

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2008-36

A RESOLUTION APPROVING ENCROACHMENTS INTO THE RIGHT-OF-WAY CONSISTING OF SIGNS AT THE VILLAGE OF MERRICK PARK ("MERRICK PARK"), 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 seven (7) signs, of which two (2) will replace existing signage and one (1) is reinstating a previous approval for a parking garage entryway at The Village of Merrick Park ("Merrick Park"), Coral Gables, on property legally described as in the attached EXHIBIT "A" located in "Coral Gables Industrial Section", as recorded in Plat Book 43, Page 18 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 immediately upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS ELEVENTH DAY OF MARCH, A.D., 2008.

(Moved: Anderson / Seconded: Withers)

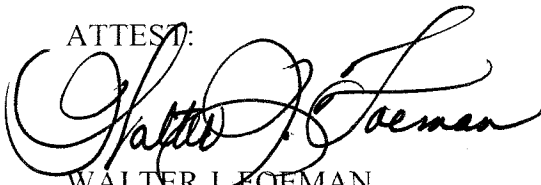
(Yeas: Kerdyk, Withers, Anderson, Slesnick)

(Nays: Cabrera)

(Majority (4-1) Vote)


(Agenda Item: D-3)

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED:



DONALD D. SLESNICK II
MAYOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY