

Development Permit No. \_\_\_\_\_

REVOCABLE LICENSE TO OBSTRUCT RIGHT-OF-WAY OR CANAL

PER THE AUTHORITY GRANTED TO ME BY THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, IN ORDINANCE NO. 87-28, ADOPTED ON AUGUST 18, 1987:

SECTION 1. Because the requested structure will not interfere with the present and planned use and maintenance of the affected right-of-way, a revocable license is hereby granted, under the terms and conditions \_\_\_\_\_ hereinafter \_\_\_\_\_ specified, \_\_\_\_\_ to \_\_\_\_\_ (name), and their successors in interest, to construct and maintain a \_\_\_\_\_ (boat dock, boat davit, boat lift, sign, etc.) in the public \_\_\_\_\_ (canal, right-of-way, etc.) adjacent to \_\_\_\_\_ (lot, block, unit, subdivision, tax parcel number), located at the following address \_\_\_\_\_.

SECTION 2. Said structure or obstruction shall be located and constructed in accordance with the plans, conditions and limitations of a permit issued therefore, either development, building, or sign, issued by the City Manager or his designee. It shall not be altered from the plans without a permit to do so.

SECTION 3. The license shall be revocable at the discretion of the City Manager, upon reasonable notice to the licensee, whenever the City Manager determines that there is a need for public use or clearance of the right-of-way or canal and the maintenance of the obstruction will interfere in any degree with the public use; or where the obstruction is, in fact, interfering in any degree with the public use. The reasonableness of notice shall depend upon the City's need for use or clearance of the public right-of-way or canal and shall be entirely within the discretion of the City Manager. Removal of the obstruction shall be at the expense of the licensee.

SECTION 4. Licensee shall be exclusively liable for any personal injury or property damage caused by the condition or location of said structure or obstruction and shall agree, by acceptance and use of this license, to defend and hold the City harmless therefor.

SECTION 5. In the case of boat docks, boat davits and boat lifts, no such structure may be designed, constructed or altered in any manner (including installation of cleats or boat whips) which would allow for double-berthing of vessels; that is, berthing of boats or vessels two deep or greater across or into canals.

SECTION 6. In the case of boat docks, boat davits and boat lifts, no such structure or alteration may be designed, constructed, or altered in any manner which would allow a vessel to be berthed beyond a projection of a side property line, without the irrevocable consent of the adjoining property owner.

SECTION 7. No vessel shall be berthed in any manner as to protrude beyond the projected side property line without the consent of the adjoining property owner.

SECTION 8. This license shall take effect upon the date of its execution by the City Manager.

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CERTIFICATION AND AGREEMENT TO TERMS OF LICENSE

I certify that I am the owner of the structure or other obstruction and that (in the case of obstructions in canals) I am the owner of the adjacent property. In order to induce the City to grant me a Revocable License to Obstruct a Right-of-Way or Canal, I hereby consent to the terms of said license.

DATE: \_\_\_\_\_  
\_\_\_\_\_  
LICENSEE/OWNER

DATE: \_\_\_\_\_  
\_\_\_\_\_  
LICENSEE/OWNER

EXECUTED BY THE CITY MANAGER OF THE CITY OF SANIBEL, LEE COUNTY,  
FLORIDA, this \_\_\_\_\_ day of \_\_\_\_\_.

CITY OF SANIBEL, FLORIDA

\_\_\_\_\_  
CITY MANAGER