

### THIRD AMENDMENT TO LEASE AGREEMENT

THIS THIRD AMENDMENT TO LEASE AGREEMENT ("Third Amendment") dated as of March 7<sup>th</sup>, 2019, between the **BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA**, a political subdivision of the State of Florida (hereinafter called the "Board") whose address is 1801 27<sup>th</sup> Street, Vero Beach, FL 32960 and **GIFFORD YOUTH ACTIVITY CENTER, INC. n/k/a GIFFORD YOUTH ACHIEVEMENT CENTER, INC.**, a Florida not for profit corporation (hereinafter called "GYAC") whose address is 4875 43<sup>rd</sup> Avenue, Vero Beach, FL 32967.

#### BACKGROUND RECITALS

- A. On January 6, 1998, the Indian River County Board of County Commissioners as landlord entered into a lease agreement with the Progressive Civic League of Gifford, Florida, Inc. as tenant for the Gifford Youth Activities Center.
- B. On April 9, 2002, the Board considered a request made by the Gifford Youth Activity Center, Inc. with the support of the Progressive Civic League to become the tenant of the Gifford Youth Activity Center pursuant to a new lease.
- C. On November 19, 2002, the Board approved a new lease with the Gifford Youth Activity Center, Inc. as tenant, for a term of forty (40) years at a rate of \$1.00 per year.
- D. On January 20, 2015, the Board extended the lease with the GYAC, now known as the Gifford Youth Achievement Center to a 99-year lease, with an ending date of December 31, 2114.
- E. On March 6, 2018, the Board approved a Second Amendment to Lease Agreement in order for plans for GYAC to build an additional structure on the leased premises consisting of a one story, 13,000 square foot classroom building that could be expanded to add a second story of 13,000 square feet in the future.
- F. During the construction of the classroom building, it was discovered that additional property for stormwater treatment was needed requiring a Third Amendment to the 2002 Lease. The Board and GYAC desire to enter into a Third Amendment to Lease Agreement to add the property needed for the required stormwater treatment.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound, the parties agree as follows:

**BACKGROUND RECITALS.** The Background Recitals are true and correct and form a material part of this Lease.

**AMENDMENT.** The Lease dated November 19, 2002, shall be amended to add the real property to the leased premises for stormwater treatment purposes, and that property is more specifically depicted on the sketch and legal description attached as Exhibit "A" and incorporated by reference herein.

**UNCHANGED.** Unless amended above, the terms and conditions of the Lease dated November 18, 2002 shall remain unchanged.

IN WITNESS WHEREOF, Landlord and Tenant have executed this Third Amendment to Lease Agreement the day and year first above written.

GIFFORD YOUTH  
ACHIEVEMENT CENTER, INC.

By: Angelia Perry  
Angelia Perry  
Executive Director

Witnessed by:

signature: Tarisha Frierson  
printed name: Tarisha Frierson

signature: Millicent Caputo  
printed name: Millicent Caputo

BOARD OF COUNTY COMMISSIONERS OF  
INDIAN RIVER COUNTY, FLORIDA

By: \_\_\_\_\_  
Bob Solari, Chairman

Date approved by Board: 3/19/19

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

By: \_\_\_\_\_  
Deputy Clerk

Approved as to Form and  
Legal Sufficiency

William K. DeBaal  
William K. DeBaal  
Deputy County Attorney

Approved

\_\_\_\_\_  
Jason E. Brown  
County Administrator



**Exhibit "A"**  
**Legal Description & Sketch**  
**for a Stormwater Easement**  
**at the Gifford Youth Achievement Center Site**  
**Indian River County, Florida**

Sheet 1 of 2

Not Valid Without All Sheets

SURVEYORS NOTES

- 1) THE BASIS OF BEARINGS IS THE EAST LINE OF SECTION 21 WHICH BEARS S00°10'46"W.
- 2) THIS SKETCH EXISTS SOLELY FOR THE PURPOSE OF ILLUSTRATING THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED.
- 3) ALL DIMENSIONS ARE CALCULATED UNLESS OTHERWISE NOTED.
- 4) THIS SKETCH MEETS THE STANDARD PRACTICES FOR SURVEYING AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

LEGEND

R/W	RIGHT-OF-WAY
NO.	NUMBER
R	RADIUS
L	LENGTH
CH	CHORD DISTANCE
CB	CHORD BEARING
PSM	PROFESSIONAL SURVEYOR AND MAPPER
Δ	DELTA
N	NORTH
S	SOUTH
E	EAST
W	WEST
GYAC	GIFFORD YOUTH ACHIEVEMENT CENTER

LEGAL DESCRIPTION

COMMENCING AT THE NORTHEAST CORNER OF TRACT 9, SECTION 21, TOWNSHIP 32 SOUTH, RANGE 39 EAST; THENCE S00°10'46"W, ALONG THE EAST LINE OF SAID SECTION 21; A DISTANCE OF 30.00 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF THE LATERAL A-8 CANAL; THENCE N89°46'19"W ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 612.89 FEET TO THE NORTHWEST CORNER OF THE EXISTING GIFFORD YOUTH ACHIEVEMENT CENTER LEASE; THENCE SOUTH 00°10'46" WEST ALONG THE SAID GIFFORD YOUTH ACHIEVEMENT CENTER LEASE BOUNDARY A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE CONTINUE SOUTHERLY ALONG SAID LEASE BOUNDARY LINE, A DISTANCE OF 10.00 FEET; THENCE CONTINUE ALONG SAID LEASE LINE SOUTH 22°49'08" EAST, A DISTANCE OF 38.15 FEET; THENCE, LEAVING SAID LEASE BOUNDARY, NORTH 48°47'57" WEST, A DISTANCE OF 55.00 FEET; THENCE NORTH 08°53'43" EAST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 76°23'28" EAST, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING. CONTAINING 779.42 SQUARE FEET OR 0.0179 ACRES, MORE OR LESS.

<i>SKETCH OF LEGAL DESCRIPTION</i> <i>"This is NOT a Boundary Survey"</i>	Drawn by: BMM	Checked by: DMT	File name 7158	Date 2/25/19	Scale NONE	Drawing Name 7158-Pond-ease
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**Masteller, Moler & Taylor, Inc.**

PROFESSIONAL SURVEYORS AND MAPPERS

LAND SURVEYING BUSINESS #4644

1655 27th Street, Suite 2 Vero Beach, Florida 32960

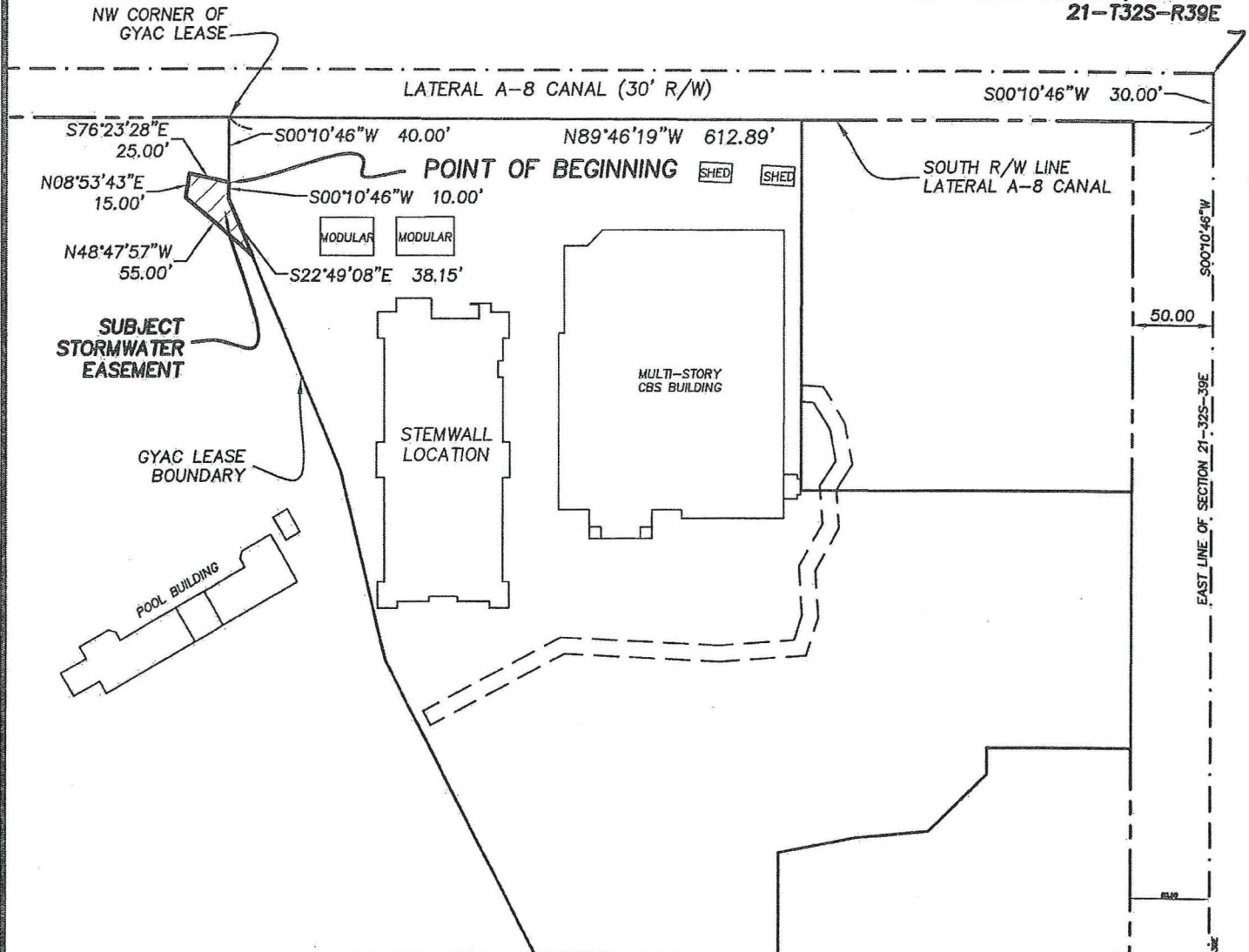
Phone: (772) 564-8050 Fax: (772) 794-0647

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

*David Taylor*  
 \_\_\_\_\_  
 DAVID TAYLOR P.L.S. 5243

**Exhibit "A"**  
**Legal Description & Sketch**  
**for a Stormwater Easement**  
**at the Gifford Youth Achievement Center Site**  
**Indian River County, Florida**  
 Sheet 2 of 2  
 Not Valid Without All Sheets

POINT OF COMMENCEMENT  
 NE CORNER TRACT 9, SECTION  
 21-T32S-R39E



<b>LEGAL DESCRIPTION &amp; SKETCH</b> "This is NOT a Boundary Survey"	Drawn by: BMM	Checked by: DMT	File name 7158	Date 2/25/19	Scale 1"=80'	Drawing Name 7158-pond-ease
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 PROFESSIONAL SURVEYORS AND MAPPERS  
 LAND SURVEYING BUSINESS #4644  
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 LICENSED SURVEYOR AND MAPPER

*David Taylor*  
 DAVID TAYLOR P.L.S. 5243