1	RESOLUTION NO. R-2020-083
2	A DESCLUTION OF THE CITY COMMISSION OF THE CITY OF
3 4	A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, APPROVING AND AUTHORIZING
5	THE PROPER CITY OFFICIALS TO EXECUTE A FOURTH
6	AMENDMENT TO THE PARKING WAIVER AGREEMENT
7	PROVIDING FOR THE EXTENSION OF THE DEADLINE FOR
8	COMPLETION OF TENANT BUILD-OUTS AND OCCUPANCY;
9	PROVIDING FOR CONFLICTS; PROVIDING FOR
10	SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
11	
12	WHERE AS the O're O is in the last interests of the O're
13	WHEREAS, the City Commission deems it to be in the best interests of the City
14 15	to approve and authorize the proper city officials to execute a Fourth Amendment to the Parking Waiver Agreement allowing the extension of the deadline for completion of
16	tenant build-outs and occupancy.
17	chant build buts and becupancy.
18	NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION
19	OF THE CITY OF OAKLAND PARK, FLORIDA THAT:
20	
21	SECTION 1. The foregoing "WHEREAS" clause is true and correct and hereby
22	ratified and confirmed by the City Commission. All exhibits attached hereto are hereby
23	incorporated herein.
24	
25	SECTION 2. The City Commission of the City of Oakland Park, Florida, hereby
26 27	approves and authorizes the proper city officials to execute a Fourth Amendment to the Parking Waiver Agreement providing for the extension of the deadline for completion of
27	tenant build-outs and occupancy to July 31, 2021. A copy of the Fourth Amendment is
29	attached hereto as Exhibit "A".
30	
31	SECTION 3. The appropriate City officials are authorized and directed to
32	execute the necessary documents to comply with this Resolution.
33	
34	SECTION 4. All Resolutions or parts of Resolutions in conflict herewith, be and
35	the same are repealed to the extent of such conflict.
36	
37	SECTION 5. If any clause, section or other part of this Resolution shall be held
38 39	by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect
39 40	the validity of the other provisions of this Resolution.
40	the valuery of the other provisions of this resolution.

1	SECTION 6. This Resolu	tion shall become effective imme	diately upon its
2	passage and adoption.		
3			
4	ADOPTED by the City Co	mmission of the City of Oakland Par	k, Florida
5	this 22 nd day of July 2020.		
6			
7			3
8		CITY OF OAKLAND PARK, FLC	RIDA
9		11000	
10			
11		Matalut	
12		MAYOR MATTHEW SPARKS	
13			
14		J. BOLIN	YES
15		M. CARN	YES
16		T. LONERGAN	YES
17		S. GUEVREKIAN	ABSENT
18		M. SPARKS	YES
19			
20			
21	2		
22	ATTEST:		
23			
24	K. M.K. I		
25	-puil on why		
26	RENEE M. SHROUT, CMC		
27	CITY CLERK		

FOURTH AMENDMENT TO PARKING WAIVER AGREEMENT

WHEREAS, the City of Oakland Park, a Florida municipal corporation (the "City") and AKB Realty, LLC, a Florida limited liability company (the "AKB") entered into that certain Parking Waiver Agreement (the "Agreement") dated November 17th, 2014.

WHEREAS, the City and AKB Realty entered into a First Amendment to the Agreement on September 21, 2016; and

WHEREAS, the City and AKB Realty entered into a Second Amendment to the Agreement on June 7, 2017; and

WHEREAS, the City and AKB Realty entered into a Third Amendment to the Agreement on September 20, 2018; and

WHEREAS, the City and AKB Realty desire to enter into a Fourth Amendment to the Parking Waiver Agreement.

NOW THEREFORE, in consideration of the mutual covenants, the City and AKB do agree to enter into this Fourth Amendment to provide that:

- 1. The aforementioned Whereas clauses are hereby ratified and confirmed.
- Section 4(8) requiring completion of the internal improvements as listed by Exhibit "A" (attached hereto) by September 30th, 2016 and extended until September 20, 2018 by the First Amendment and extended until July 31, 2020 by the Third Amendment is hereby extended to July 31, 2021.

In the event of any inconsistencies between this Fourth Amendment 3. and the Agreement and subsequent Amendments the provisions contained in this Fourth Amendment shall prevail. In all other respects, the terms and provisions of the Agreement are ratified and confirmed.

CITY: **CITY OF OAKLAND PARK, FLORIDA**

David Hebert By:

Title: City Manager

Date: 7/22/20

Property Owner: AKB REALTY, LLC

By: Joseph Feinberg Title: Unce President

Date: **1-20-20**

EXHIBIT A

(Payment Schedule)

Year	Amount Due	Due Date
Year 1	\$20,000	July 18, 2021
Year 2	\$20,000	July 18, 2022
Year 3	\$20,000	July 18, 2023
Year 4	\$20,000	July 18, 2024
Year 5	\$20,000	July 18, 2025
Year 6	\$20,000	July 18, 2026
Year 7	\$20,000	July 18, 2027
Total Due	\$140,000	