

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2009-133

A RESOLUTION AUTHORIZING THE EXECUTION OF A DECLARATION OF RESTRICTIVE COVENANT REQUIRED BY MIAMI-DADE COUNTY, PURSUANT TO THE REQUIREMENT OF ESTABLISHING A COMMUNITY DEVELOPMENT DISTRICT (CDD) FOR THE PUBLIC PORTION OF THE PARKING GARAGE, ASSOCIATED WITH THE PALACE DEVELOPMENT, AT 50 ANDALUSIA AVENUE, CORAL GABLES, FLORIDA.

WHEREAS, the Palace Management Group, LLC has requested that the City execute a Declaration of a Restrictive Covenant; and

WHEREAS, on July 15, 2008 the City Commission adopted Resolution No. 2008-17 expressing support for the creation of the "Palace at Coral Gables Community Development District" by the Miami-Dade County Commission for the construction of the portion of the Public Parking Garage at 50 Andalusia Avenue, Coral Gables, FL; and

WHEREAS, as part of processing of this petition, the County has requested that both the City and the Palace Group enter into a Declaration of Restrictive Covenants running with the land; and

WHEREAS, the purpose of this Declaration is to require disclosure of the existence of a CDD to any third party purchases; and

WHEREAS, in the case of the Palace of Coral Gables, such sale of units is not permitted by existing leases nor is it contemplated by either the Palace Group or the City; and

WHEREAS, the execution of this Declaration is only being requested so as to comply with necessary County requirements;

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

SECTION 1. That the foregoing "Whereas" clauses are hereby ratified and con-firmed 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 authorize the City Manager to execute the Declaration of Restrictive Covenant required by Miami-Dade County, pursuant to the requirement of establishing a Community Development District (CDD) for the public portion of the Parking Garage, associated with the Palace Development at 50 Andalusia Avenue, Coral Gables, Florida.

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

PASSED AND ADOPTED THIS SECOND DAY OF JUNE, A.D., 2009.

(Moved: Anderson / Seconded: Kerdyk)

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

(Unanimous: 5-0 Vote)

(Agenda Item: H-4)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY