

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING TERMINATION OF THE CURRENT BOAT DOCK LEASE AGREEMENT BETWEEN THE CITY OF HOLLYWOOD (LESSOR) AND ANNETTE FLYNN (LESSEE) AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED BOAT DOCK LEASE FOR USE OF PUBLIC LANDS FOR A BOAT DOCK.

WHEREAS, Section 98.050, of the Hollywood Code of Ordinances provides for the construction and/or location of boat docks on City property along portions of North and South Lake; and

WHEREAS, the use of the public lands for a boat dock is subject to a lease agreement with the City and is limited to the owner of property directly adjacent to the dock location; and

WHEREAS, while the majority of boat dock side yard lease lines extend out into the Lakes without crossing adjacent side yard lease lines, the curvature of South Lake at S. 9th Avenue and N. Southlake Drive results in the intersection of the respective side yard lease lines for properties at 310 S. 9th Avenue (Pietrocarlo), 300 9th Avenue (Flynn), and 829 N. Southlake Dr. (Cohen); and

WHEREAS, in order to provide reasonable separation between the respective docks and boats, it is necessary to revise the legal descriptions, as well as, the side yard setbacks; and

WHEREAS, the current Boat Dock Lease dated November 6, 2012 between the City and Annette Flynn at 300 South 9th Avenue shall be terminated effective May 31, 2014 and replaced by the attached Boat Dock Lease effective June 1, 2014; and

WHEREAS, the term of this Lease shall commence on June 1, 2014 and expire on September 30, 2018 and may be renewed for additional periods of four (4) years each by the City Manager without further application to the City Commission; and

WHEREAS, the Lessee is required to pay an annual fee and maintain Public Liability Insurance covering the Lease property and the boat dock structure, as well as the resultant uses thereof, naming the City as an additional insured, in an amount not less than \$500,000.00;

RESOLUTION: ANNETTE FLYNN - BOAT DOCK LEASE

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

Section 1: That it hereby approves termination of that certain Boat Dock Lease dated November 6, 2012 by and between the City (Lessor) and Annette Flynn (Lessee), said termination effective May 31, 2014.

Section 2: That it hereby approves and authorizes the execution, by the appropriate City Officials, of the attached Boat Dock Lease between the City of Hollywood (Lessor) and Annette Flynn (Lessee) at 300 South 9th Avenue, together with such nonmaterial changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney.

Section 3: That this resolution shall be in full force 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 & LEGALITY
For the use and reliance of the
City of Hollywood, Florida Only:

JEFFREY P. SHEFFEL, CITY ATTORNEY