

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE EXECUTION OF A FIFTH AMENDMENT TO LEASE AGREEMENT WITH SOUTHEAST TOYOTA DISTRIBUTORS, LLC TO PROVIDE ASSURANCE THAT AN ALTERNATE ENTRANCE AND EXIT LANE TO PARCEL 8H AT THE FORT LAUDERDALE EXECUTIVE AIRPORT SHALL BE PROVIDED; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale, Florida (hereinafter the "City") and Sunshine Power Corporation ("Sunshine") previously entered into a Lease Agreement dated April 2, 1985, pertaining to certain premises known as Parcel 8H at the Fort Lauderdale Executive Airport (hereinafter the "Lease"); and

WHEREAS, on June 3, 1986, the City entered into a Consent to Assignment of Lease wherein it consented to Sunshine assigning the Lease to Sheltair Executive South, Inc. ("Sheltair"); and

WHEREAS, on September 19, 1989, the City entered into a Consent to Assignment of Lease wherein it consented to Sheltair assigning the Lease to Southeast Toyota Distributors, Inc. ("Southeast"); and

WHEREAS, Southeast uses Parcel 8H at the Fort Lauderdale Executive Airport (hereinafter "Parcel 8H") to house its corporate flight department, which includes four Stage 3 business jets; and

WHEREAS, KC FXE Aviation Investments, LLC (hereinafter "KC FXE"), the lessee of another airport parcel, has expressed an interest in acquiring Parcel 8G at the Fort Lauderdale Executive Airport and proposes to renovate an office building on the parcel for use as a terminal facility to accommodate its growing business operations; and

WHEREAS, the renovation and the anticipated growth in operations would result in an impact to the entrance road to Parcel 8H; and

WHEREAS, the City desires to ensure that Southeast will be able to continue its operation on and its quiet enjoyment of Parcel 8H and has identified an alternate access

point to the parcel; and

WHEREAS, the City and Southeast desire to amend the Lease to provide assurance that an alternate access road to Parcel 8H and a guard shack shall be provided in the event that renovations or other development of Parcel 8G impacts Southeast's ability to access Parcel 8H; and

WHEREAS, it is in the best interests of the City to enter into a Fifth Amendment to the Lease to provide Southeast with the assurance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the Mayor and the City Manager are authorized to execute a Fifth Amendment (attached hereto) to Lease Agreement with Southeast Toyota Distributors, LLC for Parcel 8H at the Fort Lauderdale Executive Airport.

SECTION 2. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the _____ day of _____, 2018.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI