

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2009-102

A RESOLUTION APPROVING ENCROACHMENT ONTO THE RIGHT-OF-WAY AT ANGELIQUE EURO CAFÉ, LOCATED AT 111 MIRACLE MILE, CORAL GABLES, FLORIDA, SUBJECT TO THE REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT.

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

SECTION 1. That a request for encroachment into the right-of-way consisting of a 1200 gallon grease trap in the alley behind Angelique Euro Café, located at 111 Miracle Mile, Coral Gables, Florida, legally described as Lot 30, Block 38 of Coral Gables Section "L", according to the plat thereof, as recorded in Plat Book 8 at Page 85 of the Public Records of Miami-Dade County, Florida, shall be and it is hereby approved subject to the following requirements of the Public Works Department:

- a). The installation of the grease trap will take place only on the south side of the alley, and only if there is no conflict with existing utilities in the alley.
- b). 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). That the Owner meet with the City Attorney's office for the purpose of providing all the information necessary for that 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 of the property 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 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 proposed area.
- g). That the proposed encroachments be constructed in accordance with the Florida

Building Code and all other pertinent Codes.

h). That all required utilities be located prior to commencement of construction to avoid any service disruptions.

SECTION 2. That the City Commission does hereby approve the above-mentioned requirements as stipulated above.

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

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF APRIL, A.D., 2009.

(Moved: Kerdyk / Seconded: Anderson)

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

(Unanimous: 5-0 Vote)

(Agenda Item: D-1)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY