

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED 99-YEAR PUBLIC BENEFIT "LEASE AGREEMENT" BETWEEN THE CITY OF KEY WEST AND THE KEY WEST BOTANICAL GARDEN SOCIETY, INC. D/B/A KEY WEST TROPICAL FOREST AND BOTANICAL GARDEN, A 501(c)3 EXEMPT ORGANIZATION (LESSOR) FOR THE PARCEL LOCATED AT 5210 COLLEGE ROAD ON STOCK ISLAND; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a referendum of the electors of the City of Key West, Florida, on the primary election ballot of August 23, 2022, authorized the City of Key West to enter into a 99-year lease for the property located at 5210 College Road exclusively for use as a botanical garden and arboretum, providing public access, public recreation, and wildlife habitat; and

WHEREAS, pursuant to Section 2-941(c) of the code of ordinances, the City Commission finds that a not-for-profit botanical garden is a public benefit, justifying a lease that is below market rate; and

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

Section 1: That the attached "Lease Agreement" for a term of 99 years, as authorized by public referendum, between the City of Key West and Key West Botanical Garden Society, Inc., d/b/a Key West Tropical Forest and Botanical Garden, for property located at

5210 College Road, as depicted in "Exhibit A" attached to the Lease Agreement, is hereby approved.

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 _____, 2022.

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

Filed with the Clerk on _____, 2022.

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|------------------------------|-------|
| 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