

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK, SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY'S OFFICE AND PUBLIC WORKS DEPARTMENT, TO EXECUTE AN AMENDMENT TO THE GRANT OF EASEMENT FOR AIR RIGHTS, ATTACHED AS EXHIBIT 1, PROVIDED TO CG TIDES, LLC, CG TIDES VILLAGE, LLC, CG TIDES VILLAGE I, LLC AND CG TIDES VILLAGE II, LLC (COLLECTIVELY THE "APPLICANTS"), LOCATED AT 1201-1225 COLLINS AVENUE, UNDER CITY RESOLUTION 2012-28003, IN ORDER TO MODIFY THE SITE PLAN IN ORDER TO AUTHORIZE AN ENCLOSED ELEVATED PEDESTRIAN BRIDGE SPANNING THE 20-FOOT PUBLIC RIGHT-OF-WAY OF OCEAN COURT.**

**WHEREAS**, CG Tides, LLC, CG Tides Village, LLC, CG Tides Village I, LLC, and CG Tides Village II, LLC, (collectively the "Applicants") are the owners of the 8-story Tides Hotel at 1220 Ocean Drive; a lot at 1201 Collins Avenue; the 3-story Molbar Building at 1221 Collins Avenue; and the 2-story Splendor Building at 1225 Collins Avenue (collectively, the Properties); and

**WHEREAS**, Applicants received approval from the City's Historic Preservation Board (HPB), pursuant to HPB Order No. 5477, to redevelop the Properties; and

**WHEREAS**, at its regular meeting on April 10, 2012, the HPB, pursuant to HPB Order No. 7303, approved the proposed pedestrian bridge; and

**WHEREAS**, Applicants wished to unify the Properties by installing an elevated pedestrian bridge across the Ocean Court right-of-way, located at the second level of the Tides Hotel, to connect to the second level of the rear of an approved addition to the Molbar Building; and

**WHEREAS**, on September 12, 2012, pursuant to City Commission Resolution 2012-28003, the City granted Applicants an air rights easement for a pedestrian bridge 16 feet above ground-level, with a width of 9 feet 1 inch (9'1"), in exchange for \$250,000, payable in installments; and

**WHEREAS**, on May 9, 2017, the Historic Preservation Board, under HPB file number HPB17-0105, approved the modification of the pedestrian bridge that spans Ocean Court between the Tides Hotel (1220 Ocean Drive) and Tides Village (1201 - 1225 Collins Ave), specifically to enclose the previously open air sides of the bridge with all glass; and

**WHEREAS**, the size and footprint of the bridge and easement over the right-of-way remain completely unchanged, but as the original air rights easement agreement was tied to a design, the Mayor and City Commission are required to authorize the modification to the scope of the design; and

**WHEREAS**, attached here to is the First Amendment to the Grant of Easement for Air Rights Agreement with the Applicant.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and authorize the Mayor and City Clerk, subject to final review by the City Attorney's Office and Public Works Department, to execute an amendment to the Grant of Easement for Air Rights, attached as Exhibit 1, provided to CG Tides, LLC, CG Tides Village, LLC, CG Tides Village, LLC, and CG Tides Village II, LLC, (collectively the "Applicants"), located at 1201-1225 Collins Avenue under City Resolution 2012-28003, in order to modify the site plan in order to authorize an enclosed elevated pedestrian bridge spanning the 20-foot public right-of-way of Ocean Court.

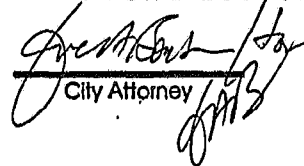
PASSED AND ADOPTED this \_\_\_\_ day of September, 2017.

ATTEST:

\_\_\_\_\_  
Philip Levine, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

8/18/17  
\_\_\_\_\_  
Date