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DOCUMENT ROUTING FORM

DOCUMENT: **FIRST ADDENDUM TO REVOCABLE LICENSE WITH B-CYCLE, LLC**

Approved Comm. Mtg. on **AUGUST 21, 2012** CAM# 12- 1122 ITEM #18

Routing Origin: ☒ CAO

Also attached: ☒ copy of CAR ☒ copy of document

On 8/22/12 and again on 5/23/13 Linda Blanco forwarded to:

RANDALL ROBINSON, SUSTAINABLE DEVELOPMENT

1.) Approved as to Content: *A. J. Burt*

Department Director

Capital Improvements 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, fixtures) that add value and/or extend useful life, inc. major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, real.

Please Check the proper box: CIP FUNDED ☐ YES ☐ NO
Capital Improvement Projects

2.) Approved as to Funds Available: by *Douglas Wood*

Finance Director

Date: 5-24-13

Amount Required by Contract/Agreement \$ N/A

Dept./Div. _____

FUNDING SOURCE: Index/Sub-object N/A

Project # _____

3.) City Attorney's Office: Approved as to Form 3 Originals to City Mgr. By: CAO

CARRIE L. SARVER

FILED
CLERK'S OFFICE
2013 MAY 24 AM 9:30
13 MAY 24 AM 10:05

4.) Approved as to content: Assistant City Manager:

By: _____

Stanley Hawthorne, Assistant City Manager

By: _____

Susanne Torriente, Assistant City Manager

5.) City Manager: Please sign as indicated and forward 3 originals to Mayor.

6.) Mayor: Please sign as indicated and forward 3 originals to Clerk.

7.) To City Clerk for attestation and City seal.

INSTRUCTIONS TO CLERK'S OFFICE

8.) City Clerk: Keeps 1 original and forwards two originals to Linda Blanco, CAO
RANDALL ROBINSON, SUSTAINABLE DEVELOPMENT

☐ Copy of document to _____ ☒ Original Route form to Linda Blanco, CAO

☐ Attach _____ certified copies of Reso. # _____ ☐ Fill-in date

5/31

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**FIRST ADDENDUM
TO
REVOCABLE LICENSE**

THIS IS A FIRST ADDENDUM to the Revocable License granted this 21st day of August, 2012 by and between:

CITY OF FORT LAUDERDALE, a Florida municipal corporation, 100 N. Andrews Avenue, Fort Lauderdale, Florida 33301, and **FORT LAUDERDALE COMMUNITY DEVELOPMENT AGENCY**, a Community Redevelopment Agency created pursuant to Part III, Chapter 163, Florida Statutes, together their interests may appear, hereinafter, "CITY"

and

B-CYCLE, LLC, a Delaware Limited Liability Company authorized to do business in the State of Florida, whose principal address is 801 W. Madison Street, Waterloo, WI 53594, hereinafter "LICENSEE"

WHEREAS, CITY granted LICENSEE a Revocable License on July 6, 2011 for the implementation, installation, operation, maintenance, repair and replacement, from time to time of the Bicycle Sharing Stations on Property described in said Revocable License; and

WHEREAS, LICENSEE has requested certain amendments to that Revocable License to expand two B-Cycle Stations already approved under the Revocable License; and

WHEREAS, the City Commission has determined that this First Addendum of the Revocable License to provide for the expansion of the B-Cycle sharing stations is in the public's best interest; and

WHEREAS, the City Commission of the City of Fort Lauderdale has authorized the execution of this First Addendum of the Revocable License by the proper government officials by adoption of a motion at its Regular Meeting of August 21, 2012;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained in this First Addendum to the Revocable License, and other good and valuable conditions, the receipt and adequacy of which are hereby acknowledged, the parties agree to amend the Revocable License as follows:

1. **Recitals.** The foregoing recitals are true and correct and are hereby ratified, confirmed and incorporated herein.

2. Section 2, entitled *Defined Terms* is hereby amended to read as follows:

2. **Defined Terms.** The following terms, as used and referred to herein, shall have the meaning set forth below, unless the context indicates otherwise:

. . .

License Area(s) means those areas shown in the attached Composite Exhibits **A-1** through **A-11** and those areas shown in the attached additional Composite Exhibits **A-12** through **A-13** where Project Improvements will be constructed, installed, operated, repaired, replaced, from time to time and maintained. The area shown within the License Areas identified in Composite Exhibits A-1 through A-11 and those areas shown in the attached Composite Exhibits **A-12** through **A-13** are within City owned real property. Further Bicycle Sharing Facilities and Stations and License Areas may be located either on City owned real property or upon rights-of-way within the CITY's jurisdiction under the Florida Transportation Code.

3. Section 4, entitled License Areas; General Locations is amended to expand two B-Cycle Stations already contained in Composite Exhibits **A-10** through **A-11** as follows:

4. **Project Site Plan Approval Process.** The License Areas are generally located as set forth in the following Composite Exhibits:

- A-1 Seventeenth Street Causeway-West Underdeck
- A-2 Galt Ocean Mile-Beach Community Center
- A-3 S.E. Fifth Street adjacent to D.C Alexander Park
- A-4 Earl Lifshey Ocean Park
- A-5 Esplanade Park (Alternate "A")
- A-6 George English Park
- A-7 Art Serve Library
- A-8 Las Olas Marina
- A-9 CRA Property abutting Las Olas Circle & East Las Olas Blvd. (Option #1)
- A-10 Sebastian Street Parking Lot
- A-11 Willingham Park
- A-12 Expanded Sebastian Street Parking Lot
- A-13 Expanded Willingham Park

4. The Effective Date of this First Amendment shall be August 21, 2012 the date execution hereof is authorized by the City Commission.

5. This First Addendum to the Revocable License shall be recorded at LICENSEE'S sole cost and expense in the Public Records of Broward County, Florida and a copy thereof shall be filed with the City Clerk's Office and the City Attorney's Office of the City.

6. In the event and to the extent of conflict between the terms and conditions of this First Amendment and the terms and conditions of the underlying Revocable License, the terms and conditions of this First Amendment shall supercede and prevail over and to the extent of any conflict with the terms and conditions of the underlying Revocable License.

7. Subject to the terms hereof, CITY and LICENSEE ratify and confirm the Revocable License, as amended in this First Amendment.

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

CITY:

WITNESSES:

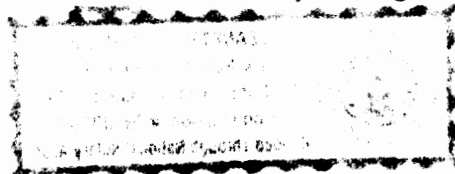
CITY OF FORT LAUDERDALE, a municipal
corporation of the State of Florida.

Safar Ali
Safar Ali
Witness Print Name

By [Signature]
JOHN P. "JACK" SEILER, Mayor

Alfonso Benito
Alfonso Benito
Witness Print Name

By [Signature]
LEE R. FELDMAN, City Manager



(CORPORATE SEAL)

ATTEST:

[Signature]
JONDA K. JOSEPH, City Clerk

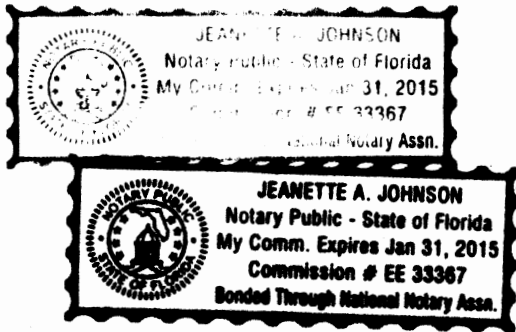
Approved as to form:

[Signature]
CARRIE L. SARVER
Assistant City Attorney

STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this 30th day of May, 2012³ by John P. "Jack" Seiler, Mayor of the CITY OF FORT LAUDERDALE, a municipal corporation of Florida. He is personally known to me and did not take an oath.

(NOTARY SEAL)



Jeanette A. Johnson
Notary Public, State of Florida
(Signature of Notary taking Acknowledgment)

Jeanette A. Johnson
Name of Notary Typed,
Printed or Stamped

My Commission Expires: 1/31/15

Commission Number EE 33367

STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this 28th day of May, 2012³ by Lee R. Feldman, City Manager of the CITY OF FORT LAUDERDALE, a municipal corporation of Florida. He is personally known to me and did not take an oath.

(NOTARY SEAL)



Wendy S. Gonyea
Notary Public, State of Florida
(Signature of Notary taking Acknowledgment)

WENDY S. GONYEA
Name of Notary Typed,
Printed or Stamped

My Commission Expires: 3/29/14

DD 976509
Commission Number

WITNESSES:

Mandi Schwarz
Mandi Schwarz
[Witness print or type name]

Mark Kleven
MARK KLEVEN
[Witness print or type name]

LICENSEE:

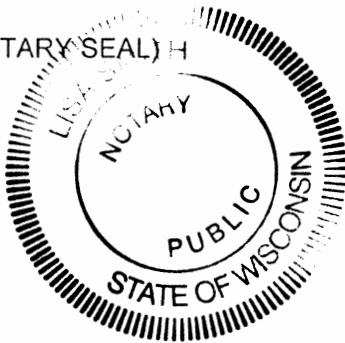
B-Cycle, LLC, a Delaware Limited Liability Company

Robert Burns
Manager's Signature
Robert Burns
Print Name

STATE OF Wisconsin
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me this Aug. 13, 2012, by Robert Burns and Mandi Schwarz, as Witness and Mark Kleven, respectively of B-CYCLE, LLC, an Delaware Limited Liability Company. They are personally known to me or have produced _____ as identification and did not take an oath.

(NOTARY SEAL) H



Lisa Smith
Notary Public, State of ~~Florida~~ Wisconsin
(Signature of Notary taking Acknowledgment)

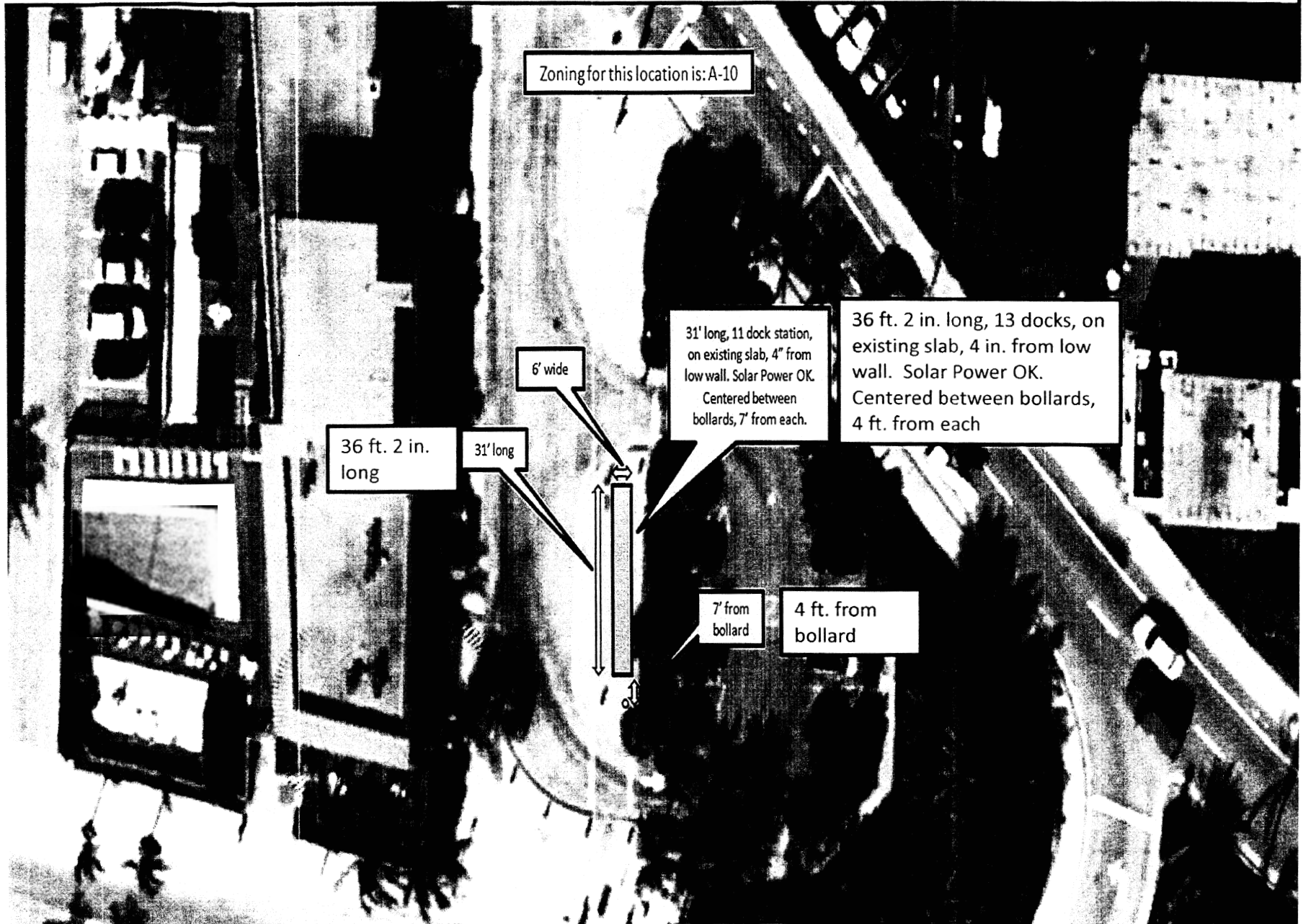
Lisa Smith
Name of Notary Typed,
Printed or Stamped

My Commission Expires:

7-6-14
Commission Number

Exhibit 12

Sebastian Lot expansion



Sebastian Lot expansion

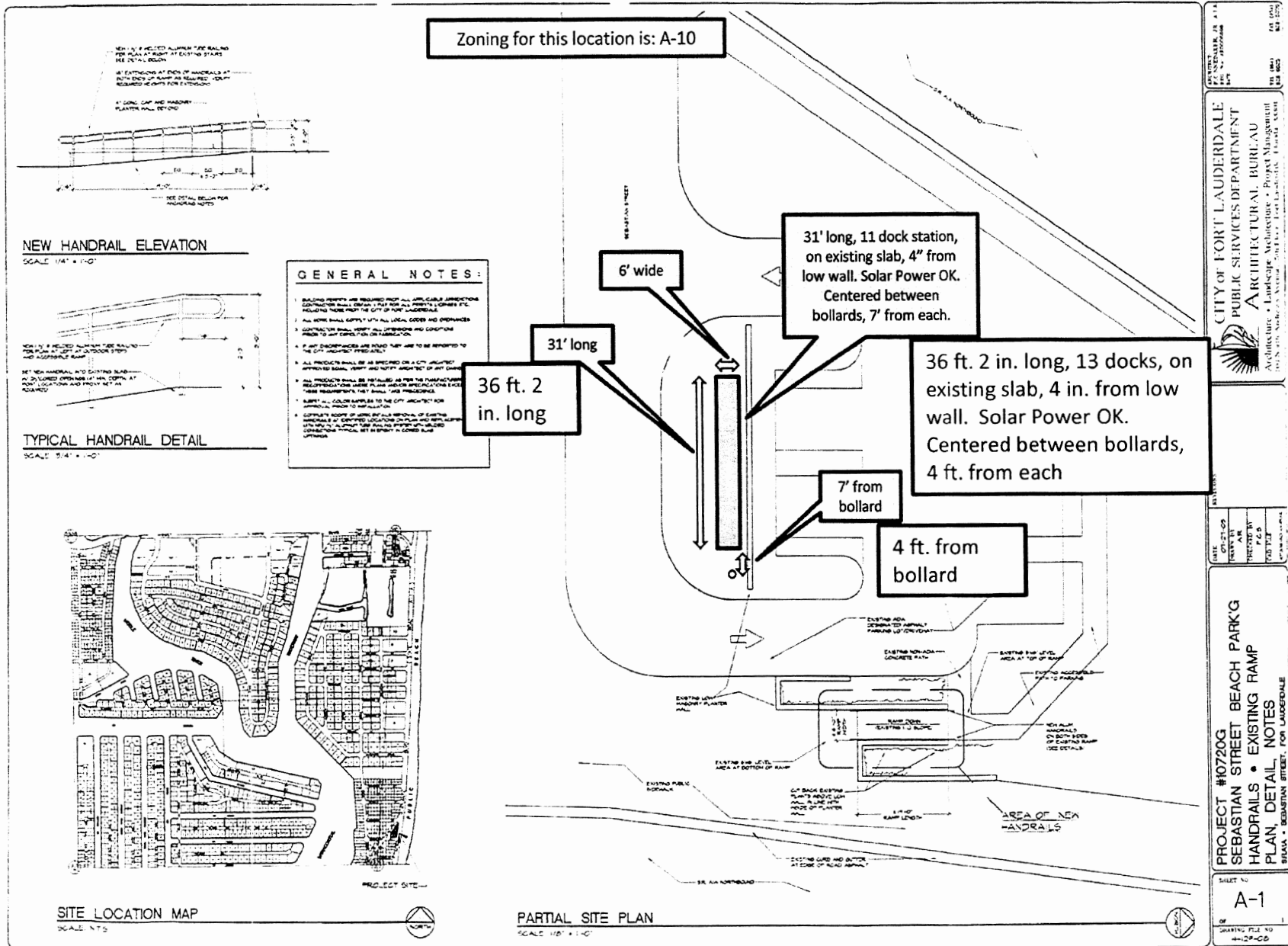


Exhibit 13

Willingham Park expansion

1/PI-1

