

**DRAFT**

**CITY OF CORAL GABLES**

**RESOLUTION NO. 2010\_\_\_\_\_**

RESOLUTION APPROVING ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY, FOR A PROPOSED NEW BUILDING LOCATED AT 2222 PONCE DE LEON BOULEVARD (GIRALDA COMPLEX), SUBJECT TO THE REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT AND ALL OTHER CODE REQUIREMENTS.

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

1. That the request for encroachments, consisting of various architectural features, including moldings, lighting, and decorative features on the exterior of the building, encroaching from 1'- 0" up to a maximum of 2'-6" over the abutting right-of-ways and landscaping and pedestrian friendly features, including decorative pavers, lighting, benches and other features adjacent to the Giralda Complex project at 2222 Ponce de Leon Boulevard, Coral Gables, on property legally described as Lots 25-48 , Block 28 of Coral Gables Section "K", according to the plat thereof as recorded in Plat Book 8, Page 33, of the Public Records of Miami-Dade County, be approved, subject to the following:
  - a. The proposed encroachments shall conform to the requirements of the Public Works Department, to the Florida Building Code and all other pertinent Codes.
  - b. The City of Coral Gables reserves the right to remove, add, maintain, or have the Applicant remove any of the improvements within the right-of-way and at Applicant's expense.
  - c. The Applicant shall maintain the existing encroachments in good condition at all times and at Applicant's expense.
  - d. The Applicant shall meet with the City Attorney for the purpose of providing all the information necessary for that Office to prepare a Restrictive Covenant to be executed by the Applicant which runs with the title of the property, and which states, in addition to the above mentioned requirements, that the Applicant 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. The 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. The Applicant shall replace, at the Applicant'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.

2. This Resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS THIRTEENTH DAY OF JULY, A. D., 2010.

APPROVED:

ATTEST:

DONALD D. SLESNICK, II  
MAYOR

WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ  
CITY ATTORNEY