

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION \_\_\_\_\_**

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH GABLES ESTATES CLUB, INC. ALLOWING FLORIDA POWER AND LIGHT TO UNDERGROUND DISTRIBUTION FACILITIES IN THE CITY'S RIGHT OF WAY ALONG CASUARINA CONCOURSE, WITH GABLES ESTATES CLUB, INC. AGREEING TO PAY THE COST OF THE CONVERSION PROJECT, INDEMNIFYING THE CITY AND AGREEING TO PAY FOR RELOCATION SHOULD IT BE NECESSARY IN THE FUTURE

**WHEREAS**, Gables Estates Club, Inc. has asked the City of Coral Gables to facilitate in converting certain Florida Power and Light (FPL) overhead electric distribution facilities from Old Cutler Road to the 700 block of Casuarina Concourse to underground facilities; and

**WHEREAS**, Gables Estate Club, Inc. has requested that the City allow some of the underground facilities to be placed in the Casuarina Concourse Right of Way; and

**WHEREAS**, the City Commission agrees to assist Gables Estates Club, Inc. by entering into a City/County Right of Way Agreement for Underground Conversation; and

**WHEREAS**, the City Commission agrees to also enter into an Underground Facilities Conversion Agreement with FPL; and

**WHEREAS**, the City Commission accepts the Indemnity Agreement whereby Gables Estates Club, Inc. agrees to indemnify the City from all claims, demands, action, suits, losses or injuries arising from these agreements.

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

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission approves the execution of the Right of Way Agreement for Underground Conversion, Underground Facilities Conversion Agreement and the Indemnity Agreement relating to this project.

**SECTION 3.** That pursuant to the Indemnity Agreement, Gables Estates Club, Inc. agrees to pay for the cost of the underground conversion project, the cost of relocation (should it become necessary) and to indemnify the City.

**SECTION 4.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF SEPTEMBER, A.D., 2016.

APPROVED:

JIM CASON  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

CRAIG E. LEEN  
CITY ATTORNEY