

RESOLUTION NO. 17-167

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION OF A LEASE PURSUANT TO CITY CHARTER SECTION 8.13 FOR A TERM NOT TO EXCEED FIFTY (50) YEARS IN EXCHANGE FOR PAYMENT OF AN ANNUAL RENT OF ONE DOLLAR (\$1.00) WITH YOUNG MEN'S CHRISTIAN ASSOCIATION OF SOUTH FLORIDA, INC., ("YMCA") A FLORIDA NOT FOR PROFIT CORPORATION FOR LAND LOCATED AT 1409 NW 6 STREET (MIZELL CENTER), FORT LAUDERDALE, FLORIDA BEING MORE PARTICULARLY DESCRIBED BELOW; SUBJECT TO FURTHER TERMS AND CONDITIONS; DELEGATING AUTHORITY TO THE CITY MANAGER TO EXECUTE CERTAIN DOCUMENTS AND AMENDMENTS; AUTHORIZING EXECUTION AND RECORDING OF A MEMORANDUM OF LEASE IN THE PUBLIC RECORDS IN CONJUNCTION WITH THE LEASE; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Resolution No. 17-146, the City Commission of the City of Fort Lauderdale declared its intent to lease the real property located at 1409 NW 6 Street, Fort Lauderdale, Florida ("Mizell Center") to Young Men's Christian Association of South Florida, Inc., ("YMCA") a Florida not for profit corporation (hereinafter, "Lessee") for a term of fifty (50) years with an annual rent of One and No/100 (\$1.00) Dollar; and

WHEREAS, LESSEE shall demolish the existing building and develop a new YMCA facility which will provide recreational and community programs for residents of the City; and

WHEREAS, pursuant to Resolution No. 17-146, notice of a public meeting was published in the official newspaper of the City of Fort Lauderdale for two (2) issues prior to the date set for considering the proposed Lease of the Mizell Center, with the first publication being not less than ten (10) days before the date of the public hearing; and

WHEREAS, a copy of the proposed Lease has been posted on the City's public bulletin board and distributed to the City Commissioners at least three (3) days prior to the August 22, 2017 public hearing; and

WHEREAS, the City Commission finds that LESSEE's activities serve a significant public purpose and City Commission wishes to encourage and assist same; and

WHEREAS, the City Commission finds that the LESSEE's actions do not conflict with use by the public of portions of public land adjacent thereto; and

WHEREAS, the citizens and taxpayers have been given the opportunity to object to the execution, form or conditions of the proposed Lease and the terms and conditions of the proposed Lease are acceptable to the City Commission;

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

SECTION 1. That the Recitals set forth above are true and correct and incorporated herein by this reference.

SECTION 2. That the City Commission of the City of Fort Lauderdale, Florida, pursuant to Section 8.13 of the City Charter, hereby approves a Lease of the Mizell Center to Young Men's Christian Association of South Florida, Inc., declares that leasing the below-described real property to LESSEE for a term of fifty (50) years with an annual rent of One and No/100 (\$1.00) Dollar for the purpose of recreational and community programs for the residents of the City is consistent with the public good and does not conflict with use by the public of other portions of public land adjacent thereto and being more particularly described as follows:

LOTS 39 THROUGH 48 INCLUSIVE, BLOCK 3, "LINCOLN PARK CORRECTED PLAT" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

LOTS 1 THROUGH 8 LESS ROAD RIGHT OF WAY, LOTS 9 THROUGH 16 INCLUSIVE AND LOTS 42 THROUGH 50 INCLUSIVE, BLOCK 2, "LINCOLN PARK CORRECTED PLAT" ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT P.O.B. (1) BEING THE NORTHEAST CORNER OF SAID LOT 39 BLOCK 3; THENCE S 04°14'03" E ALONG THE EAST LINE OF SAID BLOCK 3, A DISTANCE OF 250.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 48; THENCE S 86°13'23" W ALONG THE SOUTH LINE OF SAID LOT 48, A DISTANCE OF 100.00 FEET TO THE SAID SOUTHWEST CORNER THEREOF; THENCE N 04°14'03" W ALONG THE WEST LINE OF SAID LOTS 39 THROUGH 48, A DISTANCE OF 250.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 39; THENCE N 86°13'23" E ALONG THE NORTH LINE OF SAID LOT 39, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

BEGIN AT P.O.B. (2) BEING THE NORTHEAST CORNER OF SAID LOT 42, BLOCK 2; THENCE S 04°14'03" E ALONG THE EAST LINE OF SAID BLOCK 2, A DISTANCE OF 286.17 FEET TO THE NORTH RIGHT OF WAY LINE OF SISTRUNK BOULEVARD; THENCE S 86°06'57" W ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 200.00 FEET TO THE WEST LINE OF SAID BLOCK 2; THENCE N 04°14'03" W ALONG SAID WEST LINE, A DISTANCE OF 261.55 FEET TO THE NORTHWEST CORNER OF SAID LOT 16; THENCE N 86°13'23" E ALONG THE NORTH LINE OF SAID LOT 16, A DISTANCE OF 100.00 FEET TO THE NORTHEAST CORNER THEREOF; THENCE N 04°14'03" W ALONG THE WEST LINE OF SAID LOT 42, A DISTANCE OF 25.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 42; THENCE N 86°13'23" E ALONG THE NORTH LINE THEREOF, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 79770 SQUARE FEET OR 1.8312 ACRES MORE OR LESS.

ALSO KNOWN AS: 1409 NW 6 STREET, FORT LAUDERDALE, FLORIDA

**SECTION 3.** That the City Commission hereby authorizes, empowers and directs execution of the Lease attached hereto by the proper City Officials, subject to final review and approval by the City Attorney's office.

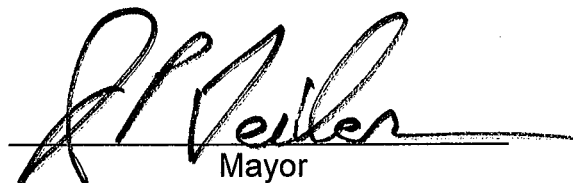
**SECTION 4.** That the City Commission hereby authorizes execution and recording of a Memorandum of Lease relative to the Lease.

SECTION 5. That the City Commission hereby delegates, empowers and directs the City Manager to negotiate and execute a License, as necessary and proper, to assist and support the development of the YMCA facility, subject to review and approval by the City Attorney's Office. Further, the City Commission delegates authority to the City Manager to amend the Lease to correct errors or omissions in the legal description upon receipt of a survey meeting the Florida Minimum Technical Standards and as certified by a Florida Registered Land Surveyor and to execute amendments to the Lease to clarify the intent of the parties and to correct minor errors or omissions in the Lease, subject to review and approval by the City Attorney's Office.

SECTION 6. That any and all Resolutions in conflict herewith are hereby repealed.

SECTION 7. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the 22nd day of August, 2017.

  
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Mayor  
JOHN P. "JACK" SEILER

ATTEST:



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City Clerk  
JEFFREY A. MODARELLI