



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBraul, Deputy County Attorney
Kate Pingolt Cotner, Assistant County Attorney

MEMORANDUM

TO: Board of County Commissioners
FROM: Dylan Reingold, County Attorney 
DATE: December 3, 2018
SUBJECT: Friends of the Morningside Dock, Inc. License Agreement

BACKGROUND.

On July 18, 2016, Indian River County entered into a license agreement with the Friends of the Morningside Dock, Inc., which allowed the non-profit entity to construct and maintain a common dock facility for personal use immediately west of Jungle Trail near Morningside Drive (the "License Agreement"). Per section 9 of the License Agreement, the License Agreement terminated upon disincorporation of the Friends of the Morningside Dock, Inc., "unless a successor corporation or other entity approved by the County enters into a license agreement for the usage of the dock facility containing covenants and agreements similar to this license agreement within ninety (90) days of disincorporation of Licensee."

Unfortunately, the Friends of the Morningside Dock, Inc. was administratively dissolved by the State of Florida. On November 16, 2018, the Friends of the Morningside Dock, Inc. was reinstated. However, since the Friends of the Morningside Dock, Inc. was dissolved for more than 90 days, the County Attorney's Office believes that the best way to resolve the issue is to have the Friends of the Morningside Dock, Inc. enter into a new license agreement with the same terms as set forth in the License Agreement. The Friends of the Morningside Dock, Inc. has executed the attached new license agreement and has provided the necessary insurance documentation.

FUNDING.

The Friends of the Morningside Dock, Inc. will pay \$10 plus appropriate sales tax per year and the cost of recording of the license agreement.

RECOMMENDATION.

The County Attorney recommends that the Indian River County Board of County Commissioners approve the license agreement with the Friends of the Morningside Dock, Inc.

ATTACHMENT

License Agreement