

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 DESMARAIS INVESTMENTS, INC. AND THE CITY OF HOLLYWOOD, FOR USE OF THE PUBLIC RIGHT-OF-WAY FOR PARKING ADJACENT TO PROPERTIES AT 1525 – 1551 S. 30TH AVENUE, BASED ON A FOUR YEAR TERM AND FIRST YEAR ANNUAL FEE OF \$10,112.40, PAYABLE QUARTERLY IN ADVANCE, AND INCLUDES AN ANNUAL ESCALATION IN THE AMOUNT OF THE LICENSE PLUS AN INCREASE OF THREE PERCENT (3%).

WHEREAS, South 30th Avenue, extending north from Pembroke Road, is a dead end roadway with commercial/industrial businesses along its east side and the CSX Railway along its west side, used for employee/customer parking and other uses by the adjacent businesses; and

WHEREAS, DesMarais Investments, Inc. (DesMarais) is the fee owner of property at 1525 – 1551 S. 30th Avenue and has maintained a license agreement with the City since 2000 for employee and customer parking of Hollywood Woodwork, a wholly owned company of DesMarais; and

WHEREAS, the existing agreement expired on March 22, 2016 and DesMarais has requested a Right-of-Way License Agreement for the continued use of the right of way along the west side of S. 30th Avenue, adjacent to its property, for forty-six (46) improved parking spaces; and

WHEREAS, the attached agreement shall be for a four (4) year term based on a first year annual fee of \$10,112.40, (twenty-five (25) spaces at \$31.80/space/month plus six percent (6%) tax), payable quarterly in advance, and includes an annual escalation in the amount of the license plus an increase of three percent (3%); and

WHEREAS, the attached license agreement contains the required liability insurance coverage and indemnification for the City.

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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 DesMarais Investments, Inc. and the City of Hollywood, 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 and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2017.

JOSH LEVY, 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