

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Florida Power & Light and Bright House Networks Utility Easement

DEPARTMENT: Administrative Services **DIVISION:** Support Services

AUTHORIZED BY: Jamie Croteau *JC* **CONTACT:** Meloney Lung *mcl* **EXT.** 5256

Agenda Date <u>6/8/04</u>	Regular <input type="checkbox"/>	Consent <input checked="" type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing
	Public Hearing – 1:30 <input type="checkbox"/>		Public Hearing – 7:00 <input type="checkbox"/>	

MOTION/RECOMMENDATION: Approve and authorize Chairman to execute a Florida Power & Light and Bright House Networks Utility Easements involving Parcel #s 14-20-30-300-0130-0000, 14-20-30-300-013C-0000, 14-20-30-300-013A-0000, 14-20-30-300-013D-0000, 14-20-30-300-012A-0000 and 14-20-30-300-0120-0000. The Utility Easements will enable the distribution of both cable television and electric utilities underground.

BACKGROUND: Florida Power & Light Company and Bright House Networks are proposing the future underground utilities in two easements that shall run the entire length of each of the above mentioned parcels in a northEasterly/southEasterly direction commencing from a point contiguous to the easterly boundary of said parcels along the right-of-way of U.S. Highway 17-92 and thence inward a distance of ten feet (10') from said boundary. This effort is a necessary element to the burial of utilities on the 17-92 area in front of the CJC Project, and will allow the removal of the power/utility poles currently carrying the wires overhead.

Staff is requesting approval and authorization for the Chairman to sign the attached easement.

District 5, Commissioner McLain

Reviewed by:	<i>[Signature]</i>
Co Atty:	_____
DFS:	_____
Other:	_____
DCM:	_____
CM:	<i>[Signature]</i>
File No.	<u>A55501</u>

This document was prepared by:
Arnold W. Schneider, Esq.
County Attorney's Office
Seminole County Government
1101 East First Street
Sanford, FL 32771

Please return it to:
Administrative Services Department
Seminole County Government
1101 East First Street
Sanford, FL 32771

CABLE TELEVISION UTILITY EASEMENT

THIS UTILITY EASEMENT is made and entered into this ____ day of _____, 20____, by and between **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771 (hereinafter referred to as "GRANTOR") and **BRIGHT HOUSE NETWORKS, LLC**, a limited liability corporation existing under the laws of the State of New York and having its principal place of business at 5000 Campuswood Drive, East Syracuse, New York 13057 (hereinafter referred to as "GRANTEE").

W I T N E S S E T H:

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which its hereby acknowledged, GRANTOR does hereby grant and convey to the GRANTEE and its assigns a non-exclusive, perpetual easement and right-of-way for cable television purposes with full authority to enter upon, excavate, construct, and maintain, as the GRANTEE and its assigns may deem necessary, underground cable television distribution and transmission lines, conduits, and related accessories, appurtenances, and infrastructure under, upon, and through the following parcels of land, as described by parcel identification

numbers and lying situate in the County of Seminole, State of Florida, to-wit:

PARCEL I.D. NUMBERS

14-20-30-300-0130-0000
14-20-30-300-013C-0000
14-20-30-300-013A-0000
14-20-30-300-013D-0000
14-20-30-300-012A-0000
14-20-30-300-0120-0000

Said utility easements shall run the entire length of each of the above parcels in a northeasterly/southwesterly direction commencing from a point contiguous to the easterly boundary of said parcels along the right-of-way of U.S. Highway 17-92 and thence inward a distance of ten feet (10') from said boundary.

TO HAVE AND TO HOLD said easements and right-of-way unto said GRANTEE and its assigns forever.

THE GRANTEE and its assigns shall have the right to clear, keep clear, and remove from said right-of-way all trees, undergrowth, and other obstructions that may interfere with location, excavation, operation, or maintenance of the utilities or any facilities installed thereon by the GRANTEE and its assigns. The foregoing notwithstanding, the easements shall be subject to the right of GRANTOR, its successors and assigns to design, construct, and cover said utility easements with concrete sidewalks, curbs, asphalt paving or similar surface improvements and materials for the purpose of providing ingress, egress, parking, and pedestrian traffic across, over, through, and upon said easements. Such rights to make surface improvements to the subject properties shall not interfere with the location, excavation, operation, or maintenance of GRANTEE's cable television utilities or facilities installed therein. GRANTOR recognizes and consents to the right of the GRANTEE to excavate, temporarily relocate, or replace any of GRANTOR's surface improvements within the easement areas without compensation or reimbursement to the GRANTEE if said improvements must be disturbed for purposes of utilities upgrades, repairs, maintenance, or subsequently required relocation, it being the further

responsibility of GRANTEE at its own expense to fully restore GRANTOR's surface improvements in such circumstances.

GRANTOR does hereby covenant with the GRANTEE that it is lawfully seized and possessed of the real estate above described, that it has a good and lawful right to convey the said easement and that said parcels are free from all encumbrances.

IN WITNESS WHEREOF, the GRANTOR has hereunto set its hand and seal the day and year first above written.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
DARYL G. MCLAIN, Chairman

Date: _____

For the use and reliance
of Seminole County only.

As authorized for execution
by the Board of County Commissioners
at their _____, 20_____
regular meeting.

Approved as to form and
legal sufficiency.

County Attorney

This document was prepared by:
Arnold W. Schneider, Esq.
County Attorney's Office
Seminole County Government
1101 East First Street
Sanford, FL 32771

Please return it to:
Administrative Services Department
Seminole County Government
1101 East First Street
Sanford, FL 32771

ELECTRIC UTILITY EASEMENT

THIS UTILITY EASEMENT is made and entered into this ____ day of _____, 20____, by and between **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771 (hereinafter referred to as "GRANTOR") and **FLORIDA POWER AND LIGHT COMPANY**, a corporation existing under the laws of the State of Florida and having its principal place of business at 700 Universe Boulevard, Juno Beach, Florida, 33408 (hereinafter referred to as "GRANTEE").

W I T N E S S E T H:

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which its hereby acknowledged, GRANTOR does hereby grant and convey to the GRANTEE and its assigns a non-exclusive, perpetual easement and right-of-way for electric utility purposes with full authority to enter upon, excavate, construct, and maintain, as the GRANTEE and its assigns may deem necessary, underground electrical transmission lines, conduits, and related accessories, appurtenances, and infrastructure under, upon, and through the following parcels of land, as described by parcel identification numbers and lying situate in the County of Seminole, State of Florida, to-wit:

PARCEL I.D. NUMBERS

14-20-30-300-0130-0000
14-20-30-300-013C-0000
14-20-30-300-013A-0000
14-20-30-300-013D-0000
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Said utility easements shall run the entire length of each of the above parcels in a northeasterly/southwesterly direction commencing from a point contiguous to the easterly boundary of said parcels along the right-of-way of U.S. Highway 17-92 and thence inward a distance of ten feet (10') from said boundary.

TO HAVE AND TO HOLD said easements and right-of-way unto said GRANTEE and its assigns forever.

THE GRANTEE and its assigns shall have the right to clear, keep clear, and remove from said right-of-way all trees, undergrowth, and other obstructions that may interfere with location, excavation, operation, or maintenance of the utilities or any facilities installed thereon by the GRANTEE and its assigns. The foregoing notwithstanding, the easements shall be subject to the rights of GRANTOR, its successors and assigns to design, construct, and cover said utility easement with concrete sidewalks, curbs, asphalt paving, or similar surface improvements and materials for the purpose of providing ingress, egress, parking, and pedestrian traffic across, over, through, and upon said easements. Such rights to make surface improvements to the subject properties shall not interfere with the location, excavation, operation, or maintenance of GRANTEE's utilities or facilities installed therein. GRANTOR recognizes and consents to the right of the GRANTEE to excavate, temporarily relocate, or replace any of GRANTOR's surface improvements within the easement areas without compensation or reimbursement to the GRANTEE if said improvements must be disturbed for purposes of utilities upgrades, repairs, maintenance, or subsequently required relocation, it being the further responsibility of GRANTEE at its own expense to fully restore GRANTOR's surface improvements in such circumstances.

GRANTOR does hereby covenant with the GRANTEE that it is lawfully seized and possessed of the real estate above described, that it has a good and lawful right to convey said easements and that said parcels are free from all encumbrances.

IN WITNESS WHEREOF, the GRANTOR has hereunto set its hand and seal the day and year first above written.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
DARYL G. MCLAIN, Chairman

Date: _____


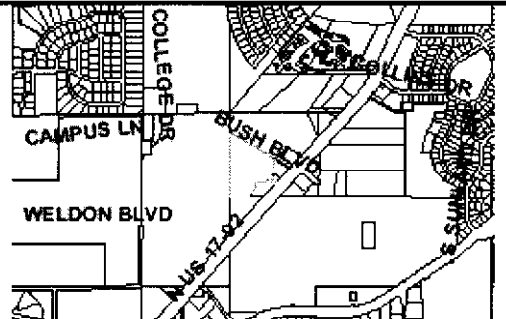

For the use and reliance
of Seminole County only.

Approved as to form and
legal sufficiency.


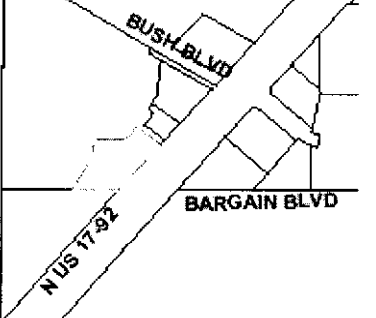

As authorized for execution
by the Board of County Commissioners
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County Attorney


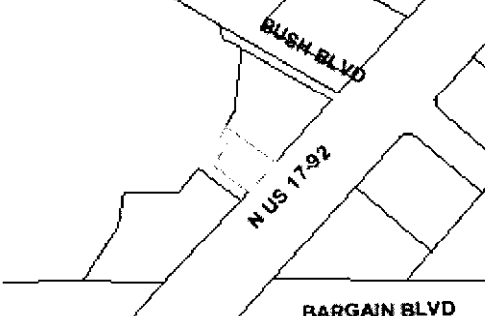

Personal Property

<p>PARCEL DETAIL</p>	<p>REAL ESTATE</p>	<p>PERSONAL PROP</p>	<p>TAX ROLL</p>	<p>SALES SEARCH</p>	<p>◀ Back ▶</p>																														
 <p>Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																																			
<p align="center">GENERAL</p> <p>Parcel Id: 14-20-30-300-0130-0000 Tax District: S4-SANFORD 17-92 REDVDST Owner: SEMINOLE B C C Exemptions: 85-COUNTY Address: 1101 E 1ST ST City,State,ZipCode: SANFORD FL 32771 Property Address: 101 BUSH BLVD Facility Name: Dor: 86-COUNTY(EXC:PUBLIC SC)</p>			<p align="center">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$0 Land Value (Market): \$928,700 Land Value Ag: \$0 Just/Market Value: \$928,700 Assessed Value (SOH): \$928,700 Exempt Value: \$928,700 Taxable Value: \$0</p>																																
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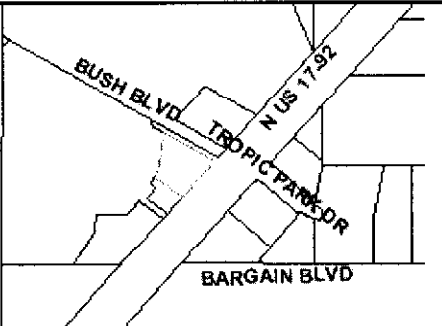
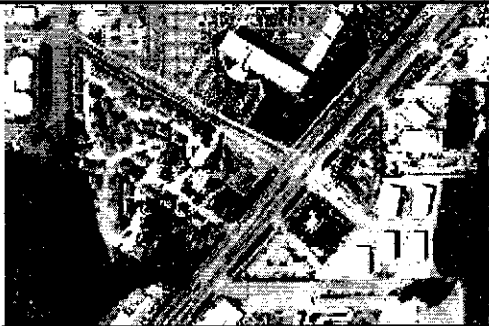


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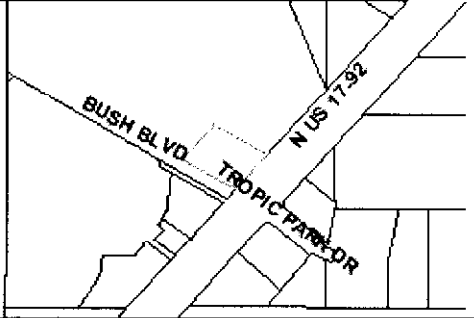

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Personal Property

PARCEL DETAIL	<input type="button" value="REAL ESTATE"/> <input checked="" type="button" value="PERSONAL PROP"/> <input type="button" value="TAX ROLL"/> <input type="button" value="SALES SEARCH"/>	<input type="button" value="◀ Back"/> <input type="button" value="▶"/>																																													
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