



Agenda Item Cover Sheet

Agenda Item N^o: D-2

Meeting Date 12/18/2024

Consent Section

Regular Section

Public Hearing

Subject: Public hearing to consider the adoption of a Resolution to transfer certain property rights on the CeeBee Groves/Brooker Creek Buffer Preserve ELAPP Site to Tampa Electric Company through a Site Easement Agreement to establish underground electrical service for County facilities.			
Department Name: Conservation and Environmental Lands Management			
Contact Person: Forest Turbiville/J. Muller		Contact Phone: 272-6573	
Sign-Off Approvals:			
Gregory Horwedel	12/6/2024	John Muller	12/5/2024
Deputy or Chief County Administrator	Date	Joint Department Director	Date
Dexter Barge	12/6/2024	John Turbiville	12/5/2024
Assistant County Administrator	Date	Department Director	Date
Irma Muka	12/5/2024	Todd Sobel	12/5/2024
Management and Budget – Approved as to Financial Impact Accuracy	Date	County Attorney – Approved as to Legal Sufficiency	Date

Staff's Recommended Board Motion:

(a) Hold a public hearing to consider the transfer of certain property rights on the CeeBee Groves/Brooker Creek Buffer Preserve ELAPP Site ("Preserve") to Tampa Electric Company ("TECO") through an Easement Agreement ("Agreement") to establish underground electrical service for County facilities ("Project"). (b) Adopt a Resolution designating a portion of the Preserve for the Project in accordance with the conditions stipulated in the Resolution. (c) Approve the Agreement to provide TECO with the necessary real estate rights to install, operate and maintain the Project. ELAPP Ordinance #08-16 allows for the transfer of property rights provided certain criteria are met (as further detailed in the Background). The Project is part of TECO's countywide Storm Protection Plan to convert overhead facilities to underground facilities and will help protect Preserve offices and storage buildings in the event of a major storm event. The cost associated with this item is limited to recording fees of less than \$100, which can be adequately accommodated within the Conservation and Environmental Lands Management Department's approved FY 2025 operating budget.

Financial Impact Statement:

The cost associated with this item is limited to recording fees of less than \$100, which can be adequately accommodated within the Conservation and Environmental Lands Management Department's approved FY 2025 operating budget.

Background:

As part of its Storm Protection Plan, TECO requests the County grant an Agreement allowing TECO to replace existing overhead electrical lines with underground distribution lines within the Preserve. These lines will solely serve Preserve offices and storage buildings so no compensation is required pursuant to Section V of the Guidelines for Real Property Transactions between Hillsborough County and Tampa Electric Company, dated July 8, 2004. The Agreement grants TECO a permanent non-exclusive easement right on approximately 4,778 square feet of the Preserve for the purpose of constructing, operating, maintaining, and replacing the associated underground electrical services infrastructure. The Agreement becomes null and void once it is not used for the purposes described therein. TECO has represented that the County, as fee simple owner of the Preserve, is the sole beneficiary of the proposed

underground lines.

The conveyance of this easement to TECO meets the requirements of Section 8 of ELAPP Ordinance #08-16, which allows the County to convey certain property interests in ELAPP sites, provided such property interests are (i) not essential to the preservation of the site, (ii) there exists a legally permissible procedure to transfer the property rights, (iii) the BOCC holds a public hearing for consideration and approval of the transfer, (iv) any proceeds received are used for certain purposes, such as site management or restoration, and (v) bond counsel provides an opinion that there are no adverse tax consequences resulting from the transfer. At its March 18, 2024 meeting, the ELAPP General Committee recommended approval of the requested TECO easement.

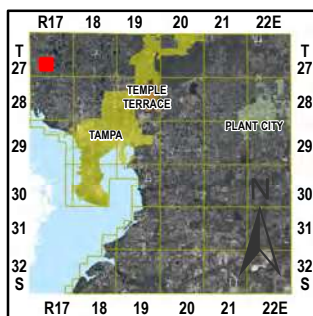
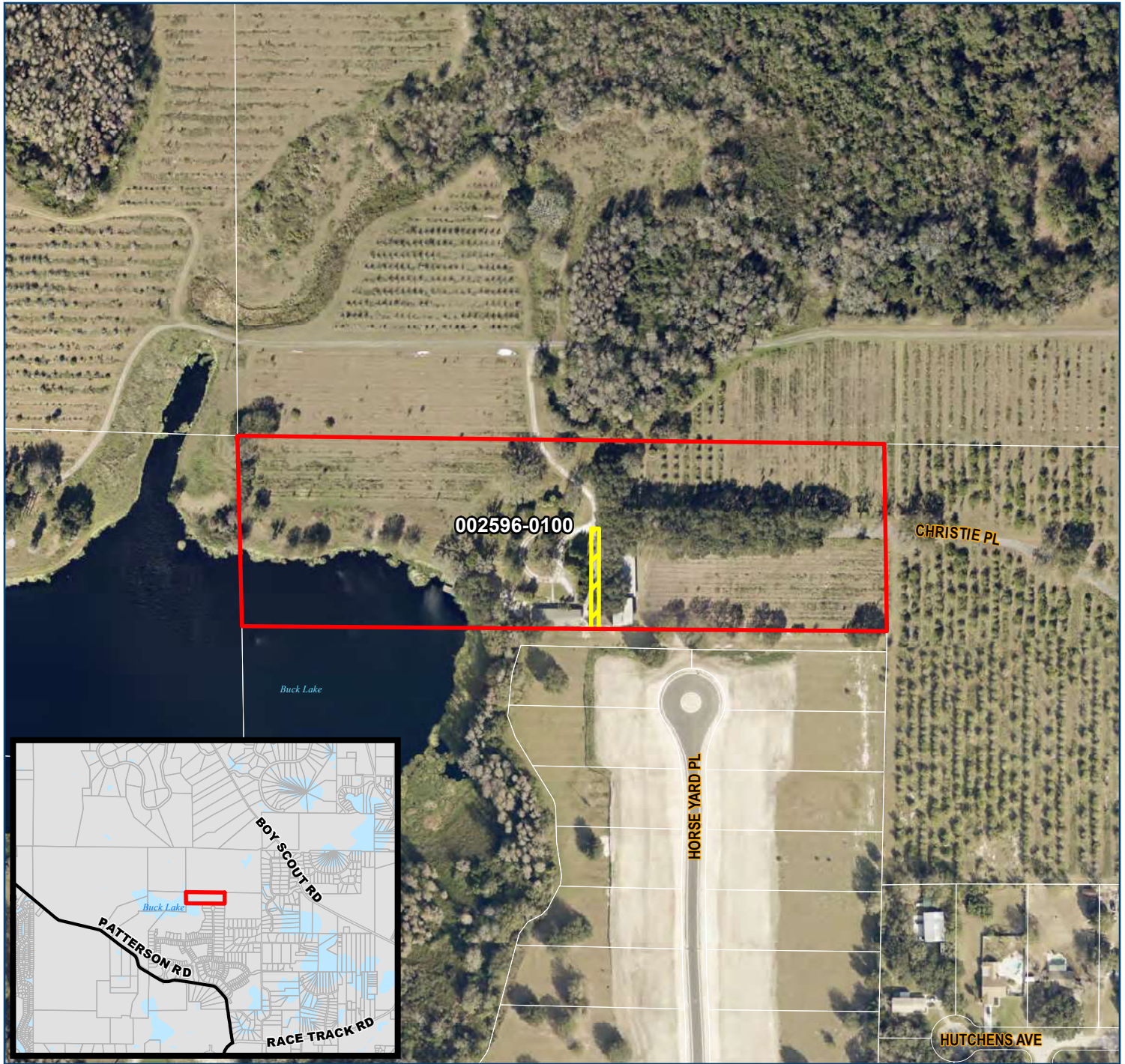
Notice of this Public Hearing was published in the La Gaceta on December 8, 2024.

Reference: 2024-053-U CeeBee Groves-Booker Creek Buffer Preserve - TECO Easement (002596-0100)

List Attachments: Board Item Sketch, Board Resolution, Easement Agreement, Composite Bond Counsel Documentation

2024-053-U

TECO Easement - CeeBee Groves-Brooker Creek Buffer



LEGEND

- Subject Property
002596-0100
- ▤ TECO Easement
4,778 SqFt



**Hillsborough
County Florida**

Geospatial Services Division
601 E Kennedy Blvd, Tampa, FL 33602

NOTE: Every reasonable effort has been made to assure the accuracy of this map; Hillsborough County does not assume any liability arising from use of this map. THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose.

SOURCE: This map has been prepared for the inventory of real property found within Hillsborough County and is compiled from recorded deeds, plats, and other public records; it has been based on BEST AVAILABLE data.

Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map.

SEC 28 TWP 27S RNG 17E

Resolution No: _____

**RESOLUTION DESIGNATING A PORTION OF THE
CEEBEE GROVES/BROOKER CREEK BUFFER
PRESERVE SITE FOR USE BY TAMPA ELECTRIC
IN SUPPORT OF TAMPA ELECTRIC’S SERVICE
PROVISION TO THE SITE UNDER TAMPA
ELECTRIC’S STORM PROTECTION PLAN**

Upon motion by Commissioner _____, seconded by Commissioner _____, the following resolution was adopted by a vote of ___ to ___, Commissioner(s) _____ voting “no”.

WHEREAS, the Hillsborough County Environmental Lands Acquisition and Protection Program (“**ELAPP**”) acquires property for preservation, and the properties acquired through ELAPP are typically managed by the Conservation and Environmental Lands Management Department (“**CELM**”); and

WHEREAS, in 2020, Hillsborough County (the “**County**”) acquired a parcel located west of Christie Place on September 15, 2020, as evidenced by that certain deed recorded in Instrument #2020384194, of the public records of Hillsborough County, Florida, which was acquired pursuant to Hillsborough County Ordinance 08-16 (the “**CeeBee Grove Site**”); and

WHEREAS, in conjunction with providing more effective electrical service to the CeeBee Grove Site, the Tampa Electric Company (“**Tampa Electric**”) desires to replace existing overhead lines with underground conduit and utility infrastructure in accordance with Tampa Electric’s Storm Protection Plan (“**SPP**”); and

WHEREAS, Tampa Electric has requested an easement for the installation, maintenance, and access to underground conduit and associated utility infrastructure for Tampa Electric’s SPP (the “**TECO Easement**”), the form of which is attached hereto as **Exhibit “A”** and is incorporated herein by reference, over a 15-foot wide, 4,778 square foot portion of the CeeBee Grove Site, which is depicted and described in the legal description and sketch attached to the **TECO Easement**.

WHEREAS, pursuant to Ordinance 08-16, properties acquired through the ELAP Program are to be held for preservation and recreational uses that do not degrade the environmental quality of the site; and

WHEREAS, Facilities Management and Real Estate Services and Conservation and Environmental Lands Management staff have determined that granting the **TECO easement** for the purpose undergrounding Tampa Electric’s utility infrastructure will not adversely affect the preservation and environmental quality of the CeeBee Grove Site, provided certain conditions and

restrictions are in place and observed which will mitigate and minimize impacts to the site, which are detailed the TECO Easement; and

WHEREAS, at the March 18, 2024 ELAPP General Committee Meeting, the ELAPP General Committee recommended approval of the TECO Easement; and

WHEREAS, in order for Tampa Electric to commence installation, and delivery of electrical service on and within the CeeBee Grove Site, certain real property rights (“**Property Rights**”) must be transferred to Tampa Electric by the Hillsborough Board of County Commissioners, pursuant to Section 8 of Ordinance 08-16; and

WHEREAS, all requirements as set forth in Section 8 of Ordinance 08-16 have been complied with, and therefore the transfer of Property Rights by and through the grant of the TECO easement is permissible; and

WHEREAS, notice of the public hearing was advertised in a newspaper of general publication, and a notice of public hearing was posted on the property prior to the public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS _____ DAY OF _____, 2024:

1. The “WHEREAS” provisions recited above are true, correct and incorporated herein by reference.
2. The County has complied with the requirements of Ordinance 08-16 for the ELAP Program for the conveyance of property rights on and within an ELAPP site.
3. That the TECO Easement described in **Exhibit “A”** is designated for use by Tampa Electric for the installation, maintenance and operation of underground electric conduit and associated utility infrastructure, subject to the conditions as set forth therein.
4. That this Resolution shall become effective upon adoption.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Cindy Stuart, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of _____, as the same appears of record in Minute Book _____, of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this ____ day of _____, 2024

Approved as to form
and legal sufficiency

CINDY STUART
CLERK OF THE CIRCUIT COURT

By: Todd Sobel
Todd Sobel
Assistant County Attorney

By: _____
Deputy Clerk

EXHIBIT "A"

Form of Easement

Project: No. 2024-053-E
TECO Easement – CeeBee Groves-Brooker Creek Buffer Preserve

Folio No.: 002596-0100
Sec 28, Twp 27 S, Rge 17 E

Hillsborough County Facilities Management &
Real Estate Services Department
PO Box 1110, Tampa, Florida 33601

BOCC Approval Date: _____

Reviewed for Legal Sufficiency on: 2/15/2024
Todd Sobel, Assistant County Attorney: TS

EASEMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, this ___ day of _____ 2024, that **HILLSBOROUGH COUNTY**, a political subdivision of the State of Florida, whose address is Post Office Box 1110, Tampa, Florida, 33601, herein called Grantor, in consideration of One Dollar and other valuable considerations paid to Grantor by **TAMPA ELECTRIC COMPANY**, a Florida corporation, whose address is Post Office Box 111, Tampa, Florida 33601 herein called Company, it's successors and assigns, a non-exclusive easement over and the right to enter upon the land in Hillsborough County, Florida, described as follows:

LANDS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF
(the "Easement Area")
SKETCH ATTACHED FOR ILLUSTRATIVE PURPOSES ONLY

together with the right of ingress and egress to and from the same, and all rights therein and all privileges thereon which are or may be necessary or convenient for the full use and enjoyment of such easement, which is for the purpose of constructing, operating, maintaining and replacing on and removing from said land, in connection with the Company's conduct of its business for the specific purpose of providing electrical service installations described as follows, to-wit:

aboveground and underground lines of wires, cables, data transmission and communication facilities, supporting structures and necessary appurtenances thereto.

The Grantor may use said land for any purpose which will not interfere or conflict in any manner with the use of the same by the Company for the purposes enumerated above and which will not endanger any person or property. Company agrees to promptly restore to the original condition or better, at Company's expense, any area of the property which it disturbs in the course of its activities pursuant to this Easement Agreement.

In the event this easement shall not be so used or shall cease to be used for the purposes described herein, said easement shall become null and void.

The terms "Grantor" and "Company" herein employed shall be construed to include the words "successors and assigns" of the respective parties hereto, wherever the context so admits or requires.

The parties agree that this agreement and all documents associated with the transaction contemplated herein may be executed by electronic signature in a manner that complies with Chapter 668, Florida Statutes, and as approved by the Hillsborough County Board of County Commissioners in Resolution R15-025 on February 4, 2015.

This agreement may be executed in more than one counterpart, all of which taken together shall constitute one and the same original, and the execution of separate counterparts by the parties shall bind the parties as if they had each executed the same counterpart.

IN WITNESS WHEREOF, the parties hereto have duly executed this Easement Agreement as of the date and year first above written.

ATTEST:

**CINDY STUART
CLERK OF THE CIRCUIT COURT**

**HILLSBOROUGH COUNTY,
A Political Subdivision of the State of Florida**

By: _____
DEPUTY CLERK

By: _____
CHAIR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
Todd Sobel
Assistant County Attorney

Signed, Sealed and delivered
in the presence of:

**TAMPA ELECTRIC COMPANY,
A Florida corporation**

Print or Type Name

Address

Print or Type Name

Address

By: _____
Chip Whitworth
V.P. – Electric Delivery & Asset Management ED/ES

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this ___ day of _____ 2024, by Chip Whitworth, V.P. – Electric Delivery & Asset Management ED/ES of Tampa Electric Company, a Florida Corporation, who is [] personally known to me or [] has produced _____ as identification.

NOTARY PUBLIC:

(SEAL)

Sign: _____

Print: _____

My Commission Expires: _____

EXHIBIT "A"

DESCRIPTION SKETCH (NOT A SURVEY)

LEGAL DESCRIPTION: (15.00' TECO Easement)

A portion of the Northerly 421.5 feet of the Southwest 1/4 of the Northwest 1/4 of Section 28, Township 27 South, Range 17 East, Hillsborough County, Florida being more particularly described as follows:

COMMENCE at the Northeast corner of TRACT B, PATTERSON ROAD RESIDENTIAL, as recorded in Plat Book 146, Pages 234-256, of the Public Records of Hillsborough County, Florida; thence N.89°32'43"W., 619.35 feet along the Northerly boundary line of said TRACT B, said line also being the Southerly boundary line of said Northerly 421.5 feet of the Southwest 1/4 of the Northwest 1/4 of Section 28 to the POINT OF BEGINNING; thence continue N.89°32'43"W., 15.00 feet along said Northerly and Southerly boundary lines; thence N.00°50'51"W., 66.32 feet; thence N.00°04'56"E., 252.18 feet; thence S.89°55'04"E., 15.00 feet; thence S.00°04'56"W., 252.06 feet; thence S.00°50'51"E., 66.54 feet to said Northerly and Southerly boundary lines and the POINT OF BEGINNING.

Containing 4,778.28 square feet (0.11 acres), more or less.

LEGEND:
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
 SEC. = SECTION TWP. = TOWNSHIP
 RGE. = RANGE
 PB = PLAT BOOK PG'S = PAGES
 (P) = PLAT R/W = RIGHT-OF-WAY
 (C) = CALCULATED
 O.R. = OFFICIAL RECORDS
 O.A.P. = OPEN AREA PRIVATE
 TECO = TAMPA ELECTRIC COMPANY
 P.L.E. = PRIVATE LANDSCAPE EASEMENT
 P.U.E. = PUBLIC UTILITY EASEMENT
 H.C.F.P.A. = HILLSBOROUGH COUNTY FLORIDA
 PROPERTY APPRAISER
 A&UE = ACCESS AND UTILITY EASEMENT

NOTES:

1. No underground installation or improvements have been located except those shown hereon.
2. LANDMARK ENGINEERING & SURVEYING CORPORATION'S Certificate of Authorization Number to provide surveying is LB3913.
3. This drawing not valid without the original signature and seal of a Florida Registered Surveyor & Mapper.

SYMBOLS:

- ∅ = UTILITY POLE
 ——— OUL ——— OUL — = OVERHEAD UTILITY LINES
 54 = LOT NUMBER

SHEET 1 OF 2

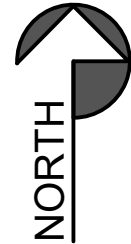
Information is not complete without the accompanying sketch.

REVISIONS					SURVEYORS CERTIFICATE	
Description	Date	Dwn.	Ck'd	Order No.	The sketch represented hereon conforms to the requirements of Chapter 5J-17, Florida Administrative Code in effect on the Drawing Date shown.	
Drawn: JWH		Client No: 2012			JAKE W. HARRIS <small>DATE OF SIGNATURE</small> FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 7541	
Original No.: 2210110		Current No.: 2210110				
Drawing Date: 05-21-2024					8515 Palm River Road Tampa, Florida 33619 (813) 621-7841 (813) 664-1832 (fax) www.lesc.com L.B. # 3913	

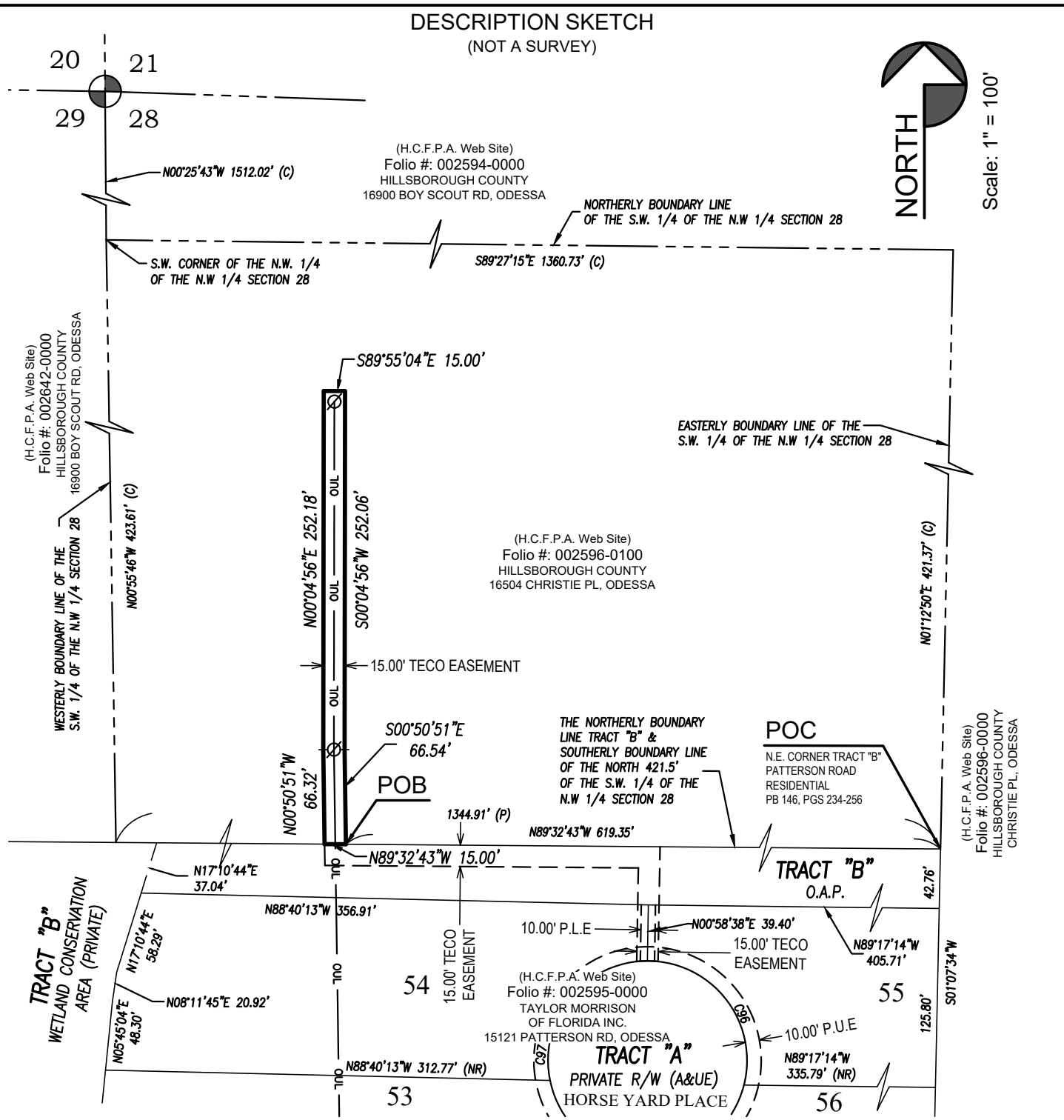
Sec.: 28 Twp.: 27 S. Rge.: 17 E.

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DESCRIPTION SKETCH
(NOT A SURVEY)



Scale: 1" = 100'



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CURVE TABLE					
Curve #	Radius	Delta	Arc/Length	Chord	Chord Bearing
C96	70.00'	104°20'06"	127.47'	110.57'	N37°54'08"W
C97	70.00'	101°29'57"	124.00'	108.41'	S39°10'50"W

NOTE:
SEE SHEET 1 FOR DESCRIPTION,
NOTES AND LEGEND.

BASIS OF BEARINGS:
THE NORTHERLY BOUNDARY
LINE OF TRACT "B"
BEARS N.89°32'43"W., (PLAT).

SHEET 2 OF 2 Job No.: 2210110

LANDMARK
Engineering & Surveying Corporation

8515 Palm River Road | Tampa, Florida 33619
(813) 621-7841 | (813) 664-1832 (fax)
www.lesc.com | L.B. # 3913

Project: No. 2024-053-E
TECO Easement – CeeBee Groves-Brooker Creek Buffer Preserve

Folio No.: 002596-0100
Sec 28, Twp 27 S, Rge 17 E

Hillsborough County Facilities Management &
Real Estate Services Department
PO Box 1110, Tampa, Florida 33601

BOCC Approval Date: _____

Reviewed for Legal Sufficiency on: 2/15/2024
Todd Sobel, Assistant County Attorney: TS

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(the "Easement Area")
SKETCH ATTACHED FOR ILLUSTRATIVE PURPOSES ONLY

together with the right of ingress and egress to and from the same, and all rights therein and all privileges thereon which are or may be necessary or convenient for the full use and enjoyment of such easement, which is for the purpose of constructing, operating, maintaining and replacing on and removing from said land, in connection with the Company's conduct of its business for the specific purpose of providing electrical service installations described as follows, to-wit:

aboveground and underground lines of wires, cables, data transmission and communication facilities, supporting structures and necessary appurtenances thereto.

The Grantor may use said land for any purpose which will not interfere or conflict in any manner with the use of the same by the Company for the purposes enumerated above and which will not endanger any person or property. Company agrees to promptly restore to the original condition or better, at Company's expense, any area of the property which it disturbs in the course of its activities pursuant to this Easement Agreement.

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This agreement may be executed in more than one counterpart, all of which taken together shall constitute one and the same original, and the execution of separate counterparts by the parties shall bind the parties as if they had each executed the same counterpart.

IN WITNESS WHEREOF, the parties hereto have duly executed this Easement Agreement as of the date and year first above written.

ATTEST:

**CINDY STUART
CLERK OF THE CIRCUIT COURT**

**HILLSBOROUGH COUNTY,
A Political Subdivision of the State of Florida**

By: _____
DEPUTY CLERK

By: _____
CHAIR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: Todd Sobel
Todd Sobel
Assistant County Attorney

Signed, Sealed and delivered
in the presence of:

TAMPA ELECTRIC COMPANY,
A Florida corporation

CK
Carolina Kirby

Print or Type Name

P.O. Box 111, Tampa FL 33601

Address

Chip Whitworth
CHIP WHITWORTH

Print or Type Name

P.O. Box 111, Tampa FL 33601

Address

By: Chip Whitworth
Chip Whitworth
V.P. – Electric Delivery & Asset Management ED/ES
P.O. Box 111, Tampa FL
33601

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 13 day of August 2024, by Chip Whitworth, V.P. – Electric Delivery & Asset Management ED/ES of Tampa Electric Company, a Florida Corporation, who is personally known to me or has produced _____ as identification.



(SEAL)

NOTARY PUBLIC:

Sign: Rebecca Lynn Maier

Print: Rebecca Lynn Maier

My Commission Expires: 03/25/2027

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SHEET 1 OF 2

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REVISIONS				
Description	Date	Dwn.	CK'd	Order No.
Drawn: JWH		Client No: 2012		
Original No.: 2210110	Current No.: 2210110	Checked:		

SURVEYORS CERTIFICATE
 The sketch represented hereon conforms to the requirements of Chapter 5J-17, Florida Administrative Code in effect on the Drawing Date shown.

JAKE W. HARRIS
 FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 7541
 DATE OF SIGNATURE: 05-21-2024

LANDMARK
 Engineering & Surveying Corporation

8515 Palm River Road | Tampa, Florida 33619
 (813) 621-7841 | (813) 664-1832 (fax)
 www.lesc.com | L.B. # 3913

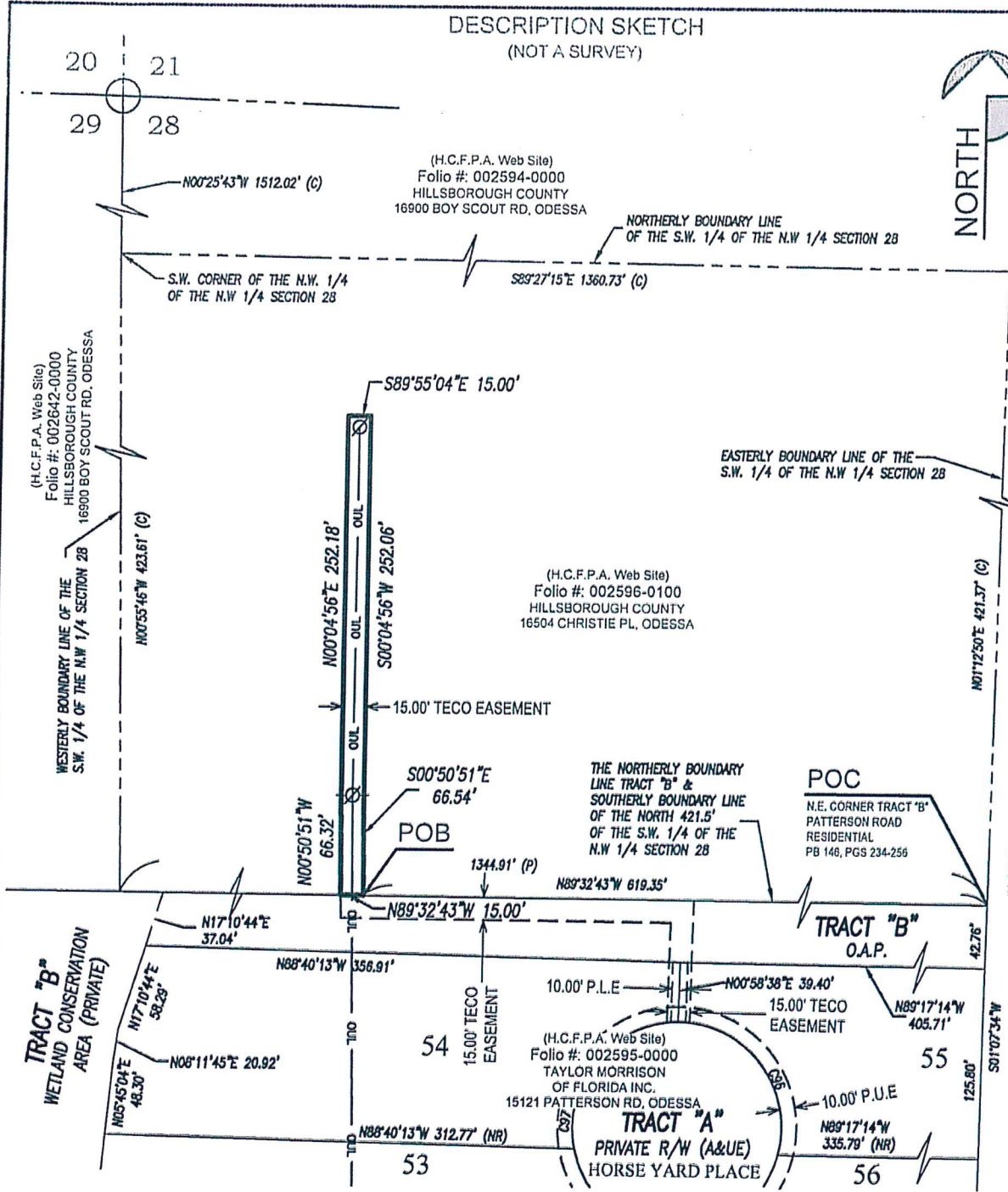
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(NOT A SURVEY)



Scale: 1" = 100'



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C97	70.00'	101°29'57"	124.00'	108.41'	S39°10'50"W

NOTE:
SEE SHEET 1 FOR DESCRIPTION,
NOTES AND LEGEND.

BASIS OF BEARINGS:
THE NORTHERLY BOUNDARY
LINE OF TRACT "B"
BEARS N.89°32'43"W., (PLAT).



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SHEET 2 OF 2 Job No.: 2210110

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December 6, 2024

Board of County Commissioners of
Hillsborough County, Florida
Tampa, Florida

Re: \$38,830,000 Original Aggregate Principal Amount Hillsborough County, Florida
General Obligation Refunding Bonds (Environmental Lands Acquisition and
Protection Program), Series 2019A

Ladies and Gentlemen:

We have served as Bond Counsel in connection with the issuance by Hillsborough County, Florida (the "Issuer") of the above-referenced bonds (the "2019A Bonds") pursuant to Article VII, Section 12, and Article VIII, Section 1, Constitution of the State of Florida, Chapter 125, Florida Statutes, the Hillsborough County Charter, Ordinance No. 08-16 enacted by the Board of County Commissioners of the Issuer (the "Board") on July 16, 2008 and other applicable provisions of law, and pursuant to Resolution No. R09-128 adopted by the Board on September 16, 2009, as amended and supplemented, particularly as amended by Resolution No. R09-159 adopted by the Board on December 2, 2009, and as amended and supplemented by Resolution No. R19-091 adopted by the Board on July 17, 2019 (collectively, the "Bond Resolution").

The issuance of the 2019A Bonds by the Issuer was approved by a majority of the electors at a referendum election held on November 4, 2008 (the "Bond Referendum"), in satisfaction of the requirements of Article VII, Section 12 of the Florida Constitution.

As to questions of fact material to our opinion, we have relied upon representations of the Issuer contained in the Bond Resolution and in the certified proceedings and other certifications of public officials and others furnished to us, without undertaking to verify the same by independent investigation. In particular, we have relied upon a certificate in support of this opinion, a fully executed copy of which is attached hereto as Exhibit A (the "County Tax Certificate") and upon a certificate in support of this opinion, a fully executed copy of which is attached hereto as Exhibit B (the "State Law and Bond Covenant Compliance Certificate"), each of which are incorporated herein. Any capitalized undefined terms used herein shall have the meanings set forth in the Bond Resolution. We have not undertaken an independent audit,

examination, investigation or inspection of such matters and have relied solely on the facts, estimates and circumstances described in such proceedings and certifications. We have assumed the genuineness of signatures on all documents and instruments, the authenticity of documents submitted as originals and the conformity to originals of documents submitted as copies.

We have reviewed (1) the form of the Transfer Resolution attached as Exhibit A to the State Law and Bond Covenant Compliance Certificate; (2) the County Tax Certificate; (3) the State Law and Bond Covenant Compliance Certificate; and (4) such other documents, certificates and notices as we have deemed necessary or advisable in rendering the following opinion.

Based upon the foregoing review and in reliance upon the certifications of the Issuer in the County Tax Certificate and the State Law and Bond Covenant Compliance Certificate, we are of the opinion that, under existing law, the Transfer (as defined in the County Tax Certificate) will not, in and of itself, adversely affect the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended (the "Code"), and Sections 141-150 of the Code, of interest on the 2019A Bonds for federal income tax purposes.

We express no opinion as to the continued validity of the 2019A Bonds or regarding any federal income consequences arising with respect to the 2019A Bonds other than as expressly set forth herein.

Our opinion expressed herein is predicated upon present law, facts and circumstances, and we assume no affirmative obligation to update the opinion expressed herein if such laws, facts or circumstances change after the date hereof. This opinion may not be relied upon by any party other than the addressees without our prior written consent.

Respectfully submitted,

BRYANT MILLER OLIVE P.A.

A handwritten signature in blue ink that reads "Bryant Miller Olive P.A." in a cursive script.

EXHIBIT A

COUNTY TAX CERTIFICATE

\$38,830,000
Original Aggregate Principal Amount
Hillsborough County, Florida
General Obligation Refunding Bonds
(Environmental Lands Acquisition and Protection Program), Series 2019A

TAX CERTIFICATE OF HILLSBOROUGH COUNTY

The undersigned, on behalf of Hillsborough County, Florida (the "County"), and with knowledge that the County's Bond Counsel, Bryant Miller Olive P.A., will rely upon this certificate in rendering a legal opinion on the date hereof with respect to the above-referenced tax-exempt bonds (the "2019A Bonds"), DO HEREBY CERTIFY as follows:

1. On August 20, 2019, the County issued the 2019A Bonds, with the interest on the 2019A Bonds being excludable from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended (the "Code"), and Sections 141-150 of the Code, for federal income tax purposes;
2. A portion of the proceeds of the 2019A Bonds were used to refund the County's \$48,125,000 Taxable General Obligations Bonds (Environmental Lands Acquisition and Protection Program), Series 2009B (Federally Taxable-Build America Bonds-Direct Subsidy) (the "2009B Bonds," together with the 2019A Bonds, the "Bonds");
3. The County, through its Environmentally Sensitive Lands Acquisition and Protection Program ("ELAPP") is the owner of a parcel located at 16504 Christie Place, Odessa, Florida 33556, which is a part of the County's Brooker Creek Preserve (the "Parcel"). The Parcel was financed and refinanced with a portion of the proceeds of the Bonds;
4. In conjunction with providing more effective services to the citizens of the County, at the request of the citizens of the County, ELAPP desires to permit Tampa Electric Company, a Florida corporation ("TECO"), a non-exclusive easement over and right to enter upon the Parcel (the "Transfer"), which is more fully depicted and described in the legal descriptions and sketches attached as Attachment "A" to and incorporated by reference in the form of a resolution to be considered by the Board, the form of which is attached hereto as Exhibit A (the "Transfer Resolution") for the primary purpose of facilitating electrical service to the Parcel and certain citizens of the County;
5. Pursuant to the Transfer Resolution, given the nature of the use, TECO will pay \$0.00 to ELAPP as consideration for the Transfer (the "Compensation"); and

6.□ The County understands that Bryant Miller Olive P.A. will specifically rely upon the representations set forth in this certificate in rendering its legal opinion that transferring certain property rights to certain portions of the Southern Balm Scrub Parcels will not adversely affect the 2019A Bonds interest excludability from gross income under Section 103(a) of the Code, and under Sections 141-150 of the Code, for federal income tax purposes.

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IN WITNESS HEREOF, we have hereunto set our hands this 6th day of December, 2024.

HILLSBOROUGH COUNTY, FLORIDA

By: *Kevin Brickey*
Name: Kevin Brickey
Title: Director of Management and Budget

By: *Jarryd M. Dalfino*
Name: Jarryd M. Dalfino, Esq
Title: Manager, Technical Services and
Voluntary Acquisitions Section

[Signature Page to Tax Certificate of Hillsborough County]

EXHIBIT A

FORM OF TRANSFER RESOLUTION

[Follows.]

[Pages Omitted due to Duplication of Documents]

EXHIBIT B

STATE LAW AND BOND COVENANT COMPLIANCE CERTIFICATE

\$38,830,000
Original Aggregate Principal Amount
Hillsborough County, Florida General Obligation Refunding Bonds
(Environmental Lands Acquisition and Protection Program), Series 2019A

STATE LAW AND BOND COVENANT COMPLIANCE CERTIFICATE

On August 20, 2019, Hillsborough County, Florida (the "County") issued the above-referenced Series 2019A Bonds (the "Bonds") and used the proceeds thereof, through its Environmental Lands Acquisition and Protection Program ("ELAPP"), to acquire a parcel located at 16504 Christie Place, Odessa, Florida 33556, which is a part of the County's Brooker Creek Preserve (the "Parcel"). In particular, the Parcel was acquired by ELAPP with funds obtained by the County pursuant to Hillsborough County Ordinance No. 08-16 enacted by the Board of County Commissioners of the County (the "Board") on July 16, 2008 (the "Ordinance") and Resolution No. R09-128 adopted by the Board on September 16, 2009, as amended and supplemented, particularly as amended by Resolution No. R09-159 adopted by the Board on December 2, 2009, and as amended and supplemented by Resolution No. R19-091 adopted by the Board on July 17, 2019 (collectively, the "Bond Resolution").

In conjunction with providing more effective services to the citizens of the County, at the request of the citizens of the County, ELAPP desires to permit Tampa Electric Company, a Florida corporation, a non-exclusive easement over and right to enter upon the Parcel (the "Transfer"), which is more fully depicted and described in the legal descriptions and sketches attached as Attachment "A" to and incorporated by reference in the form of a resolution to be considered by the Board, the form of which is attached hereto as Exhibit A (the "Transfer Resolution") for the primary purpose of facilitating electrical service to the Parcel and certain citizens of the County.

The undersigned HEREBY ACKNOWLEDGE that Section 8 of each of the ELAPP Ordinances and Resolution No. R09-128 adopted by the Board on September 16, 2009, as amended and supplemented, particularly as amended by Resolution No. R09-159 adopted by the Board on December 2, 2009, and as amended and supplemented by Resolution No. R19-091 adopted by the Board on July 17, 2019 (collectively, the "Bond Resolution"), set forth certain restrictions to the transfer of Property Rights, as defined in the ELAPP Ordinances (hereinafter, the "Transfer Restrictions"). In pertinent part, the Transfer Restrictions provide that any Property Rights, that are associated with land acquired for preservation through the ELAPP Ordinances that are not necessary for preservation of the property may be sold provided that:

- (a) Staff has advised that it is not necessary for the County to retain the Property Rights in order to preserve the property;

- (b) A legally permissible procedure to transfer the Property Rights from the property acquired for preservation is followed;

- (c) The Board authorized the sale, transfer, or exchange of the Property Rights after a public hearing to identify and consider the transfer, sale or exchange of the Property Rights;
- (d) The proceeds received from the transfer, sale, or exchange of the Property Rights, if any, will only be used to finance capital projects directly related to the acquisition, preservation, protection, management and restoration of environmentally sensitive lands which protect wildlife habitat, natural areas, drinking water sources, and the water quality of rivers, lakes and bays, or to retire bonds issued pursuant to the ELAPP Ordinances as directed by the Board at the time transfer, sale, or exchange is approved; and
- (e) Specific to the 2008 ELAPP Ordinance and the Bonds, prior to the transfer of any Property Rights, the County shall receive an opinion of its bond counsel that the transfer and the proposed use of the proceeds of such transfer, if any, will not adversely affect the exclusion from gross income of interest on the bonds for federal income tax purposes.

Further, we HEREBY ACKNOWLEDGE that we have reviewed and are familiar with the Transfer Restrictions, and we HEREBY CERTIFY, as follows:

- (a) It is not necessary for the County to retain the Property Rights in order to preserve the Parcel;
- (b) a legally permissible procedure for the Transfer will be followed;
- (c) the Transfer will only occur after the Board authorizes the Transfer, after a public hearing to identify and consider the Transfer;
- (d) The proceeds received from the Transfer, will only be used to finance capital projects directly related to the acquisition, preservation, protection, management and restoration of environmentally sensitive lands which protect wildlife habitat, natural areas, drinking water sources, and the water quality of rivers, lakes and bays, or to retire bonds issued pursuant to the ELAPP Ordinances, as directed by the Board at the time transfer, sale, or exchange is approved; and
- (e) specific to the 2008 ELAPP Ordinance and the Bonds, prior to the transfer of any Property Rights, the County shall receive an opinion, in substantially the form attached hereto as Exhibit B of its bond counsel that the transfer and the proposed use of the proceeds of such transfer, if any, will not adversely affect the exclusion from gross income of interest on the bonds for federal income tax purposes.

Immediately upon learning that the Transfer is, in any way, inconsistent with this certification or the Transfer Restrictions, we HEREBY CERTIFY that we will (i) endeavor to correct such deficiencies as soon as reasonably practical, and (ii) immediately notify the Chief Financial Administrator who will request an opinion of bond counsel that such inconsistencies may (or may not) adversely affect the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended (the "Code"), and Sections 141-150 of the Code, of interest on the Bonds for federal income tax purposes.

[Remainder of Page Intentionally Left Blank | Signatures to Follow]

IN WITNESS HEREOF, we have hereunto set our hands this 6th day of December, 2024.

HILLSBOROUGH COUNTY, FLORIDA

By: *John F. Turbiville, Jr.*
Name: John "Forest" Turbiville
Title: Director of Conservation and
Environmental Lands Management

By: *Jarryd M. Dalfino*
Name: Jarryd M. Dalfino, Esq.
Title: Manager, Technical Services and Voluntary
Acquisitions Section

[Signature Page to State Law and Bond Covenant Compliance Certificate]

EXHIBIT A

FORM OF TRANSFER RESOLUTION

[Pages Omitted due to Duplication of Documents]