

TERMINATION OF LICENSE AGREEMENT

THIS TERMINATION of License Agreement is enter into this _____ day of November, 2016 by and between Indian River County, a political subdivision of the State of Florida, whose address is 1801 27th Street, Vero Beach, FL 32060, hereinafter referred to as "Licensor" and Brad Fojtik, a resident of Indian River County, hereinafter referred to as "Licensee" and the parties agree as follows:

WHEREAS, Indian River County purchased a 16.5 acre tract of property adjacent to the Indian River Lagoon known as the Jones Pier Parcel on September 19, 2008; and

WHEREAS, the property is improved with a single family house, out buildings and docks; and

WHEREAS, Brad Fojtik and Indian River County entered into a License Agreement dated January 17, 2012 whereby Mr. Fojtik would perform certain obligations in exchange for residing in the house on the property. The Agreement was renewed and extended for an additional three year period, set to expire in January, 2017; and

WHEREAS, in October 2016, Hurricane Matthew impacted Indian River County and caused a storm surge that flooded the residence and cottage on the Jones Pier property rendering them uninhabitable due to damage to floors, dry wall and cabinets; and

WHEREAS, the main residence will have to be raised significantly to avoid damage from future storms that may bring storm surges; and

WHEREAS, the parties wish to terminate the License Agreement to relieve each party from the requirements of the Agreement.

NOW THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency is hereby acknowledged, the parties agree as follows:

1. The above statements are true and correct and incorporated by reference herein.
2. That certain License Agreement dated January 17, 2012, set to expire on January 16, 2017, is hereby canceled upon the mutual consent of the parties.
3. At such time as the premises becomes habitable, the County may enter into a license agreement with Mr. Fojtik.

IN WITNESS WHEREOF, the parties have executed this Termination of License Agreement as of the date first written above.

By: 
Brad Fojtik

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

**BOARD OF COUNTY COMMISSIONERS
INDIAN RIVER COUNTY**

By: _____
Deputy Clerk

By: _____
, Chairman

BCC Approved: _____

Approved as to form and legal sufficiency

Approved:


William K. DeBraal
Deputy County Attorney

Jason E. Brown
County Administrator

Reviewed and Approved:

By: _____
Florida Department of Environmental Protection
Division of State Lands