

## **CONSENT TO ASSIGNMENT OF CITY HALL GARAGE PARKING & AIRSPACE LEASE AGREEMENT**

This CONSENT TO ASSIGNMENT OF CITY HALL GARAGE PARKING & AIRSPACE LEASE AGREEMENT (the “**Consent**”) is made as of February \_\_, 2017 by and between The City of Fort Lauderdale, a municipal corporation of the State of Florida, as lessor (the “**Lessor**”) and BRE Silver MF Exchange FL LLC, a Delaware limited liability company, as successor-in-interest to Original Lessee (the “**New Lessee**”) in the following factual context:

A. Lessor and GS Exchange, LLC (the “**Original Lessee**”) entered into that City Hall Garage Parking & Airspace Lease Agreement dated March \_\_, 2013 (the “**Lease**”), with respect to 128 parking spaces at 100 N. Andrews Avenue, Fort Lauderdale, FL 33301. Capitalized terms used in this Consent without definition in shall have the meanings set forth in the Lease.

B. Original Lessee assigned the Lease to New Lessee and New Lessee assumed all obligations of Original Lessee under the Lease (the “**Lease Assignment and Assumption**”).

C. Lessor’s consent to the Lease Assignment and Assumption is required pursuant to Section 17 of the Lease. Lessor agrees to consent to the Lease Assignment and Assumption on the terms and conditions set forth in this Consent.

NOW THEREFORE, the parties agree as follows:

1. **Consent.** Subject to the following provisions of this Consent, Lessor hereby consents to the Lease Assignment and Assumption to New Lessee, provided that Lessor’s consent is expressly made subject to all of the terms, covenants, agreements and conditions of the Lease and to the specific understanding that such consent shall not be or be deemed to be a consent to any other or further assignment of the Lease.

2. **Effect of Assignment.** New Lessee hereby agrees and acknowledges that New Lessee has assumed all of the obligations of Original Lessee under the Lease.

3. **Future Assignments.** This Consent shall not be nor be deemed to be a consent or waiver or amendment of the Lease with respect to any other or future transaction, whether similar or dissimilar, and any other or future transaction shall require the written consent of Lessor in accordance with the terms of Section 17 of the Lease.

4. **Notices.** Lessee’s address for notices relating to the Lease is as follows:

BRE Silver MF Exchange FL LLC  
425 Lexington Avenue  
New York, NY 10154  
Attention: Robert Harper and Olivia John

with a copy to:

Simpson Thacher & Bartlett LLP  
425 Lexington Ave  
New York, NY 10017  
Attention: Erik Quarfordt  
Phone: 212-455-2459

New Lessee shall deliver written notice to Lessor of any change of address.

**9. Counterparts.** This agreement may be executed in counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same agreement.


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


ATTEST:

  
Jeffrey A. Modarelli, City Clerk

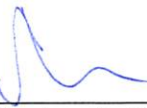
LESSOR:

CITY OF FORT LAUDERDALE

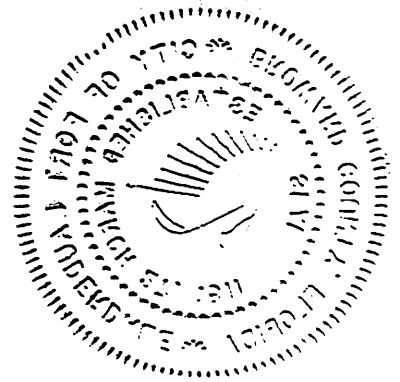
  
John P. "Jack" Seiler, Mayor

  
Lee R. Feldman, City Manager

Approved as to form:  
Cynthia A. Everett, City Attorney

By:   
Candace Duff  
Assistant City Attorney

24-11-1972



NEW LESSEE:

BRE SILVER MF EXCHANGE FL LLC,  
a Delaware limited liability company

By: [Signature]  
Name: Olivia Hamlet  
Title: Managing Director and Vice President

WITNESSES:

[Signature]  
Print name: Argiri Kizopoulos  
[Signature]  
Print name: Lucretia Shaw

STATE OF New York  
CITY/COUNTY OF New York, ss:

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state aforesaid and in the county aforesaid to take acknowledgments, personally appeared Olivia Hamlet, to me known to be the person described in and who executed the foregoing instrument as the Managing Director and Vice President of BRE Silver MF Exchange FL LLC, a Delaware limited liability company, and acknowledged to me that he as such officer of the limited liability company, being authorized to do so, executed the foregoing instrument for the purposes therein contained in the name of such limited liability company by himself as Managing Director and Vice President of the limited liability company.

Witness my hand and official seal in the county and state aforesaid, this 6<sup>th</sup> day of June, 2017.

[Signature]  
Notary Public

My Commission Expires: 9/28/2019

KEISHA PETERS  
Notary Public - State of New York  
No 01PE6330967  
Qualified In Suffolk County  
My Commission Expires 9/28/2019

**RECEIVED**

JUN 12 2017

**CITY OF FT. LAUDERDALE  
TRANSPORTATION AND  
MOBILITY DEPARTMENT**



COMMISSION AGENDA ITEM  
DOCUMENT ROUTING FORM

P(4) L  
5/3/17

Today's Date: 042017

**DOCUMENT TITLE:** Assignment of Lease Agreement from GS EXCHANGE, LLC to BRE Silver MF Exchange FL LLC for Garage Parking and Airspace at City Hall Parking Garage

**COMM. MTG. DATE:** 04-19-17 **CAM #:** 17-0334 **ITEM #:** CM-16 **CAM attached:** ☒ YES ☐ NO

Sharon D

**Routing Origin:** CCO **Router Name/Ext:** x3764 **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) City Clerk's Office:** Granicus document attached: ☐ YES ☐ NO # of Originals routed: \_\_\_\_\_  
Date to CAO: \_\_\_\_\_

**2) City Attorney's Office:** Documents to be signed/routed? ☒ YES ☐ NO # of originals attached: 4

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

**Date to CCO:** 4-27-17 Candace Duff CD  
Attorney's Name Initials

**3) City Clerk's Office:** # of originals: \_\_\_\_\_ **Routed to:** Name/Dept/Ext **Date:** \_\_\_\_\_

**4) Dept:** TAM **Router Name/Ext:** Sharon D x3764 # of originals routed: 4 **Date to CCO:** 042017

**5) City Clerk's Office:** # of originals: 4 **Routed to:** Gina Ri/CMO/X5013 **Date:** 4/27/17

**6) City Manager's Office:** **CMO LOG #:** APR-85 Document received from: CCO (4/27/17)

Assigned to: L. FELDMAN ☐ S. HAWTHORNE ☒ C. LAGERBLOOM ☐  
L. FELDMAN as CRA Executive Director ☐

☐ APPROVED FOR LEE FELDMAN'S SIGNATURE ☐ N/A FOR L. FELDMAN TO SIGN

PER ACM: S. HAWTHORNE (Initial/Date) C. LAGERBLOOM  
(Initial/Date) ☐ **PENDING APPROVAL** (See comments below)

Comments/Questions: \_\_\_\_\_

Forward \_\_\_\_\_ originals to ☒ Mayor ☐ CCO **Date:** 4/28/17

**7) Mayor/CRA Chairman:** Please sign as indicated. Forward \_\_\_\_\_ originals to CCO for attestation/City seal (as applicable) **Date:** \_\_\_\_\_

**8) City Clerk's Office:** Retains \_\_\_\_\_ original and forwards \_\_\_\_\_ original(s) to: \_\_\_\_\_ (Name/Dept/Ext)  
Return one fully executed original to CCO ☐ YES ☐ NO Attach \_\_\_\_\_ certified Reso # \_\_\_\_\_ ☐ YES ☐ NO  
**Original Route form to CCO**