

**RESOLUTION NO. 2023-02**

**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING AN AMENDMENT TO THE TOWER LEASE AGREEMENT AND MEMORANDUM OF AGREEMENT WITH SBA STEEL II, LLC, AND AUTHORIZING EXECUTION OF THE SAME; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, City and Sprint Spectrum L.P., entered into a Lease Agreement and Memorandum of Agreement dated August 2, 2004, for Sprint Spectrum's use of a portion of the City's real property located at 2390 Purdy Lane, Greenacres, Florida 33463, for a cellular tower ("Lease"); and

**WHEREAS**, Sprint Spectrum L.P. assigned the Lease through various entities with the current tenant being SBA Steel II, LLC ("Tenant"); and

**WHEREAS**, the Tenant has requested an easement from the City to run fiber optics to the cell tower from Purdy Lane South; and,

**WHEREAS**, the City reviewed the proposed easement and is agreeable to the same; and

**WHEREAS**, the City and Tenant desire to amend the Lease as provided in **Exhibit "A"**, attached hereto and incorporated herein; and,

**WHEREAS**, the City Council of the City of Greenacres finds amending the Lease as set forth herein serves a valid public purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AS FOLLOWS:**

**SECTION 1.** The foregoing recitals are incorporated into this Resolution as true and correct statements.

**SECTION 2.** The City Council of the City of Greenacres hereby approves the amendment to the Tower Lease Agreement and Memorandum of Agreement, which is attached

hereto as **Exhibit “A”**, and authorizes the proper execution of the same.

**SECTION 3.** This Resolution shall become effective upon adoption.

**RESOLVED AND ADOPTED this \_\_ day of January 2023**

\_\_\_\_\_  
**Joel Flores, Mayor**

**Attest:**

\_\_\_\_\_  
**Quintella Moorer, City Clerk**

\_\_\_\_\_  
**John Tharp, Deputy Mayor**

\_\_\_\_\_  
**Peter Noble, Council Member, District II**

\_\_\_\_\_  
**Judith Dugo, Council Member, District III**

\_\_\_\_\_  
**Susy Diaz, Council Member, District IV**

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**Paula Bousquet, Council Member, District V**

**Approved as to Form and Legal Sufficiency:**

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**Glen J. Torcivia, City Attorney**

**Resolution No. 2023-02 | Tower Amendment to Lease Agreement and Memorandum of Agreement**  
Page No. 4

PARENT PARCEL  
(OFFICIAL RECORD BOOK 4464, PAGE 1167)

RECREATION TRACT 1 AS DEPICTED ON PLAT OF CHARTER CLUB OF PALM BEACH, RECORDED IN PLAT BOOK 114 - 118 IN THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA.

SPRINT LEASE PARCEL  
(OFFICIAL RECORD BOOK 18022, PAGE 1085)

A PARCEL OF LAND LYING IN RECREATION TRACT 1, THE CHARTER CLUB OF PALM BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48, PAGE 115 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID RECREATION TRACT 1; THENCE PROCEED S 01°50'20" W ALONG THE EAST LINE OF SAID RECREATION TRACT 1, 484.24 FEET; THENCE N 88°51'50" W, 150.53 FEET TO THE POINT OF BEGINNING; THENCE S 01°08'10" W 30.00 FEET; THENCE N 88°51'50" W, 10.00 FEET; THENCE N 01°08'10" E 30.00 FEET; THENCE S 88°51'50" E, 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 300.0 SQUARE FEET OR 0.0089 ACRES MORE OR LESS.

METROPCS LEASE PARCEL  
(PROVIDED BY THE CLIENT)

A PARCEL OF LAND LYING IN RECREATION TRACT 1, THE CHARTER CLUB OF PALM BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48, PAGE 115 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID RECREATION TRACT 1; THENCE PROCEED S 01°50'20" W ALONG THE EAST LINE OF SAID RECREATION TRACT 1, 484.24 FEET; THENCE N 88°51'50" W, 150.53 FEET; THENCE S 01°08'10" W, 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 01°08'10" W, 20.00 FEET; THENCE N 88°51'50" W, 10.00 FEET; THENCE N 01°08'10" E, 20.00 FEET; THENCE S 88°51'50" E, 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 200.0 SQUARE FEET OR 0.0046 ACRES MORE OR LESS.

ACCESS EASEMENT  
(OFFICIAL RECORD BOOK 18022, PAGE 1085)

A 10 FOOT WIDE PARCEL OF LAND LYING IN RECREATION TRACT 1, THE CHARTER CLUB OF PALM BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48, PAGE 115 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. THE CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID RECREATION TRACT 1; PROCEED S 80°30'47" W, 43.61 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF PURDY LANE AND THE POINT OF BEGINNING OF THE CENTERLINE OF A 10 FOOT WIDE ACCESS EASEMENT, LYING 5.00 FEET ON EACH SIDE OF SAID CENTERLINE; THENCE S 01°39'52" W, 208.61 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 46.50 FEET, CENTRAL ANGLE OF 45°11'48"; THENCE 36.68 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 19.49 FEET, AND A CENTRAL ANGLE OF 66°52'21"; THENCE 22.75 FEET

ALONG THE ARC OF SAID CURVE TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 46.50, AND A CENTRAL ANGLE OF 66°09'24"; THENCE 53.69 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 46.50 FEET, AND A CENTRAL ANGLE OF 45°00'00"; THENCE 36.52 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF TANGENCY; THENCE S 01°09'10" W, 58.74 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS 12.50 FEET, A CENTRAL ANGLE OF 89°59'00"; THENCE 19.63 FEET ALONG THE ARC OF SAID CURVE TO THE POINT OF TANGENCY; THENCE N 88°51'50" W, 54.23 FEET; THENCE S 35°22'28" W, 12.80 FEET; THENCE S 01°08'10" W, 44.37 FEET; THENCE N 88°51'50" W, 10.00 FEET; THENCE S 01°08'10" W, 55.00 FEET TO THE POINT OF TERMINATION.

**NON-EXCLUSIVE UTILITY EASEMENT  
(PREPARED BY GEOLINE SURVEYING, INC.)**

THAT PART OF RECREATION TRACT 1, THE CHARTER CLUB OF PALM BEACH, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 48, PAGE 114 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SITUATED IN SECTION 15, TOWNSHIP 44 SOUTH, RANGE 42 EAST, SAID PALM BEACH COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF RECREATION TRACT 1, THE CHARTER CLUB OF PALM BEACH, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 48, PAGE 114 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01°50'20" WEST ALONG THE EAST LINE OF SAID RECREATION TRACT 1 FOR 484.24 FEET; THENCE NORTH 88°51'50" WEST FOR 150.53 FEET TO THE NORTHEAST CORNER OF A 10 FOOT BY 30 FOOT SPRINT LEASE PARCEL AS PER DESCRIPTION RECORDED IN OFFICIAL RECORD BOOK 18022, PAGE 1085 OF SAID PUBLIC RECORDS; THENCE CONTINUE NORTH 88°51'50" WEST ALONG THE NORTH LINE OF SAID SPRINT LEASE PARCEL FOR 5.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88°51'50" WEST ALONG SAID NORTH LINE FOR 5.00 FEET TO THE NORTHWEST CORNER OF SAID SPRINT LEASE PARCEL; THENCE NORTH 01°08'10" EAST FOR 51.55 FEET; THENCE NORTH 35°22'28" EAST FOR 16.19 FEET; THENCE SOUTH 88°51'50" EAST FOR 56.88 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 7.50 FEET, A CENTRAL ANGLE OF 89°59'00", AND A CHORD OF 10.61 FEET THAT BEARS NORTH 46°08'40" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR 11.78 FEET TO A POINT OF TANGENCY; THENCE NORTH 01°09'10" EAST FOR 58.74 FEET; THENCE NORTH 03°10'40" EAST FOR 334.77 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID RECREATION TRACT 1 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF PURDY LANE (80 FOOT WIDE PUBLIC RIGHT-OF-WAY); THENCE NORTH 75°39'43" EAST ALONG SAID NORTHERLY LINE AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 5.24 FEET; THENCE SOUTH 03°10'40" WEST FOR 336.17 FEET; THENCE SOUTH 01°09'10" WEST FOR 58.74 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 12.50 FEET, A CENTRAL ANGLE OF 89°59'00", AND A CHORD OF 17.68 FEET THAT BEARS SOUTH 46°08'40" WEST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE FOR 19.63 FEET TO A POINT OF TANGENCY; THENCE NORTH 88°51'50" WEST FOR 54.23 FEET; THENCE SOUTH 35°22'28" WEST FOR 12.00 FEET; THENCE SOUTH 01°08'10" WEST FOR 49.37 FEET TO SAID POINT OF BEGINNING.

CONTAINING 2,651 SQUARE FEET (0.061 ACRES), MORE OR LESS.

Exhibit B

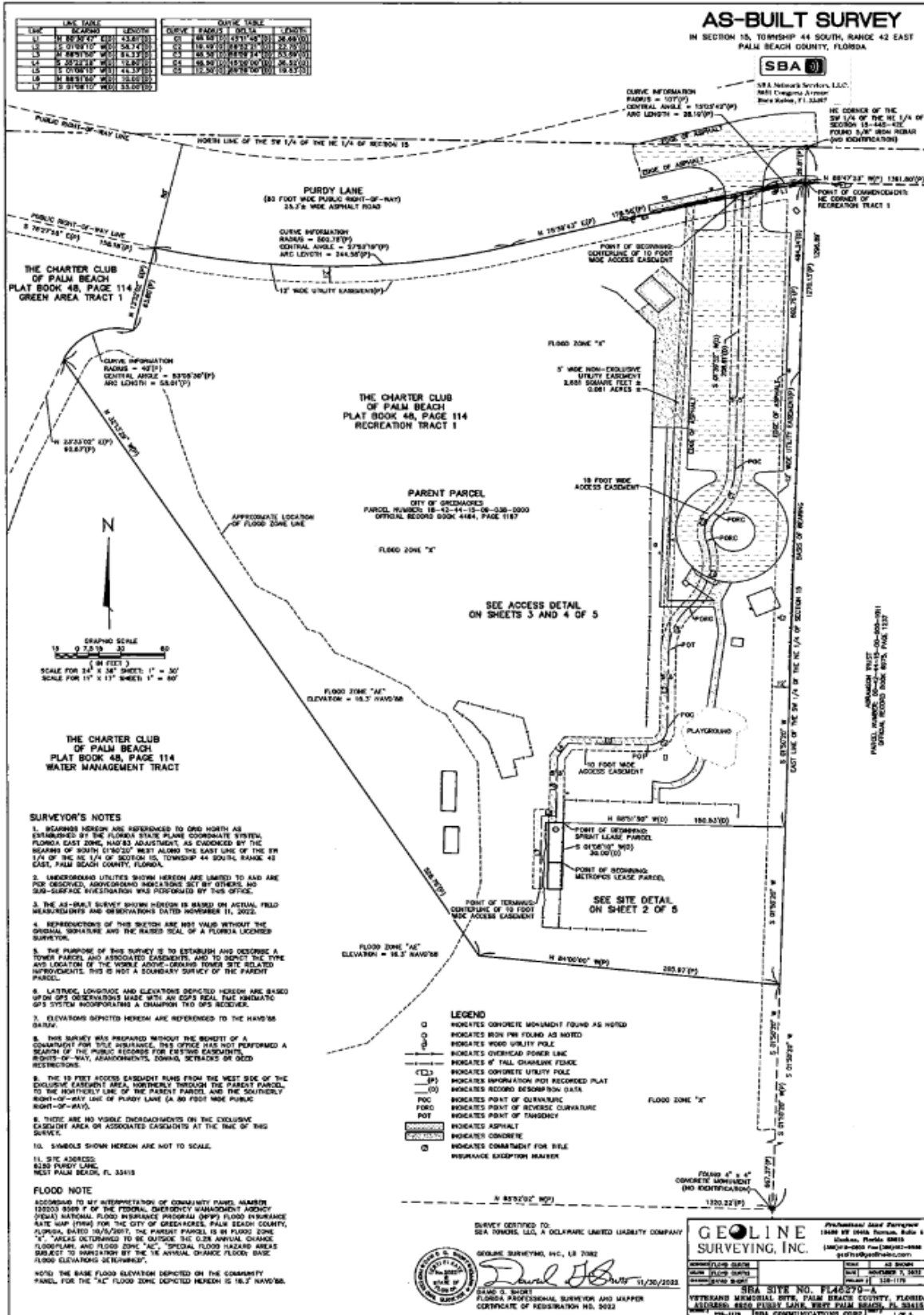




Exhibit B - Continued

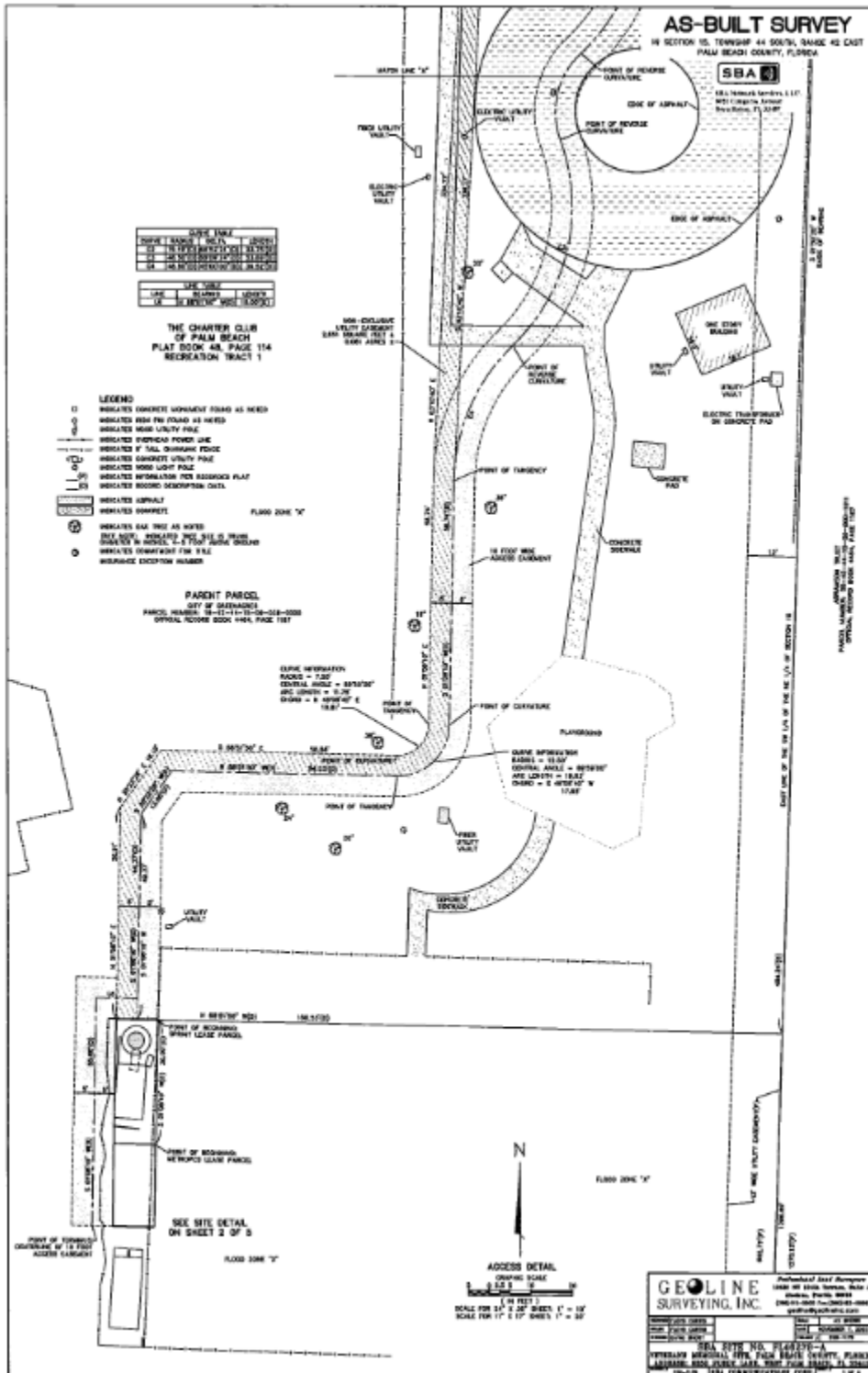




Exhibit B – Continued

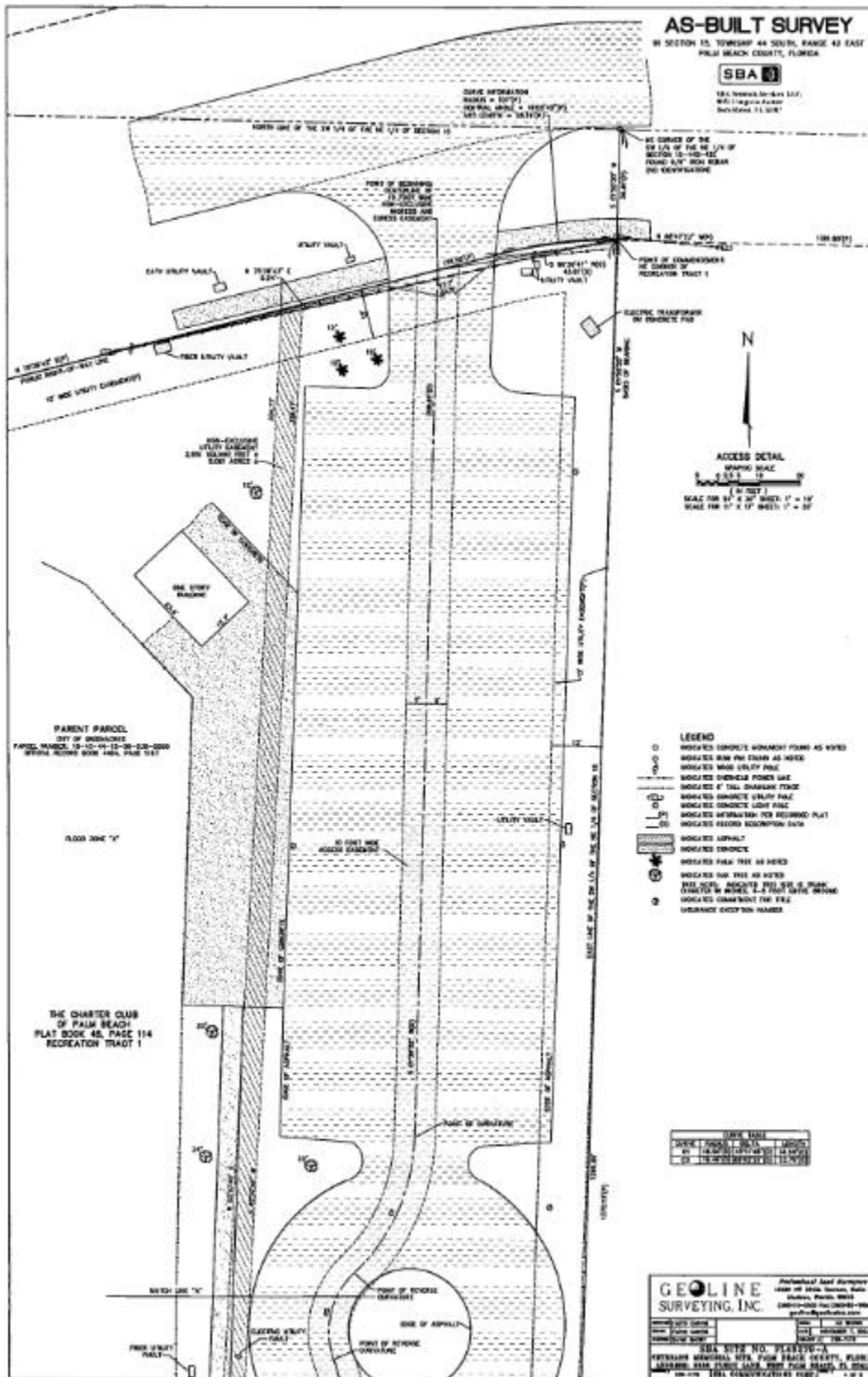



Exhibit B – Continued

**AS-BUILT SURVEY**  
 IN SECTION 10, TOWNSHIP 24 SOUTH, RANGE 41 EAST  
 PALM BEACH COUNTY, FLORIDA

**SBA**  
 MRS. DENISE SCHWAB, L.L.C.  
 6815 Canyon Avenue  
 Boca Raton, FL 33433



VICINITY MAP  
NOT TO SCALE

**PROPERTY DESCRIPTIONS**

**PURCHASE PARCEL:**  
 OPTIONAL RECORD BOOK 1842, PAGE 1092

APPROXIMATE TRACT 1 AS SHOWN ON PLAT OF CHARTER CLUB OF PALM BEACH, AS DESCRIBED IN PLAT BOOK 1714 - 118 IN THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA.

**WARRANT DEED PARCEL:**  
 OPTIONAL RECORD BOOK 1842, PAGE 1092

A PARCEL OF LAND LINGO IN SECTION 10, TOWNSHIP 24 SOUTH, RANGE 41 EAST OF PALM BEACH, ACCORDING TO THE PLAT TOWNSHIP AS DESCRIBED IN PLAT BOOK 1714 - 118 IN THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**CONVEYANCE AT THE SOUTHWEST CORNER OF SAID RECREATION TRACT 1:**  
 BEING PROCEED A 100 FEET TO A POINT ON THE SOUTHWEST CORNER OF SAID RECREATION TRACT 1, BEING PROCEED A 100 FEET TO THE POINT OF BEGINNING, BEING PROCEED S 75° 00' 00" W, 100 FEET TO THE POINT OF BEGINNING, BEING PROCEED S 75° 00' 00" W, 100 FEET TO THE POINT OF BEGINNING, BEING PROCEED S 75° 00' 00" W, 100 FEET TO THE POINT OF BEGINNING.

**CONVEYANCE SAID SQUARE FEET OR OTHER AREA HERE ON LOTS:**

**ACCESS EASEMENT:**  
 OPTIONAL RECORD BOOK 1842, PAGE 1092

A 10 FOOT WIDE PARCEL OF LAND LINGO IN RECREATION TRACT 1, THE CHARTER CLUB OF PALM BEACH, ACCORDING TO THE PLAT TOWNSHIP AS DESCRIBED IN PLAT BOOK 1714 - 118 IN THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA, THE CERTAIN AREA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**CONVEYANCE AT THE SOUTHWEST CORNER OF SAID RECREATION TRACT 1:**  
 BEING PROCEED A 100 FEET TO A POINT ON THE SOUTHWEST CORNER OF SAID RECREATION TRACT 1, BEING PROCEED A 100 FEET TO THE POINT OF BEGINNING, BEING PROCEED S 75° 00' 00" W, 100 FEET TO THE POINT OF BEGINNING, BEING PROCEED S 75° 00' 00" W, 100 FEET TO THE POINT OF BEGINNING, BEING PROCEED S 75° 00' 00" W, 100 FEET TO THE POINT OF BEGINNING.


**NON-CULDEVE WIDTH EASEMENT:**  
 (PREPARED BY GEOLINE SURVEYING, INC.)

**PORT PART OF RECREATION TRACT 1:** THE CHARTER CLUB OF PALM BEACH ON THE PLAT OF CHARTER CLUB OF PALM BEACH, AS DESCRIBED IN PLAT BOOK 1714 - 118 IN THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**CONVEYANCE AT THE SOUTHWEST CORNER OF RECREATION TRACT 1:** THE CHARTER CLUB OF PALM BEACH, AS DESCRIBED IN PLAT BOOK 1714 - 118 IN THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONVEYANCE AT THE SOUTHWEST CORNER OF RECREATION TRACT 1, BEING PROCEED A 100 FEET TO A POINT ON THE SOUTHWEST CORNER OF SAID RECREATION TRACT 1, BEING PROCEED A 100 FEET TO THE POINT OF BEGINNING, BEING PROCEED S 75° 00' 00" W, 100 FEET TO THE POINT OF BEGINNING, BEING PROCEED S 75° 00' 00" W, 100 FEET TO THE POINT OF BEGINNING, BEING PROCEED S 75° 00' 00" W, 100 FEET TO THE POINT OF BEGINNING.

**CONVEYANCE SAID SQUARE FEET OR OTHER AREA HERE ON LOTS:**



LOCATION MAP  
NOT TO SCALE

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 Edition, Florida 1842  
 2023-01-20 15:30:45-088  
 6815-Canyon-Avenue

**GEOLINE SURVEYING, INC.**

DATE:	NOV 15, 2023
DRAWN BY:	JAC
CHECKED BY:	JAC
SCALE:	AS SHOWN
TITLE:	AS-BUILT
PROJECT NO.:	23-00293-A
CUSTOMER:	MRS. DENISE SCHWAB, L.L.C., PALM BEACH COUNTY, FLORIDA
ADDRESS:	1842 CANYON AVENUE, BOCA RATON, FL 33433
NO. OF SHEETS:	36 OF 36 CONSTRUCTION COPY (3 OF 3)