

RESOLUTION NO. 15-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF FORT LAUDERDALE, FLORIDA, AS LESSOR, AND P.D.K.N. HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AS LESSEE, FOR THE LEASE OF PROPERTY DESCRIBED BELOW IN EXHIBIT "A" HERETO, SAID PROPERTY COMMONLY BEING KNOWN BY ITS STREET ADDRESS OF 600 SEABREEZE BOULEVARD, FORT LAUDERDALE, FLORIDA; SAID LEASE BEING FOR A TERM OF TWENTY (20) YEARS PLUS TWO (2) FIVE (5) YEARS OPTIONS TO RENEW; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HERewith, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale owns certain Property and improvements described herein located at 600 Seabreeze Boulevard, Fort Lauderdale, Florida and being more particularly described below in Exhibit "A", said Property being located in the A-1-A beachfront area district ("ABA") zoning district; and

WHEREAS, the Property and improvements were acquired by the City by Quit Claim Deed in 1947. The Property was leased to Universal Construction Company who sublet the property to Sinclair for use as a Gas Station in 1948. In the late 1970's the property was utilized as the quarters for the City's Beach Patrol with a portion being leased to Voyager Sightseeing Training. In 1993 the City released a Request for Proposals ("RFP") for a Welcome and Visitor's Center and a restaurant. On March 3, 1994, the City entered into a Lease with 615 Beach Oasis Corporation ("Tenant") to operate the Center and the restaurant. The lease expired on February 15, 2014, but the tenant continued to remain in possession of the Property as a tenant as sufferance; and

WHEREAS, the improvements to the Property include a single story CBS-type constructed building, the square footage and dimensions of which are available on the Broward County Property Appraiser's website for Property ID #5042 12 27 0013; and

WHEREAS, on February 17, 2015 the City Commission adopted Resolution No. 15-28 declaring it to be in the best interest of the City that such Property again be declared not needed for governmental purpose and advertised for lease under the provisions of Section 8.09 of the City Charter, subject to certain terms, conditions, limitations and restrictions; and

WHEREAS, on August 18, 2015 the City Commission of the City of Fort Lauderdale adopted Resolution No. 15-159, having evaluated any and all proposals submitted for the Property and accepting the proposal of P.D.K.N. Holdings, LLC, a Florida Limited Liability Company as being the most advantageous lease for the City and authorizing the proper City Officials to negotiate and

prepare a Lease Agreement; and pursuant to Charter Section 8.09 at least three (3) days before the Commission meeting dated November 17, 2015, the Lease has been posted on a public bulletin board by the City Clerk and each Commissioner has been given a copy of the Lease with a cover summary letter; and

WHEREAS, Citizens and taxpayers have been granted an opportunity to object to the terms and conditions of the lease; and

WHEREAS, the City Commission satisfied with the terms and conditions of such lease and therefore authorizes execution of the lease by the proper City officials.

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

SECTION 1. That the proper City Officials are hereby authorized to execute the Lease as described above of for leasing of the property, a sketch and description of which is attached hereto as Exhibit "A".

SKETCH AND LEGAL DESCRIPTION
ATTACHED HERETO AS
EXHIBIT "A"

SECTION 2. That the City Attorney shall review and approve as to form the terms and conditions of the Lease prior to execution thereof by the proper City Officials.

SECTION 3. That any all Resolutions in conflict herewith are hereby repealed.

SECTION 4. That this Resolution shall take effect upon final passage

ADOPTED this the ____ day of _____, 2015.

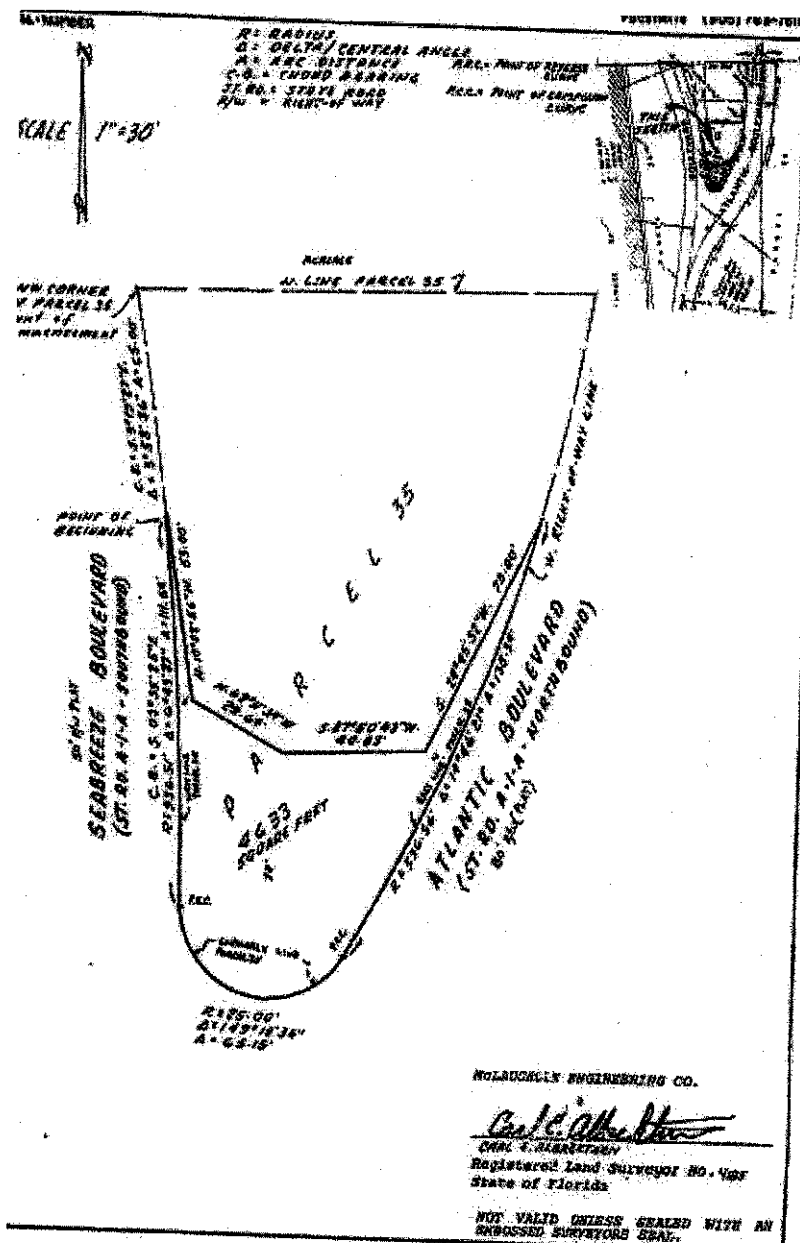
ATTEST:

Mayor
JOHN P. "JACK" SEILER

City Clerk
JEFFREY A. MODARELLI

L:\COMM 2015\Resolution\Nov. 17\rbd-Approve Lease Agreement with PDKN Holding, LLC - 600 SEabreeze.docx

Exhibit "A"



SKETCH & DESCRIPTION

A portion of Parcel 35, BAHIA MAN, according to the plat thereof, as recorded in Plat Book 35, Page 39 of the Public Records of Broward County, Florida, more fully described as follows:

Commencing at the Northwest corner of said Parcel 35; thence Southerly on the West line of said Parcel 35, and on a curve to the right, whose chord bears South 09° 19' 27" East, with a radius of 936.51 feet, a central angle of 03° 58' 36", an arc distance of 55.00 feet to the Point of Beginning;

thence continuing Southerly on said West line of Parcel 35, and on said curve to the right whose chord bears South 03° 55' 25" East, with said radius of 936.51 feet, a central angle of 05° 49' 27", and arc distance of 111.54 feet to a point of reverse curve;

thence Southeasterly, Easterly and Northeasterly on the Southerly line of said Parcel 35 and on said curve to the left, with a radius of 25.00 feet, a central angle of 149° 18' 36", and arc distance of 53.15 feet to a point of compound curve;

thence Northeasterly on the East line of said Parcel 35 and on said curve to the left, with a radius of 536.56 feet, a central angle of 14° 45' 21", an arc distance of 138.34 feet to a point of cusp;

thence South 24° 45' 52" West, a distance of 75.00 feet; thence South 97° 50' 43" West, a distance of 40.83 feet; thence North 62° 11' 34" West, a distance of 39.64 feet; thence North 30° 02' 56" West, a distance of 53.60 feet to the Point of Beginning.

Said lands situate lying and being in the City of Fort Lauderdale, Broward County, Florida, and containing 4,431 square feet more or less.

Certified Correct. Dated at Fort Lauderdale, Florida this 10th day of February, 1994.

NOTES:

1. This sketch reflects all easements and rights-of-way, as shown on above referenced record plat. The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Co.
2. Bearings shown refer to grid North
3. Legal Description was prepared by McLaughlin Engineering Co. this 10th day of February, 1994
4. THIS IS NOT A SURVEY

McLAUGHLIN ENGINEERING CO.

Carl E. Alonzo
 CARL E. ALONZO
 Registered Land Surveyor No. 4885
 State of Florida