15' (C & M)

N.E. 5th STREET (FLANNIGAN STREET PER PLAT)  
(50' RIGHT OF WAY)

S. RIGHT OF WAY LINE

BLOCK 15 1/2  
ATLANTIC SHORES  
P.B. 9, PG. 34; B.C.R.

E. BOUNDARY LOT 7  
P.B. 9, PG. 34; B.C.R.

BLOCK 3  
GULFSTREAM ESTATES  
P.B. 37, PG. 6; B.C.R.

S. BOUNDARY BLOCK 15 1/2

PROPOSED  
5' FPL EASEMENT

7.50' @ 90°

10.00' @ 90°

10.00' @ 90°

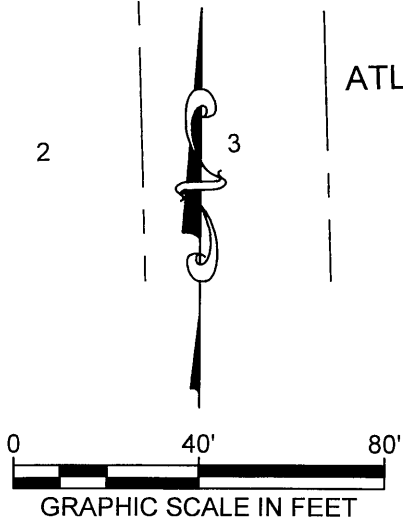
7.50' @ 90°

W. BOUNDARY BLOCK 3

BLOCK 3  
ATLANTIC TERRACE  
P.B. 14, PG. 1; B.C.R.

E. BOUNDARY LOT 7  
(P.B. 14, PG. 1; B.C.R.)

10



R:\SURVEY\2017\17-0042-001-01\_SUNRISE PARK HALLANDALE\DRAWINGS\170042\_SD\_FPL TRANSFORMER

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JOB NO.: 17-0042-001-02

SHEET 2 OF 2 SHEETS

DRAWN BY: RY

F.B. N/A PG. N/A

CHECKED BY: TCS

DATED: 05-07-19

FOR: CITY OF HALLANDALE BEACH

## SKETCH AND DESCRIPTION 5' FPL EASEMENT

### LEGAL DESCRIPTION:

A STRIP OF LAND 5.00 FEET IN WIDTH, BEING A PORTION OF LOTS 4 THROUGH 7, BLOCK 3, ATLANTIC TERRACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 1, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING 2.5 FEET ON EACH SIDE OF AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES TO, THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE NORTHEAST CORNER OF LOT 7, BLOCK 15 1/2, ATLANTIC SHORES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 34 OF SAID PUBLIC RECORDS; THENCE SOUTH 01°47'21" EAST ALONG THE EAST BOUNDARY OF SAID LOT 7, A DISTANCE OF 101.92 FEET; THENCE SOUTH 87°52'47" WEST ALONG THE NORTH BOUNDARY OF A PROPOSED ELECTRIC TRANSFORMER EASEMENT, A DISTANCE OF 10.00 FEET; THENCE SOUTH 01°47'21" EAST ALONG THE WEST BOUNDARY OF SAID PROPOSED ELECTRIC TRANSFORMER EASEMENT, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE SOUTH 87°52'47" WEST ALONG A LINE LYING 2.50 FEET SOUTH OF AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES TO, THE SOUTH BOUNDARY OF SAID BLOCK 15 1/2, A DISTANCE OF 163.74 FEET TO THE POINT OF TERMINUS OF SAID CENTERLINE.

SAID LANDS SITUATE IN THE TOWN OF HALLANDALE BEACH, BROWARD COUNTY, FLORIDA. CONTAINING 819 SQUARE FEET OR 0.019 ACRES MORE OR LESS.

### NOTES:

BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING AND ARE REFERENCED TO THE SOUTH RIGHT OF WAY LINE FOR N.E. 5th STREET, WHICH IS ASSUMED TO BEAR NORTH 87°52'47" EAST.

THIS SKETCH AND DESCRIPTION CONSISTS OF 2 SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHER.

### CERTIFICATE:

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION AND OTHER PERTINENT DATA SHOWN HEREON, OF THE ABOVE DESCRIBED PROPERTY, CONFORMS TO THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN CHAPTER 5J-17, (FLORIDA ADMINISTRATIVE CODE) AS ADOPTED BY DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

CRAVEN THOMPSON & ASSOCIATES, INC.  
LICENSED BUSINESS NUMBER #271

Raymond  
Young

Digitally signed by  
Raymond Young  
Date: 2019.06.07  
07:23:00 -04'00'

RAYMOND YOUNG  
PROFESSIONAL SURVEYOR AND MAPPER NO 5799  
STATE OF FLORIDA

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### LEGEND

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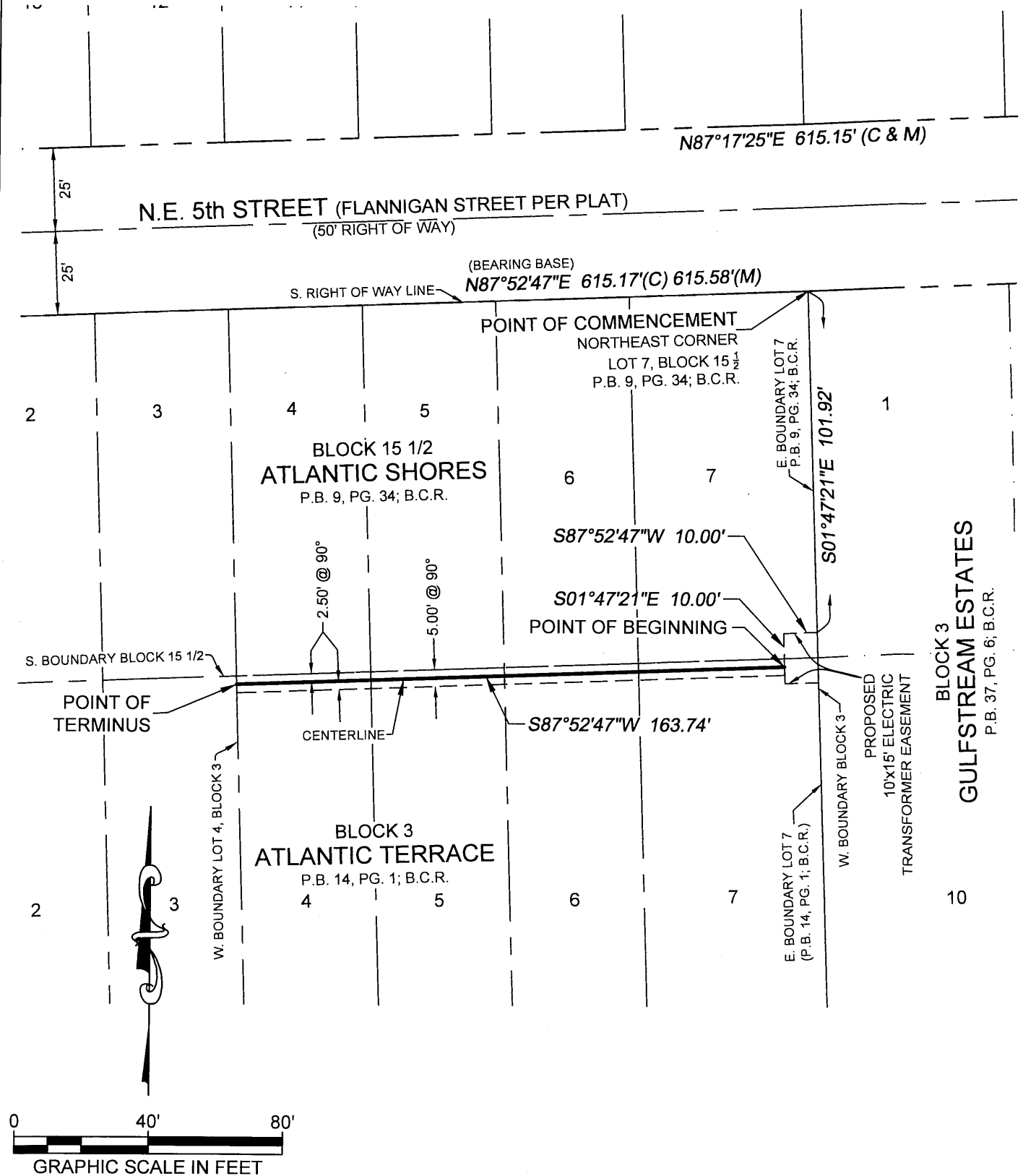
| UPDATES and/or REVISIONS | DATE   | BY | CK'D |
|--------------------------|--------|----|------|
| 1. REVISE PER COMMENTS   | 6/7/19 | RY | RY   |
|                          |        |    |      |
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| JOB NO.: 17-0042-001-02 | SHEET 1 OF 2 SHEETS |
| DRAWN BY: RY            | F.B. N/A PG. N/A    |
| CHECKED BY: TCS         | DATED: 05-30-19     |

# 5' FPL EASEMENT



R:\SURVEY\2017\17-0042-001-01\_SUNRISE PARK HALLANDALE\DRAWINGS\170042\_SD\_FPL 5' EASEMENT

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|-------------------------|---------------------|
| JOB NO.: 17-0042-001-02 | SHEET 2 OF 2 SHEETS |
| DRAWN BY: RY            | F.B. N/A PG. N/A    |
| CHECKED BY: TCS         | DATED: 05-07-19     |