

RESOLUTION NO. 16-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION OF THE LEASE PURSUANT TO CITY CHARTER SECTION 8.13 FOR A TERM NOT TO EXCEED FIVE (5) YEARS WITH NOVA SOUTHEASTERN UNIVERSITY, INC., A FLORIDA NOT FOR PROFIT CORPORATION FOR PROPERTY LOCATED AT 3100 SW 8TH AVENUE, FORT LAUDERDALE, FLORIDA, BEING MORE PARTICULARLY DESCRIBED BELOW; AUTHORIZING EXECUTION AND RECORDING OF A MEMORANDUM OF LEASE IN THE PUBLIC RECORDS IN CONJUNCTION WITH THE LEASE; REPEALING ANY AND ALL RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Resolution No. 16-122, the City Commission of the City of Fort Lauderdale declared its intent to lease the property located at 3100 SW 8th Avenue, Fort Lauderdale, Florida ("Leased Premises"), to Nova Southeastern University, Inc., a Florida not for profit corporation (hereinafter, "Lessee"), for a term of five (5) years with an annual rent of One and No/100 (\$1.00) Dollar; and

WHEREAS, Lessee shall operate educational and support services for education operations; and

WHEREAS, pursuant to Resolution No. 16-158, Notice of Public Hearing was published in the official newspaper of the City of Fort Lauderdale for two (2) issues prior to the date set for considering the proposed Lease of the Leased Premises, with the first publication being not less than ten (10) days before the date of the public hearing; and

WHEREAS, a copy of the proposed Lease has been posted on the City's public bulletin board and distributed to the City Commissioners at least three (3) days prior to the October 5, 2016 public hearing; and

WHEREAS, Lessee plans to use the Leased Premises for educational and support services for its educational operations and the City Commission finds that Lessee's

planned use of the Leased Premises is consistent with the public good and the City wishes to encourage and assist same; and

WHEREAS, the City Commission finds that the LESSEE's actions do not conflict with use by the public of portions of public land adjacent thereto; and

WHEREAS, the citizens and taxpayers have been given the opportunity to object to the execution, form or conditions of the proposed Lease; and

WHEREAS, City Commission finds acceptable the terms and conditions of the proposed Lease.

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

SECTION 1. That the Recitals set forth are true and correct and incorporated in this Resolution.

SECTION 2. That the City Commission of the City of Fort Lauderdale, Florida, pursuant to City Charter Section 8.13, hereby approves lease of the Leased Premises to Nova Southeastern University, Inc., and declares that leasing the below-described land to Lessee for a term of five (5) years with an annual rent of One and No/100 (\$1.00) Dollar for the purpose of educational and support services for its educational operations is consistent with the public good and does not conflict with use by the public of other portions of public land adjacent thereto. The Leased Premises are described as follows:

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, "Leased Premises")

ALSO KNOWN AS: 3100 SW 8TH AVENUE, FORT LAUDERDALE, FLORIDA

SECTION 3. That the City Commission hereby authorizes execution of the Lease attached hereto, subject to final review and approval by the City Attorney's office.

SECTION 4. That the City Commission hereby authorizes execution and recording of a Memorandum of Lease relative to the Leased Premises.

SECTION 5. That any and all Resolutions in conflict herewith are hereby repealed.

SECTION 6. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the _____ of _____, 2016.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JEFFREY A. MODARELLI