

**INDIAN RIVER COUNTY, FLORIDA  
AGENDA ITEM****Assistant County Administrator /  
Department of General Services**

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**Date:** January 25, 2019

**To:** The Honorable Board of County Commissioners

**Through:** Jason E. Brown, County Administrator

**From:** Michael C. Zito, Assistant County Administrator

**Subject:** Assignment and License Agreement for Operation of Middleton's Fish Camp

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**BACKGROUND**

On October 10, 1979, the County entered into an agreement with Joneal Middleton to manage and maintain Middleton's Fish Camp Park at Blue Cypress Lake (the "Agreement"). Following a series of amendments to renew, restate, and update the Agreement, Joneal's wife, Jeanne Middleton was added as a party to the Agreement on December 2, 2008. Joneal Middleton passed away in 2014. Jeannie Middleton now desires to assign the current Agreement as amended to Roy Bass. The current Agreement may be assigned or transferred only with the approval of the County Commission. Roy Bass resided with the Middletons at the age of 14, and has served the Fish Camp operation for 40 years. Most recently, Ms. Middleton has authorized Mr. Bass to oversee the daily obligations under the Agreement.

**DESCRIPTIONS AND CONDITIONS:**

The Park is 23 acres in size and includes improvements consisting of bathroom facilities, bait shop, boat launch, parking lots, picnic tables, grills, rustic camping sites and a utility lift station among other amenities. The Park is a popular destination for fishing, boating, camping, birdwatching and other active and passive recreational activities. Since 1979, Joneal "Joe" and H. Jean "Jeanne" Middleton have been the caretakers of the Park under a series of agreements and amendments with the County and have operated the bait shop and rented boats for fishing or sightseeing. A summary table of the agreement dates and renewals is attached. Roy Bass has purchased the bait shop and pontoon boat inventory from Jeanne Middleton and is now desirous of formally accepting the assignment with the benefits and duties contained in the Agreement and Amendments thereto together with those contained in the attached License Agreement with the County.

Under the Agreement, Roy Bass would accept the assignment of the Agreement dated January 2, 1995, and the Amendments thereto. The County would grant to Roy Bass a revocable license to use and occupy the real property and improvements described on Exhibit A attached to the License Agreement. Specifically, Roy Bass is authorized to use and occupy the bait shop and surrounding property containing the bait and minnow tanks solely as a bait shop/convenience store/office, and for no other purposes.

The Agreement shall take effect on the date approved by the Board of County Commissioners and shall expire on September 1, 2025. This Agreement shall be extended upon mutually agreeable terms, automatically for an additional five (5) years, unless one party notifies the other party in writing of its intent to not renew at least ninety (90) days prior to the expiration of this Agreement. Roy Bass has agreed to be responsible for supervising all activities taking place at the Park with full authority to enforce the rules and regulations of the park. Roy Bass shall contact the Sheriff's Department as needed to enforce park rules, eject visitors, issue trespass warnings or deny entry to the Park and shall ensure compliance with all applicable County ordinances regulating Park activities.

**FUNDING:**

No Funding is required to approve this Agreement.

**RECOMMENDATION:**

Staff respectfully recommends that the Board approve the Assignment and License Agreement and authorize the Chairman to sign.

**ATTACHMENT:**

1. Assignment and License Agreement with Exhibit A
2. Agreement executed August 22, 1995
3. Summary of Middleton's Agreements and Amendments

**DISTRIBUTION:**

Kevin Kirwin, Director – Parks & Conservation Resources  
Roy Bass, Roy Bass Middleton's Fish Camp, LLC

**APPROVED AGENDA ITEM FOR FEBRUARY 5, 2019**