



Office of

Consent Agenda 02/09/2021

**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBaal, Deputy County Attorney
Susan J. Prado, Assistant County Attorney

MEMORANDUM

TO: The Board of County Commissioners

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

FROM: William K. DeBaal, Deputy County Attorney

DATE: February 3, 2021

SUBJECT: Assignment and Extension of Lease between Lulich Attorneys & Consultants, P.A. for the Building located at 1612 20th Street, Vero Beach, FL

On December 21, 2017, the County purchased the property located at 1612 20th Street, Vero Beach, FL (the "Property"). The single story, 2,100 sq. ft. office building is located at the southeast corner of the intersection of 16th Avenue and 20th Street (State Road 60). The Property is directly south of the court house parking garage and directly west of the court house. When the County purchased the Property, it was assigned a Lease Agreement (Lease) dated August 1, 2014, between the previous owner, G & T, LLC, and attorney Robert C. Clark which is included with the Assignment and Extension of Lease (Assignment) attached to this memorandum. The County currently holds a month-to-month lease on the Property with Mr. Clark.

At the time the County purchased the building and assumed the Lease, Mr. Clark was paying rent in the amount of \$1,000 per month including sales tax. The building had only one small office and was previously used as retail space. The County had no specific plans for the building and kept Mr. Clark as a tenant for the last few years. After practicing for more than 40 years, Mr. Clark has decided to sell his practice to Lulich Attorneys & Consultants, P.A. (Lulich), Steve Lulich, President. Mr. Lulich has been practicing law in Sebastian for over 30 years and has negotiated an agreement to purchase Mr. Clark's Vero Beach based business. As a part of that purchase, Mr. Clark will assign all of its right, title and interest in the Lease to Lulich.

Lulich has asked the County to approve the assignment of the Lease from Clark to Lulich. Lulich has stated they would like to remodel the inside of the building to add additional office space, a reception area and a conference room. Any improvements would be performed at

Lulich's expense with prior County approval. An aerial photo and street view photo of the building are found below in Figures 1 and 2.

Figure 1. Aerial View



Figure 2. Street View



Under the terms of the Assignment, Clark will assign the Lease to Lulich on the same terms as those set forth in the Lease, except as amended by the Assignment. Lulich will continue to lease the Property on the terms as those set forth in the Lease dated August 1, 2014, with the following changes:

- The Assignment shall become effective March 1, 2021.
- The term of the Lease will 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 given to the other party.
- Beginning March 1, 2021, 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.

STAFF RECOMMENDATION: Staff recommends the Board approve the Assignment and Extension of Lease between Lulich Attorneys & Consultants, P.A., Robert C. Clark and the County for the building located at 1612 20th Street, Vero Beach, FL and authorize the Chairman to execute the Assignment on behalf of the Board.

FUNDS RECEIVED: Funds received under this Agreement will continue to be deposited into General Fund/Rents & Royalties, Account # 001038-362010.

Attachments: Assignment and Extension of Lease, Lease Agreement

Copies to: Steve Lulich, Esq.
Robert C. Clark, Esq.