

RESOLUTION NO. 22-287

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING EXECUTION OF AMENDMENT NUMBER EIGHTEEN (18) TO THE DISTRICT FOUR (4) STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT FOR STATE ROAD A1A, FOR INSTALLATION AND MAINTENANCE OF LANDSCAPE AND HARDSCAPE IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF STATE ROAD A1A, AND AN ASSUMPTION OF LIABILITY AND HOLD HARMLESS AGREEMENT WITH TRR BAHIA MAR MARINA VILLAGE, LLC, AND RAHN BAHIA MAR, L.L.C., AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale, Florida ("City") and Rahn Bahia Mar L.L.C. ("Rahn") are parties to a Master Lease Agreement for the real property known as the Bahia Mar, dated April 13, 2022; and

WHEREAS, TRR Bahia Mar Marina Village, LLC ("TRR") is a sublessee of Rahn; and

WHEREAS, TRR and Rahn wish to install landscape and hardscape improvements, including pedestrian lighting improvements ("improvements") to the Bahia Mar within the right-of-way of State Road A1A; and

WHEREAS, authorization for these improvements within the right-of-way of State Road A1A, must be permitted by the Florida Department of Transportation ("FDOT"); and

WHEREAS, FDOT requires the City to enter into Amendment Number Eighteen (18) to the District Four (4) State of Florida Department of Transportation Landscape Inclusive Maintenance Memorandum of Agreement for State Road A1A ("MMOA"), for the maintenance of the improvements; and

WHEREAS, the City, TRR and Rahn have agreed to enter into an Assumption of Liability and Hold Harmless Agreement, which passes the maintenance responsibility and costs associated with the MMOA to TRR and Rahn and wherein TRR and Rahn agree to assume and hold the City harmless from any obligations under the proposed MMOA pertaining to any improvements installed in the right-of-way by TRR and Rahn.

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

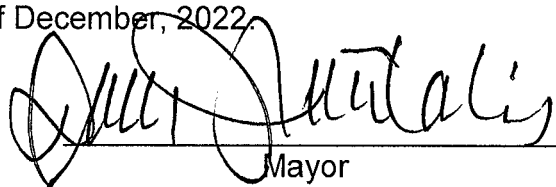
SECTION 1. That the City Commission of the City of Fort Lauderdale, Florida, hereby approves and authorizes the execution of Amendment Number Eighteen (18) to the District Four (4) State of Florida Department of Transportation Landscape Inclusive Maintenance Memorandum of Agreement for State Road A1A.

SECTION 2. That the City Commission of the City of Fort Lauderdale, Florida, hereby approves and authorizes the execution of the Assumption of Liability and Hold Harmless Agreement between the City of Fort Lauderdale, Florida, TRR Bahia Mar Marina Village LLC and Rahn Bahia Mar L.L.C.

SECTION 3. That the Office of the City Attorney shall review and approve as to form all documents prior to their execution.

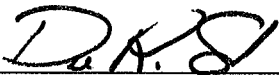
SECTION 4. That this Resolution shall be in full force and effect upon final adoption.

ADOPTED this 20th day of December, 2022.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN

Dean J. Trantalis Yea

John C. Herbst Yea

Steven Glassman Yea

APPROVED AS TO FORM:



City Attorney
ALAIN E. BOILEAU

Pamela Beasley-Pittman Yea

Warren Sturman Yea