

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2007-12

A RESOLUTION OF THE CITY COMMISSION APPROVING BRICK PAVER AND LANDSCAPING ENCROACHMENT AT SUNRISE HARBOUR SUBDIVISION, SUBJECT TO THE REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT.

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

SECTION 1. That the request for encroachment consisting of the installation of pavers and landscaping at the E. Sunrise Avenue triangles and at the cul-de-sacs on Sunrise Terrace, Sunrise Court, Sunrise Drive and Sunrise Place, 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 Owner remove any of the improvements within the right-of-way, and at the Sunrise Harbour Homeowners Association's expense;
- b) That the Sunrise Harbour Homeowners Association maintains the proposed encroachment in good condition at all times, and at their expense;
- c) That the Sunrise Harbour Homeowners Association meet with the City Attorney's office for the purpose of providing all the information necessary for the office to prepare a maintenance agreement to be executed by the Association, and which states in addition to the above mentioned, that the Sunrise Harbour Homeowners Association 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 to 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 Sunrise Harbour Homeowners Association shall replace the proposed encroachments so cut by the utility, at the Sunrise Harbour Homeowners Association expense.

SECTION 2. That this Resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS TWENTY-THIRD DAY OF JANUARY, A. D., 2007.

(Moved: Cabrera / Seconded: Kerdyk)

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

(Unanimous/ 5-0 Vote)

(Agenda Item D-1)

APPROVED:

ATTEST:



**WALTER J. POEMAN
CITY CLERK**



**DONALD D. SLESNICK II
MAYOR**

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**



**ELIZABETH M. HERNANDEZ
CITY ATTORNEY**