

RESOLUTION NO. R-2021-093

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN UNDERGROUND EASEMENT AGREEMENT WITH FLORIDA POWER AND LIGHT COMPANY ("FPL") FOR THE PURPOSE OF INSTALLING FPL FACILITIES FOR THE INSTALLATION OF EQUIPMENT TO CONVERT UTILITY LINES TO UNDERGROUND.

WHEREAS, the City, together with the Community Redevelopment Agency ("CRA"), desires additional beautification improvements along State Road A1A to enhance the corridor's aesthetics and improve the pedestrian experience; and

WHEREAS, to achieve this, the CRA Board directed staff to proceed with Streetscape Improvements and Undergrounding of Overhead Utilities along State Road A1A from Hollywood Boulevard to Sheridan Street; and

WHEREAS, on November 18, 2015, the CRA Board (R-BCRA-2015-54) authorized Kimley Horn and Associates to provide consulting services for the design and construction documents, and Kimley Horn and Associates prepared plans for the project, and these plans were given to Florida Power and Light ("FPL") to prepare the necessary agreement for the conversion of overhead powerlines to underground including the necessary ancillary infrastructure equipment (utility boxes); and

WHEREAS, to facilitate undergrounding of utility lines, ancillary FPL facilities and equipment infrastructure that do not fit within City's Right-of-Way are proposed to be placed in five locations on three City owned properties as shown on the attached Exhibits "A" through "E" in Exhibit "I"; and

WHEREAS, in support of the CRA's Complete Street Project, the City desires to grant a total of five easements: two easements generally located at a New Hampshire Street-end west of A1A (FOLIO No. 514212020220), two easements at the Garfield Street Parking Garage (FOLIO No. 514212010910), and one easement on Margaritaville's property west of A1A (FOLIO No. 5142 13 08 0020); and

WHEREAS, as a condition of approval for the installation of underground infrastructure, FPL requires an unrestricted easement be granted to FPL; and

WHEREAS, the attached Exhibit "I" is the required Underground Easement Form in which the City grants to FPL a non-exclusive easement, forever, for the construction, operations and maintenance of underground electric utility facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA.

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution of the attached Underground Easement Agreement with FPL, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 5 day of May, 2021.

  
\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

  
\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY for the use and reliance of the City of Hollywood, Florida, only.

  
\_\_\_\_\_  
DOUGLAS R. GONZALES  
CITY ATTORNEY *Du*

INSTR # 117668899  
Recorded 10/18/21 at 02:41 PM  
Broward County Commission  
12 Page(s)  
Deed Doc Stamps: \$0.70  
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|--|--|
|  | <b>UNDERGROUNDEASEMENT (BUSINESS)</b><br>This Instrument Prepared By |
| Sec. 13 __, Twp 51 __, Rge 42 __ E   | Name: <u>Sarita Shamah</u>   |
| Parcel I.D. # <u>5142 13 08 0020</u><br>Parcel I.D. # <u>5142 12 01 0910</u><br>Parcel I.D. # <u>5142 12 02 0220</u><br>(Maintained by County Appraiser) | Co. Name: <u>City of Hollywood</u>                                   |
|  | Address: <u>2600 Hollywood Blvd , Hollywood FL. 33020</u>            |

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")
- See Exhibit "B" ("Easement Area")
- See Exhibit "C" ("Easement Area")
- See Exhibit "D" ("Easement Area")
- See Exhibit "E" ("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.

(Continued on Sheet No. 9.779)

(Continued from Sheet No. 9.778)

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on June 23, 2021

Signed, sealed and delivered  
in the presence of:

Michele Anzalone  
(Witness' Signature)

Print Name Michele Anzalone.  
(Witness)

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

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

\_\_\_\_\_  
By: [Signature]

Print Name: Wazir Ishmael, Ph.D.

Print Address: 2600 Hollywood Blvd.

Room 419, Hollywood Blvd.

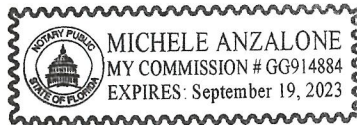
APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY FOR THE USE AND RELIANCE  
OF THE CITY OF HOLLYWOOD, FLORIDA, ONLY.

By: [Signature]  
CITY ATTORNEY

STATE OF FL AND COUNTY OF Broward. The foregoing instrument was acknowledged  
before me this 23 day of June, 2021, by Wazir Ishmael, the  
City Manager of City of Hollywood a, Municipal Corporation, 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.



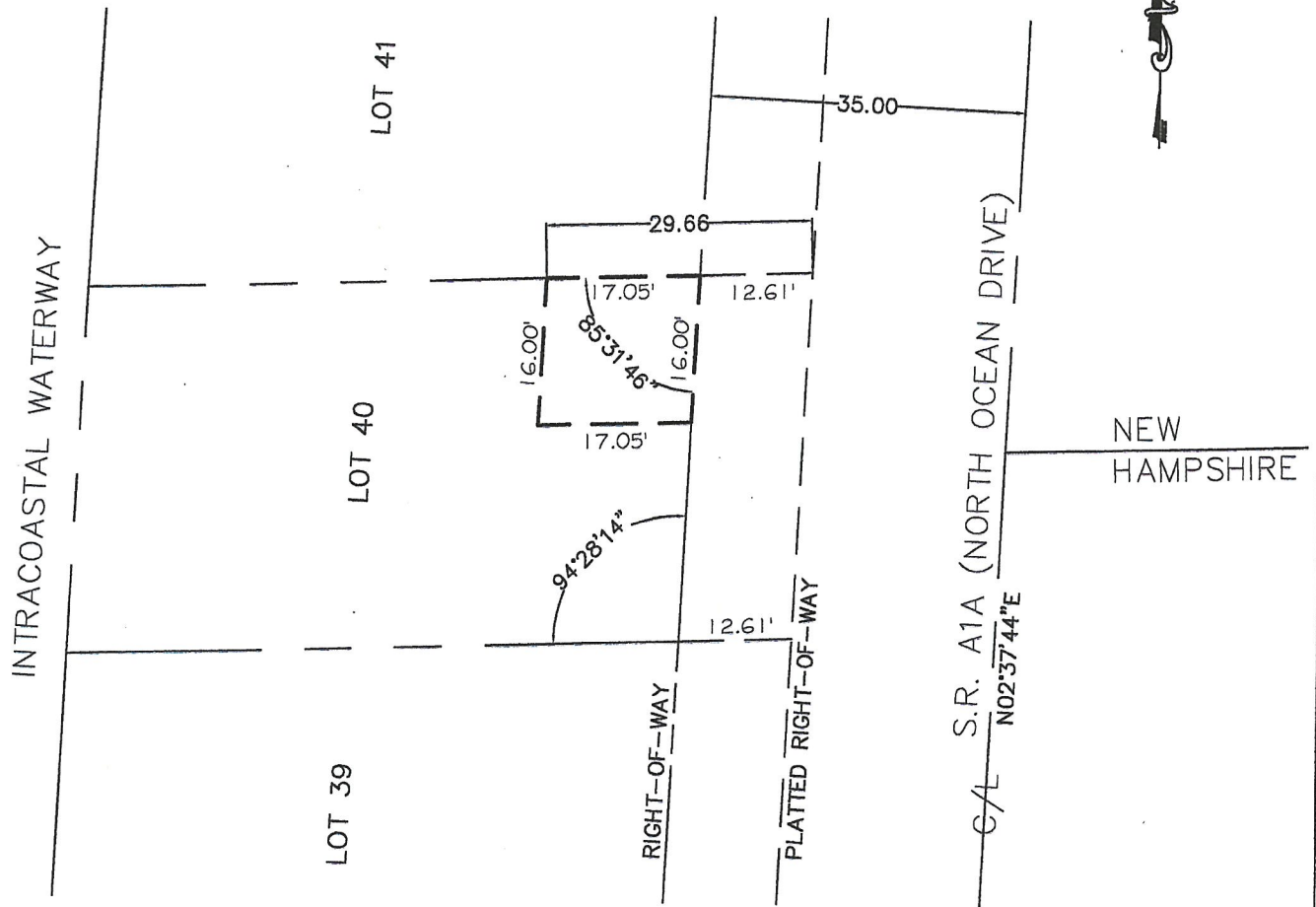
[Signature]

Michele Anzalone

Notary Public, Signature

Print Name

DESCRIPTION: THE EAST 29.66 FEET OF THE NORTH 16.00 FEET OF LOT 40, LESS THE EAST 12.61 FEET, AS MEASURED ALONG THE NORTH AND SOUTH LINES THEREOF, BLOCK 'B', "HOLLYWOOD BEACH SECOND ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 6, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA



NOTES

- 1) SKETCH ONLY, NOT SURVEYED.
- 2) LANDS SHOWN HERE ON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.
- 3) NORTH ARROW RELATIVE TO ASSUMED N.02°37'44"E. ALONG THE CENTERLINE OF S.R. A1A (NORTH OCEAN DRIVE).
- 4) ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

LEGEND

- B.C.R -BROWARD COUNTY RECORDS
- O.R.B. -OFFICIAL RECORDS BOOK
- P.B. -PLAT BOOK
- PG. -PAGE

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER

| REVISION | DATE | BY | SKETCH & DESCRIPTION |                 |
|----------|------|----|----------------------|-----------------|
|          |      |    | JOB #:RN9107         | DATE:03-04-21   |
|          |      |    | SCALE: 1"=20'        | FILE No.:       |
|          |      |    | DRAWN BY: SHG        | CHECKED BY: SKS |

STEPHEN K. SEELEY, FOR THE FIRM  
PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA REGISTRATION NO. 4574

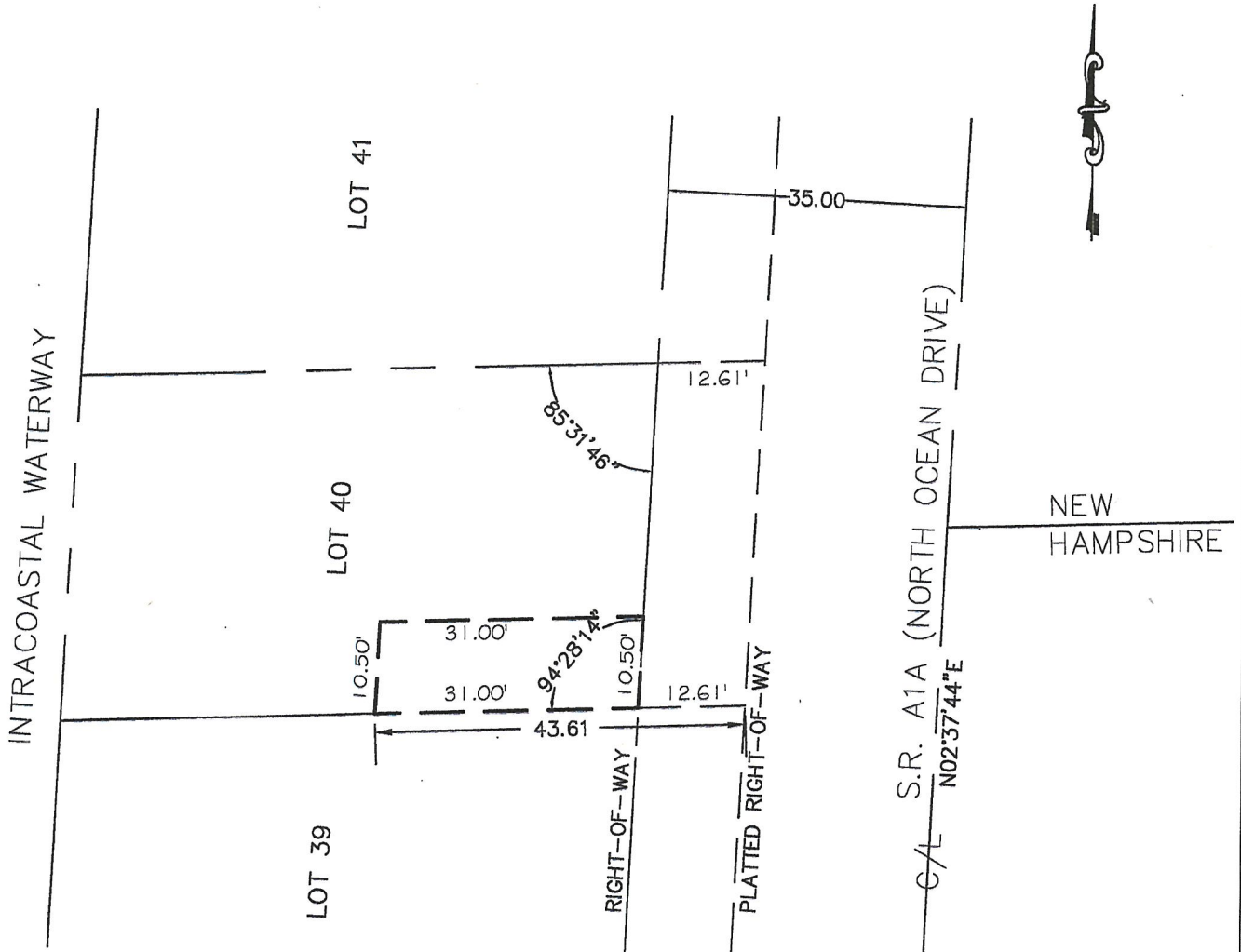
**GIBBS LAND SURVEYORS**  
2131 HOLLYWOOD BOULEVARD, SUITE 204  
HOLLYWOOD, FL 33020 (954) 923-7666  
LICENSED BUSINESS NO. 7018



December 9, 2020



DESCRIPTION: THE EAST 43.61 OF THE SOUTH 10.5 FEET OF LOT 40, LESS THE EAST 12.61 FEET, AS MEASURED ALONG THE NORTH AND SOUTH LINES THEREOF, BLOCK 'B', "HOLLYWOOD BEACH SECOND ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 6, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA



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|          |      |    | JOB #:RNS107         | DATE:03-04-21   |
|          |      |    | SCALE: 1"=20'        | FILE No.:       |
|          |      |    | DRAWN BY: SHG        | CHECKED BY: SKS |

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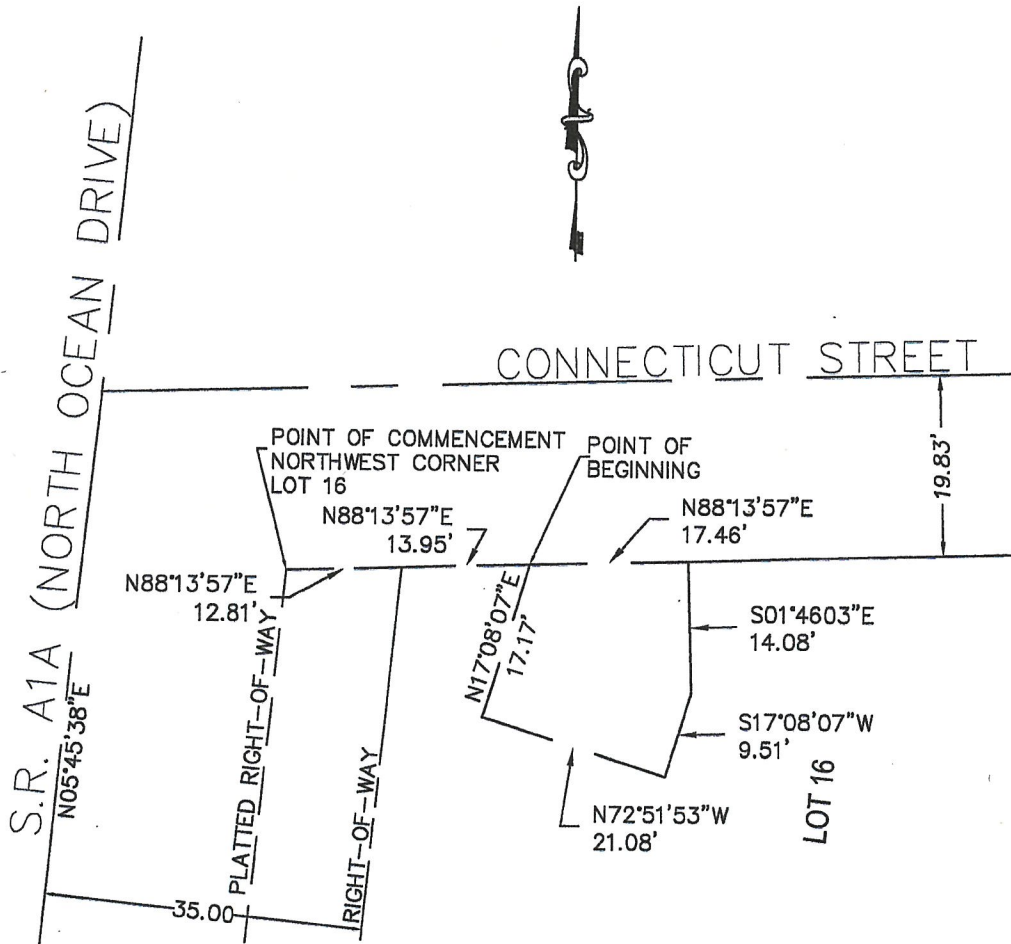


December 9, 2020



DESCRIPTION: THAT PORTION OF LOT 16, BLOCK '5', "HOLLYWOOD BEACH FIRST ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 16, THENCE N 88°13'57"E ALONG THE NORTH LINE OF LOT 16 A DISTANCE OF 12.81 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF S.R. A1A (NORTH OCEAN DRIVE); THENCE CONTINUE N 88°13'57"E ALONG SAID NORTH LINE A DISTANCE OF 13.95 FEET, AND THE POINT OF BEGINNING; THENCE CONTINUE EASTERLY N 88°13'57"E ALONG SAID NORTH LINE A DISTANCE OF 17.46 FEET; THENCE S 01°46'03"E PERPENDICULAR TO SAID NORTH LINE A DISTANCE OF 14.08 FEET; ;THENCE S 17°08'07"W, A DISTANCE OF 9.51 FEET; THENCE N 72°51'53" WEST, A DISTANCE OF 21.08 FEET; THENCE N 17°08'07" E DISTANCE OF 17.17 FEET TO THE POINT OF BEGINNING..



NOTES:

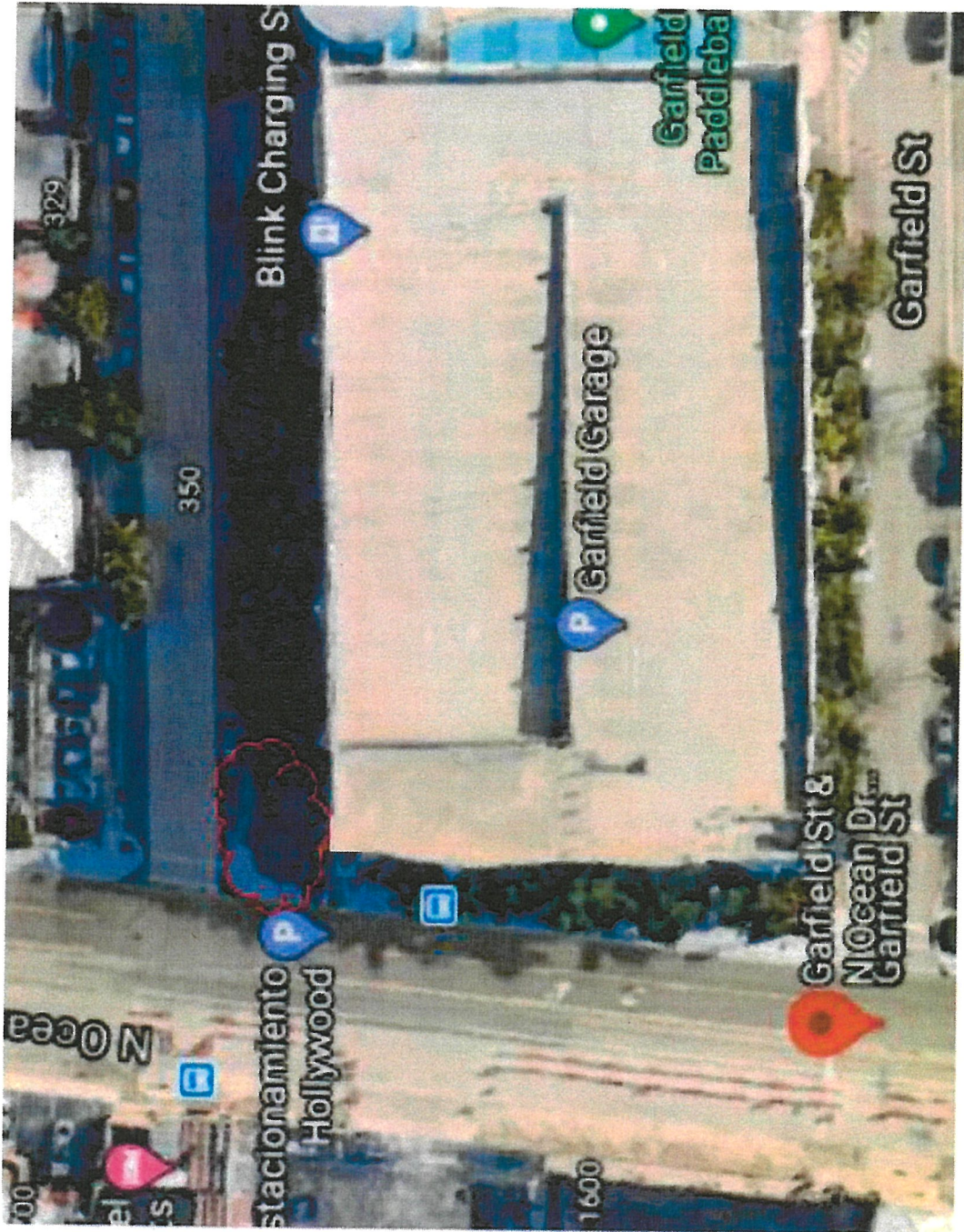
- 1) SKETCH ONLY, NOT SURVEYED.
- 2) LANDS SHOWN HERE ON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.
- 3) NORTH ARROW RELATIVE TO ASSUMED N.05°45'38"E. ALONG THE CENTERLINE OF S.R. A1A (NORTH OCEAN DRIVE).
- 4) ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 5) BEARINGS BASED ON ASSUMED MERIDIAN OF N05°45'38"E FOR THE CENTERLINE OF A-1-A.

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| REVISION | DATE | BY | SKETCH & DESCRIPTION |                 | STEPHEN K. SEELEY, FOR THE FIRM<br>PROFESSIONAL SURVEYOR & MAPPER<br>FLORIDA REGISTRATION NO. 4574 | GIBBS LAND SURVEYORS<br>2131 HOLLYWOOD BOULEVARD, SUITE 204<br>HOLLYWOOD, FL 33020 (954) 923-7666<br>LICENSED BUSINESS NO. 7018 |
|----------|------|----|----------------------|-----------------|--|---|
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|          |      |    | SCALE: 1"=20'        | FILE No.:       |  |   |
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|          |      |    |                      |                 |  |   |



DESCRIPTION: THAT PORTION OF LOT 13, BLOCK '5', "HOLLYWOOD BEACH FIRST ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 13, THENCE RUN EASTERLY ALONG THE SOUTH LINE OF LOT 13 A DISTANCE OF 47.81 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE EASTERLY ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET; THENCE NORTHERLY PERPENDICULAR TO SAID SOUTH LINE A DISTANCE OF 7.50 FEET; THENCE WESTERLY PARALLEL WITH SAID SOUTH LINE A DISTANCE OF 10.00 FEET; THENCE SOUTHERLY PERPENDICULAR TO SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 7.50 FEET TO THE POINT OF BEGINNING..



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|          |      |    | JOB #:               | DATE:           |  |   |
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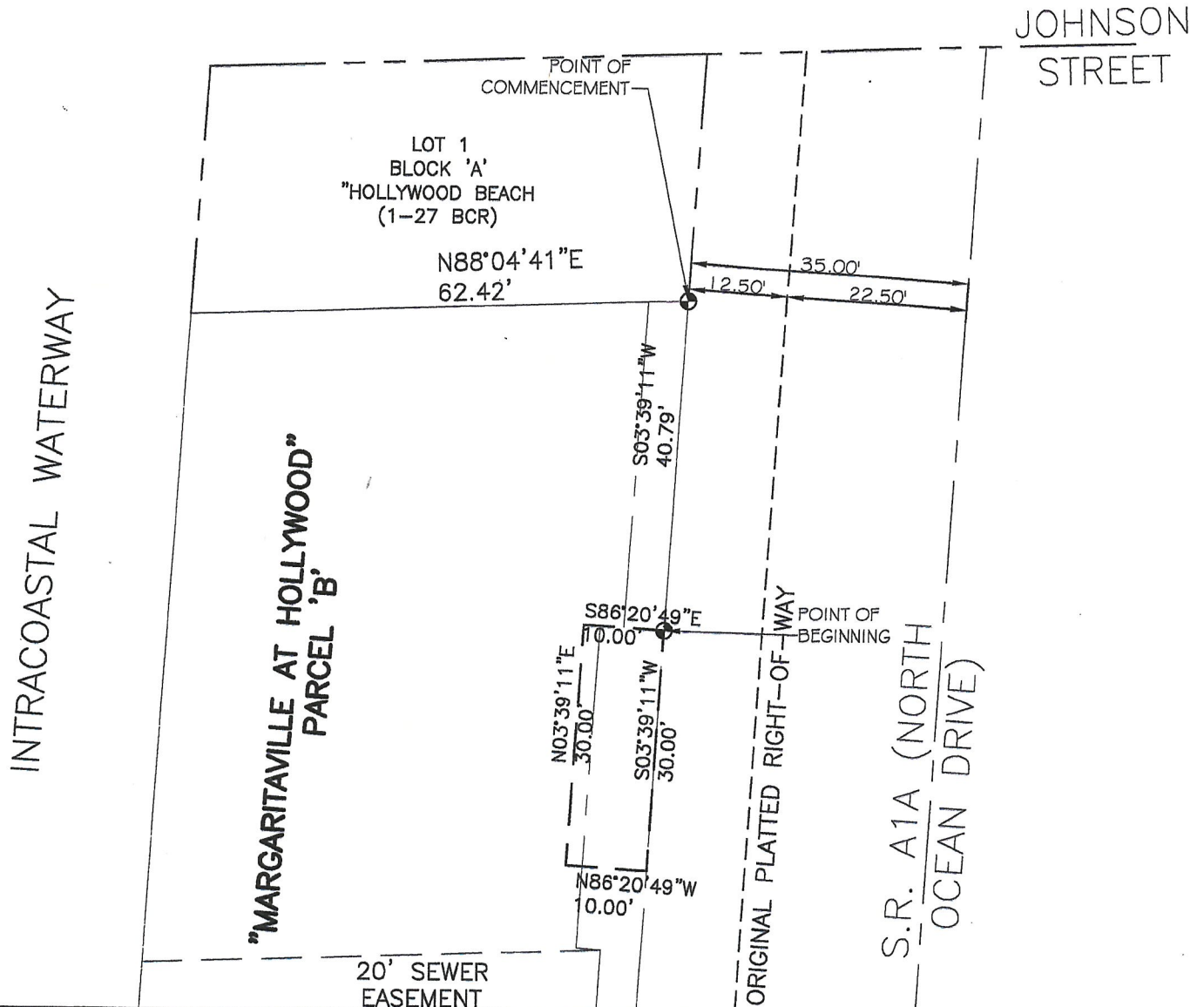
0 25 50 100 ft

December 9, 2020

Flight Date: Between Dec 15 2019 and Jan 20 2020 - Broward County Property Appraiser

DESCRIPTION: THAT PORTION OF PARCEL 'B', "MARGARITAVILLE AT HOLLYWOOD", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 180, PAGE 176, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL 'B', THENCE RUN SOUTHERLY S 03°39'11" W ALONG THE EAST RIGHT-OF-WAY LINE OF S.R. A-1-A A DISTANCE OF 40.79 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF S.R. A1A (NORTH OCEAN DRIVE) BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY S 03°39'11" W ALONG WEST LINE A DISTANCE OF 30.00 FEET; THENCE WESTERLY N 86°20'49" W PERPENDICULAR TO SAID WEST LINE A DISTANCE OF 10.00 FEET; THENCE NORTHERLY N 03°39'11"E PARALLEL WITH SAID EAST LINE A DISTANCE OF 30.00 FEET; THENCE EASTERLY S 86°20'49" E PERPENDICULAR WITH THE EAST RIGHT-OF-WAY LINE OF S.R. A1A (NORTH OCEAN DRIVE) A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.



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