

RESOLUTION NO. 16-96

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, THE REAL PROPERTY LOCATED AT 400 WEST BROWARD BOULEVARD, FORT LAUDERDALE, FLORIDA, AND MORE PARTICULARLY DESCRIBED BELOW, TO PROJECT DISCOVERY, INC., A FLORIDA NOT FOR PROFIT CORPORATION, TO SUPPORT ENHANCEMENT OF THE MUSEUM OF DISCOVERY AND SCIENCE, INC. ("MODS") FOR A TERM NOT TO EXCEED FIFTY (50) YEARS AND FOR AN ANNUAL RENT PAYMENT OF ONE AND NO/100 DOLLAR (\$1.00) SUBJECT TO FURTHER TERMS AND CONDITIONS AND PROVIDING NOTICE OF A PUBLIC HEARING BEFORE THE CITY COMMISSION ON **TUESDAY, JULY 12, 2016**, FOR CONSIDERATION OF THE TERMS OF THE LEASE AND AUTHORIZATION OF EXECUTION BY THE PROPER CITY OFFICIALS.

WHEREAS, the City of Fort Lauderdale intends to acquire a percentage interest in the real property located at 400 West Broward Boulevard, Fort Lauderdale, Florida; and

WHEREAS, Project Discovery, Inc., a Florida not for profit corporation, desires to Lease the Property from the City of Fort Lauderdale for a term not to exceed fifty (50) years for an annual rental payment of One and No/100 Dollar (\$1.00); and

WHEREAS, Project Discovery, Inc.'s mission is to acquire land to support enhancement of the Museum of Discovery and Science, Inc. ("MODS"); and

WHEREAS, the City finds that Project Discovery, Inc., has the capacity and ability to construct, operate and manage educational programs for residents of the City of Fort Lauderdale and Broward County; and

WHEREAS, the development of a Science Park provides a community benefit and serves a valid municipal purpose for the residents of Fort Lauderdale and Broward County, Florida; and

WHEREAS, such use of this parcel of land will not conflict with current and future 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 the vacant land located at 400 West Broward Blvd., Fort Lauderdale, Florida, such property being more particularly described below, to Project Discovery, Inc., for a term not to exceed fifty (50) years at an annual rent not to exceed One and No/100 Dollar (\$1.00) for the purpose of building a Science Park or any other public use consistent with the mission of the Museum of Discovery and Science, being more particularly described as follows:

**DESCRIPTION:**

LOTS 21, 22, 23 AND 24 LESS THE NORTH 15 FEET OF THE LOT 24, IN BLOCK 18, OF TOWN OF FORT LAUDERDALE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "B", PAGE 40, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA;

TOGETHER WITH THE NORTH 185 FEET OF THAT PORTION OF THE CERTAIN 14 FOOT ALLEY LYING IN BLOCK 18, "TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "B", PAGE 40, OF SAID PUBLIC RECORDS, LYING SOUTH OF THE SOUTH RIGHT OF WAY LINE OF BROWARD BOULEVARD AS SHOWN ON THE STATE OF FLORIDA'S TATE ROAD DEPARTMENT OF WAY MAY FOR STATE ROAD NO. 842, SECTION 86006-2501, SHEET 16 OF 21 (LAST REVISED 2/22/83), AND LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF SOUTHWEST 2<sup>ND</sup> STREET (FORMERLY NORTH THIRD STREET) AS SHOWN ON SAID PLAT OF "TOWN OF FORT LAUDERDALE", SUCH LAND LOCATED IN BROWARD COUNTY, FLORIDA.

ALSO KNOWN AS: 400 WEST BROWARD BOULEVARD, FORT LAUDERDALE, FLORIDA.

SECTION 2. That the City Commission declares that leasing said parcel to Project Discovery, Inc., 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
- 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 held before the City Commission on **July 12, 2016**, at 6:00 p.m., or as soon thereafter as can be heard, 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 may 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 the date of the Public Hearing scheduled for **July 12, 2016** and the 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 7th day of June, 2016.

  
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Mayor  
JOHN P. "JACK" SEILER

ATTEST:



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City Clerk  
JEFFREY A. MODARELLI