



COMMISSION AGENDA ITEM
DOCUMENT ROUTING FORM

Today's Date: 11/26/24

3C

DOCUMENT TITLE: Consent to Assignment & Assumption of Lease Agreement – 2611 East Oakland Park Blvd. to North Broward Hospital Dist. DBA Broward Health for Air Rights.

COMM. MTG. DATE: 6/18/2024 CAM #: 24-0590 ITEM #: CM-5 CAM attached: YES NO

Routing Origin: CMO Router Name/Ext: Angela/3442 Action Summary attached: YES NO

CIP FUNDED: YES NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, or real.

1) Dept: CAO Router Name/Ext S.Sierra/5598 # of originals routed: 3 Date to CAO: 11/26/24

2) City Attorney's Office: Documents to be signed/routed? YES NO # of originals attached: 3

Is attached Granicus document Final? YES NO Approved as to Form: YES NO

Date to CCO: _____ Shaun Amarnani _____
Attorney's Name Initials

3) City Clerk's Office: # of originals: 3 Routed to: Donna V./Amber Cabrera./CMO Date: 11/26/24

4) City Manager's Office: CMO LOG #: Dec 3 Document received from: CCO 12/5/24

Assigned to: SUSAN GRANT ANTHONY FAJARDO LAURA REESE BEN ROGERS

SUSAN GRANT as Acting City Manager

APPROVED FOR S. GRANT'S SIGNATURE N/A FOR S. GRANT TO SIGN

PER ACM: A. Fajardo _____ (Initial/Date) PER ACM: L. REESE _____ (Initial/Date)

B. Rogers _____ (Initial/Date)

PENDING APPROVAL (See comments below)

Comments/Questions: _____

Comments/Questions: _____

Forward ___ originals to Mayor CCO Date: _____

5) Mayor/CRA Chairman: Please sign as indicated. Forward ___ originals to CCO for attestation/City seal (as applicable) Date: _____

6) City Clerk: Scan original and forwards 3 originals to: Angela Salmon/CMO/ Ext 3442

*****Please email a scan of completely executed documents to ssierra@fortlauderdale.gov

Attach ___ certified Reso # _____ YES NO

Original Route form to Sonias/5598

CONSENT MOTION

- PSJ** CM-1 [24-0562](#) Motion Approving an Event Agreement for the Rise+Shine Brunch Event - (Commission District 2)
- APPROVED
- Yea: 5 - Commissioner Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Vice Mayor Glassman and Mayor Trantalis
- PSJ** CM-2 [24-0334](#) Motion Approving a Service Agreement for Professional Tennis Instructor and Facility Management of the Jimmy Evert Tennis Center (JETC) - Scott Pukys - (Commission District 2)
- APPROVED
- Yea: 5 - Commissioner Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Vice Mayor Glassman and Mayor Trantalis
- RO** CM-3 [24-0550](#) Motion Authorizing Settlement of Workers' Compensation Claims in Shawn Zufelt v. City of Fort Lauderdale, Case Nos. 15-017022MJR and 22-008681MJR - \$365,000 - (Commission Districts 1, 2, 3 and 4)
- APPROVED
- Yea: 5 - Commissioner Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Vice Mayor Glassman and Mayor Trantalis
- RO** CM-4 [24-0551](#) Motion Authorizing Settlement of Auto Liability Claim of Malachi Greene, Claim No. VA GL 24-341 - \$200,000 - (Commission Districts 1, 2, 3 and 4)
- APPROVED
- Yea: 5 - Commissioner Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Vice Mayor Glassman and Mayor Trantalis
- SA** CM-5 [24-0590](#) Motion Authorizing a Consent to Assignment and Assumption of Lease Agreement - 2611 East Oakland Park, LLC to North Broward Hospital District d/b/a Broward Health for Air Rights Located at 2611 E Oakland Park Boulevard, Fort Lauderdale, Florida 33301 - (Commission District 1)
- APPROVED
- Yea: 5 - Commissioner Beasley-Pittman, Commissioner Sturman, Commissioner Herbst, Vice Mayor Glassman and Mayor Trantalis



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#24-0590

TO: Honorable Mayor & Members of the Fort Lauderdale City Commission

FROM: Susan Grant, Acting City Manager

DATE: June 18, 2024

TITLE: Motion Authorizing a Consent to Assignment and Assumption of Lease Agreement - 2611 East Oakland Park, LLC to North Broward Hospital District d/b/a Broward Health for Air Rights Located at 2611 E Oakland Park Boulevard, Fort Lauderdale, Florida 33301 – (Commission District 1)

Recommendation

Staff recommends the City Commission authorize the consent to the assignment and assumption of the lease agreement by 2611 East Oakland Park, LLC to North Broward Hospital District d/b/a Broward Health for air rights located at 2611 E Oakland Park Boulevard, Fort Lauderdale, Florida 33301 (Exhibit 1).

Background

Adams Building Associates, a Florida general partnership, and the City of Fort Lauderdale (“City”) entered into a lease agreement on September 30, 1986 (Exhibit 2). Adams assigned this lease to Coolidge Enterprises, Inc., a Florida corporation, on May 23, 1996, and subsequently, the lease was assigned to Michigan Oakland Park Corp., a Michigan corporation, on May 1, 1998. The lease was then assigned by Caproc Oakland Park, LLC, as successor by merger to Michigan Oakland Park Corp, to BE ML FLL LLC, a Florida limited liability company, on December 17, 2012. Following this, the lease was assigned by BE ML FLL LLC to 2601 M L Fund, LLC, another Florida limited liability company, on April 8, 2015. Finally, the lease was assigned by 2601 M L Fund, LLC to 2611 East Oakland Park LLC, a Florida limited liability company, on November 21, 2017 (Exhibit 3).

The original lease term runs from October 1, 1988, to September 30, 2028, with an option for a nine-year renewal. The initial annual rent was \$285. The current rent is \$732 and is adjusted annually based on the Consumer Price Index.

On April 12, 2024, the City received a request from 2611 East Oakland Park, LLC, to assign the air rights to Broward Health (see Exhibit 4).

Resource Impact

There is no fiscal impact.

Strategic Connection:

This item supports the *Press Play Fort Lauderdale Strategic Plan 2029*, specifically advancing:

- Guiding Principle: Fiscal Responsibility

This item advances the *Fast Forward Fort Lauderdale Vision Plan 2035: We are Here*.

Attachments

Exhibit 1 – Location Map

Exhibit 2 – Original Lease Agreement

Exhibit 3 – 2017 Assignment and Assumption of Lease Agreement

Exhibit 4 – Proposed Assignment and Assumption of Lease Agreement

Prepared by: Angela Salmon, Assistant to the City Manager, City Manager's Office

Charter Officer: Susan, City Manager

details reports

File #: **24-0590** Version: 1
 Type: CONSENT MOTION
 File created: 5/31/2024
 On agenda: 6/18/2024
 Title: Motion Authorizing a Consent to Assignment and Assumption of Lease Agreement - 2611 East Oakland Park, LLC to North Broward Hospital District d/b/a Broward Health for Air Rights Located at 2611 E Oakland Park Boulevard, Fort Lauderdale, Florida 33301 - (Commission District 1)
 Sponsors: [City Commission Regular Meeting](#)
 Attachments: 1. [Commission Agenda Memo 24-0590 of Lease Agreement](#)

File #: 240590 Version: 1
 Type: CONSENT MOTION
 Title: Motion Authorizing a Consent to Assignment and Assumption of Lease Agreement - 2611 East Oakland Park, LLC to North Broward Hospital District d/b/a Broward Health for Air Rights Located at 2611 E Oakland Park Boulevard, Fort Lauderdale, Florida 33301 - (Commission District 1)
 Mover: [Warren Sturman](#) Second: [Steven Glassman](#)
 Result: Pass
 Agenda note:
 Minutes note:
 Action: APPROVED
 Action text: APPROVED

history (1) text

Date	Ver.	Action By
6/18/2024	1	City Commis

consent votes (5:0)

Person Name	Vote
Pam Beasley-Pittman	Yea
Warren Sturman	Yea
John C. Herbst	Yea
Steven Glassman	Yea
Dean J. Trantalis	Yea

or Air Rights Located at 2611 E Oakland Park Boulevard, For
 eement, 5. [Exhibit 4 – Proposed Assignment and Assumptio](#)

tails	Meeting Details	Video
tails	Meeting details	Not available

**ASSIGNMENT AND ASSUMPTION
OF LEASE AGREEMENT**

THIS ASSIGNMENT AND ASSUMPTION OF LEASE (the "Assignment & Assumption") is made and entered as of September 25th, 2024 by and between 2611 EAST OAKLAND PARK LLC, a Florida Limited Liability Company ("Assignor") to North Broward Hospital District d/b/a Broward Health and/or assigns ("Assignee"), is as follows:

WITNESSETH

WHEREAS, ADAMS BUILDING ASSOCIATES, a Florida general partnership ("Adams") and the City of Fort Lauderdale ("City") entered into that certain Lease Agreement dated September 30, 1986 and recorded in Official Records Book 16009, Page 656, of the Public Records of Broward County, Florida ("Lease"), which is incorporated herein by reference; and

WHEREAS Adams assigned said Lease to COOLIDGE ENTERPRISES, INC., a Florida corporation by Assignment of Lease dated May 23, 1996 and recorded in Official Records Book 24934, Page 0162, and was further assigned to MICHIGAN OAKLAND PARK CORP., a Michigan corporation by Assignment of Lease dated May 1, 1998; and

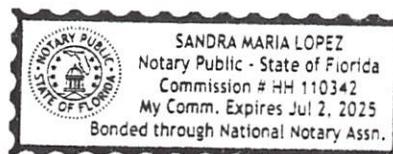
WHEREAS, thereafter the Lease was assigned by CAPROC OAKLAND PARK, LLC, as successor by merger to Michigan Oakland Park Corp, a dissolved Michigan corporation to BE ML FLL LLC, a Florida limited liability company by Assignment of Lease Agreement dated December 17, 2012, said Assignment of Lease Agreement being recorded at Official Record Book 49347, Page 447 of the Public Records of Broward County, Florida; and

WHEREAS, thereafter the Lease was assigned by BE ML FLL LLC, a Florida limited liability company to 2601 M L FUND, LLC, a Florida limited liability company, by Assignment and Assumption of Lease Agreement dated April 8, 2015, said Assignment and Assumption of Lease Agreement being recorded under Instrument #112953273 of the Public Records of Broward County, Florida; and

WHEREAS, thereafter the Lease was assigned by 2601 M L FUND, LLC, a Florida limited liability company, a Florida limited liability company to 2611 EAST OAKLAND PARK LLC, a Florida limited liability company, by Assignment and Assumption of Lease Agreement dated November 21, 2017, said Assignment and Assumption of Lease Agreement being recorded January 1, 2018 under Instrument #114818463 of the Public Records of Broward County, Florida.

WHEREAS, Section 13 of the Lease allows for assignment of this lease by Assignor to Assignee with the consent of the City, and

WHEREAS, the Assignor owns the rights as provided in the Lease and desires to assign, transfer, set over and deliver to Assignee all of Assignor's right, title and interest in and to the Lease by this document;



*This is a 11/9/24
Certified Copy
SL*

NOW, THEREFORE, in accordance with the terms of this Consent to Assignment and in consideration of the sum of \$10.00 and other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the parties do hereby covenant and agree as follows:

1. The above recitals are true.
2. The Effective Date of this Assignment & Assumption is the date the Consent to Assignment and Assumption of Lease Agreement is executed by the proper City officials for the City of Fort Lauderdale.
3. As of the Effective Date, Assignor does hereby assign, transfer, set over and deliver to Assignee all of the Assignor's right, title, and interest in and to the Lease.
4. Assignor does hereby represent and warrant that the Lease is in full force and effect and that, to the best of Assignor's knowledge, the Lease is currently in good standing and neither Assignor nor Landlord is in default under the Lease.
5. Assignee hereby accepts this Assignment and expressly agrees to assume all of the Assignor's obligations under the Lease arising after the date of this Assignment.
6. This Assignment shall be binding and inure to the benefit of the parties to this Assignment and their respective heirs, legal representatives, successors and assigns and shall be construed in accordance with Florida law.

IN WITNESS WHEREOF, this Assignment of Lease Agreement has been signed, sealed and delivered by the Parties as of the date first written above.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

AS TO ASSIGNOR

**2611 EAST OAKLAND PARK LLC,
a Florida limited liability company**

By: *Maria Bertha Campero De Gonzales*

Maria Bertha Campero de Gonzales, Manager

Kenneth Bohner

Kenneth Bohner

[Witness type or print name]

Tara Melissa Allen

Tara Melissa Allen

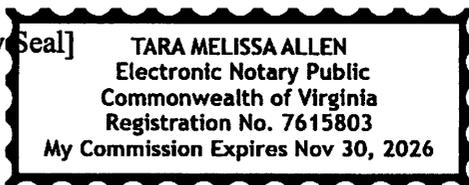
[Witness type or print name]

State of Virginia

County of Prince George

The foregoing instrument was sworn to and subscribed before me by means of physical presence or online notarization, this 25th day of September, 2024 by Maria Bertha Campero De Gonzales, Manager of 2611 EAST OAKLAND PARK, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or has produced a passport as identification.

[Notary Seal]



Tara Melissa Allen
Notary Public

Printed Name: Tara Melissa Allen

My Commission Expires: 11/30/2026

Completed via Remote Online Notarization using 2 way Audio/Video technology.

WITNESSES

[Signature]
Name:-----
Lance Rodriguez-Hortcher
[Signature]
Name:-----
SHERONA DURAND

AS TO ASSIGNEE

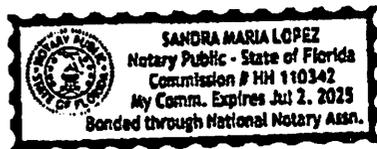
NORTH BROWARD HOSPITAL DISTRICT, a special taxing district of the State of Florida d/b/a Broward Health

By: [Signature]
Alisa Bert, Interim CFO
SVP/CFO

State of Florida
County of Broward

The foregoing instrument was sworn to and subscribed before me by means of physical presence or online notarization, this 17 day of September, 2024 by Alisa Bert, the Interim CFO; SVP/CFO of North Broward Hospital District d/b/a Broward Health and/or assigns, on behalf of the company, who is personally known to me or has produced a _____ as identification.

[Notary Seal]



[Signature]
Notary Public
Printed Name: Sandra Lopez
My Commission Expires: 7/2/25

**LESSOR'S CONSENT TO
ASSIGNMENT & ASSUMPTION
OF LEASE**

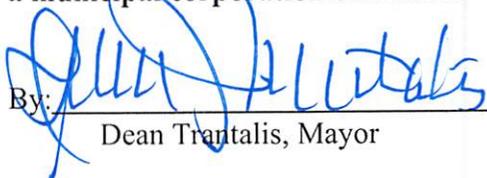
In accordance with Section 13 of the Lease, the City of Fort Lauderdale, a Florida municipal corporation, Lessor under the above described Lease ("City"), does hereby consent to the foregoing Assignment and Assumption of Lease by and between 2611 EAST OAKLAND PARK LLC, a Florida limited liability company ("Assignor") and North Broward Hospital District d/b/a Broward Health and/or assigns ("Assignee") and City agrees to release Assignee from any further responsibilities, liabilities and obligations arising under the Lease from and after the Effective Date of the foregoing Assignment and Assumption.

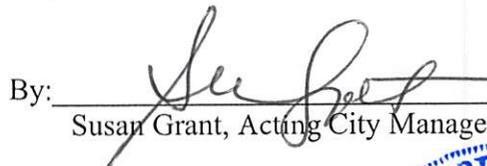
Witnesses:


Print Name: Scott Wyman


Print Name: Donnal Berisco

**City of Fort Lauderdale,
a municipal corporation of Florida**

By: 
Dean Trantalis, Mayor

By: 
Susan Grant, Acting City Manager

ATTEST:

By: 
David R. Soloman, City Clerk



APPROVED AS TO FORM AND
CORRECTNESS:

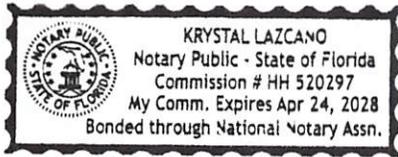
D'Wayne M. Spence, Interim City Attorney

By: 
Shaun N. Amarnani, Assistant City
Attorney

State of FLORIDA
County of BROWARD

The foregoing instrument was sworn to and subscribed before me by means of physical presence or online notarization, this 5 day of ~~June~~^{December}, 2024 by Dean Trantalis, Mayor of the CITY OF FORT LAUDERDALE, a municipal corporation of Florida, who is personally known to me or has produced a _____ as identification.

[Notary Seal]



Krystal Lazcano
Notary Public

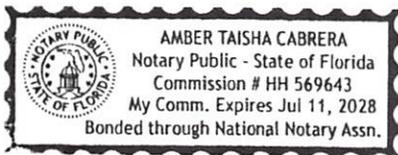
Printed Name: Krystal Lazcano

My Commission Expires: April 24, 2028

State of FLORIDA
County of BROWARD

The foregoing instrument was sworn to and subscribed before me by means of physical presence or online notarization, this 5 day of ~~June~~^{December}, 2024 by Susan Grant, Acting City Manager of the CITY OF FORT LAUDERDALE, a municipal corporation of Florida, who is personally known to me or has produced a _____ as identification.

[Notary Seal]



Amber Taisha Cabrera
Notary Public

Printed Name: _____

My Commission Expires: _____

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