

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED RIGHT-OF-WAY LICENSE AGREEMENT, BETWEEN PAUL AND WILLIAM SALSBURG D/B/A PENN DUTCH FOOD CENTER (LICENSEE) AND THE CITY OF HOLLYWOOD (LICENSOR), FOR USE OF THE PUBLIC RIGHT-OF-WAY ALONG A PORTION OF NORTH 28<sup>th</sup> WAY FOR EMPLOYEE AND CUSTOMER PARKING FOR A FOUR YEAR TERM.

WHEREAS, Paul and William Salsburg d/b/a Penn Dutch Food Center (Penn Dutch) operate a retail food market at 3950 North 28<sup>th</sup> Terrace and have maintained a Right-of-Way License Agreement (License) with the City since 1996 for use of the right-of-way a portion of N. 28<sup>th</sup> Terrace to provide parking for its employees and customers; and

WHEREAS, Penn Dutch is requesting use of the right-of way along the west side of North 28<sup>th</sup> Way adjacent to and across the street from their store to provide for additional employee and customer parking; and

WHEREAS, parking is deficient throughout the Industrial Park as a whole, and as a means to alleviate parking congestion, the use of improved swales provides for parking relief while improving upon the aesthetic conditions of over-utilized swales; and

WHEREAS, as consideration for the License and use of the right-of-way, Licensee shall be responsible for ongoing maintenance, required liability insurance, indemnification of the City, and all federal, state and local taxes levied as a result of the use of the premises and activities covered by this License Agreement, if any; and

WHEREAS, the License term shall be for a four (4) year term;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD FLORIDA:

Section 1: That it hereby approves and authorizes the execution, by the appropriate City Officials, of the attached Right-of-Way License Agreement between Paul and William Salsburg d/b/a Penn Dutch Food Center (Licensee) and the City of Hollywood (Licensor), together with such non-material changes as may subsequently be agreed to by the City Manager and approved as to form and legality by the City Attorney.

PAUL AND WILLIAM SALSBURG D/B/A PENN DUTCH FOOD CENTER RIGHT-OF-WAY LICENSE AGREEMENT – NORTH 28<sup>TH</sup> WAY

Section 2: That this resolution shall be in full and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
PETER BOBER, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGALITY  
For the use and reliance of the  
City of Hollywood, Florida, only.

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JEFFREY P. SHEFFEL, CITY ATTORNEY