

RESOLUTION NO. 16-122

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 A PORTION OF THE REAL PROPERTY LOCATED AT 3100 SW 8TH AVENUE, FORT LAUDERDALE, FLORIDA AND, MORE PARTICULARLY DESCRIBED BELOW, TO NOVA SOUTHEASTERN UNIVERSITY, INC., A NOT FOR PROFIT CORPORATION, TO PROVIDE EDUCATIONAL AND SUPPORT SERVICES FOR ITS OPERATION FOR A TERM OF FIVE (5) YEARS AND FOR AN ANNUAL RENT 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, SEPTEMBER 20, 2016, FOR CONSIDERATION OF THE TERMS OF THE LEASE AND AUTHORIZING EXECUTION OF SAME BY THE PROPER CITY OFFICIALS.

WHEREAS, the current lease of the real property located at 3100 SW 8th Avenue, Fort Lauderdale, Florida ("Property") to Nova Southeastern University, Inc. expires on September 30, 2016; and

WHEREAS, Nova Southeastern University, Inc., would like to enter into a new lease for a term of five (5) years; and

WHEREAS, Nova Southeastern University, Inc., would like to use the premises for educational and support services for its operations; and

WHEREAS, the City finds that Nova Southeastern University, Inc., has the capacity and experience and ability to perform all obligations; and

WHEREAS, such use of the Property 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 property which is located at 3100 SW 8th Avenue, Fort Lauderdale, Florida, such property being more particularly described below, to Nova Southeastern University, Inc., a Florida not for profit corporation ("Nova") for a

term of five (5) years at an annual rent not to exceed One and No/100 Dollar (\$1.00). Nova shall use the Property, described as follows, for educational and support services for its operations;

DESCRIPTION:

The South 350 feet of North 1050 feet of the East one-half (E ½) of the Southwest one-quarter (SW ¼) of the Northwest one-quarter (NW ¼) of Section 22, Township 50 South, Range 42 East, Broward County, Florida; less the West 25 feet and East 25 feet thereof; containing 4.995 acres more or less.

(Hereinafter, "Property")

SECTION 2. That the City Commission declares that leasing said parcel to Nova Southeastern University, 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 Tuesday, September 20, at 6:00 p.m., or as soon thereafter as can be heard at City Hall, 100 North Andrews Avenue, Fort Lauderdale, Florida 33301, 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 September 20, 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 16th day of August, 2016.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JEFFREY A. MODARELLI

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