

RESOLUTION NO. 2019-254

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED MAINTENANCE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND LEDER HILLSBORO CO LTD, WHICH AGREEMENT TRANSFERS AND ASSIGNS RESPONSIBILITIES FOR THE MAINTENANCE OF LANDSCAPE IMPROVEMENTS IN THE HILLSBORO BOULEVARD RIGHT-OF-WAY ADJACENT TO THE PROPERTY LOCATED AT 4171 AND 4181 HILLSBORO BOULEVARD, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED TO THE AGREEMENT HERETO AND MADE A PART HEREOF; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Leder Hillsboro CO LTD wishes to install landscape improvements as shown and listed in the attached agreement, located within the right-of-way on Hillsboro Boulevard and controlled by the State of Florida Department of Transportation (FDOT); and

WHEREAS, the City has acted as intermediary and entered into an agreement with FDOT for the maintenance of the landscape improvements; and

WHEREAS, Leder Hillsboro CO LTD has agreed to accept responsibility to complete and maintain the landscape improvements, pursuant to the attached agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

Section 2: That the City Commission has reviewed and hereby approves the attached agreement between the City of Coconut Creek and Leder Hillsboro CO LTD for the maintenance of landscape enhancements in the Hillsboro Boulevard right-of-way adjacent to the property, more particularly described in Exhibit "A."

Section 3: That the City Manager, or designee, is hereby authorized to execute the attached agreement between the City of Coconut Creek and Leder Hillsboro CO LTD.

Section 4: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 5: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 14th day of November, 2019.

Sandra L. Welch, Mayor

Attest:

Leslie Wallace May, City Clerk

Welch	<u>Aye</u>
Sarbone	<u>Absent</u>
Tooley	<u>Aye</u>
Belvedere	<u>Aye</u>
Rydell	<u>Aye</u>