

**RESOLUTION NO. 18-05**

A RESOLUTION OF THE CITY OF CLEARWATER,  
FLORIDA APPROVING A TERMINATION OF A  
DEVELOPMENT AGREEMENT BETWEEN THE CITY OF  
CLEARWATER AND BAYWAY HOTEL HOLDINGS, LLC;  
PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Clearwater (the "City") entered into a Development Agreement with DECADE COMPANIES INCOME PROPERTIES (the "Property Owner"), for the allocation of up to 72 units from the Hotel Density Reserve under Beach by Design that was adopted by the City Council on October 6, 2009, via Resolution No. 09-03; and

WHEREAS, the City desires to terminate said Development Agreement due to the Property Owner's satisfactory fulfillment of the terms of the Development Agreement; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
OF CLEARWATER, FLORIDA:

Section 1. The Development Agreement between the City of Clearwater and DECADE COMPANIES INCOME PROPERTIES, a copy of which is attached as Exhibit "A," is hereby terminated.

Section 2. Authorize the City Council and all appropriate officials to execute the Termination of the Development Agreement, a copy of which is attached as Exhibit "B".

Section 3. This resolution shall take effect immediately upon adoption.

Section 4. The City Clerk is directed to submit a recorded copy of the Termination of Development Agreement to the state land planning agency no later than fourteen (14) days after the Development Agreement is recorded.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
George N. Cretekos  
Mayor

Approved as to form:

Attest:

\_\_\_\_\_  
Michael P. Fuino

\_\_\_\_\_  
Rosemarie Call

Assistant City Attorney

City Clerk