

This Instrument has been prepared by or under the supervision of (and after recording return to):

Jesse J. Hap, Esq.
Florida Power & Light Company (LAW/JB)
700 Universe Boulevard
Juno Beach, Florida 33408

MEMORANDUM OF FACILITIES RELOCATION AGREEMENT

THIS MEMORANDUM OF FACILITIES RELOCATION AGREEMENT (“**Memorandum**”) is executed dated this ____ day of _____, 2023, by and between Indian River County, a political subdivision of the State of Florida (“**IRC**”) and Florida Power & Light Company, a Florida corporation (“**FPL**”).

RECITALS

WHEREAS, on even date herewith, IRC entered into a written Facilities Relocation Agreement in favor of FPL (“**Agreement**”) related to the installation and relocation of certain FPL facilities associated with certain property situated in Indian River County, Florida more particularly described and depicted on the survey attached hereto as Exhibit A and made a part hereof (“**Land**”); and

WHEREAS, IRC and FPL desire to provide record notice of the Agreement pursuant to this Memorandum.

AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, IRC and FPL hereby give record notice of the following:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.
2. **Reimbursement.** The Agreement provides, among other things, IRC’s relocation reimbursement responsibilities and obligations with regard to the Land, all in accordance with the terms and conditions set forth in the Agreement.
3. **Assignment.** The Agreement provides that IRC’s relocation reimbursement responsibilities and obligations inure to the benefit of the successors and assigns of FPL, and are binding upon IRC and IRC’s successors and assigns.

[Signatures and Acknowledgements Appear on Following Pages]

IN WITNESS WHEREOF, IRC and FPL have executed this Memorandum on the date hereinabove written.

IRC:

Signed, sealed and delivered
in the presence of:

Indian River County,
a political subdivision of the State of Florida

Signature:
Print Name: _____

By: _____
Print Name: _____
Its: _____

Signature:
Print Name: _____

ACKNOWLEDGMENT

STATE OF FLORIDA)
)ss:
COUNTY OF INDIAN RIVER)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 2023, by _____ as _____ of Indian River County, a political subdivision of the State of Florida.

(NOTARIAL SEAL)

Notary: _____
Print Name: _____
Notary Public, State of Florida
My commission expires: _____

Personally Known **OR** Produced Identification
Type of Identification Produced _____

[signature and acknowledgement continued on following page]

Signed, sealed and delivered
in the presence of:

FPL:

Florida Power & Light Company,
a Florida corporation

Signature:
Print Name: _____

By: _____
Print Name: _____
Its: _____

Signature:
Print Name: _____

ACKNOWLEDGMENT

STATE OF FLORIDA)
)ss:
COUNTY OF _____)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 2023, by _____ as _____ of Florida Power & Light Company, a Florida corporation.

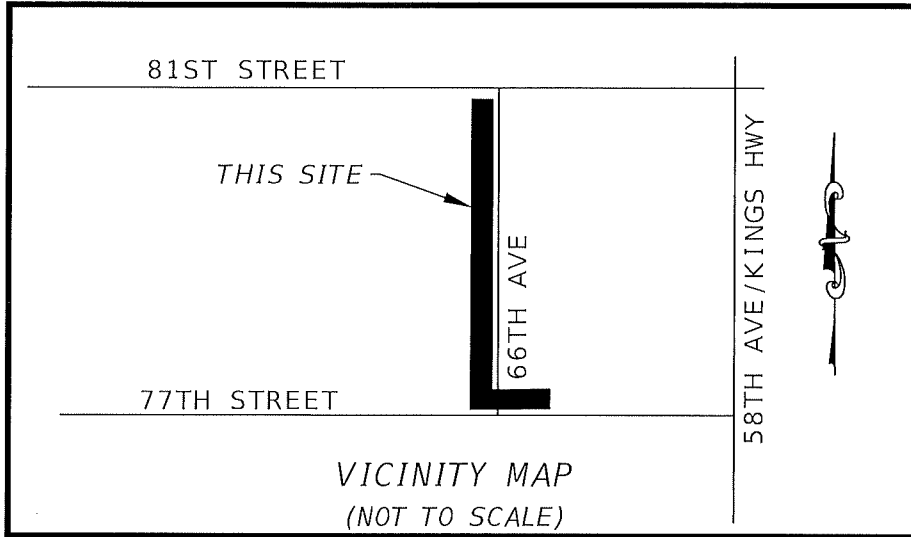
(NOTARIAL SEAL)

Notary: _____
Print Name: _____
Notary Public, State of Florida
My commission expires: _____

Personally Known **OR** Produced Identification
Type of Identification Produced _____

Exhibit A

(Survey and Legal Description of the Land is Attached)



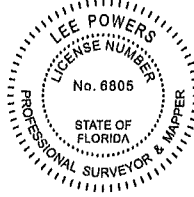
SURVEY NOTES:

- 1.) THIS IS NOT A BOUNDARY SURVEY.
- 2.) BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF SOUTH 00°32'54" WEST ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 31 SOUTH, RANGE 39 EAST.
- 3.) THIS SKETCH AND LEGAL DESCRIPTION HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND MAY NOT INDICATE CURRENT OWNERSHIP, ENCUMBRANCES, OR OTHER MATTERS OF RECORD.
- 4.) ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- 5.) COPIES OF THIS SKETCH AND LEGAL DESCRIPTION ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR THE VERIFIED DIGITAL SIGNATURE OF THE FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER LISTED HEREON.
- 6.) DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMAL PORTIONS THEREOF.
- 7.) CERTIFICATION IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL OPINION BY THE SURVEYOR AND MAPPER BASED ON THE SURVEYOR AND MAPPER'S KNOWLEDGE AND INFORMATION AND THAT IT IS NOT A GUARANTEE OR WARRANTY EXPRESSED OR IMPLIED.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH & LEGAL DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS DEPICTED TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE INFORMATION AS WRITTEN UNDER MY DIRECTION ON JANUARY 20, 2023 MEETS THE STANDARDS OF PRACTICE UNDER RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

LEE POWERS, PSM
REGISTRATION NO. 6805
STATE OF FLORIDA



Digitally signed by
Lee Powers
Date: 2023.02.22
14:38:44-05'00'

DATE	REVISION	BY	ZEMAN CONSULTING GROUP FLORIDA LB NO. 8431	PROJECT NO.	22105.01
02/02/23	COUNTY COMMENTS	LP		SCALE	1" = 200'
02/22/23	COUNTY COMMENTS	LP		DRAWN BY	LP
3970 RCA BOULEVARD, SUITE #7750 PALM BEACH GARDENS, FL 33410 INFO@ZEMANGROUP.COM (561) 223-8035				CHECKED BY	DZ
				SHEET(S)	1 OF 4

LEGAL DESCRIPTION:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 31 SOUTH, RANGE 39 EAST; THENCE SOUTH 00°32'54" WEST ON THE WEST LINE OF SAID SOUTHWEST QUARTER, 162.56 FEET; THENCE SOUTH 89°59'37" WEST, 32.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°32'54" WEST, 47.36 FEET; THENCE SOUTH 89°51'22" EAST, 2.00 FEET; THENCE SOUTH 00°32'54" WEST, 25.00 FEET; THENCE NORTH 89°51'22" WEST, 2.11 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY, SAID CURVE HAS A RADIUS OF 2,920.00 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 88°57'43" EAST; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°21'58" AN ARC DISTANCE OF 579.26 FEET TO A POINT OF REVERSE CURVATURE, SAID CURVE IS CONCAVE EASTERLY AND HAS A RADIUS OF 3,080.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°51'23" AN ARC DISTANCE OF 637.35 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00°32'54" WEST, 939.71 FEET; THENCE SOUTH 03°39'36" EAST, 270.66 FEET TO A POINT HEREINAFTER KNOWN AS REFERENCE POINT "A"; THENCE NORTH 87°06'44" EAST, 425.62 FEET; THENCE NORTH 02°54'41" WEST, 35.00 FEET; THENCE SOUTH 87°06'44" WEST, 381.07 FEET; THENCE NORTH 03°39'36" WEST, 234.61 FEET; THENCE NORTH 00°32'54" EAST, 938.06 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAS A RADIUS OF 3,035.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°51'23" AN ARC DISTANCE OF 628.04 FEET TO A POINT OF REVERSE CURVATURE, SAID CURVE IS CONCAVE WESTERLY AND HAS A RADIUS OF 2,965.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°46'49" AN ARC DISTANCE OF 661.36 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 89°59'37" WEST, 44.61 FEET.

SAID LANDS SITUATED, LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA AND CONTAIN 125,692 SQUARE FEET (2.885 ACRES), MORE OR LESS.

TOGETHER WITH AN ANCHOR EASEMENT 20.00 FEET IN WIDTH, LYING 10 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE:

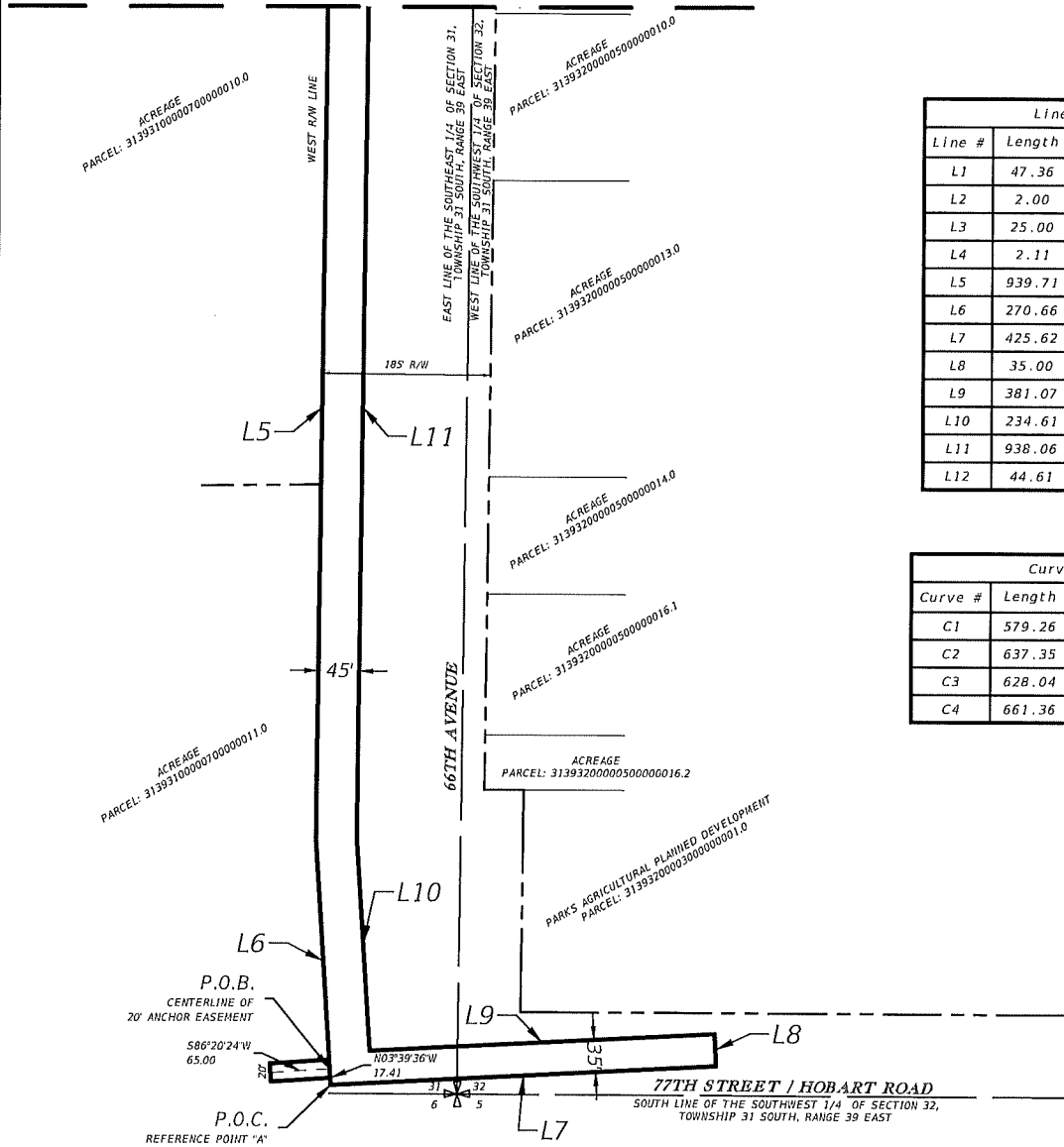
COMMENCING AT SAID REFERENCE POINT "A"; THENCE NORTH 03°39'36" WEST, 17.41 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE SOUTH 86°20'24" WEST, 65.00 TO THE END OF THE CENTERLINE. SIDELINES TO BE SHORTENED AND/OR LENGTHENED TO CREATE A CLOSED FIGURE. SAID LANDS SITUATED, LYING AND BEING IN INDIAN RIVER COUNTY, FLORIDA AND CONTAIN 1,300 SQUARE FEET, MORE OR LESS.

DATE	REVISION	BY	 FLORIDA LB NO. 8431	PROJECT NO.	22105.01
				SCALE	1" = 200'
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				CHECKED BY	DZ
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ABBREVIATIONS:

LB LICENSED BUSINESS
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCEMENT
 R/W RIGHT OF WAY

MATCHLINE - SEE SHEET 3



Line Table		
Line #	Length	Direction
L1	47.36	S00° 32' 54"W
L2	2.00	S89° 51' 22"E
L3	25.00	S00° 32' 54"W
L4	2.11	N89° 51' 22"W
L5	939.71	S00° 32' 54"W
L6	270.66	S03° 39' 36"E
L7	425.62	N87° 06' 44"E
L8	35.00	N02° 54' 41"W
L9	381.07	S87° 06' 44"W
L10	234.61	N03° 39' 36"W
L11	938.06	N00° 32' 54"E
L12	44.61	S89° 59' 37"W

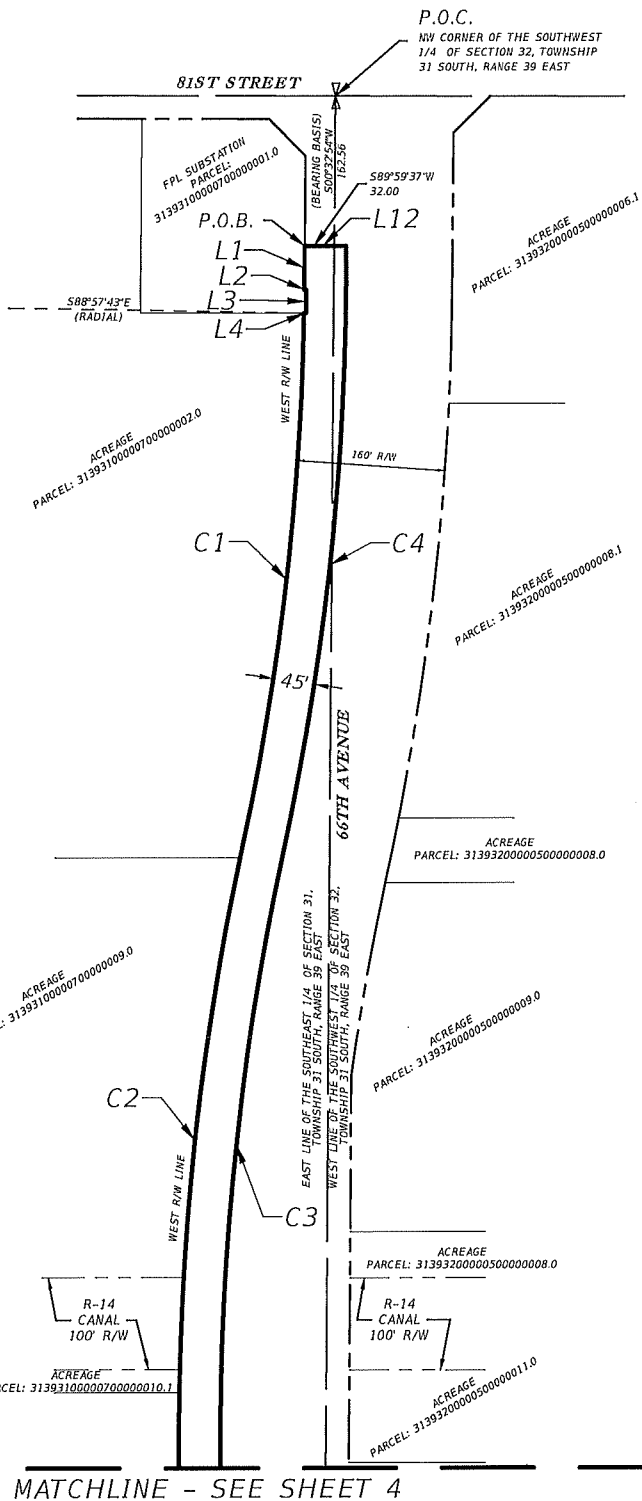
Curve Table			
Curve #	Length	Radius	Delta
C1	579.26	2920.00	11° 21' 58"
C2	637.35	3080.00	11° 51' 23"
C3	628.04	3035.00	11° 51' 23"
C4	661.36	2965.00	12° 46' 49"



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SHEET(S)	4 OF 4



Line Table		
Line #	Length	Direction
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