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**CITY OF WESTLAKE**

**RESOLUTION NO. 2023-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY COUNCIL MEMBER TO EXECUTE THE NON-EXCLUSIVE PERMISSIVE USE AGREEMENT BETWEEN THE WESTLAKE RESIDENCES MASTER HOMEOWNERS' ASSOCIATION, INC. AND THE CITY OF WESTLAKE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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WHEREAS, the City Council deems it to be in the best interests of the City to approve and authorize the proper City Council Member to execute the Non-Exclusive Permissive Use Agreement between the Westlake Residences Master Homeowners Association, Inc. and the City of Westlake;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA:**

**SECTION 1.** The foregoing "WHEREAS" clause is hereby ratified and confirmed by the City Council and incorporated herein by this reference.

**SECTION 2.** The City Council of the City of Westlake, Florida, hereby approves and authorizes the proper City Council Member to execute the Non-Exclusive Permissive Use Agreement between the Westlake Residences Master Homeowners Association, Inc. and the City of Westlake. A copy of the Agreement is attached hereto as Exhibit "A".

**SECTION 3.** All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extend of such conflict.

**SECTION 4. CONFLICTS.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5. SEVERABILITY.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

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**SECTION 6. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

**PASSED AND APPROVED** by City Council for the City of Westlake, on this 14<sup>th</sup> day of March 2023.

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City of Westlake  
JohnPaul O'Connor, Mayor

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Zoie Burgess, CMC, City Clerk