

RESOLUTION NO. _____

1415 Olivia Street - REVOCABLE LICENSE

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE CITY OF KEY WEST TO ENTER INTO A REVOCABLE LICENSE AGREEMENT FOR NONPERMANENT USE OF 212 ± SQUARE FEET OF CITY PROPERTY IN ORDER TO MAINTAIN EXISTING LANDSCAPING AND REPLACE EXISTING PAVERS WITH CITY APPROVED MATERIAL ASSOCIATED WITH AN HISTORIC STRUCTURE LOCATED AT 1415 OLIVIA STREET, PURSUANT TO SECTION 2-939 OF THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 2-939 of the Code of Ordinances provides that the City may grant a revocable license for a nonpermanent use of property; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the City Manager is hereby authorized to execute a "Revocable License Agreement for use of City Property" to allow the nonpermanent use of 212 ± square feet of City Property area in order to maintain existing landscaping and replace existing pavers with City approved material associated with an historic structure located at 1415 Olivia Street, upon

advice and consent of the City Attorney.

Section 2: That the revocable license agreement to allow nonpermanent use of 212 ± square feet area to maintain existing landscaping and replace existing pavers with City approved material with the following conditions, whereas "Licensor" is the City of Key West and "Licensee" is 1415 Olivia Street LLC:

1. The revocable license is granted only to 1415 Olivia Street LLC, and shall not transfer to succeeding tenants or property owners of 1415 Olivia Street.

2. The property owner shall coordinate with the Engineering Department on replacing the existing pavers with City approved material.

3. The applicant shall pay the annual fee pursuant to Section 2-939(d) of the City Code of Ordinances.

4. The revocable license shall terminate upon the failure of the property owner to maintain liability insurance in a minimum amount of two hundred thousand dollars (\$200,000.00) per person and three hundred thousand dollars (\$300,000.00) per incident (or such other amount as may be legislatively determined to be the maximum extend of sovereign immunity waiver) naming the City as an additional insured for that portion of real property which is the subject of this revocable license.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2015.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2015.

Filed with the Clerk on _____, 2015.

Mayor Craig Cates	_____
Vice Mayor Mark Rossi	_____
Commissioner Teri Johnston	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____
Commissioner Tony Yaniz	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK