

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1537.03

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA AUTHORIZING AND APPROVING THE PAYMENT OF LEGAL FEES INCURRED BY ALEXANDER TACHMES, ESQ. PERTAINING TO HIS REPRESENTATION OF SEBASTIEN SCEMLA AND ISSUES PERTAINING TO THE EASEMENT LOCATED AT 322 SOUTH PARKWAY IN THE AMOUNT NOT TO EXCEED \$6,264.00 UPON SUBMISSION OF PROOF OF PAYMENT OR A LETTER FROM MR. TACHMES INDICATING THE FEES REQUESTED HAVE BEEN PAID IN FULL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council heard public comments and comments from Sebastien Scemla on multiple occasions concerning an easement previously granted by International Builders Associates, Inc. to the Town of Golden Beach; and,

WHEREAS, the Town solicited comments from the staff and Craig A. Smith and Associates, its engineer, to determine the best course of action to achieve completion of the stormwater drainage project; and,

WHEREAS, the best interest of the Town was served by terminating the easement and the resolution of legal issues pertaining thereto; and

WHEREAS, the Town approved Resolution 1529.03 effectuating the intent of the Town while deferring payment of other related costs; and,

WHEREAS, the resolution of counsel fees remained outstanding; and,

WHEREAS, the Town of Golden Beach and its residents will best be served by the payment of legal fees in lieu of litigation;

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 payment of legal fees incurred by Alexander Tachmes as a result of his representation of Sebastien Scemla and issues pertaining to the easement at 322 South Parkway in the amount not to exceed \$6,264.00 upon submission of proof of payment or a letter from Mr. Tachmes indicating the fees requested have been paid in full.

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Section 2. 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 3. Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

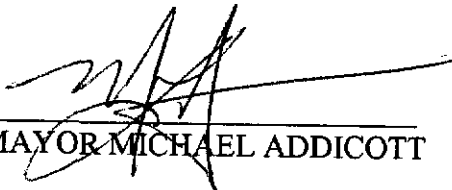
Section 4. Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

Sponsored by Administration.

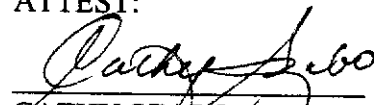
The Motion to adopt the foregoing resolution was offered by Mayor Addicott, seconded by Vice Mayor Iglesias and on roll call the following vote ensued:

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>

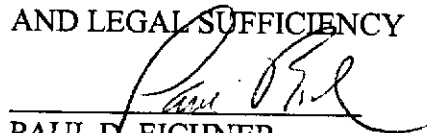
PASSED AND ADOPTED by the Town Council of the Town of Golden Beach this 18TH day of November, 2003.


MAYOR MICHAEL ADDICOTT

ATTEST:


CATHY SZABO
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


PAUL D. EICHNER
TOWN ATTORNEY

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