

BCC 12/12/17  
8.6.

**ASSUMPTION AND JOINDER TO AGREEMENT FOR FOOD CONCESSION SERVICES AND LEASE BETWEEN INDIAN RIVER COUNTY AND DI'MICHELLI'S CATERING, INC.**

THIS ASSUMPTION AND JOINDER to Agreement for Food Concession Services and Lease is entered into this 12 day of December, 2017, by and between Bottom's Up Beverage of Florida, LLC, a Florida Limited Liability Company, 857 South Kings Highway, Ft. Pierce, FL 34945 (Bottom's Up); and Indian River County, a political subdivision of the State of Florida, 1801 27th Street, Vero Beach, FL 32960, (the "County") as of the date set forth below as the effective date (the "Effective Date").

**BACKGROUND FACTS**

**WHEREAS**, the County is the owner of Sandridge Golf Club, 5300 73rd Street, Vero Beach, Florida, 32967 (the "Course") which includes a 1,705 square foot food service facility operated within the Sandridge Golf Club clubhouse; and

**WHEREAS**, the County and Di'Michelli's Catering, Inc., (Di'Michelli's) entered into an Agreement for Food Concession Services and Lease (Agreement) dated March 10, 2015 to operate the food service facility. The Agreement is in full force and effect and will expire on April 1, 2020, but may be renewed for five additional one year periods; and

**WHEREAS**, Bottom's Up Beverage of Florida, LLC, (Bottom's Up) is owned by the same entity and operated by the same officer as De'Michelli's Catering, Inc., and

**WHEREAS**, Bottom's Up is desirous to assume and join in the Agreement as a fully responsible co-tenant; and

**WHEREAS**, having Bottom's Up as a party on the Agreement will provide for easier banking and financial operations for Di'Michelli's; and

**WHEREAS**, it is the intent of the County and Di'Michelli's that Bottom's Up be added as a party and co-tenant to the Agreement, joining in on all benefits and liabilities of the Agreement; and

**WHEREAS**, Bottom's Up contact information regarding this Assumption and Joinder is:

FOR COUNTY:

Indian River County  
1801 27<sup>th</sup> Street  
Vero Beach, Florida 32960  
TELEPHONE: (772) 770-5003

FOR BOTTOM'S UP:

Bottom's Up Beverage of Florida, LLC  
857 South Kings Highway  
Ft. Pierce, FL 34945  
TELEPHONE: (772) 528-8095

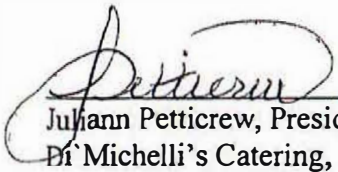
**NOW THEREFORE**, in consideration of the mutual benefits to be derived from this agreement and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound agree as follows:

1. Background Facts. The above Background Facts are true and correct are incorporated herein by this reference.
2. Assumption and Joinder. Bottom's Up hereby assumes and joins in on each and every term and condition of the Agreement dated March 10, 2015.
3. Payments. From the date of this Agreement, the County shall remit all payments under the Agreement made payable to:


Bottom's Up Beverage of Florida, LLC  
 857 South Kings Highway  
 Fort Pierce, FL 34945

The County, Di'Michelli and Bottom's Up have caused these presents to be executed in their names the year and day first written above.

For Di'Michelli's:

  
 Juliann Petticrew, President  
 Di'Michelli's Catering, Inc.

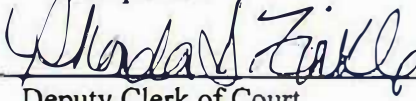
BOARD OF COUNTY COMMISSIONERS  
 INDIAN RIVER COUNTY, FLORIDA

BY:   
 Peter D. O'Bryan, Chairman  
 Board of County Commissioners

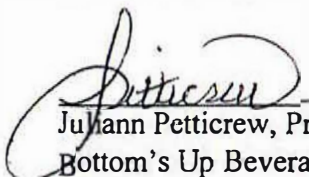


Approved by the BCC: 12/12/2017

ATTEST: Jeffrey R. Smith, Clerk of Court and  
 Comptroller

BY:   
 Deputy Clerk of Court


For Bottoms Up:

  
 Juliann Petticrew, President  
 Bottom's Up Beverage of Florida, LLC

APPROVED:

  
 Jason E. Brown, County Administrator

Approved as to form and legal sufficiency

  
 William K. DeBaal  
 Deputy County Attorney