

RESOLUTION NO. 15-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING NOTICE OF ITS INTENT TO LEASE FOR PURPOSES CONSISTENT WITH THE PUBLIC GOOD PURSUANT TO SECTION 8.13 OF THE CITY CHARTER A PORTION OF THE REAL PROPERTY LOCATED AT 701 SOUTH ANDREWS AVENUE, FORT LAUDERDALE, FLORIDA AND, MORE PARTICULARLY DESCRIBED BELOW, TO FRIENDS OF SOUTH SIDE, INC., A FLORIDA NOT FOR PROFIT CORPORATION TO BE USED AS A CULTURAL, EDUCATIONAL AND WELLNESS CENTER FOR A TERM NOT TO EXCEED FIFTY (50) YEARS AT AN ANNUAL RENT NOT TO EXCEED ONE HUNDRED FORTY FIVE THOUSAND AND NO/100 DOLLARS (\$145,000.00) SUBJECT TO FURTHER TERMS AND CONDITIONS AND PROVIDING NOTICE OF A PUBLIC HEARING BEFORE THE CITY COMMISSION ON MAY 5, 2015, FOR CONSIDERATION OF THE TERMS OF THE LEASE AND AUTHORIZING EXECUTION OF SAME BY THE PROPER CITY OFFICIALS.

WHEREAS, the City of Fort Lauderdale, owns the real property located at 701 S. Andrews Avenue ("South Side School") and intends to restore a portion of the school for operation and use as a cultural, educational and wellness center ; and

WHEREAS, the Friends of South Side, Inc., a Florida not for profit corporation, ("FSS") is desirous of leasing a portion of South Side School from the City of Fort Lauderdale for a term not to exceed fifty (50) years; and

WHEREAS, according to its charter, FSS was created, in part, "to preserve and protect [South Side School] as a public facility and for other charitable purposes consistent therewith"; and

WHEREAS, the City finds that FSS has the capacity and ability to operate and manage a cultural, educational and wellness center; and

WHEREAS, operating South Side School as a cultural, educational and wellness center serves a valid municipal purpose; and

WHEREAS, such use of a portion of South Side School will not conflict with current and futures uses on public lands adjacent thereto;

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, pursuant to Section 8.13 of the City Charter, hereby declares its intention to lease a portion of South Side School which is located at 701 South Andrews Avenue, Fort Lauderdale, Florida, such property being more particularly described below, to Friends of South Side, Inc., a Florida not for profit corporation ("FSS"), for a term not to exceed fifty (50) years at an annual rent not to exceed One Hundred Forty Five Thousand and No/100 (\$145,000.00). The rental payments may be structured as monthly, annual or prepaid amount as determined by the City Manager. The South Side School will be used as a cultural, educational and wellness center, said portion of South Side School being more particularly described as follows:

A portion of Lot 1, Block 60, "TOWN OF FORT LAUDERDALE", according to the Plat thereof, as recorded in Plat Book "B", Page 40, of the Public Records of Dade County, Florida, being described as follows:

BEGINNING at the intersection of the North line of said Lot 1 with a line parallel with and 15.00 feet West of, as measured at right angles, the East line of said Lot 1; thence South 00°27'30" East along said parallel line a distance of 175.00 feet; thence South 89°32'30" West, a distance of 70.00 feet; thence North 44°21'56" West, a distance of 196.46 feet to a point on the West line of said Lot 1, said point being 35.00 feet South of as measured along said West line, the Northwest corner of said Lot 1; thence North 00°29'37" West along said West line, a distance of 35.00 feet to the Northwest corner of said Lot 1; thence North 89°58'10" East, along the North line of said Lot 1, a distance of 206.27 feet to the POINT OF BEGINNING.

Said lands situate lying and being in the City of Fort Lauderdale, Broward County, Florida.

(Hereinafter, "South Side School North")

SECTION 2. That the City Commission declares that leasing South Side School North to FSS is in the best interest of the City as the building will serve the public and provide a public benefit.

SECTION 3. That among the terms and conditions that will be incorporated in the lease shall be:

- A. Lease of Lease Premises
- B. Term of Lease
- C. Prepaid Rent and Additional Rent
- D. Use of Premises
- E. Hazardous Substances

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- F. Condition of Leased Premises
- G. Liens
- H. Entry and Inspection of Premises
- I. Insurance and Indemnification
- J. Assignment and Subletting
- K. Lessor's Remedies
- L. Taxes and Utilities
- M. Compliance with Codes and Regulations
- N. Other Terms and Conditions

SECTION 4. That a Public Hearing shall be had before the City Commission on May 5, 2015, regarding the proposed lease at which time citizens and taxpayers shall have the opportunity to object to the execution, form or conditions of the proposed lease, and, if the City Commission is satisfied with the terms and conditions of the proposed lease, the Commission will pass a Resolution authorizing execution of the lease by the proper City officials.

SECTION 5. That the City Clerk shall cause this Resolution to be published in full in the official newspaper for two (2) issues, with the first publication at least ten (10) days before date of such Public Hearing scheduled for May 5, 2015, and second publication five (5) days after the first publication.

SECTION 6. That this Resolution shall be in full force and effect immediately upon and after its passage.

ADOPTED this the ___th day of _____, 2015.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH