

TAB 6



City of Palmetto Agenda Item

Meeting Date

3/19/12

Presenter: Allen R Tusing

Department: Public Works Department

Title:

Easement from the City of Palmetto to Teco Peoples Gas for Natural Gas Line

As part of the Haben Boulevard Round-About project it was necessary to relocate some of the other utilities lines. Teco Peoples Gas and the department of Public Works decided that because of the other utilities and the underdrain system, it would be better to relocate their line onto the property owned by the city which is parcel 2604600609 containing 1.171 ac. The attached easement agreement and Exhibits A & B will describe the Easement.

Budgeted Amount: \$0.00 **Budget Page No(s):** **Available Amount:** \$0.00 **Expenditure Amount:** \$0.00

Additional Budgetary Information:

Funding Source(s): **Sufficient Funds Available:** Yes No **Budget Amendment Required:** Yes No **Source:**

City Attorney Reviewed: Yes No N/A **Advisory Board Recommendation:** For Against N/A **Consistent With:** Yes No N/A

Potential Motion/Direction Requested: Move to approve the non exclusive easement with Peoples Gas System, a division of Tampa Electric Company, and authorize the Mayor to execute the documents.

Staff Contact: Allen R. Tusing atusing@palmettofl.org 941-723-4580 or 941-737-0282

Attachments: Grant of non-exclusive easement, Exhibit A and Exhibit B and a Property Appraisers Map which is not part of this Easement but being provided to you for information to help orient you with the described location.

CLERK OF CIRCUIT COURT RETURN TO PREPARER:

Prepared by: Real Estate Department
Peoples Gas System
702 N. Franklin Street
Tampa, FL 33602

Space Reserved for Clerk

GRANT OF NON-EXCLUSIVE UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS that the **CITY OF PALMETTO**, a municipal corporation (the "**Grantor**") whose principal address is 516 8th Avenue West Palmetto, Florida 34221, in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant to **PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY**, a Florida corporation (the "**Grantee**") whose principal address is P. O. Box 2562, Tampa, Florida 33601, and to its successors and assigns, a non-exclusive perpetual easement (the "**Easement**") for the installation, maintenance and repair of natural gas facilities (the "**Facilities**"), over, under and upon a portion of the parcel of land owned by the Grantor described on Exhibit "A" attached hereto (the "**Grantor's Parcel**").

The width of the Easement (the "**Easement Area**") shall be five (5) feet encompassing the Facilities as installed. The approximate location of the Easement Area is shown on the sketch of description attached hereto as Exhibit "B".

1. Use: Grantee's use of the Easement shall at all times be in compliance with all Federal, State and local laws, regulations, ordinances and statutes.

2. Repair by Grantee. Grantee shall promptly repair any damage to the Easement, or any other property not owned by Grantee, caused by Grantee exercising its rights under this agreement including without limitation, landscaping, ground cover, planting, roadways, driveways, sidewalks, parking areas and structures. In the event that Grantee, its employees, agents or contractors cause damage to the Easement in the exercise of the privilege granted herein, Grantee agrees to restore the Easement parcel so damaged to its original condition and grade. Notwithstanding the foregoing, Grantor reserves the right to install minor landscaping, irrigation and/or fencing within the utility easement parcel provided that it does or will not directly interfere with the Grantee's Facilities; Grantor further acknowledges that under the "Underground Facility Damage Prevention and Safety Act" (F.S.8556), that Grantor is obligated to notify "Sunshine State One-Call of Florida, Inc." of its intent to engage in excavation or demolition prior to commencing any work and that this notification system shall provide member operations an opportunity to identify and locate if applicable, their underground Facilities prior to said excavation or demolition. In the event Grantor fails to notify as set forth above, Grantor may be held responsible for costs and expenses incurred due to damage of Grantee's Facilities.

3. Relocation: The Grantee agrees upon the request of Grantor to relocate its Facilities, over, under and upon subject parcel at the expense of Grantor with the vacated portion of this easement being released and conveyed back to Grantor and the site of the relocated Facilities being conveyed and included in this easement grant as though it had been included abinitio.

4. Entire Agreement: This Grant of Easement constitutes the entire agreement and understanding between the parties with respect to the subject matter hereof. This Grant of Easement may not be changed, altered or modified except by an instrument in writing signed by the party against whom enforcement of such change would be sought. This Grant of Easement shall be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the Grantor has executed this Grant of Non-Exclusive Easement this ____ day of _____, 20__.

Signed, Sealed and Delivered
in the presence of:

GRANTOR:

CITY OF PALMETTO, a Municipal Corporation,

WITNESS: _____
Print Name: _____

By: _____
Name: **Shirley Groover Bryant**
Title: **Mayor**

WITNESS: _____
Print Name: _____

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF MANATEE

The forgoing instrument was acknowledged before me this _____ day of _____ 20__ by _____ as _____ of _____, on behalf of the corporation. She/He personally appeared before me, is personally known to me or has produced _____ as identification and who did (did not) take an oath.

(SEAL)

Notary Public

Print Name
Commission Expires:

Signed Seal and Delivered
in the presence of:

GRANTEE:

**PEOPLES GAS SYSTEM, A DIVISION OF
TAMPA ELECTRIC COMPANY,**
a Florida corporation

WITNESS: _____
Print Name: _____

By: _____
J.A. Kickliter, Director of Real Estate

WITNESS: _____
Print Name: _____

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF HILSBOROUGH

The forgoing instrument was acknowledged before me this _____ day of _____ 20__ by J.A. Kickliter, Director of Real Estate, on behalf of the corporation. He personally appeared before me, is personally known to me.

(SEAL)

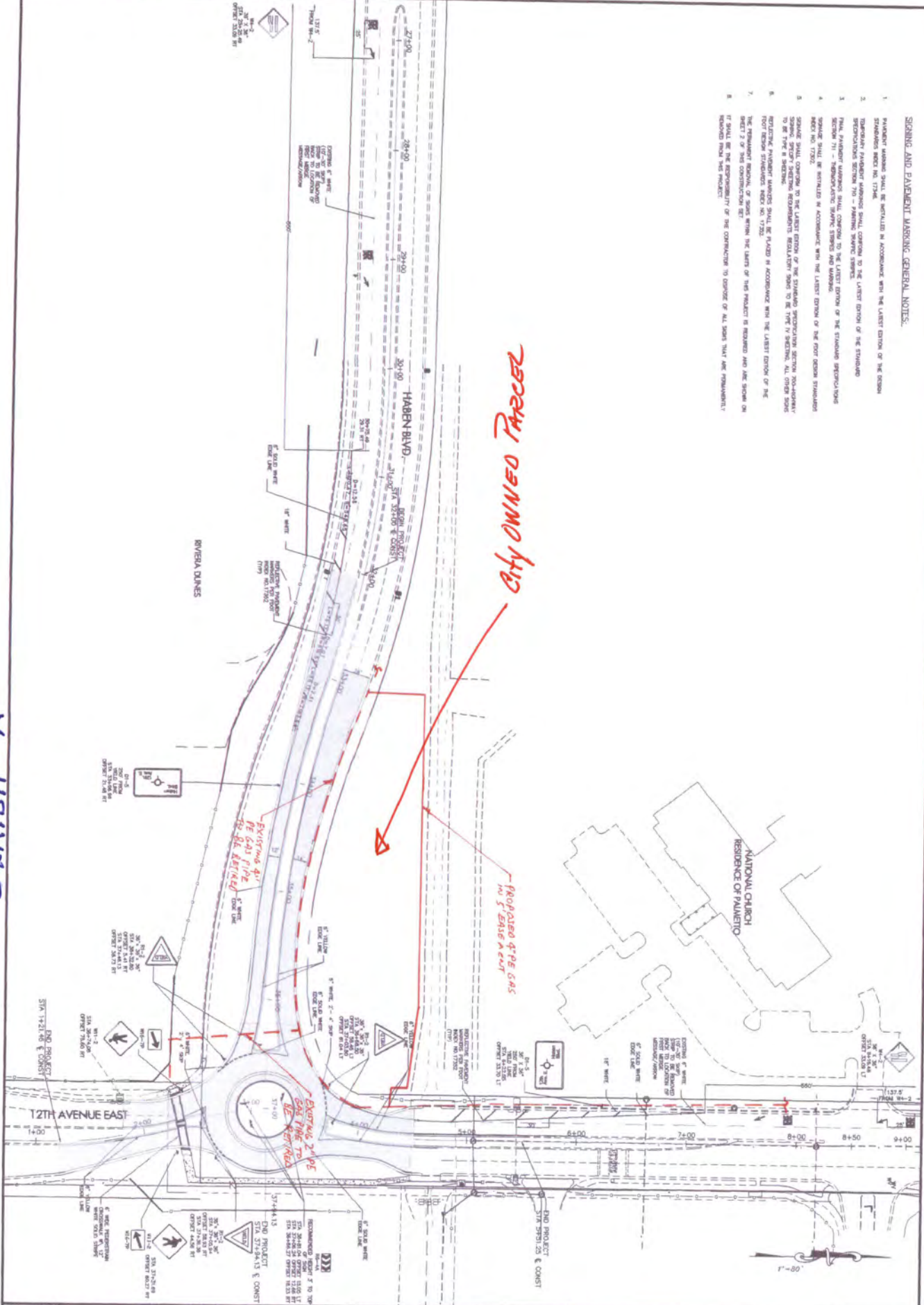
Notary Public

Print Name
Commission Expires:

SIGNAGE AND PAVEMENT MARKING GENERAL NOTES:

1. PAVEMENT MARKING SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE STANDARD SPECIFICATIONS SECTION 710 - PAVING: SHAPE SYMBOLS.
2. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE STANDARD SPECIFICATIONS SECTION 710 - PAVING: SHAPE SYMBOLS.
3. FINAL PAVEMENT MARKING SHALL CONFORM TO THE LATEST EDITION OF THE STANDARD SPECIFICATIONS SECTION 710 - PAVING: SHAPE SYMBOLS AND MARKINGS.
4. SIGNAGE SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE STANDARD SPECIFICATIONS SECTION 710 - PAVING: SHAPE SYMBOLS AND MARKINGS.
5. SIGNAGE SHALL CONFORM TO THE LATEST EDITION OF THE STANDARD SPECIFICATIONS SECTION 710 - PAVING: SHAPE SYMBOLS AND MARKINGS.
6. THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL SIGNS THAT ARE PERMANENTLY REMOVED FROM THIS PROJECT.

Exhibit "A"



SIGNAGE AND STRIPING PLAN
FOR
HABEN BLVD.
LOCATED IN
SECTION XX, TOWNSHIP XX SOUTH, RANGE XX EAST
CITY OF PALMETTO, FLORIDA

DATE: 08/16/10	REVISIONS:
SCALE: AS SHOWN	1. REVISED PER COMMENTS FROM THE CITY ENGINEER
SHEET NO. 02	2. REVISED PER COMMENTS FROM THE CITY ENGINEER
	3. REVISED PER COMMENTS FROM THE CITY ENGINEER
	4. REVISED PER COMMENTS FROM THE CITY ENGINEER
	5. REVISED PER COMMENTS FROM THE CITY ENGINEER
	6. REVISED PER COMMENTS FROM THE CITY ENGINEER
	7. REVISED PER COMMENTS FROM THE CITY ENGINEER

ZNS ENGINEERING
ENGINEERS | PLANNERS | SURVEYORS
LANDSCAPE ARCHITECTS | ENVIRONMENTAL CONSULTANTS
11000 W. UNIVERSITY BLVD., SUITE 100, PALMETTO, FLORIDA 34107
TEL: 813.833.8888 FAX: 813.833.8889
WWW.ZNS-ENGINEERING.COM

JED C. MULLOCK
PROFESSIONAL ENGINEER #4892
SIGNATURE

Exhibit "B"

MEMBER

Florida Society of Professional Surveyors & Mappers
Manasota Chapter Of Surveyors



CLEMENTS SURVEYING, INC.

509 8th Avenue West
SUITE 140
PALMETTO, Florida 34221
Phone: 729-6690
Fax: 729-7580

LB#6667

Boundaries
Mortgage
Elevation Cert.
Construction Layout
Subdivisions

EASEMENT PREPARED FOR:
TECO PEOPLES GAS
PROPERTY LOCATED AT:
699 HABEN BOULEVARD, PALMETTO.
OWNED BY: THE CITY OF PALMETTO

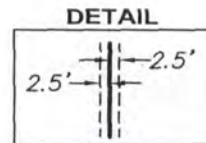
SKETCH OF DESCRIPTION
- NOT A BOUNDARY SURVEY -



SCALE
1" = 200'

NE CORNER OF
SE 1/4 - SW 1/4 OF
SEC. 13-34-17
EAST LINE
500°10'38"W
364.20'
COLONIAL MOBIL MANOR
PI # 2581300007
- NOT PLATTED -

LINE	BEARING	DISTANCE
L1	S 00°04'33" W	26.87'
L2	N 83°51'58" W	35.86'
L3	N 89°04'38" W	447.19'
L4	S 02°55'32" W	8.38'



- NOT PLATTED -
PI # 2580011001
ADDR: 699 HABEN BOULEVARD

NW CORNER OF
O.R. BOOK 2018,
PAGE 2548

589°44'49"E 1258.00'
NORTH R/W LINE
(84' WIDE R/W)
O.R. BOOK 1144, PAGE 1425
TERMINUS

5' WIDE
GAS EASEMENT

HABEN BLVD.
PI # 2580011001
P.O.B.

DESCRIPTION:

A 5 FOOT WIDE GAS EASEMENT LYING 2.50 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA; THENCE 500°10'38"W, ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 364.20 FEET TO A POINT MARKING THE NORTHEAST CORNER OF A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2018, PAGE 2548 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE 589°44'49"E, ALONG THE NORTH LINE OF SAID PARCEL OF LAND A DISTANCE OF 1258.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND, ALSO LYING ON THE WESTERLY RIGHT OF WAY LINE OF HABEN BOULEVARD; THENCE 500°04'33"W, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 26.87 FEET FOR A POINT OF BEGINNING OF SAID CENTERLINE; THENCE N83°51'58"W, A DISTANCE OF 35.86 FEET; THENCE N89°04'38"W, A DISTANCE OF 447.19 FEET; THENCE S02°55'32"W, A DISTANCE OF 8.38 FEET FOR A TERMINUS POINT, SAID POINT ALSO LYING ON THE NORTHERLY RIGHT OF WAY LINE OF HABEN BOULEVARD.

NOTE:

BEARINGS ARE BASED ON THE NORTH LINE OF A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 2018, PAGE 2548, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING 589°44'49"E, AS PER DEED.

Job NO. 11-189

FB 200 PG 45

Date of Location 11-1-11

Foundation _____

Final _____
Prepared On 11-7-11

Drawn By KDH

CERTIFICATION OF SURVEYOR

BY: James L. Clements
JAMES L. CLEMENTS, P.S.M. # 4091

DATE OF CERTIFICATION 11-8-11

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED

SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

LEGEND

- P=Plat M=Measured D=Deed
- R/W=Right Of Way R=Radial
- =Iron Rod Found(IRF)
- =Iron Rod Set(IRS)#6667
- =Iron Pipe Found
- ▲ =Nail & Disc Found
- △ =Nail & Disc Set #6667
- TBM=Temporary Bench Mark
- POB=Point Of Beginning
- POC=Point Of Commencement
- CMF=Concrete Monument Found
- CMS=Concrete Monument Set #6667
- PRM=Permenent Reference Monument
- PC=Point Of Curve
- 0.00 = Elevation

Manatee County Map



Legend



This map was developed by the Manatee County Geographic Information Systems division. It is provided for general reference, is subject to change, and is not warranted for any particular use or purpose. Errors from non-coincidence of features from different sources may be present.
Printed at 12:00 on 2012-03-12

