

APPROVAL OF ASSIGNMENT AND EXTENSION OF LEASE

THIS APPROVAL OF ASSIGNMENT AND EXTENSION OF LEASE (“Assignment”) is entered into as of the ___ day of February, 2021 by and between Lulich Attorneys & Consultants, P.A, (“Lulich”) and Indian River County, a political subdivision of the State of Florida, 1801 27th Street, Vero Beach, FL 32960, (the “County”) and Robert C. Clark, whose address is 1612 20th Street, Vero Beach, FL 32960 (“Clark”).

RECITALS

WHEREAS, on December 21, 2017, the County purchased the property located at 1612 20th Street, Vero Beach, FL 32960 (the “Property”) for future use; and

WHEREAS, when the County purchased the Property, it was assigned a lease from the previous owner, G & T, LLC, a Florida limited liability company and the County currently holds a lease on the Property for the following Tenant: Robert C. Clark; and

WHEREAS, Clark and Lulich have entered into an agreement to purchase Clark’s business and as a part of that purchase, Clark will assign all of its right, title and interest in the Lease to Lulich; and

WHEREAS, it is the intent of the County and Lulich that Lulich will continue to lease the Property on the terms as those set forth in the Lease Agreement (Lease) dated August 1, 2014 attached and incorporated by reference into this Assignment, except as those terms are amended below.

NOW THEREFORE, in consideration of the mutual undertakings herein stated and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Clark, Lulich and the County agree as follows:

1. **Recitals**. The above recitals are true and correct and are incorporated herein.
2. **Assignment and Effective Date**. Commencing on March 1, 2021, upon closing of their agreement, Clark hereby assigns all of his right, title and interest in the Lease, to Lulich on the same terms as those set forth in the Lease, except as amended by this Assignment.
3. **Term of the Lease**. The term of this Assignment shall begin on March 1, 2021 and end on February 28, 2025. Either Lulich or the County may, without penalty, terminate the lease prior to the ending date provided written notice one year in advance has been provided to the other party.
4. **Rent**. Beginning March 1, 2021, and on the first of each month thereafter, the rent shall be \$2,100 per month for the Term of the Lease unless terminated sooner. In addition to the monthly rental, Lulich will be responsible for any and all sales tax and non-ad valorem taxes on the Property. The Parties agree to cooperate and execute any documents necessary to effectuate the terms of this Assignment.

5. **Consent to Assignment of Lease.** The County consents to the Assignment of the Lease.
6. **Last Month's Rent and Security Deposit.** The County does not hold any last month's rent or security deposit.
7. **Notices.** The County shall send all notices concerning this Assignment to Lulich at the below address:

Lulich Attorneys & Consultants, P.A
Attention: Steven Lulich and Jordan Lulich
P.O. Box 781390
Sebastian, FL 32978
steve@lulich.com and jordan@lulich.com

8. **Future Rent Payments.** All future rent payments shall be remitted to:

Indian River County
Attn. Finance Department
1801 27th Street
Vero Beach, FL 32960

If Lulich wishes to make payment via electronic methods he is encouraged to contact the Finance Department at 772-226-1570.

9. **Notices Concerning the Lease.** All notices concerning the Lease and the Property should be directed to :

Indian River County
Attn: Public Works Director
1801 27th Street
Vero Beach, FL 32960
(772) 226-3490

10. All other provisions of the existing Lease shall remain in full force and effect.

IN WITNESS WHEREOF, Lulich, Clark and the County have executed this Assignment this ___ day of February, 2021.

LULICH ATTORNEYS & CONSULTANTS, P.A

Steven Lulich, President

Witnessed by:

signature: _____
Printed name: _____

signature: _____
Printed name: _____

ROBERT C. CLARK

Robert C. Clark

Witnessed by:

signature: _____
Printed name: _____

signature: _____
Printed name: _____

BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA

By: _____
Joseph E. Flescher, Chairman

Date Approved: _____

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

By: Deputy Clerk

APPROVED AS TO FORM:

APPROVED:

William K. DeBraul
Deputy County Attorney

Jason E. Brown, County Administrator