

RESOLUTION NO. 16 - 2412

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA APPROVING THE SCULPTURE BY PABLO ATCHUGARRY PRESENTED BY THE APPLICANT, CHATEAU OCEAN, LLC FOR THE 94<sup>TH</sup> STREET END PROJECT; PROVIDING FOR APPROVAL AS A DONATION TO THE TOWN; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on July 8, 2014, the Town Commission approved the design for the 94<sup>th</sup> Street End Project (Resolution No. 14-2236) that was submitted by the Chateau Ocean, LLC which had been a requirement of their conditional use and site plan approvals (Resolution No. 13-Z-04); and

**WHEREAS**, Resolution No. 14-2236 required that:

*Prior to the completion of the 94<sup>th</sup> Street End Project, the Applicant shall donate to the Town a unique, original sculpture installed at the east end of 94<sup>th</sup> Street. The design of the sculpture, with regard to compatibility with the aesthetics of the Chateau Project and the 94<sup>th</sup> Street End Project, shall be subject to the reasonable approval of the Town Commission, after consultation with the Design Review Board or its successor organization. There shall be appropriate recognition of the donation in signage associated with the sculpture and the 94<sup>th</sup> Street End. This condition shall supersede paragraph 26 in Resolution 13-Z-04.*

**WHEREAS**, to fulfill that requirement the Chateau Ocean, LLC has selected a sculpture by Pablo Atchugarry; and

**WHEREAS**, the Town Commission approves the donation of the sculpture to the Town by Pablo Atchugarry presented by the applicant, Chateau Ocean, LLC for the 94<sup>th</sup> Street End.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Incorporated.** The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution upon adoption hereof.

**Section 2. Approval.** The Town Commission approves the donation of the sculpture to the Town by Pablo Atchugarry presented by the applicant, Chateau Ocean, LLC for the 94<sup>th</sup> Street End Project.

**Section 3. Authorization and Implementation.** The Town Manager is hereby authorized to take any and all action necessary to implement this Resolution.

**Section 4. Effective Date.** This Resolution becomes effective upon adoption.

PASSED and ADOPTED on this 13<sup>th</sup> day of December 2016.

Motion by Commissioner Gielchinsky,

Second by Commissioner Paul.

**FINAL VOTE ON ADOPTION**

Commissioner Daniel Gielchinsky

yes

Commissioner Michael Karukin

yes

Commissioner Tina Paul

yes

Vice Mayor Barry Cohen

no

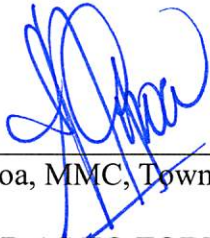
Mayor Daniel Dietch

yes



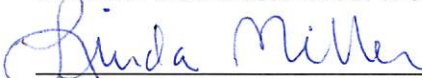
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Daniel Dietch, Mayor

**ATTEST:**



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Sandra Novoa, MMC, Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**



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Linda Miller, Town Attorney