

January 21, 2025

M E M O R A N D U M

TO: Jim Murdaugh, Ph.D.
President

FROM: Barbara Wills, Ph.D.
Vice President for Administrative Services and Chief Business Officer

SUBJECT: City of Tallahassee and TSC Electrical Utility Easement

Item Description

This item requests approval from the District Board of Trustees for the attached City of Tallahassee and Tallahassee State College 20-foot Electrical Utility Easement for Site 1 – Main Campus, 444 Appleyard Drive, Tallahassee FL. 32304.

Overview and Background

Upon review by the City of Tallahassee and Poole Engineering & Surveying, Inc., in order to successfully complete the 15KV Electrical Switchgear Replacement project on Site 1 - Main Campus, a 20-foot utility easement with the City of Tallahassee would be required to cover a new primary electric line located on the main college campus, 444 Appleyard Drive. A sketch and legal description of 20-foot electrical easement is attached for additional information.

Funding/ Financial Implications

This project and associated costs are funded by a federal grant and local college funds.

Past Actions by the Board

The Board previously approved TCC ITB 2023-03 15KV Electrical Switchgear Replacement project at the May 15, 2023, meeting.

Recommended Action

Approve the attached City of Tallahassee and TSC Electrical Utility Easement for the TSC 15KV Electrical Switchgear Replacement Project.

THIS INSTRUMENT PREPARED BY:
Robert Culverhouse, Real Estate Manager
City of Tallahassee/City Hall
Real Estate Management, Box A-15
300 S. Adams Street, 3rd Floor
Tallahassee, Florida 32301
Parcel ID: 212851 K0002

Leave blank for official recording.

ELECTRIC UTILITY EASEMENT
(Distribution)

THIS EASEMENT, made this ____ day of _____, 2025, by and between the **DISTRICT BOARD OF TRUSTEES, TALLAHASSEE STATE COLLEGE, FLORIDA**, whose mailing address is 444 Appleyard Drive, Tallahassee, Florida 32304, hereinafter called "**GRANTOR**", and the **CITY OF TALLAHASSEE**, a Florida municipal corporation, whose mailing address is 300 South Adams Street, Tallahassee, Florida 32301-1731, hereinafter called "**GRANTEE**".

W I T N E S S E T H

That the **GRANTOR**, for and in consideration of the sum of ten dollars (\$10.00), and other good and valuable consideration paid by the **GRANTEE**, the receipt and sufficiency of which is hereby acknowledged, by these presents does grant, bargain, sell and convey to the **GRANTEE**, its successors and assigns, in perpetuity, an easement for electric utility distribution purposes, in, over, across, under and through the following described parcel, piece, or strip of land, situate, lying, and being in the County of Leon, State of Florida, hereinafter "Easement Property" to wit:

**SEE EXHIBIT "A" ATTACHED HERETO
AND BY THIS REFERENCE MADE A PART HEREOF**

including the right of the **GRANTEE**, its successors and assigns, to carry in, set and maintain in said Easement Property the electric utility lines and equipment, of any type, either above ground or underground, including, but not limited to, poles, anchors, transformers and the electric equipment and appurtenances of any other person or utility company as authorized by the **GRANTEE**.

It is understood and agreed by and between the **GRANTOR** and the **GRANTEE** that the electric utility distribution lines and equipment of the **GRANTEE**, installed or located, or to be installed or located in, over, across, under and through the Easement Property, shall at all times be and remain the absolute property of the **GRANTEE**, its successors and assigns, and subject to its complete dominion and control.

The right is hereby granted to the **GRANTEE**, its agents and employees, to enter upon the Easement Property from and across any adjoining lands of the **GRANTOR** for the purpose of inspecting, maintaining, installing, repairing and/or removing said distribution utility lines and equipment therefrom. The **GRANTOR** reserves unto itself and its successors and assigns, the full right of ingress and egress over and across the Easement Property and across lands which the easement is herein conveyed. The **GRANTEE**, its agents and

employees, will restore the ground to its existing condition as reasonably practicable as of the date prior to the work within the Easement Property.

The **GRANTOR** shall not construct any permanent improvements on the Easement Property, or make any final grade changes in excess of six inches (6") within the Easement Property without written permission by the designated representative of the **GRANTEE'S** Power Delivery-Engineering Division. **GRANTOR** further agrees to comply with the current version of the Electric Utility Easement/Right-of-Way Policy, which can be obtained from the **GRANTEE'S** Power Delivery-Engineering Division, and the most recent version of the National Electric Safety Code for any use of, and construction activities on, the Easement Property.

The **GRANTEE**, its successors and assigns, shall have the right to trim or remove all trees, bushes or other shrubbery so that the same shall not interfere with, endanger, or obstruct access to its facilities, including the right to trim any trees, bushes or other shrubbery that overhang an imaginary line perpendicular to the outer edge of the Easement Property.

The terms, conditions, restrictions and purposes imposed by this easement shall be binding not only upon the **GRANTOR**, but also on its agents, personal representatives, assigns and all other successors to its interest and shall continue as a servitude running in perpetuity with the Easement Property.

The **GRANTOR** does hereby fully warrant title to said land and will defend the same against the lawful claims of all persons claiming through or under the **GRANTOR**.

IN WITNESS WHEREOF, the **GRANTOR** hereunto sets its hand and seal the day and year first above written.

ACKNOWLEDGEMENT APPEARS ON THE FOLLOWING PAGE

*Signed, sealed and delivered
in the presence of:*

**DISTRICT BOARD OF TRUSTEES,
TALLAHASSEE STATE COLLEGE,
FLORIDA**

1st Witness Signature

BY: _____

Print 1st Witness Name

Print Name: _____

Print 1st Witness Address

As Its: _____

2nd Witness Signature

Print 2nd Witness Name

Print 2nd Witness Address

STATE OF _____
COUNTY OF _____

THE FOREGOING instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2025, by _____, as _____ of the DISTRICT BOARD OF TRUSTEES, TALLAHASSEE STATE COLLEGE, FLORIDA, who is personally known to me, or who has produced _____ (type of identification) as identification.

NOTARY PUBLIC

Print Notary Name
My Commission Expires: