

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2019-65

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA (1) TERMINATING THE APPROVAL UNDER RESOLUTION NO. 2019-27 OF AN EASEMENT TO VERIZON WIRELESS PERSONAL COMMUNICATIONS LP D/B/A VERIZON WIRELESS; AND (2) AUTHORIZING THE GRANTING OF AN EASEMENT TO CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS FOR UTILITIES AND ACCESS ON, OVER, AND ACROSS A PORTION OF THE FIRE STATION III PROPERTY LOCATED AT 11911 OLD CUTLER ROAD, CORAL GABLES, FLORIDA 33156.

WHEREAS, pursuant to Resolution No. 2019-27, the City Commission authorized the granting of easement to Verizon Wireless Personal Communications LP (the “Partnership”); and

WHEREAS, prior to the execution of the Easement Agreement, certain transactions were consummated whereby Cellco Partnership became the sole partner of the Partnership and the Partnership was dissolved by operation of law; and

WHEREAS, the appropriate grantee of the easement is now Cellco Partnership d/b/a Verizon Wireless (the “Grantee”); and

WHEREAS, the Easement Agreement has been revised to reflect that is between the City and Grantee and to include language acknowledging that Grantee’s predecessor-in-interest entered into the lease agreement for installation of communications equipment on the City’s tower at the Fire Station III property and that should the lease agreement expire or terminate for any reason, the Easement Agreement shall terminate; and

WHEREAS, all other terms of the Easement Agreement remain the same;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission does hereby (1) terminate the approval under Resolution No. 2019-27 of an easement to Verizon Wireless Personal Communications LP d/b/a Verizon Wireless; and (2) authorize the granting of an easement, as described in the attached Easement Agreement, to Cellco Partnership d/b/a Verizon Wireless, for utilities and access at Fire Station III and that the City Manager is authorized to execute the Easement Agreement, in substantially the form attached as Exhibit A, with such modifications as approved by the City Manager and the City Attorney, consistent with the intent of the City Commission.

SECTION 3. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SIXTH DAY OF FEBRUARY, A.D., 2019.

(Moved: Quesada/ Seconded: Lago)
(Unanimous Voice Vote)
(Absent: Keon)
(Agenda Item: D-3)

APPROVED:

A handwritten signature consisting of a large, stylized letter 'W' enclosed within a circle.

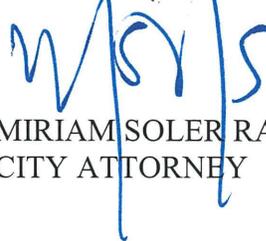
RAÚL VALDÉS-FAULI
MAYOR

ATTEST:

A handwritten signature in black ink, appearing to be 'BYU' followed by a flourish.

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

A handwritten signature in blue ink, appearing to be 'MSR' followed by a flourish.

MIRIAM SOLER RAMOS
CITY ATTORNEY