

RESOLUTION NO. 15-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING, PURSUANT TO SECTION 8.13 OF THE CITY CHARTER, THE CITY COMMISSION'S INTENT TO LEASE PREMISES WITHIN THE HISTORIC DISTRICT, GENERALLY LOCATED AT 220 SW 3RD STREET, FORT LAUDERDALE, FLORIDA, AND, MORE PARTICULARLY DESCRIBED BELOW, TO RIVERWALK FORT LAUDERDALE, INC., A FLORIDA NOT FOR PROFIT CORPORATION WHICH IS A QUALIFIED INTERNAL REVENUE CODE SECTION 501 (C) (3) TAX EXEMPT CORPORATION TO BE USED AS A FACILITY TO OPERATE SERVICES THAT WILL ACTIVATE THE RIVERWALK AREA ON A DAILY BASIS FOR A TERM OF THIRTY (30) YEARS WITH TWO (2) TEN (10) YEAR RENEWAL TERMS AT AN ANNUAL RENT OF ONE (\$1.00) AND NO/100 DOLLAR; SUBJECT TO FURTHER TERMS AND CONDITIONS AND SCHEDULING A PUBLIC HEARING BEFORE THE CITY COMMISSION ON JUNE 16, 2015 FOR CONSIDERATION OF THE TERMS OF THE LEASE AND AUTHORIZATION FOR EXECUTION OF SAME BY THE PROPER CITY OFFICIALS.

WHEREAS, pursuant to a Revocable License dated November 1, 2011, "The Shippey House", formerly located at 215 S.W. 7th Avenue, Fort Lauderdale, Florida was moved to City-owned land located generally at 220 S.W. 3rd Street and permanently affixed to a foundation at that location; and

WHEREAS, Riverwalk Fort Lauderdale, Inc., a Florida not for profit corporation and an Internal Revenue Code Section 501 (c) (3) tax exempt corporation is desirous of restoring what is commonly known as "The Shippey House" and operating it as a facility to operate services that will activate the Riverwalk Linear Park Area; and

WHEREAS, and the Riverwalk Fort Lauderdale, Inc. is desirous of leasing the Property from the City of Fort Lauderdale for The Shippey House for a term of thirty (30) years, with two (2) ten (10) year renewal terms to be restored, maintained and operated as a facility to provide services that will activate Riverwalk Linear Park on a daily basis; and

WHEREAS, restoring, maintaining and operating the Property and The Shippey House as a facility to provide services that will activate the Riverwalk Linear Park on a daily basis serves a valid municipal purpose;

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 to Riverwalk Fort Lauderdale, Inc. a Florida not for profit corporation the Property generally located at 220 S.W. 3rd Street, Fort Lauderdale, Florida, upon which The Shippey House is located, such Property being more particularly described below, for a term of fifty (50) years at an annual rent of One (\$1.00) and no/100 Dollar to be to be restored, maintained and operated as a facility that will activate the Riverwalk Linear Park on a daily basis, said Property being more particularly described as follows:

Lot 7 and the South one-half (S 1/2) of Lot 6, Block "C", TOWN OF FORT LAUDERDALE, according to the Plat thereof, recorded in Plat Book "B", Page 40 of the Public Records of Dade County, Florida; said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida, an containing 6,750 square feet, more or less, a Sketch and Description of which is attached hereto as **Exhibit "A"**

(Hereinafter, "Property")

SECTION 2. That the City Commission declares that leasing the Property to the Riverwalk Fort Lauderdale, Inc., a Florida not for Profit Corporation for the purposes stated above is in the best interest of the City as the Property will continue to serve the community as a facility that will be used in such a manner as to operate services designed to activate Riverwalk Linear Park on a daily basis.

SECTION 3. That terms and conditions that will be incorporated in the lease that shall include but not necessarily be limited to the following:

- A. Lease of Lease Premises
- B. Term of Lease and Options to Renew

- C. Rent and Additional Rent
- D. Use of Premises and Restrictions Relating Thereto
- E. Hazardous Substances
- 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. Miscellaneous

SECTION 4. That a Public Hearing shall be had before the City Commission on June 16, 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 twelve (12) days before date of such June 16, 2015 Public Hearing, and second publication seven (7) 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 5th day of May, 2015.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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