

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1445.03

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA ACCEPTING A GRANT OF EASEMENT FROM ALICE O. LAMB, ROSE O'NEILL, AND TERRANCE O'NEILL FOR A PORTION OF PROPERTY LOCATED AT 538 NORTH PARKWAY, GOLDEN BEACH, FLORIDA; AGREEING TO CERTAIN CONDITIONS IN CONSIDERATION OF THE EASEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the Town hereby accepts the Grant of Easement from Alice O. Lamb, Rose O'Neill and Terrance O'Neill as Co-Trustees of the O'Neill Lamb Trust Dated April 11, 1996. A copy of the Grant of Easement is attached hereto as Exhibit "A".

Section 2. As consideration for the granting of the easement, the Town hereby agrees that it will perform the following:

a. The Town will at its cost undertake the repair and restoration of the seawall along the entire west boundary of the subject property and will undertake such steps as are necessary to stop the entry of water into the property and causing further sinkholes around the west boundary.

b. The Town will provide a 300 amp underground electrical service to the meter box at the residence with appropriate panels for the purpose of complying with the State of Florida or local electrical codes.

c. The Town will remove or abandon existing drainage pipes and will fill sinkholes in the yard caused by erosion of soil from leaking pipes.

e. The Town will remove and/or replace existing shrubs and trees caused by the construction and shall replace sod for purposes of restoring the property to essentially grade level and original condition.

Section 3. Severability. That the provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

Section 4. Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 5. Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

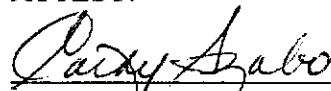
Sponsored by Administration.

The Motion to adopt the foregoing resolution was offered by Councilmember Singer, seconded by Councilmember Paruas and on roll call the following vote ensued:

Mayor Addicott	<u>ABSENT</u>
Vice Mayor Einstein	<u>AYE</u>
Councilmember Feinman	<u>AYE</u>
Councilmember Paruas	<u>AYE</u>
Councilmember Singer	<u>AYE</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach this 21ST day of January, 2003.

ATTEST:


CATHY SZABO
TOWN CLERK


MAYOR MICHAEL ADDICOTT

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


EDWARD PAUL KREILING
TOWN ATTORNEY