



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBraul, Deputy County Attorney
Kate Pingolt Cotner, Assistant County Attorney

MEMORANDUM

TO: The Board of County Commissioners

FROM: William K. DeBraul – Deputy County Attorney *Wkd*

DATE: January 28, 2019

SUBJECT: Osprey Acres Floway and Nature Preserve – Replacement Easement to Florida Power & Light Company

On January 15, 2019 the Board of County Commissioners approved the granting of an easement for underground electric utility facilities to Florida Power & Light Company in conjunction with the construction of the pollution removal facility which receives flows from the adjacent existing County pollution removal facility (Osprey Marsh Algal Turf Scrubber) and the Indian River Farms Water Control District's South Relief Canal. Said easement was recorded on January 16, 2019 in Book 3177, Page 1949 of the Public Records of Indian River County, Florida.

Florida Power & Light Company has indicated to staff that the recorded easement is not acceptable because it is not Florida Power & Light Company's standard form of business easement.

Attached is the Florida Power & Light Company's standard form of business easement which has been prepared for the Chairman's signature and will replace the previous easement for underground electric utility facilities recorded on January 16, 2019 in Book 3177, Page 1949 of the Public Records of Indian River County, Florida.

FUNDING:

The only cost associated with this item is the recording fees for the Easement in the amount of \$27.70 which is to be paid from Account No. 00110214-034830 (General Fund/County Attorney/Recording Fees).

RECOMMENDATION:

Approve the standard form of business easement in favor of Florida Power & Light Company and authorize the Chairman to execute same for recordation in the Public Records of Indian River County, Florida.

/nhm

Attachment: Easement