

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING AND DIRECTING THE ALLOCATION OF FUNDING FOR EXPERT LEGAL SERVICES TO EXPLORE THE FEASIBILITY OF PURSUING EMINENT DOMAIN TO ALLOW PUBLIC ACCESS BETWEEN THE TRUMAN WATERFRONT PARK AND MALLORY SQUARE THROUGH ADMIRAL'S CUT; DIRECTING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS IF THE CONCEPT IS DEEMED FEASIBLE; AUTHORIZING NECESSARY BUDGET TRANSFERS AND ADJUSTMENTS; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Parks and Recreation Advisory Board at it's meeting of August 25, 2022 approved a resolution recommending that the City Commission allocate funding for legal services to explore the feasibility of pursuing eminent domain proceedings to allow public access from Mallory Square to the Truman Waterfront Park via Admiral's Cut; and

WHEREAS, pedestrian access over Admiral's Cut would serve an important public purpose, providing a safe and efficient pedestrian route through and around a densely developed and crowded commercial and residential area of town, and access to the waterfront history of Key West; and

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

Section 1: That funding is hereby authorized for the purpose of obtaining expert legal services to explore the feasibility of pursuing Eminent Domain to allow public access between the Truman Waterfront Park and Mallory Square through Admiral's Cut.

Section 2: In the event it is determined that eminent domain proceedings are feasible, the City Attorney is directed and authorized to move forward with Eminent Domain proceedings, to allow public access through Admiral's Cut, between Mallory Square and the Truman Waterfront.

Section 3: That funding shall be allocated from budget account No. \_\_\_\_\_ , for legal services and fees related to the feasibility and process of eminent domain.

Section 4: 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 \_\_\_\_\_, 2022.

Authenticated by the Presiding Officer and Clerk of the  
Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Filed with the Clerk on \_\_\_\_\_, 2022.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
TERI JOHNSTON, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK