

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2008-14**

A RESOLUTION APPROVING ENCROACHMENTS INTO THE RIGHT-OF-WAY CONSISTING OF A BALCONY ADJACENT TO 2701 LEJEUNE ROAD, SUBJECT TO THE REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

**SECTION 1.** That the request for encroachments, consisting of a cornice encroaching a maximum of four feet, two inches (4'2") at an elevation of one hundred ninety feet, six inches (190'6") above the right-of-way (alley), adjacent to 2701 Le Jeune Road, on property legally described as in the attached EXHIBIT "A" located in "Coral Gables Crafts Section", as recorded in Plat Book 10, Page 40 of the Public Records of Miami-Dade County, shall be and it is hereby approved, subject to the following requirements of the Public Works Department.

- a. The proposed encroachments shall conform to the Florida Building Code and all pertinent Codes.
- b. That the City of Coral Gables reserves the right to remove, add, maintain, or have the Owner remove any of the improvements within the right-of-way and at Owner's expense.
- c. That the Owner maintain the proposed encroachments in good condition at all times and at Owner's expense.
- d. The Owner meet with the City Attorney's office for the purpose of providing all the information necessary for the office to prepare a Restrictive Covenant to be executed by the Owner which runs with the title of the property, and which states, in addition to the above mentioned, that the Owner will provide Public Liability Insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as an additional insured under the policy.
- e. That copies of the Restrictive Covenant, when fully executed and filed, together with certification of required insurance, shall be presented to the Building and Zoning Department and to the Public Works Department and permits thereafter be obtained for the work from both of these Departments.
- f. That the Owner shall replace, at the Owner's expense, any portion of the encroachment affected, in the event the Public Works Department must issue a permit for a utility cut in the future in the area in which the encroachments are approved, the Owner shall replace the proposed encroachments so cut by the utility at Owner's expense.

**SECTION 2.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SECOND DAY OF JANUARY, A.D., 2008.

(Moved: Kerdyk/ Seconded: Anderson)

(Yeas: Kerdyk, Withers, Anderson, Cabrera, Slesnick)

(Unanimous: 5-0 Vote)

(Agenda Item: D-2)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

## EXHIBIT "A"

**Legal Description and street address of property:**

The office building is within the limits of the City of Coral Gables. The future building is located along LeJeune Road, between Sevilla and Almeria Ave.

2701 LeJeune Road  
Coral Gables, FL 33134

Lot 1, Block 16, of Coral Gables Crafts Section, according to the plat thereof as recorded in Plat Book 10, Page(s) 40, of the Public Records of Miami-Dade County, Florida, less and except the following:

A portion of Lot 1, Block 16, of Coral Gables Crafts Section, according to the plat thereof as recorded in Plat Book 10, Pages(s) 40, of the Public Records of Miami-Dade County, Florida, which lies within the external area formed by a 15.00 foot radius arc concave to the southeast, tangent to the North line of said Lot 1 and tangent to the West line of Lot 1.

and

Lots 2 through 11, inclusive, Block 16, and Lots 39 through 48, inclusive, Block 16, all in Coral Gables Crafts Section, according to the plat thereof as recorded in Plat Book 10, Page(S) 40, of the Public Records of Miami-Dade County, Florida, together with 20.00 foot alley lying South of Lots 1 through 10, Block 16.

less and except the following:

A portion of Lot 48, Block 16, of Coral Gables Crafts Section, according to the plat thereof as recorded in Plat Book 10, Page(s) 40, of the Public Records of Miami-Dade County, Florida, which lies within the external area formed by a 15.00 foot radius arc concave to the Northeast, tangent to the South line of said Lot 48 and tangent to the West line of said Lot 48.