

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED "SUBMERGED LANDS LEASE" BETWEEN THE CITY AND 3810 FLAGLER AVENUE, LLC FOR USE OF APPROXIMATELY 900 SQUARE FEET OF CITY-OWNED SUBMERGED LANDS TO CONSTRUCT A NEW DOCK, FLOATING DOCK AND BOAT LIFT ADJACENT TO PROPERTY LOCATED AT 3810 FLAGLER AVENUE; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property owner requested a submerged land lease for use of approximately 900 square feet of the city-owned Sunrise Canal in order to construct a 8'x105' dock with an attached 8'x20' floating dock and a 10'x11' boat lift; and

WHEREAS, City staff recommended against granting the submerged land lease, finding no public purpose for the lease.

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

Section 1: That the attached Submerged Lands Lease for property adjacent to 3810 Flagler Avenue, between the City and 3810 Flagler Avenue LLC, is hereby approved with the following conditions:

Prior to the approval of a final inspection associated with the dock construction, the following conditions shall be satisfied:

1. The applicant or upland property owner shall provide an as-built survey of the concrete dock, floating dock and boat lift with the submerged land lease area delineated and legal description encompassing all structures encroaching into City property.

2. The submerged land lease shall be fully executed by all parties; and

3. The applicant or upland property owner shall be responsible for paying the initial lease fees and supplying the insurance certificates to the City as required by the submerged land lease.

Section 2: 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 \_\_\_\_\_, 2014.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Filed with the Clerk on \_\_\_\_\_, 2014.

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