

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1529.03

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA AUTHORIZING AND APPROVING THE EXPENDITURE OF \$5,450.00 TO BE DISBURSED BY THE TOWN OF GOLDEN BEACH TO REPLACE TREES AND LANDSCAPING THAT WERE REMOVED BY THE TOWN FROM THE EASEMENT GRANTED TO THE TOWN AT 322 SOUTH PARKWAY, GOLDEN BEACH, FLORIDA; DEFERRING PAYMENT OF OTHER RELATED COSTS ASSOCIATED WITH THE TERMINATION OF THE EASEMENT ON THE SUBJECT PROPERTY OWNED BY INTERNATIONAL BUILDERS ASSOCIATES, INC AND SEBASTIEN SCEMLA; AUTHORIZING THE MAYOR AND TOWN OFFICIALS TO EXECUTE APPROPRIATE DOCUMENTS TERMINATING THE EASEMENT UPON EXECUTION OF A RELEASE FROM SEBASTIEN SCEMLA AND INTERNATIONAL BUILDERS ASSOCIATES, INC.; 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 Council hereby authorizes and approves the expenditure of \$5,450.00 to be disbursed by the Town of Golden Beach to replace trees and landscaping that were removed by the Town from the Easement located at 322 South Parkway, Golden Beach, Florida and deferring the payment of other related costs associated with the termination of the easement on the subject property owned by International Builders Associates, Inc and Sebastien Scemla.

Section 2. The authorization to disburse the funds is contingent upon Mr. Sebastian Scemla and International Builders Associates, Inc.'s execution of a release in favor of the Town. The Town Attorney is directed to draft a release to be executed by Mr. Sebastien Scemla and International Builders Associates, Inc.

Section 3. The Mayor and Town Officials are authorized to execute appropriate documents terminating the easement and returning any interest it may have back to International Builders Associates, Inc. upon execution and delivery of the above referenced release to the Town.

Section 4. 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 5. Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 6. 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 Einstein, seconded by Vice Mayor Iglesias and on roll call the following vote ensued:

Mayor Addicott	<u>AYE</u>
Vice Mayor Iglesias	<u>AYE</u>
Councilmember Einstein	<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 16TH day of September, 2003.


MAYOR MICHAEL ADDICOTT

ATTEST:


CATHY SZABO
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


PAUL D. EICHNER
TOWN ATTORNEY