

5. Consideration of a request from Florida Power and Light for a ground equipment easement to provide service to Building 'E' located at the City's Municipal Complex.



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Scott Morgan, Interim City Manager

**THRU:** Christeen Sullivan, Acting Public Works Director

**DATE:** April 17, 2025

**RE:** Consideration of a request from Florida Power and Light for a ground equipment easement to provide service to Building 'E' located at the City's Municipal Complex.

### **SUMMARY:**

FPL is requesting a Non-Exclusive Easement for placement of aboveground and underground electric utility facilities. The Easement will be located in the vicinity of the West line of the City's Municipal Complex, platted as Tract 'A', Port Malabar Unit Ten. The purpose of this request is to provide service to Building 'E'.

### **REQUESTING DEPARTMENT:**

Public Works

### **FISCAL IMPACT:**

None.

### **STAFF RECOMMENDATION:**

Motion to approve the FPL request for an Easement to be located on the City's Municipal Complex.

### **ATTACHMENTS:**

1. FPL Easement Deed/Exhibit "A"
3. Vicinity Map A
4. Vicinity Map B



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Public Works

### FISCAL IMPACT:

None.

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Motion to approve the FPL request for an Easement to be located on the City's Municipal Complex.

### ATTACHMENTS:

1. FPL Easement Deed/Exhibit "A"
3. Vicinity Map A
4. Vicinity Map B

Work Request No. 12968407

Sec. 06, Twp 29 S, Rge 37 E

Parcel I.D. 29-37-06-GK-A

(Maintained by County Appraiser)

## UNDERGROUND EASEMENT (BUSINESS)

This Instrument Prepared By

Name: David Small

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 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" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach or place wires to or within 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, 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 Palm Bay

\_\_\_\_\_  
(Witness' Signature)

Print Name: \_\_\_\_\_  
(Witness)

Print Address: \_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_

Print Address: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Witness' Signature)

Print Name: \_\_\_\_\_

Print Address: \_\_\_\_\_  
(Witness)  
\_\_\_\_\_

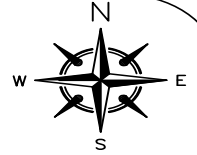
STATE OF \_\_\_\_\_ AND COUNTY OF \_\_\_\_\_. The foregoing instrument was acknowledged before me by [ ] physical presence or [ ] on-line notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_, the \_\_\_\_\_ of \_\_\_\_\_ a \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification, and who did (did not) take an oath. (Type of Identification)

My Commission Expires:

\_\_\_\_\_  
Notary Public, Signature

Print Name \_\_\_\_\_

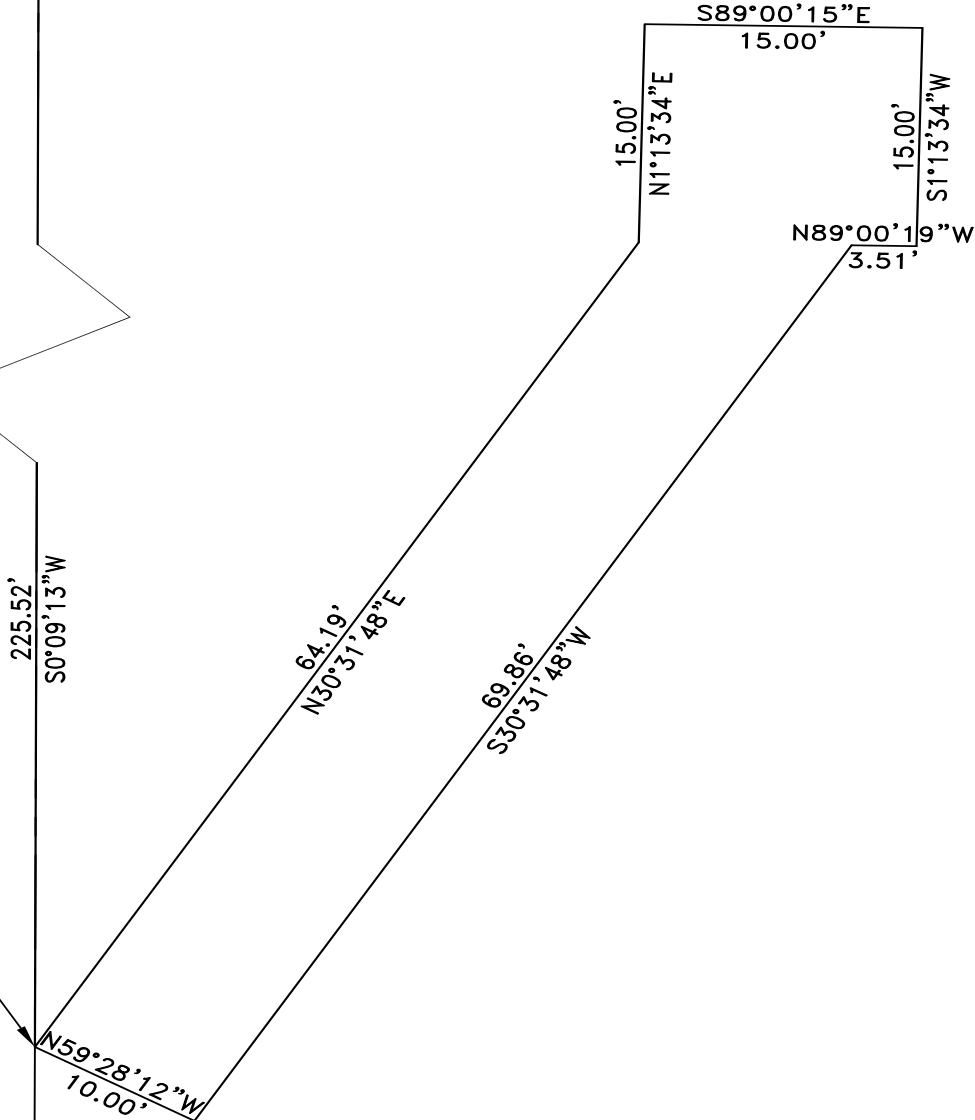
# EXHIBIT "A"



MELBOURNE-TILLMAN WATER CONTROL DISTRICT CANAL No. 37

POINT OF COMMENCEMENT  
NORTHWEST CORNER OF TRACT "A"

POINT OF  
BEGINNING



## LEGAL DESCRIPTION

Parent Parcel ID # 29-37-06-GK-A

Purpose: Florida Power & Light Easement

## LEGAL DESCRIPTION: (PREPARED BY SURVEYOR)

A parcel of land lying in Section 6, Township 29 South, Range 37 East, Brevard County, Florida, being a portion of Tract "A", Port Malabar Unit Ten Plat Book 15, Pages 10 - 19 less those portions as described in ORB 3116, PGS 4054 - 4056, and ORB 3620, PGS 2831 - 2833, of the Public Records of Brevard County, Florida. Being more particularly described as follows:

Commence at the Northwest corner of Tract "A", thence S 00°09'13" W, along the East right of way of Melbourne Tillman Water Control District Canal No 37, a distance of 225.52 feet to the Point of Beginning; thence N 30°31'48" E, a distance of 64.19 feet; thence N 01°13'34" E, a distance of 15.00 feet; thence S 89°00'15" E, a distance of 15.00 feet; thence S 01°13'34" W, a distance of 15.00 feet; thence N 89°00'19" W, a distance of 3.51 feet; thence S 30°31'48" W, a distance of 69.86 feet; thence N 59°28'12" W, a distance of 10.00 feet, to the Point of Beginning.

Containing 895 Square Feet more or less.

I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

**Joe Hale**

Digitally signed by Joe Hale  
Date: 2025.04.02 11:27:48  
-04'00'

4 - 02 -2025

JOSEPH N. HALE PROFESSIONAL SURVEYOR AND MAPPER NO. 6366

NOT VALID WITHOUT ORIGINAL SIGNATURE AND  
SEAL OR ELECTRONIC SIGNATURE OF A  
FLORIDA LICENSED SURVEYOR AND MAPPER.



**CITY OF PALM BAY**  
1050 MALABAR ROAD, SW  
PALM BAY, FLORIDA 32907  
(321) 953-8996

Work Request No. 12968407

Sec. 06, Twp 29 S, Rge 37 E

Parcel I.D. 29-37-06-GK-A

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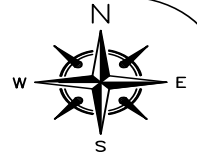
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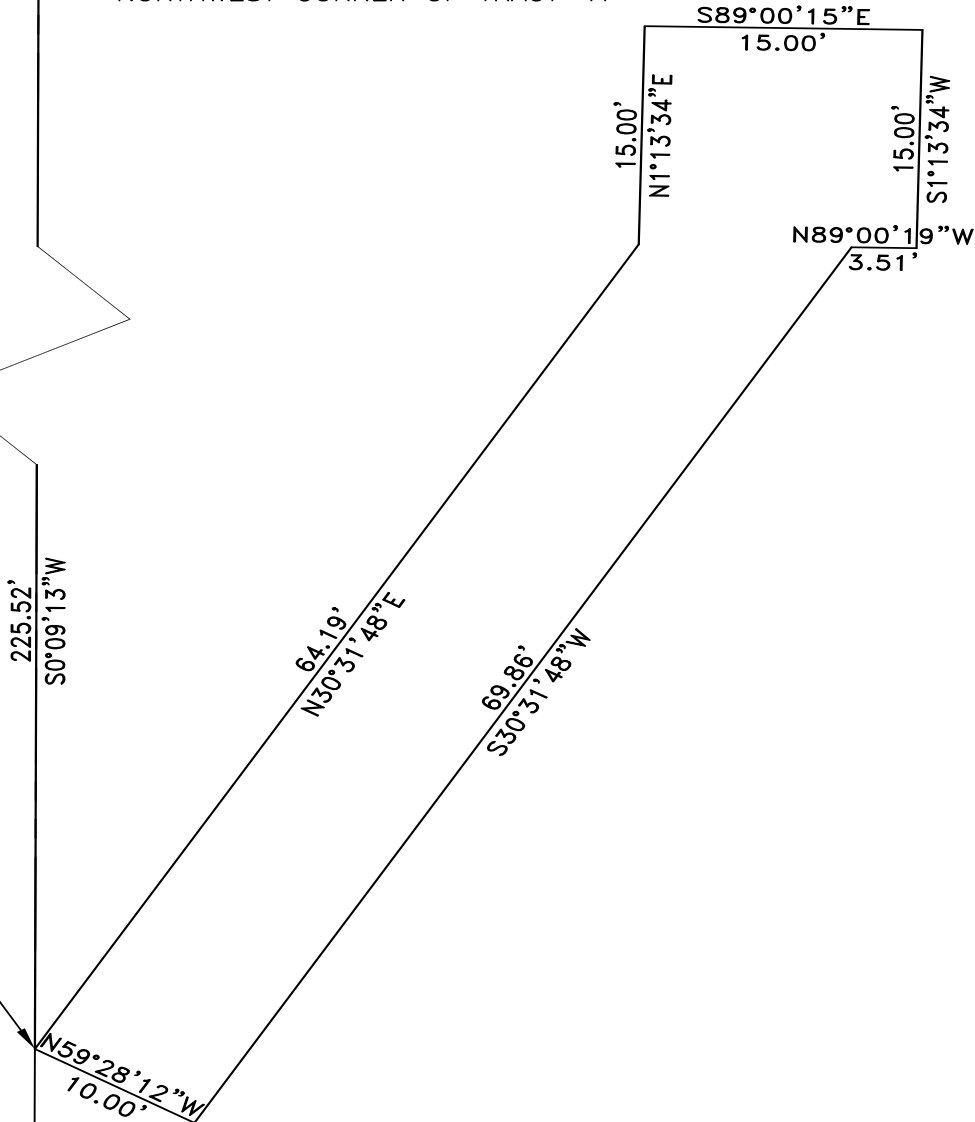
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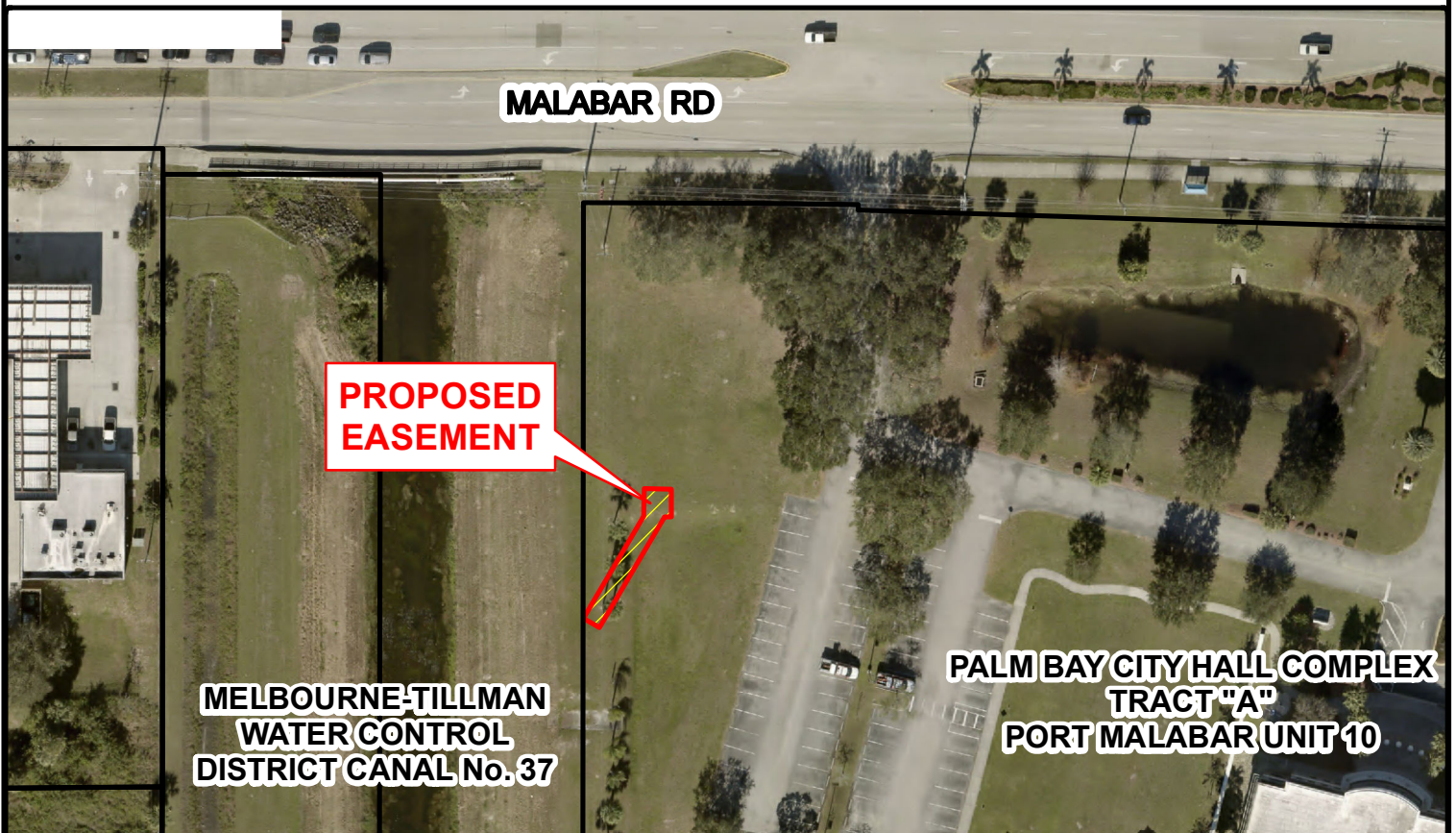
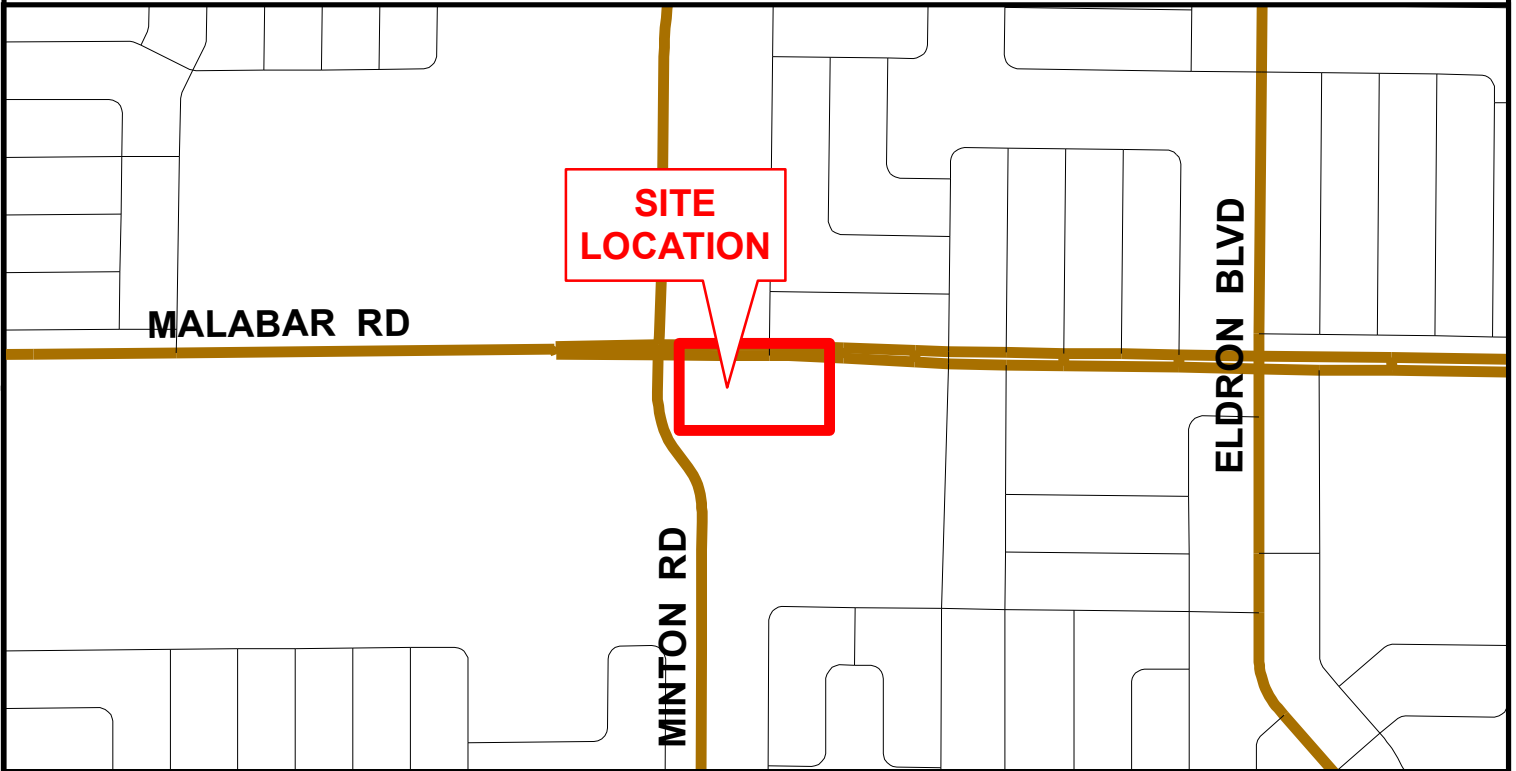
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1050 MALABAR ROAD, SW  
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(321) 953-8996

# LOCATION MAP



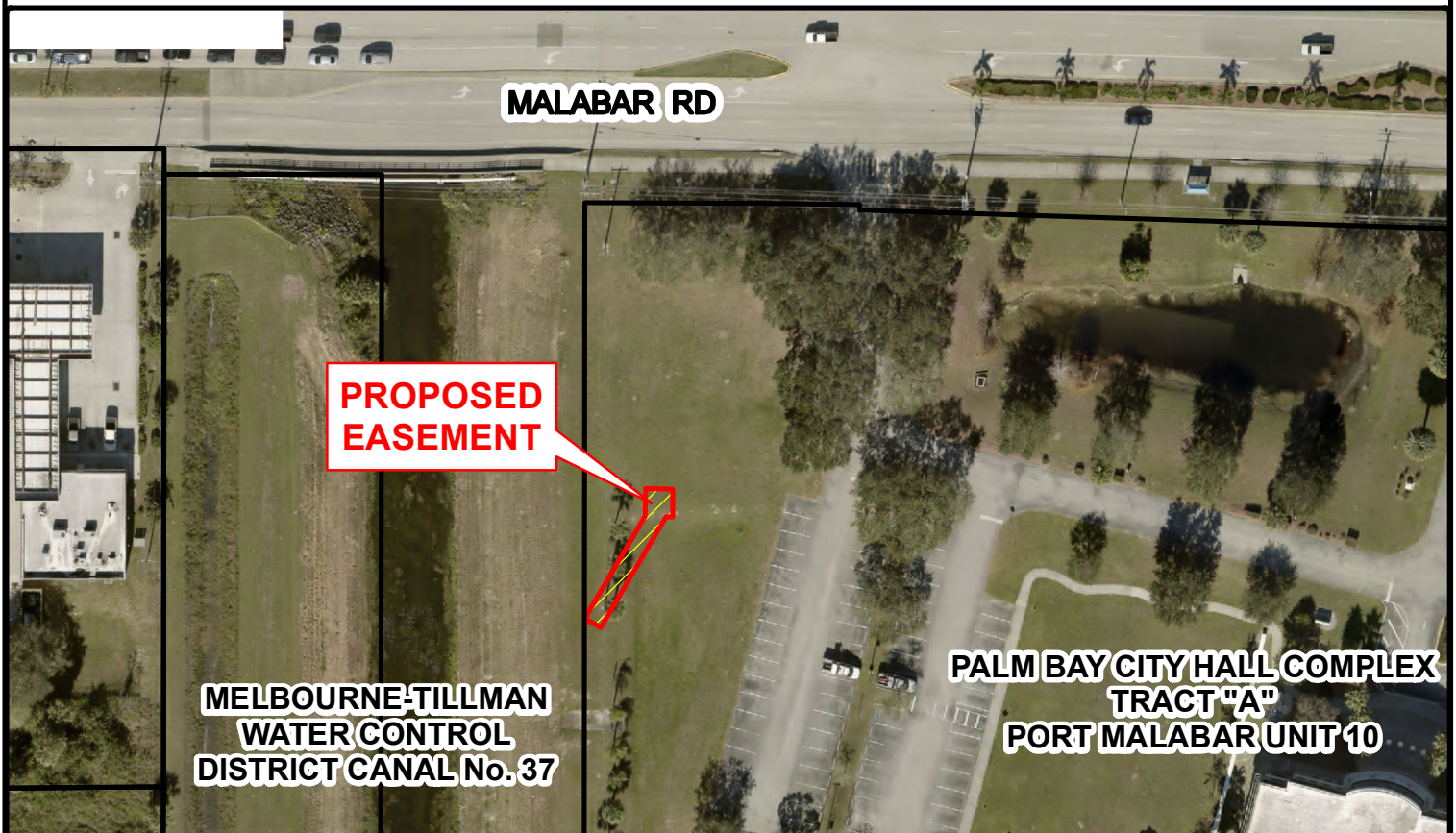
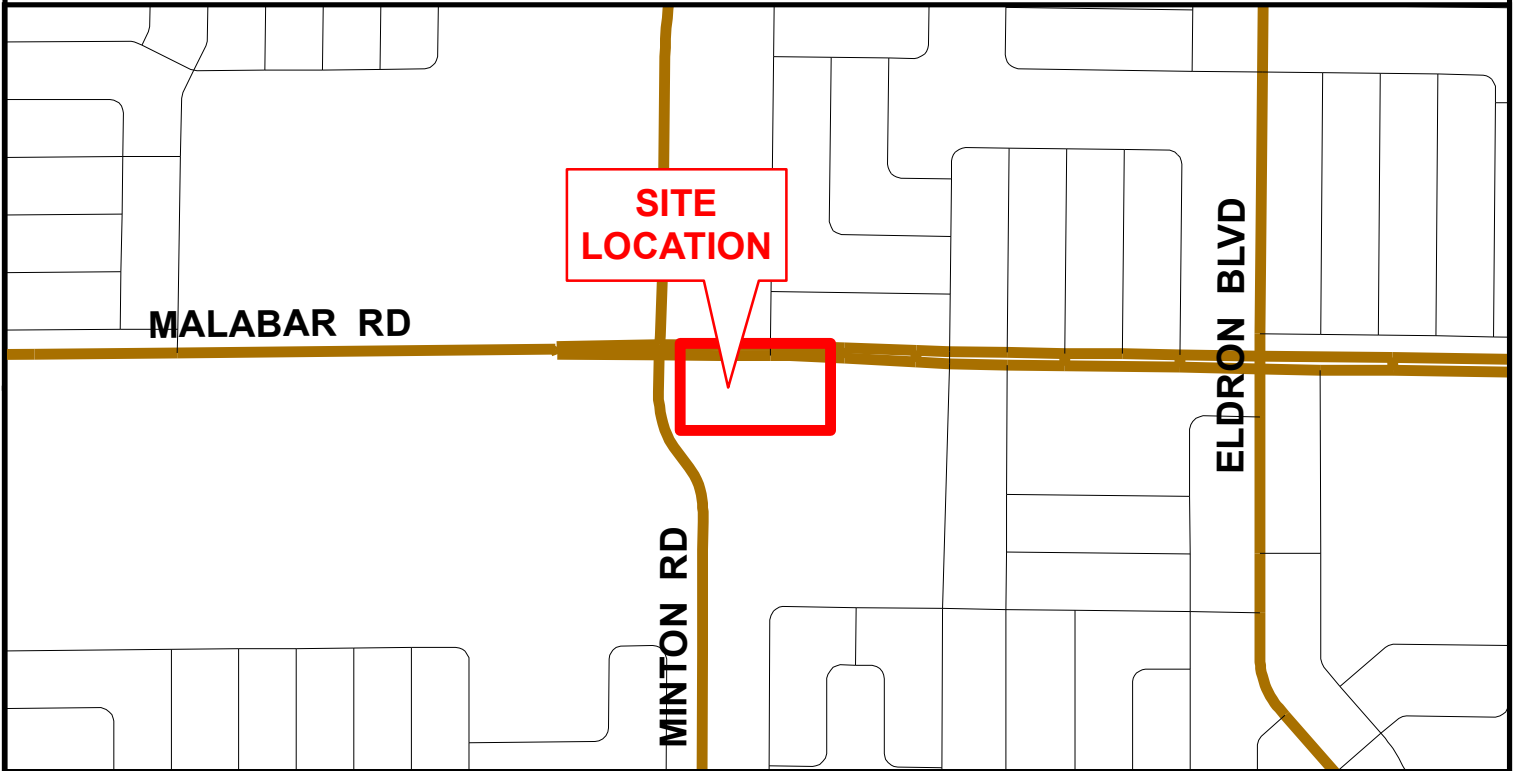
Map is for illustrative purposes only!  
 Not to be construed as binding or a survey.  
 Map created by the City of Palm Bay  
 Public Works Department (RSD), on March 18, 2025.

**PROPOSED FP&L EASEMENT  
TRACT "A"  
PORT MALABAR UNIT 10**

0 25 50 100  
 Feet  
 1 inch = 100 feet



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