

FIRST AMENDMENT TO LEASE AGREEMENT

This First Amendment to Lease Agreement ("***First Amendment***") is dated to be effective as of the 15th day of October, 2019 ("***Effective Date***") and entered by and between the City of Fort Lauderdale, a municipal corporation of the State of Florida, whose principal address is 100 North Andrews Avenue, Fort Lauderdale, FL 33301 ("***Lessor***" or "***City***"), and War Memorial Benefit Corporation, a Social Purpose Corporation organized under the laws of the State of Florida, whose principal address is One Panther Parkway, Sunrise, FL 33323 (hereinafter "***Lessee***").

Background

WHEREAS, City and Lessee entered into that certain Lease Agreement dated June 14, 2019, (Resolution No. 19-85, as supplemented, amended or modified from time to time, collectively, the "***Lease***"), pertaining to the Leased Premises, as such premises are further described in the Lease, and

WHEREAS, City and Lessee desire to enter into this First Amendment for the purpose of amending the Lease, subject to the terms and conditions set forth herein.

Agreement

NOW, THEREFORE, in consideration for the covenants and conditions of this First Amendment and for other good and valuable consideration, the receipt and sufficiency of which are hereby conclusively acknowledged, City and Lessee agree as follows:

1. **Recitals.** The above recitals are true and correct and are incorporated herein as a material part hereof.
2. **Defined Terms.** All undefined capitalized terms used herein shall have the same meanings as defined in the Lease.
3. **Leased Premises.** Exhibit "C" attached to the Lease is hereby deleted and replaced with a new Exhibit "C" attached hereto. The foregoing change reflects relocation of the boundaries of the Leased Premises approximately sixty (60) feet to the east and no other change.
4. **Ratification of Lease; Counterparts.** All other provisions of the Lease shall remain unchanged and in full force and effect. City and Lessee do hereby ratify and confirm the Lease, as modified herein. This First Amendment may be signed in counterparts, each of which shall be deemed an original, all of which together shall constitute one complete agreement.
5. **Conflict.** If any of the provisions of this First Amendment conflict with the Lease, then this First Amendment shall control.
6. **Effectiveness.** This First Amendment shall not be effective until it is executed by, and delivered to, both City and Lessee.
7. **Authority.** City and Lessee each warrant to the other that the person or persons executing this First Amendment on its behalf has or have authority to do so and that such execution has fully obligated and bound such party to all terms and provisions of this First Amendment.

[Signature Pages to Follow]

[AS TO CITY]

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

WITNESSES:

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

Janette A. Johnson
[Witness Print Name] Janette A. Johnson

By: [Signature]
Dean Trantalis, Mayor

Mary J. Matthews
[Witness Print Name] Mary J. Matthews

By: [Signature]
Christopher J. Lagerbloom, City Manager

(CORPORATE SEAL)

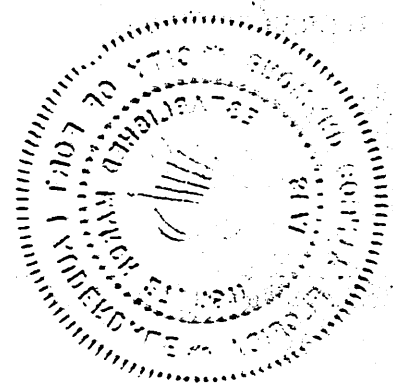
ATTEST:

APPROVED AS TO FORM:
Alain E. Boileau, City Attorney

[Signature]
Jeffrey A. Modarelli, City Clerk

[Signature]
James Brako, Assistant City Attorney

ATLANTA
GA
MAY 10 1960



[AS TO LESSEE]

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

WITNESS

John M. Milledge
[Witness Print Name]

Jessica Whitehouse
[Witness Print Name]

WAR MEMORIAL BENEFIT

CORPORATION, an independent social purpose
benefit corporation organized in the State of
Florida

By: Matthew Caldwell
Matthew Caldwell, Chair
5th day of Dec, 2019

ATTEST:

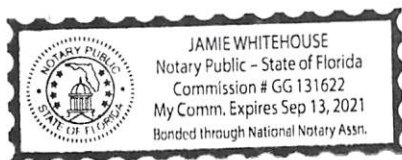
By: Sam P. McWhorter
Secretary

(SEAL)

STATE OF FLORIDA)
) SS
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 5th day of December, 2019 by Matthew Caldwell, Chair of War Memorial Benefit Corporation, a Florida Social Purpose Corporation and authorized to do business in the State of Florida on behalf of the company. He is personally known to me or produced _____ as identification.

(SEAL)



NOTARY PUBLIC

Jamie Whitehouse
Notary Public, State of Florida
(Signature of Notary taking
Acknowledgment)

Jamie Whitehouse
Name of Notary Typed,
Printed or Stamped

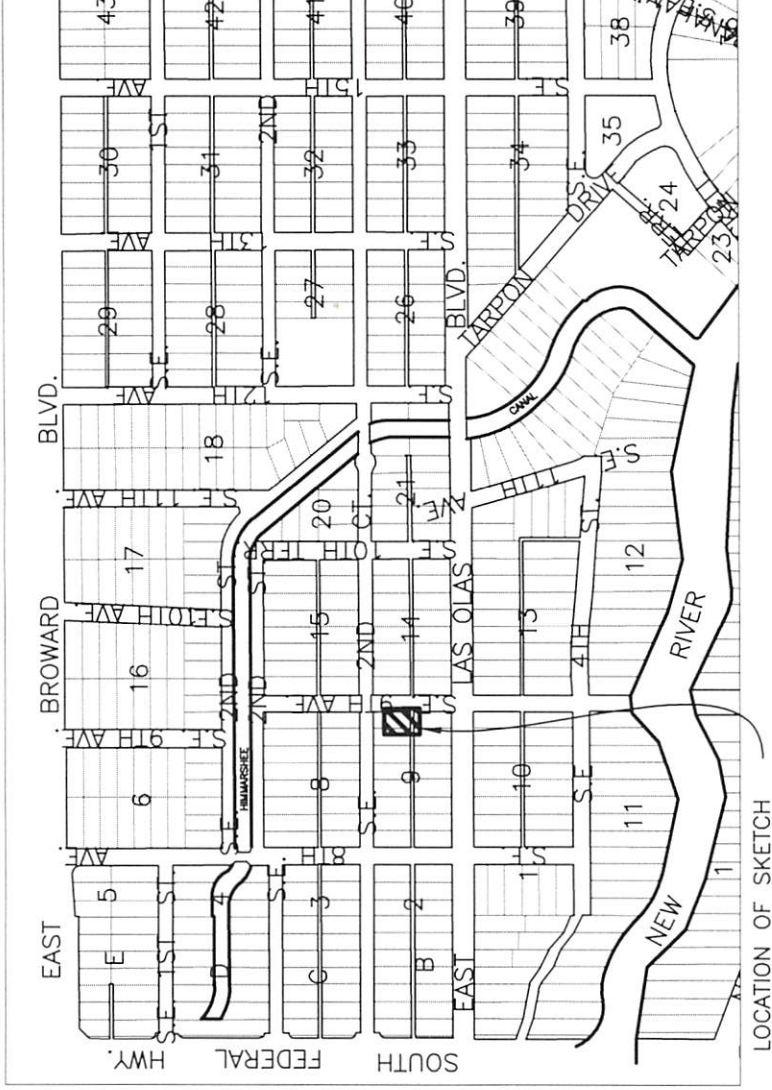
My Commission Expires:

9/13/21
Commission Number

GG 131622

SKETCH AND DESCRIPTION
EXHIBIT A

LOCATION MAP (NOT TO SCALE)



DESCRIPTION: WAR MEMORIAL REVOCABLE LICENSE

A PORTION OF LOTS 1 AND 2, BLOCK 9, "COLEEE HAMMOCK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 17, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S 88°27'03" W ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 0.57 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 88°27'03" W ALONG SAID SOUTH LINE OF SAID LOTS 1 AND 2, A DISTANCE OF 61.67 FEET; THENCE N 38°30'43" E, A DISTANCE OF 20.26 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS POINT BEARS S 53°50'29" E; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 15.30 FEET, A CENTRAL ANGLE OF 51°43'48" AND AN ARC DISTANCE OF 13.81 FEET TO A POINT OF NON-TANGENCY; THENCE N 88°18'28" E, A DISTANCE OF 22.04 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS S 02°03'10" E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 14.50 FEET, A CENTRAL ANGLE OF 90°35'53" AND AN ARC DISTANCE OF 22.93 FEET TO A POINT OF NON-TANGENCY; THENCE S 01°37'23" E, A DISTANCE OF 6.98 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 1079 SQUARE FEET, MORE OR LESS.

THIS IS NOT A SURVEY

CERTIFIED TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

OCTOBER 9, 2019

SHEET 1 OF 2

CITY OF FORT LAUDERDALE

EXHIBIT A

PLAT BOOK 1, PAGE 17
LOT 1 AND 2 OF BLOCK 9

MICHAEL W. DONALDSON
PROFESSIONAL SURVEYOR AND MAPPER NO. 6490
STATE OF FLORIDA

BY: M.D.

CHK'D M.D.

ENGINEERING

DIVISION

DATE: 10/9/19

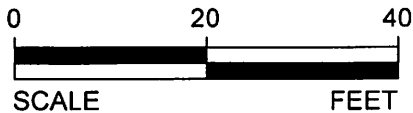
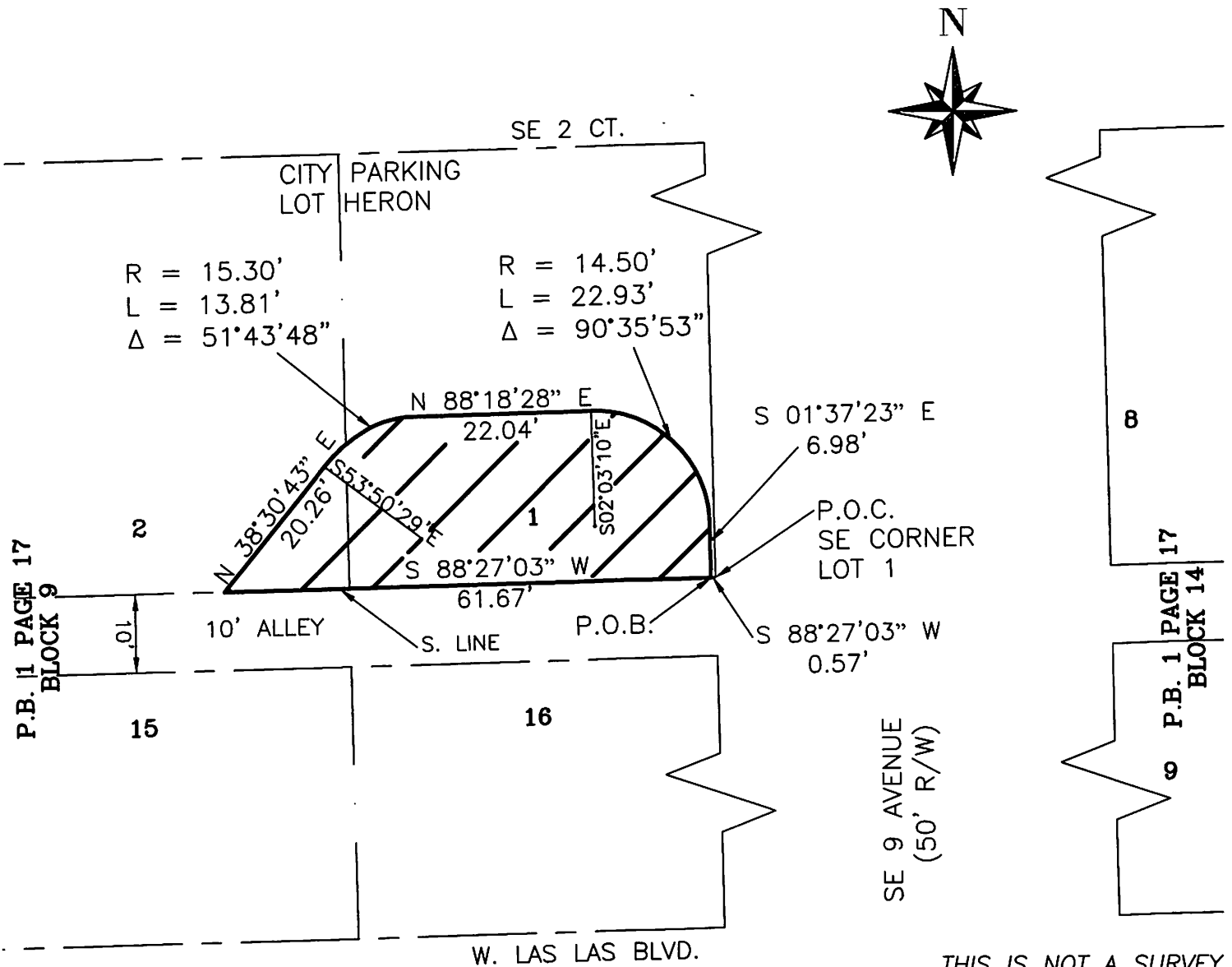
SCALE: 1" = 20'

1944



SKETCH AND DESCRIPTION

EXHIBIT A



LEGEND:

P.O.B.	DENOTES POINT OF BEGINNING
P.O.C.	DENOTES POINT OF COMMENCEMENT
P.B.	DENOTES PLAT BOOK
R	DENOTES RADIUS
L	DENOTES LENGTH
Δ	DENOTES DELTA
R/W	DENOTES RIGHT OF WAY

NOTES:

- 1) BEARINGS ARE BASED UPON THE SOUTH LINE OF SAID LOTS 1 AND 2 WHICH BEARS S 88°27'03" W.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) SUBJECT TO EXISTING EASEMENTS, RIGHT-OF WAYS, COVENANTS, RESERVATIONS AND RESRCTIONS OF RECORD, IF ANY
- 4) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SHEET 2 OF 2

CITY OF FORT LAUDERDALE

EXHIBIT A

PLAT BOOK 1, PAGE 17
LOT 1 AND 2 OF BLOCK 9

BY: M.D.

CHK'D M.D.


ENGINEERING
DIVISION

DATE: 10/9/19

SCALE: 1"=20'

55

EXHIBIT "C"

COUSINS SURVEYORS & ASSOCIATES, INC.		
3921 SW 47TH AVENUE, SUITE 1011 DAVIE, FLORIDA 33314		
CERTIFICATE OF AUTHORIZATION : LB # 6448 PHONE (954) 689-7766 FAX (954) 689-7799		
PROJECT NUMBER : 8995-19		
CLIENT :		

LAND DESCRIPTION AND SKETCH

DESCRIPTION: WAR MEMORIAL LEASE

A PORTION OF "HOLIDAY PARK", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 14, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHWEST CORNER OF SAID "HOLIDAY PARK" BEING THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF NE 10TH AVENUE AND THE SOUTH RIGHT OF WAY LINE OF EAST SUNRISE BOULEVARD;

THENCE NORTH 87°30'50" EAST ALONG THE NORTH LINE OF SAID "HOLIDAY PARK" AND THE SOUTH RIGHT OF WAY LINE OF EAST SUNRISE BOULEVARD, A DISTANCE OF 67.31 FEET;

THENCE SOUTH 02°09'30" EAST, A DISTANCE OF 860.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 02°09'30" EAST, A DISTANCE OF 700.00 FEET;

THENCE SOUTH 87°50'30" WEST, A DISTANCE OF 425.00 FEET;

THENCE NORTH 02°09'30" WEST, A DISTANCE OF 700.00 FEET;

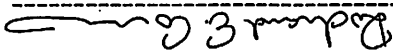
THENCE NORTH 87°50'30" EAST, A DISTANCE OF 425.00 FEET TO THE POINT BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, CONTAINING 297,500 SQUARE FEET OR 6.8297 ACRES MORE OR LESS.

LEGEND:

- CKD CHECKED BY
- DWN DRAWN BY
- FB/Pg FIELD BOOK AND PAGE
- P.B. PLAT BOOK
- B.C.R. BROWARD COUNTY RECORDS
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- ROW RIGHT OF WAY

NOTES:

1. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
 3. DATA SHOWN HEREON DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
 4. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
 5. BEARINGS SHOWN HEREON ARE ASSUMED.
- I HEREBY CERTIFY THAT THE ATTACHED "LAND DESCRIPTION AND SKETCH" IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION IN JULY, 2019. I FURTHER CERTIFY THAT THIS "LAND DESCRIPTION AND SKETCH" MEETS THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF FLORIDA ACCORDING TO CHAPTER 54-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.
- FOR THE FIRM, BY: 
- RICHARD E. COUSINS
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION NO. 4188

REVISIONS	DATE	FB/Pg	DWN	CKD
LAND DESCRIPTION AND SKETCH	07/11/19	----	AM	REC
HOLIDAY PARK WAR MEMORIAL AUDITORIUM				
SCALE: N/A				
SHEET 1 OF 3				

PROPERTY : HOLIDAY PARK
P.B. 24, PG. 14, B.C.R.

COUSINS SURVEYORS & ASSOCIATES, INC.



3921 SW 47TH AVENUE, SUITE 1011
DAVIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION : LB # 6448
PHONE (954) 689-7766 FAX (954) 689-7799

PROJECT NUMBER : 8995-19

CLIENT :

LAND DESCRIPTION AND SKETCH

Also legally described as:

LAND DESCRIPTION:

THE EAST 7.69 FEET OF LOTS 11 THROUGH 24, INCLUSIVE, AND THE EAST 7.69 FEET OF THE SOUTH 15.00 FEET OF LOT 10, ALL IN BLOCK 249 OF "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.

AND

THE EAST 7.69 FEET OF LOTS 1 THROUGH 11, INCLUSIVE, AND THE EAST 7.69 FEET OF THE NORTH 20.00 FEET OF LOT 12, ALL IN BLOCK 296 OF "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.

AND

THE WEST 67.31 FEET OF LOTS 38 THROUGH 48, INCLUSIVE, AND THE WEST 67.31 FEET OF THE NORTH 15.00 FEET OF LOT 37, ALL IN BLOCK 298 OF "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.

AND

THE WEST 67.31 FEET OF LOTS 25 THROUGH 38, INCLUSIVE, AND THE WEST 67.31 FEET OF THE SOUTH 15.00 FEET OF LOT 39, ALL IN BLOCK 247 OF "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.

AND

ALL OF LOTS 11 THROUGH 38, INCLUSIVE, AND THE SOUTH 15.00 FEET OF LOT 10 AND LOT 39, ALL IN BLOCK 248 OF "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.

AND

ALL OF LOTS 1 THROUGH 11, INCLUSIVE, AND ALL OF LOTS 38 THROUGH 48, INCLUSIVE, AND THE NORTH 20.00 FEET OF LOT 12 AND LOT 37, ALL IN BLOCK 297 OF "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.

AND

ALL PLATTED RIGHT OF WAYS ADJACENT TO THE AFOREMENTIONED LOTS, OF "PROGRESSO", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA. CONTAINING 297,500 SQUARE FEET OR 6.8297 ACRES MORE OR LESS.

REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION AND SKETCH	10/03/19	-----	AM	REC

HOLIDAY PARK
WAR MEMORIAL
AUDITORIUM

PROPERTY : HOLIDAY PARK
P.B. 24, PG. 14, B.C.R.

SCALE: N/A

SHEET 2 OF 3

JB

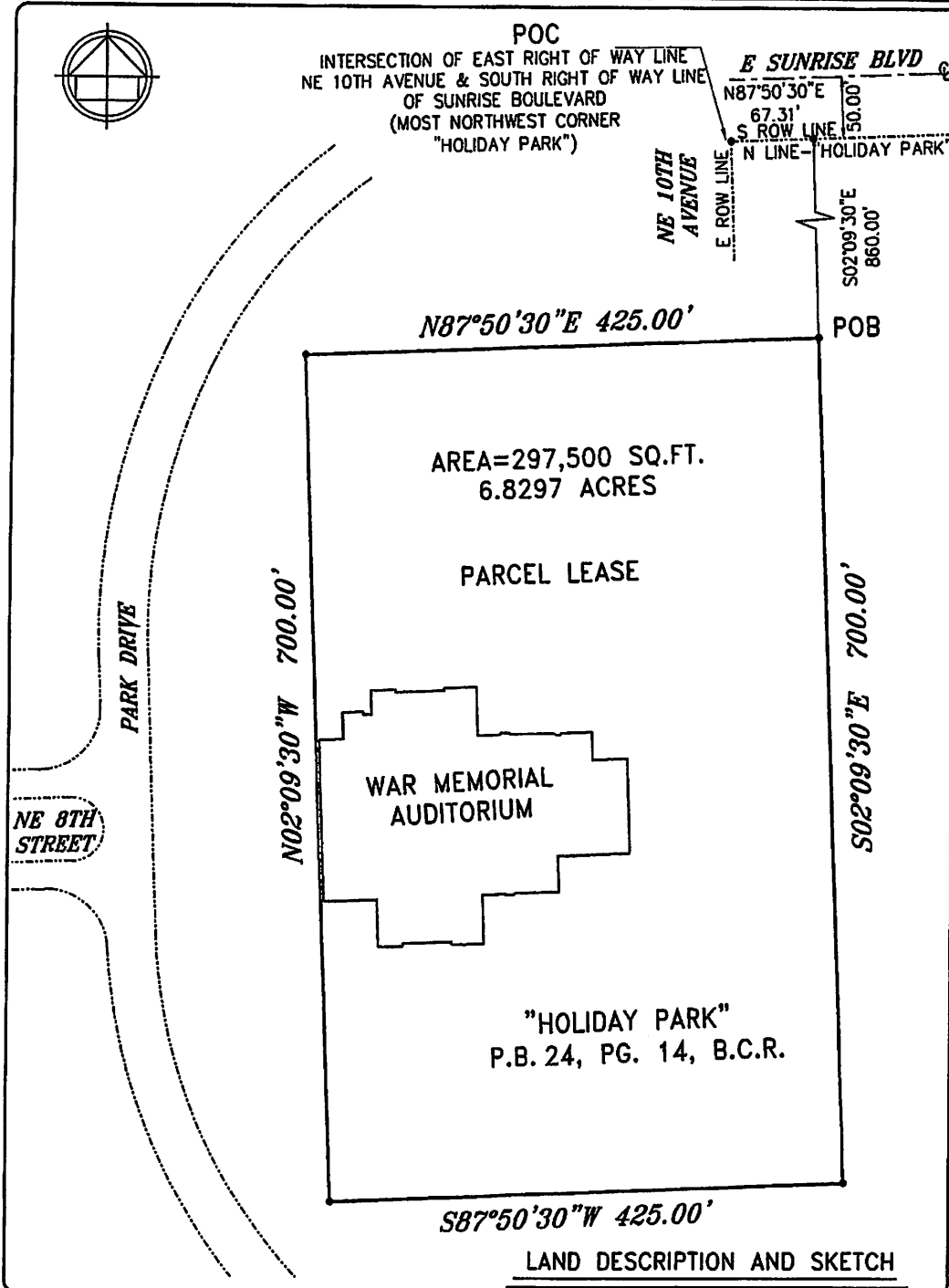
COUSINS SURVEYORS & ASSOCIATES, INC.



3921 SW 47TH AVENUE, SUITE 1011
DAVIE, FLORIDA 33314
CERTIFICATE OF AUTHORIZATION : LB # 6448
PHONE (954) 689-7766 FAX (954) 689-7799

PROJECT NUMBER : 8995-19

CLIENT :



REVISIONS	DATE	FB/PG	DWN	CKD
LAND DESCRIPTION AND SKETCH	07/11/19	----	AM	REC

HOLIDAY PARK
WAR MEMORIAL
AUDITORIUM

PROPERTY :
HOLIDAY PARK
P.B. 24, PG. 14, B.C.R.

SCALE: 1" = 100'

SHEET 3 OF 3



COMMISSION AGENDA ITEM
DOCUMENT ROUTING FORM
Today's Date: 12/11/2019

12/18/19

DOCUMENT TITLE: FIRST LEASE AMENDMENT FOR WAR MEMORIAL AUDITORIUM LOCATED AT 800 NE 8 ST. WITH WAR MEMORIAL BENEFIT CRP. - APPROVING A SITE PLAN AND BENEFITS

COMM. MTG. DATE: 7/9/2019 CAM #: 19-1055 ITEM #: CR3 CAM attached: ☒ YES ☐ NO

Routing Origin: CAO Router Name/Ext: Sonia/X. 5598 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 Attorney's Office: Documents to be signed/routed? ☒ YES ☐ NO # of originals attached: 1

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

Date to CCO: 12/11/19

James Brako
Attorney's Name

JB
Initials

2) City Clerk's Office: # of originals: 1 Routed to: MJ Matthews/CMO/x5364 Date: 12/16/19

3) City Manager's Office: CMO LOG #: Dec. 47 Document received from: CCO

Assigned to: CHRIS LAGERBLOOM ☒ ROBERT HERNANDEZ ☐
CHRIS LAGERBLOOM as CRA Executive Director ☐

☐ APPROVED FOR C. LAGERBLOOM'S SIGNATURE ☐ N/A FOR C. LAGERBLOOM TO SIGN

PER ACM: R. HERNANDEZ (Initial/Date)

☐ PENDING APPROVAL (See comments below)

Comments/Questions: _____

Forward 1 originals to ☒ Mayor ☐ CCO Date: 12/17/19

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

5) City Clerk: Forward ____ originals to CAO for FINAL APPROVAL Date: _____

6) CAO forwards ____ originals to CCO

7) City Clerk: Scan original and forwards ____ originals to: Luisa Algaon- City Attorney's Office Ext. 5271

Attach ____ certified Reso # ____ ☐ YES ☐ NO

Original Route form to CAO/Dept.

CAO# 19-1303