

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED RIGHT-OF-WAY OCCUPANCY LICENSE, BETWEEN SHMUEL MISHELE AND THE CITY OF HOLLYWOOD, FOR THE USE OF AN ALLEY RIGHT-OF-WAY ADJACENT TO PROPERTIES LOCATED AT 5933 WILEY STREET AND 5960 PLUNKETT STREET FOR SECURED PRIVATE PARKING.

WHEREAS, Shmuel Mishele, as Owner, purchased the property located at 5933 Wiley Street in Hollywood to provide excess parking to serve his adjacent auto shop business located at 5940 Plunkett Street; and

WHEREAS, the 5900 block of Wiley Street is predominantly residential, and activities associated with the warehouses on Plunkett Street would be better served with access from Plunkett Street; and

WHEREAS, the Owner requests approval for the use of the existing alley right-of-way traversing adjacent to 5933 Wiley Street and 5960 Plunkett Street to provide access to the proposed secured private parking lot with access limited to and from Plunkett Street; and

WHEREAS, FDOT is implementing the road widening of US441 which provides landscaped dry retention ponds adjacent to the aforementioned properties and the alley; and

WHEREAS, although the alley remains necessary for utility access and maintenance purposes, City staff also sees a public benefit for a uniform landscape and decorative fence buffering between the industrial warehouses, the residential properties on Wiley Street and the US441 corridor; and

WHEREAS, as consideration of the request for the use of the alley right-of-way, Owner will comply with the terms and conditions specified in the attached Right of Way Occupancy License, shall be responsible for the installation and maintenance of ornamental metal fencing, landscaping and irrigation as specified in Exhibit "1", and indemnify and save harmless the City;

RESOLUTION FOR RIGHT-OF-WAY OCCUPANCY LICENSE BETWEEN SHMUEL MISHELE AND THE CITY.

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 Occupancy License, 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.

Section 2: 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 AND LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.

JEFFREY P. SHEFFEL, CITY ATTORNEY