

RESOLUTION NO. 16-121

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 1150 G. HAROLD MARTIN DRIVE, FORT LAUDERDALE, FLORIDA AND, MORE PARTICULARLY DESCRIBED BELOW, TO YOUNG MEN'S CHRISTIAN ASSOCIATION OF SOUTH FLORIDA, INC., A FLORIDA NOT FOR PROFIT CORPORATION, TO PROVIDE RECREATIONAL AND COMMUNITY PROGRAMS FOR RESIDENTS OF THE CITY AND BROWARD COUNTY, FOR A TERM NOT TO EXCEED FIFTY (50) 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 City of Fort Lauderdale owns the real property located at 1150 G. Harold Martin Drive, Fort Lauderdale, Florida ("Holiday Park"); and

WHEREAS, the Young Men's Christian Association of South Florida, Inc. ("YMCA"), a Florida not for profit corporation, is desirous of leasing a portion of Holiday Park from the City of Fort Lauderdale for a term not to exceed fifty (50) years; and

WHEREAS, according to its charter, YMCA was created, in part, to "strengthen the foundation of the community through three areas of focus: (i) Youth Development..... (ii) Healthy Living..... and (iii) Social Responsibility...." and for other charitable purposes consistent therewith; and

WHEREAS, the City finds that YMCA has the capacity and ability to operate and manage recreational and community programs for residents of the City and Broward County; and

WHEREAS, operating recreational and community facilities for the public serves a valid municipal purpose; and

WHEREAS, such use of a portion of Holiday Park will not conflict with current and futures 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 a portion of Holiday Park which is located at 1150 G. Harold Martin Drive, Fort Lauderdale, Florida, such property being more particularly described below, to Young Men's Christian Association of South Florida, Inc., a Florida not for profit corporation ("YMCA"), for a term not to exceed fifty (50) years at an annual rent not to exceed One and No/100 Dollar (\$1.00). The YMCA shall construct a recreational and community facility with ancillary uses on a portion of Holiday Park, said portion of Holiday Park being more particularly described as follows:

DESCRIPTION:

A parcel of land being the West 7.50 feet of Lots 7 through 15, Block 251, all of Lots 33 through 48, Block 251, all of Lots 5 through 21, Block 252, of PROGRESSO, according to the Plat thereof, as recorded in Plat Book 2, Page 18, of the Public Records of Miami-Dade County, Florida, and the West 18.00 feet of Lots 17 through 21, and all of Lots 28 through 32, REPLAT OF A PORTION OF BLOCK 251 PROGRESSO, according to the Plat thereof, as recorded in Plat Book 47, Page 30, of the Public Records of Broward County, Florida, and being a portion of HOLIDAY PARK, according to the Plat thereof, as recorded in Plat Book 24, Page 14 of the Public Records of Broward County, Florida, and a portion of vacated N.E. 6th Terrace, said parcel being more particularly described as follows:

BEGIN at the Northwest Corner of said Block 251;

THENCE N 90°00'00" E along the North line of said Block 251, a distance of 135.00 feet to the Northeast corner of Lot 48, Block 251;

THENCE S 00°00'00" E along the East line of Lots 43 through 48 of said Block 251, a distance of 150.00 feet to the Northwest corner of Lot 7 of said Block 251, PROGRESSO;

THENCE N 90°00'00" E along the North line of said Lot 7, Block 251, a distance of 7.50 feet to the West line of Tract "A", "THEATER CENTER", according to the Plat thereof, as recorded in Plat Book 63, Page 5, of the Public Records of Broward County, Florida;

THENCE S 00°00'00" E along the West line of Tract "A", a distance of 225.00 feet;

THENCE S 90°00'00" W continuing along the said West line of Tract "A", a distance of 7.50 feet;

THENCE S 00°00'00" E continuing along the said West line of Tract "A", a distance of 25.00 feet;

THENCE N 90°00'00" E continuing along the said West line of Tract "A", a distance of 18.00 feet;

THENCE S 00°00'00" E continuing along the said West line of Tract "A" and the Southerly extension thereof, a distance of 170.00 feet to a line being 45.00 feet South of and parallel with the South line of the said REPLAT OF A PORTION OF BLOCK 251 PROGRESSO;

THENCE S 90°00'00" W along the said parallel line a distance of 293.90 feet to the East right-of-way line of Federal Highway (S.R. No. 5);

THENCE N 00°06'00" W along the East right-of-way line of Federal Highway, a distance of 470.00 feet to the North line of Lot 5, Block 252;

THENCE N 90°00'00" E along the said North line of Lot 5, Block 252 and the Easterly extension thereof, a distance of 141.72 feet to the West line of said Block 251;

THENCE N 00°00'00" W along the said West line of Block 251, a distance of 100.00 feet to the POINT OF BEGINNING.

Said land situate within the City of Fort Lauderdale, Broward County, Florida.

(Hereinafter, "YMCA at Holiday Park")

SECTION 2. That the City Commission declares that leasing said parcel to YMCA 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, 2016, 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 Tuesday, 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 August, 2016.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JEFFREY A. MODARELLI

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