

RESOLUTION NO. 24-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AMENDMENT NO. 2 TO THE MASTER LEASE AGREEMENT BETWEEN THE CITY OF FORT LAUDERDALE, AS LESSOR, AND RAHN BAHIA MAR L.L.C., AS LESSEE, FOR CITY OWNED REAL PROPERTY KNOWN AS BAHIA MAR; APPROVING THE DECLARATION OF RESTRICTIVE COVENANTS BY AND BETWEEN THE LESSOR, THE LESSEE AND BAHIA MAR COMMUNITY DEVELOPMENT DISTRICT; APPROVING THE AMENDED AND RESTATED DECLARATION OF COVENANTS AND RESTRICTIONS OF BAHIA MAR MASTER ASSOCIATION, INC.; APPROVING REVISIONS TO THE QUIT CLAIM DEED; RATIFYING THE INTERLOCAL AGREEMENT BY AND BETWEEN BAHIA MAR COMMUNITY DEVELOPMENT DISTRICT, RAHN BAHIA MAR LLC AND THE CITY OF FORT LAUDERDALE; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE INSTRUMENTS AND ANY ANCILLIARY OR SUPPLEMENTAL DOCUMENTS RELATED THERETO; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale (the "City") is the owner in fee simple of real property located at 801 Seabreeze Boulevard, Fort Lauderdale, FL 33316 and commonly known as "Bahia Mar"; and

WHEREAS, Bahia Mar is currently encumbered by a leasehold estate in favor of Rahn Bahia Mar L.L.C. pursuant to a Master Lease Agreement, dated April 13, 2022; and

WHEREAS, pursuant to an Interlocal Agreement as approved by the City Commission on January 9, 2024, under Resolution No. 24-14, the City approved conveyance of a portion of the air rights above Bahia Mar to the Bahia Mar Community Development District ("CDD"), subject to conditions; and

WHEREAS, the proposed Quit Claim Deed to the CDD was attached to the Interlocal Agreement and has been revised to acknowledge certain reservation of rights in favor of the City; and

WHEREAS, as a result of the conveyance, the instruments documenting the legal relationship between and among the parties must be amended or created; and

WHEREAS, the City finds it in the best interest of the City to amend the instruments and to create additional instruments.

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

SECTION 1. The Recitals are true and correct and incorporated herein by reference.

SECTION 2. That Amendment No. 2 to the Master Lease Agreement, Declaration of Restrictive Covenants, Amended and Restated Declaration of Covenants & Restrictions of Bahia Mar Master Association, Inc. and the revised Quit Claim Deed attached to the Interlocal Agreement by and between the Bahia Mar Community Development District, Rahn Bahia Mar LLC and the City, all in substantially the form attached to Commission Agenda Memorandum No. 24-0109, are hereby approved by the City Commission in its proprietary capacity. That the proper City Officials are hereby authorized to execute the instruments referenced herein and any and all ancillary or supplemental documents related thereto. Upon approval of the instruments referenced herein, the Interlocal Agreement, as amended by this Resolution, is hereby ratified and approved.

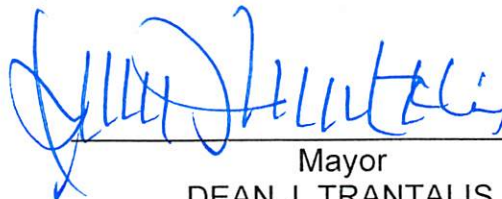
SECTION 3. That if any clause, section or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby but shall remain in full force and effect.

SECTION 4. That the City Attorney shall review and approve as to form the instruments prior to execution thereof by the proper City Officials.

SECTION 5. That any and all Resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 6. That this Resolution shall take effect upon final passage.

ADOPTED this 23rd day of January, 2024.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM
AND CORRECTNESS:



City Attorney
THOMAS J. ANSBRO

Dean J. Trantalis Yea

John C. Herbst Yea

Steven Glassman Yea

Pamela Beasley-Pittman Yea

Warren Sturman Nay