

RESOLUTION NO. 16-

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 GENERALLY LOCATED AT 707 N.E. 8th STREET, FORT LAUDERDALE, FLORIDA, MORE PARTICULARLY DESCRIBED BELOW, TO THE PARKER THEATRE, INC., A FLORIDA NOT FOR PROFIT CORPORATION WHICH IS A QUALIFIED INTERNAL REVENUE CODE SECTION 501 (C)(3) TAX EXEMPT CORPORATION, SUCH LEASE PREMISES TO BE RESTORED, RENOVATED, OPERATED AND MAINTAINED AS A VENUE FOR THE PERFORMING ARTS FOR A TERM OF FIFTY (50) YEARS AT AN ANNUAL RENT OF ONE DOLLAR AND ZERO CENTS (\$1.00); SUBJECT TO FURTHER TERMS AND CONDITIONS; SCHEDULING A PUBLIC HEARING BEFORE THE CITY COMMISSION ON OCTOBER 18, 2016 FOR CONSIDERATION OF THE TERMS OF THE LEASE AND AUTHORIZATION FOR EXECUTION OF SAME BY THE PROPER CITY OFFICIALS; REPEALING ANY AND ALL RESOLUTIONS OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 1966 the City entered a long term Lease Agreement with The Parker Theatre, Inc., a not for profit corporation for the leasing of real property generally located at 707 N.E. 8th Street in the City's Holiday Park Area; and

WHEREAS, pursuant to that Lease Agreement the Parker Playhouse Theatre was constructed and operations commenced February 6, 1967 and continues operations today in 1,191 seat theatre; and

WHEREAS, the current lease for Parker Playhouse Theatre expires October 17, 2016 and the parties are desirous of entering a new fifty (50) year lease under City of Fort Lauderdale Charter Section 8.13; and

WHEREAS, City Charter Section 8.13 requires adoption of a Resolution declaring the City Commission intent to lease property to civic organizations, charitable organizations, public nonprofit corporation and like organization for a period exceeding one (1) year but not exceeding fifty (50) years to be used for purposes consistent with the public good; and

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, under Section 8.13 of the City Charter, hereby declares its intention to lease to The Parker Theatre, Inc., a Florida non for profit corporation which is a qualified Internal Revenue Code Section 501 (c) (3) tax exempt corporation, the Property generally located at 707 N.E. 8th Street, Fort Lauderdale, Florida, upon which the Parker Playhouse Theatre is located, such Property being more particularly described below, for a term of fifty (50) years at an annual rent of One Dollar and Zero Cents (\$1.00) to be restored, renovated, operated and maintained as a venue for the performing arts offering programs including, but not limited to such entertainment as concerts, comedy, theatre, family programing, workshops with the goal of bringing the community together through the arts, said Property being more particularly described as follows:

Tract "A," THEATRE CENETER, according to the Plat thereof recorded at Plat Book 63, Page 5 of the Public Records of Broward County, Florida; said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida, 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 The Parker Theatre, 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 venue for the performing arts including such programming as referenced above.

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

1. Lease of Premises
2. Term of Lease
3. Rent and Additional Payments
4. Use of Premises
5. Hazardous Substances
6. Condition of Premises
7. Liens
8. Entry and Inspection of Premises
9. Insurance and Indemnification
10. Assignment and Subletting

- 11. Lessor's Remedies
- 12. Miscellaneous

SECTION 4. That a Public Hearing shall be had before the City Commission on October 18, 2016, 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 of the City of Fort Lauderdale for two (2) issues, with the first publication at least twelve (12) days before date of such October 18, 2016 Public Hearing, and second publication seven (7) days after the first publication.

SECTION 6. That any and all Resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 7. That this Resolution shall be in full force and effect immediately upon and after its passage.

ADOPTED this the _____ day of _____, 2016

Mayor
JOHN P. "JACK" SEILER

ATTEST:

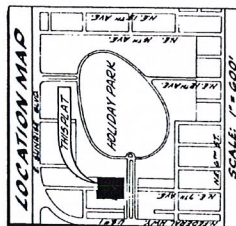
City Clerk
JEFFREY A. MODARELLI

"Theater Center"

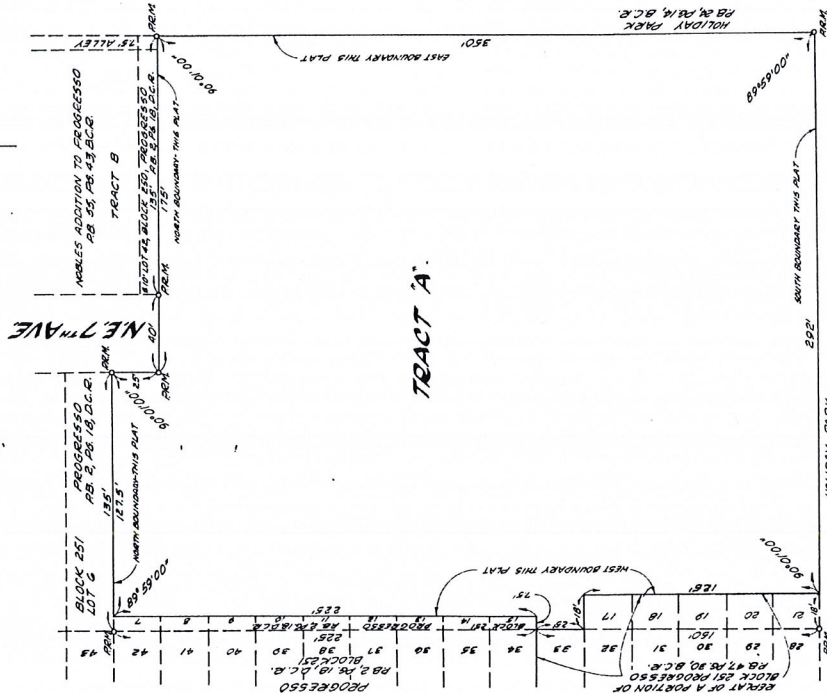
A REPLAT OF PORTIONS OF BLOCKS 250 AND 251 PROGRESSO, RB 2, PG 18 AND A PORTION OF REPLAT OF A PORTION OF BLOCK 251 PROGRESSO, RB 47, PG 30 SECTION 2, TOWNSHIP 50 SOUTH, RANGE 42 EAST CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

OFFICE OF THE CITY ENGINEER
MAY, 1966

SCALE IN FEET
1" = 30'



NOTE:
REPLAT ABANDONING
PUBLIC RIGHT-OF-WAY
OPEN INDICATES
PERMANENT REFERENCE
MONUMENT.



DESCRIPTION

Lots 28 through 41 inclusive in Block 250, and Lots 7 through 15 inclusive, less the 1 x 1/2 feet strip in Block 251, together with all that portion of NE 7th Ave (formerly 1/2 Street) lying between the said Lots 28 through 41 and the said Lots 7 through 15, all as shown on the plat "PROGRESSO" and recorded in Plat Book 2, page 18, of the public records of Dade County, Florida. Also all of Lot 16, and Lots 17 through 21 inclusive less the 1/2 x 1/2 feet strip, of "REPLAT OF A PORTION OF BLOCK 251 PROGRESSO", as recorded in Plat Book 47, page 30 of the public records of Broward County, Florida.

CITY COMMISSION

STATE OF FLORIDA } ss I HEREBY CERTIFY: That this plat has been approved and accepted by the City Commission of the CITY OF FORT LAUDERDALE, in and by Ordinance No. 1966-1, adopted by said City Commission on the 30th day of Sept., 1966. IN WITNESS WHEREOF: The said City Commission has caused these presents to be attested by the City Clerk, and the Corporate Seal to be affixed this 30th day of Sept., 1966.

CITY PLANNING AND ZONING BOARD

STATE OF FLORIDA } ss I HEREBY CERTIFY: That this plat has been approved and accepted by the City Planning and Zoning Board of the CITY OF FORT LAUDERDALE, on the 20th day of Sept., 1966.

AREA PLANNING BOARD

THIS IS TO CERTIFY that the Broward County Area Planning Board approved this plat with regard to dedication of right-of-way for the said plat with resolution duly adopted the 1st day of Sept., 1966.

CIRCUIT COURT CLERK'S CERTIFICATES

STATE OF FLORIDA } ss I HEREBY CERTIFY: That this plat has been approved and accepted by the Circuit Court of the County of Broward, Florida, on the 11th day of Nov., 1966. This plat was accepted for record by the Board of Commissioners of Broward County, Florida, this 11th day of Nov., 1966. Jack Wheeler, Clerk of the Circuit Court

Deputy Clerk

This instrument filed for record this 8th day of Nov., 1966, and recorded in Book 63 of Plats at Page 5, and entered on the public records of Broward County, Florida, on the 11th day of Nov., 1966.

SANDY WININGER DRIVE
190' RIGHT-OF-WAY

DEDICATION

STATE OF FLORIDA } ss KNOW ALL MEN BY THESE PRESENTS: That the CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida, owner of the lands described and shown as included in this plat, has caused said lands to be subdivided in the manner shown, said subdivision to be known as "THEATER CENTER" WHEREOF said CITY OF FORT LAUDERDALE is the owner, and the said City Manager, and attested by its City Clerk, and the Corporate Seal to be affixed this 30th day of Sept., 1966.

CITY OF FORT LAUDERDALE

Mayor, James D. Dwyer
City Manager, James D. Dwyer
City Clerk, James D. Dwyer
Witness, James D. Dwyer

ACKNOWLEDGMENT

STATE OF FLORIDA } ss I HEREBY CERTIFY: That on this day personally appeared before me, an officer duly authorized by law to administer oaths and take acknowledgments, Edmund A. Barry, E.H. Bubar, and Marie L. Crow, known to me to be respectively the Mayor-Commissioner, City Manager and City Clerk of the CITY OF FORT LAUDERDALE, and they acknowledged before me that they were executing the foregoing dedication as said officers of the CITY OF FORT LAUDERDALE, and they caused the seal of the County of Broward, State of Florida, this 30th day of Sept., 1966.

Notary Public, State of Florida
My Commission Expires

ENGINEER'S CERTIFICATE

STATE OF FLORIDA } ss I HEREBY CERTIFY: That this plat has been approved and accepted by the City Engineer of the CITY OF FORT LAUDERDALE, on the 11th day of Nov., 1966. This plat was accepted for record by the Board of Commissioners of Broward County, Florida, this 11th day of Nov., 1966. Jack Wheeler, Clerk of the Circuit Court

City Engineer

CITY AND COUNTY ENGINEER

This plat of "THEATER CENTER" is hereby approved and accepted for record this 11th day of Nov., 1966.

This plat of "THEATER CENTER" is hereby approved and accepted for record this 11th day of Nov., 1966.

County Engineer