

SECOND AMENDMENT TO CONCESSION AGREEMENT

(RFP #30-20-21 – Operation and Management of the North Miami Library Café Space)

THIS SECOND AMENDMENT TO CONCESSION AGREEMENT (“Amendment”) is entered into on _____, between the **City of North Miami**, a Florida municipal corporation with a principal address of 776 NE 125th Street, North Miami, Florida (“City”), and **MC Spence Group, LLC d/b/a Smoothie Express Cafe**, a Florida limited liability company registered and authorized to do business under the laws of the State of Florida, having its principal office at 9440 NE 2nd Avenue, Miami Shores, FL 33188 (“Concessionaire” or “Vendor”). The City and Concessionaire shall collectively be referred to as the “Parties”, and each may individually be referred to as a “Party”.

RECITALS

WHEREAS, on October 22, 2021, the City entered into a Concession Agreement (“Agreement”) with MC Spence Group, LLC d/b/a Smoothie Express Miami Shores, (“Concessionaire” or “Vendor”), for the management and operation of the Café Space located in the North Miami Library; and

WHEREAS, on September 16, 2024, the Parties entered into an amendment to the concession agreement to extend the term of the agreement, update the consideration paid for the license, and to reflect a name change to MC Spence Group, LLC d/b/a Smoothie Express Café; and

WHEREAS, MC Spence Group, LLC d/b/a Smoothie Express Cafe has assigned all of its rights and interests in the Agreement to Northland View, LLC d/b/a Smoothie Express Cafe with the City’s consent; and

WHEREAS, the Parties desire to enter into this Second Amendment to reflect the assignment as set forth herein.

NOW THEREFORE, in consideration of the mutual terms and conditions set forth below, the Parties agree as follows:

1. Wherever in the Concession Agreement the term MC Spence Group, LLC d/b/a Smoothie Express Cafe appears, such term shall be replaced with Northland View, LLC d/b/a Smoothie Express Cafe.
2. All other terms and conditions of the Agreement (attached hereto as “Exhibit A”) remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed by their respective and duly authorized representatives effective as of the date first written above:

ATTEST:

Corporate Secretary or Witness:

MC Spence Group, LLC d/b/a Smoothie Express Cafe,
“Concessionaire” or “Vendor”

By: _____

By: _____

Print Name: _____

Print Name: _____

Date: _____

Date: _____

ATTEST:

City of North Miami, a Florida municipal corporation: **“City”**

By: _____
Vanessa Joseph, Esq.
City Clerk

By: _____
Theresa Therilus, Esq.
City Manager

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Jeff P. H. Cazeau
City Attorney