

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2009-56**

A RESOLUTION OF THE CORAL GABLES CITY COMMISSION AUTHORIZING THE CITY MANAGER TO GRANT REQUEST FOR ENCROACHMENT FILED BY IRIS V. ESCARRA, ESQUIRE (GREENBERG TRAURIG LAW FIRM) ON BEHALF OF HER CLIENT PALACE MANAGEMENT GROUP, LLC, REQUESTING A PORTE COCHERE OVERHANGING ABOVE THE ENTRYWAY ENCROACHING APPROXIMATELY 16' 8", AT AN ELEVATION OF APPROXIMATELY 16' 0" ABOVE THE RIGHT-OF-WAY OF ANDALUSIA, A BALCONY OVERHANGING APPROXIMATELY 4', AT AN ELEVATION OF APPROXIMATELY 14' 0" ABOVE THE ALLEY, MOLDINGS, LIGHTING AND DECORATIVE FEATURES ON THE EXTERIOR ENCROACHING 1' OVER THE ABUTTING RIGHT-OF-WAY AND LANDSCAPING AND DECORATIVE PAVERS, LIGHTING BENCHES AND OTHER FEATURES ADJACENT TO THE GABLES PALACE PROJECT AT 83 ANDALUSIA AVENUE, CORAL GABLES.

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

**SECTION 1.** That the aforementioned request for encroachments, shall be and it is hereby approved, subject to the following requirements of the Public Works Department:

- a. That the City of Coral Gables reserves the right to remove, add, maintain, or have the Palace Management Group, LLC, remove any of the improvements within the right-of-way, and at Palace Management Group, LLC's expense;
- b. That the Palace Management Group, LLC, maintain the proposed encroachment in good condition at all times, and at Owner's expense;
- c. That the Palace Management Group, LLC, meet with the City Attorney's office for the purpose of providing all the information necessary for that office to prepare a Maintenance Agreement to be executed by the Palace Management Group, LLC, and which states, in addition to the above mentioned, that the Palace Management Group, LLC 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;

- d. That copies of the Maintenance Agreement, when fully executed and filed, together with certification of required insurance, shall be presented to the Public Works Department and permits thereafter be obtained from this Department;
- e. That the proposed encroachments be constructed in accordance with the Florida Building Code and all other pertinent Codes;
- f. That 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 Palace Management Group, LLC, shall replace the proposed encroachments so cut by the utility at the Palace Management Group, LLC, expense.

PASSED AND ADOPTED THIS TENTH DAY OF MARCH, A.D., 2009.

(Moved: Anderson / Seconded: Kerdyk)

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

(Unanimous: 5-0 Vote)

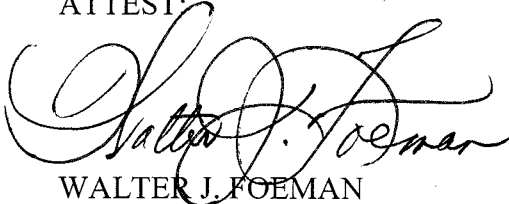
(Agenda Item: D-2)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY