

RESOLUTION NO. 15-182

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO A LEASE AGREEMENT BETWEEN THE CITY OF FORT LAUDERDALE, AS LESSOR AND RIVERWALK OF FORT LAUDERDALE, INC., A FLORIDA NOT FOR PROFIT CORPORATION, EXTENDING THE DATE FOR COMPLIANCE WITH THE REMAINING CONDITIONS PRECEDENT UNDER PARAGRAPH 2.2.1 OF THE UNDERLYING LEASE AGREEMENT; AND FURTHER DELEGATING TO THE CITY MANAGER THE AUTHORITY TO EXECUTE SUCH SECOND AMENDMENT AND ANY FURTHER AMENDMENTS TO THE LEASE AGREEMENT AS OUTLINED BELOW; REPEALING ANY RESOLUTIONS OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, by authority of Resolution No. 15-136, the City of Fort Lauderdale, as Lessor and Riverwalk Fort Lauderdale, Inc., a Florida not for profit corporation, as Lessee, executed a Lease of City real property for the operation and maintenance of improvements known commonly as "The Shippey House" generally located at 220 S.W. 3rd Street, Fort Lauderdale, Florida; and

WHEREAS, the Lease provided for achieving a number of conditions precedents outlined in Paragraph 2.2.1 of the Lease on or before July 1, 2015, failure of which would result in the Lease becoming null and void and of no further force and effect; and

WHEREAS, the conditions precedent were not achieved by July 1, 2015 and the parties executed a First Amendment to the Lease Agreement extending the deadline of achieving the conditions precedent to August 31, 2015; and

WHEREAS, the conditions precedent were not fully achieved by August 31, 2015; and

WHEREAS, a Second Amendment to the Lease Agreement has been prepared extending the deadline for performance of the conditions precedent to September 30, 2015; and

WHEREAS, the City Commission finds that execution of the Second Amendment to the Lease Agreement serves a valid municipal purpose;

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

SECTION 1. That the City Commission hereby authorizes execution of the Second Amendment to the Lease Agreement by the City Manager.

SECTION 2. That the City Manager is hereby authorized to execute any further amendments to the Lease Agreement extending the deadline for performance of the conditions precedent, amending the conditions precedent or amending the Effective Date of the Lease Agreement.

SECTION 3. That execution of the Second Amendment of the Lease Agreement shall be given retroactive effect to August 31, 2015.

SECTION 4. That any prior resolutions or parts thereof in conflict with this Resolution are hereby repealed.

SECTION 5. That upon and after its passage this Resolution shall be in full force and effect retroactive to August 31, 2015.

ADOPTED this 1st day of September, 2015.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JEFF MODARELLI