

RESOLUTION NO. R-2006-97

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN ADDENDUM TO THE LEASE AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE BOARD OF DIRECTORS OF THE NORTH MIAMI JUNIOR CHAMBER OF COMMERCE; AND PROVIDING AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

WHEREAS, on April 23, 1957, the City of North Miami (City) entered into a ninety-nine (99) year Lease Agreement with the Board of Directors of the North Miami Junior Chamber of Commerce (Board); and

WHEREAS, the City and the Board desire to make certain modifications to the original Lease Agreement by allowing the Board to sublet the facility in part or whole to the Knights of Columbus without prior written consent from the City; and

WHEREAS, the Mayor and City Council desire to authorize the negotiation and execution of the Addendum to the Lease Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1. Authorization to Enter into an Addendum to the Lease Agreement.** The City Manager is authorized to enter into an Addendum to the Lease Agreement, in substantially the form which is attached hereto as "Exhibit 1."

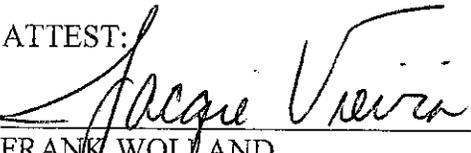
**Section 2. Authorization of City Manager.** The City Manager is hereby authorized to do all things necessary to effectuate the terms of the Addendum to the Lease Agreement.



**Section 3: Effective Date.** This Resolution shall be effective immediately upon adoption.

**PASSED AND ADOPTED** by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 22 day of August, 2006.

  
\_\_\_\_\_  
KEVIN A. BURNS  
MAYOR

ATTEST:  
  
\_\_\_\_\_  
FRANK WOLLAND  
CITY CLERK

*Deputy for*

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:  
  
\_\_\_\_\_  
V. LYNN WHITFIELD  
CITY ATTORNEY

SPONSORED BY: COUNCILPERSON SCOTT GALVIN

Moved by: Councilman Despinosse

Seconded by: Councilman Galvin

**Vote:**

|                                     |          |       |       |      |
|-------------------------------------|----------|-------|-------|------|
| Mayor Kevin A. Burns                | <u>X</u> | (Yes) | _____ | (No) |
| Vice Mayor Scott Galvin             | <u>X</u> | (Yes) | _____ | (No) |
| Councilperson Jacques A. Despinosse | <u>X</u> | (Yes) | _____ | (No) |
| Councilperson Michael R. Blynn      | <u>X</u> | (Yes) | _____ | (No) |
| Councilperson Marie Erlande Steril  | <u>X</u> | (Yes) | _____ | (No) |

## ADDENDUM TO LEASE AGREEMENT

THIS ADDENDUM TO LEASE AGREEMENT made and entered into this

\_\_\_\_\_ day of July, 2006 by and between the CITY OF NORTH MIAMI

(hereinafter referred to as City) and the Board of Directors of the North Miami Junior Chamber of Commerce, (hereinafter referred to as Board).

WHEREAS, the City owns certain real property described as follows:

A portion of Lot 9, Block 3, BAKER-RIDDLE COMPANY'S ADDITION TO BISCAYNE PARK, according to the plat thereof recorded in Plat Book 20, at Page 44, of the Public Records of Dade County, Florida and a portion of Lot 3, Block 10, of a Subdivision of the South half (S1/2) of the Southwest quarter (SW ¼) of Section 30, Township 52 South, Range 42 East according to the plat thereof recorded in Plat Book "B", at Page 4, of the Public Records of Dade County, Florida, more particularly described as follows, to wit:

Beginning at a point on the southeasterly extension of the southwesterly boundary of said Block 3, said point being 70.0 feet from the most southerly corner of Lot 8 of said Block 3; thence run northeasterly along a line that is 70 feet southeasterly of and parallel to the southeasterly boundary of Lot 8 of said Block 3, a distance of 204.07 feet to the point of intersection with the northeasterly boundary of said Lot 9; thence run southeasterly along the northeasterly boundary of said Lot 9 a distance of 38.76 feet to a point of intersection with the northwesterly boundary of Dixie Highway; thence run Southwesterly along the Northwesterly boundary of Dixie Highway a distance of 217.18 feet to a point of intersection with the center line of the Biscayne Drainage Canal; thence run northwesterly along the center line of the Biscayne Drainage Canal and southeasterly extension of the southwesterly boundary of said Block 3, a distance of 109.71 feet to the point of beginning subject to any dedications of record for Dixie Highway and Biscayne Drainage Canal.

WHEREAS, the Board leases the above described real property pursuant to a ninety-nine (99) year lease dated April 23, 1957 upon which certain improvements have been constructed; and

WHEREAS, the City and Board desire to provide for the subletting of a portion of the facility without Board having to obtain prior written consent.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants contained herein, the parties agree as follows:

**Section 1. Subletting of Facility.**

Paragraph 6 of the April 23, 1957 lease is amended to provide that the Board may sublet the facility in part or whole to the Knights of Columbus without prior written consent from City.

**Section 2. Remainder of Lease Agreement.**

Except as specifically amended in this Addendum to Lease Agreement, all provisions of the Lease Agreement which are not in conflict with the terms of this Addendum shall remain in full force and effect.

**Section 3. Notice.**

Any notice, request, demand, approval or consent given or required to be given under the original Lease Agreement or under this Addendum to the Lease Agreement shall be in writing and shall be deemed as having been given when mailed by United States registered or certified mail (return receipt requested), postage prepaid to the other parties at the addresses stated below or at the last changed address given by the party to be notified as specified.

(a) If to City: City Manager  
City of North Miami  
776 NE 125<sup>th</sup> Street  
North Miami, Florida 33161

With Copy to: City Attorney  
City of North Miami  
776 NE 125<sup>th</sup> Street

North Miami, Florida 33161

(b) If to Board: Lisa McDearmaid  
President- Junior Chambers of Commerce  
12100 West Dixie Highway  
North Miami, Florida 33181

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals  
the day and year first written above.

Board of Directors- Junior Chamber of Commerce

By: \_\_\_\_\_

ATTEST:

CITY OF NORTH MIAMI

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Clarence Patterson  
City Manager

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

\_\_\_\_\_  
V. Lynn Whitfield  
City Attorney