




Office of  
**INDIAN RIVER COUNTY**  
**ATTORNEY**


Consent Agenda 09/12/2017

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

**MEMORANDUM**

TO: Board of County Commissioners

THROUGH: Richard B. Szpyrka, P.E., Public Works Director 

FROM: William K. DeBraal, Deputy County Attorney 

DATE: September 6, 2017

SUBJECT: Assignment of Leases and Rents from Sebastian Corners Retail Center, LLC

On September 5, 2017, the County and Sebastian Corners Retail Center, LLC closed on the purchase of real property that will become the site for the North County Office Complex. At the time of closing, four tenants remain in the building:

Mattress Firm, Inc. Store #52123  
Prime Communications, L.P., d/b/a AT&T  
A & R Cuban Hospitality, Inc., d/b/a Las Palmas Restaurant  
Sally Beauty Supply, LLC

In accordance with the Agreement to Purchase and Sell Real Estate, the County is now the Landlord of these tenants and is entitled to receive the rental payments from the tenants. These tenants should be formally notified of the sale so the rental payments for September and October will be sent to the County instead of the previous owner. The attached Assignment of Leases and Rents formally provides notice to the tenants. Even though Dollar Tree Stores, Inc. has not renewed its lease and is relocating, it is included on the assignment in case its lease needs to be enforced by the County. It should be noted that Mattress Firm, AT&T and Sally Beauty Supply have their corporate headquarters in the Houston, Texas area and were affected by the flooding. Therefore, the Assignment provides for cooperation between the former owner and the County in case future rental payments are mailed to the former owner.

**Funding.** There is no funding associated with this matter.

**Recommendation.** Staff recommends the Board approve the Assignment of Leases and Rents from Sebastian Corners Retail Center, LLC, and authorize the Chairman to execute the document on behalf of the Board.

Attachment: Assignment of Leases and Rents from Sebastian Corners Retail Center, LLC