

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 FAMILY TIRE DISTRIBUTORS, INC. (LICENSEE) AND THE CITY OF HOLLYWOOD (LICENSOR), FOR USE OF THE PUBLIC RIGHT-OF-WAY ADJACENT TO 1029 NORTH 20TH AVENUE, TO PROVIDE FOR CUSTOMER PARKING AND TEMPORARY LOADING / UNLOADING OF TIRES AND LOCATION OF A LANDSCAPE BUFFER BASED ON A FIVE YEAR TERM AND ANNUAL RENTAL FEE OF \$572.40 INCLUDING APPLICABLE TAX.

WHEREAS, since 1982, Family Tire Distributors, Inc. has provided tire service at 1029 N. 20th Avenue and more recently at 2817 Pembroke Road; and

WHEREAS, during 1997, the City Commission approved a Right-of-Way License Agreement providing for use of city right-of-way adjacent to its building for customer parking and the temporary loading / unloading of tires along Hayes Street and for location of a landscape buffer with six inch Type D curbing along a portion of N. 20th Avenue; and

WHEREAS, the purpose of the landscaped buffer / curbing was for safety reasons because there was no clear delineation of the corner at Hayes Street and N. 20th Avenue or between the paved portion of N. 20th Avenue and the asphalt right-of-way along N. 20th Avenue; and

WHEREAS, the most recent license agreement expired on September 30, 2013 and the company has requested a new license agreement for its continued use of the subject right-of-way; and

WHEREAS, the attached Right-of-Way License Agreement provides for a five (5) year term expiring September 30, 2018, required liability insurance, Licensee responsibility for maintenance & repair of the right-of-way premises, and annual rental fee of \$572.40 including applicable tax, subject to yearly prevailing market rate adjustments, if any;

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 Family Tire Distributors, Inc. (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.

FAMILY TIRE DISTRIBUTORS, INC. - RIGHT-OF-WAY LICENSE AGREEMENT

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.

JEFFREY P. SHEFFEL, CITY ATTORNEY