



**City Attorney's Communication #2021-1032**

August 16, 2021

**TO:** Cassandra LeMasurier, Real Property Manager

**FROM:** Mark E. Berman, City Attorney

**RE:** Resolution – First Addendum to the Contract for Sale and Purchase / The Marvin R. Burkholder Estate

As requested in your e-mail of August 16, 2021, the above-referenced Resolution is attached at this time along and captioned as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MAYOR'S AND CITY MANAGER'S APPROVAL OF A FIRST ADDENDUM TO THE CONTRACT FOR SALE AND PURCHASE BETWEEN THE CITY OF POMPANO BEACH AND THE MARVIN R. BURKHOLDER ESTATE TO EXTEND THE DATE OF CLOSING FOR THE PURPOSE OF FINALIZING THE ANCILLARY PROBATE PROCEEDINGS AFFECTING THE PROPERTY LOCATED AT 142 SE 14<sup>TH</sup> STREET; PROVIDING AN EFFECTIVE DATE.**

Please feel free to contact me if I may be of further assistance

/s/  
\_\_\_\_\_  
MARK E. BERMAN

/jrm  
l:cor/finance/rpm/2021-1032

Attachment

RESOLUTION NO. 2021-\_\_\_\_\_

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MAYOR'S AND CITY MANAGER'S APPROVAL OF A FIRST ADDENDUM TO THE CONTRACT FOR SALE AND PURCHASE BETWEEN THE CITY OF POMPANO BEACH AND THE MARVIN R. BURKHOLDER ESTATE TO EXTEND THE DATE OF CLOSING FOR THE PURPOSE OF FINALIZING THE ANCILLARY PROBATE PROCEEDINGS AFFECTING THE PROPERTY LOCATED AT 142 SE 14<sup>TH</sup> STREET; PROVIDING AN EFFECTIVE DATE.**

**SECTION 1.** That the action of the Mayor and the City Manager in approving a First Addendum to Contract for Sale and Purchase between the City of Pompano Beach and the Marvin R. Burkholder Estate extending the date of closing, a copy of which Addendum is attached hereto and incorporated by reference as if set forth in full, is hereby approved and ratified.

**SECTION 2.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
**REX HARDIN, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**ASCELETA HAMMOND, CITY CLERK**

/jrm  
8/2/21  
L:reso/2021-265

**FIRST ADDENDUM TO CONTRACT FOR  
SALE AND PURCHASE**

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The following provisions shall be incorporated with full force and effect into the Contract for Sale and Purchase (the "Original Contract"), April 28, 2021, and passed by Resolution No. 2021-112, between the **City of Pompano Beach** ("City") and **Marvin R. Burkholder Estate**, ("Seller"). In any case wherein language in this Addendum is deemed to be in conflict with language found in the Original Contract, the Addendum language shall supersede and be controlling.

1. **CLOSING DATE:**

The date of closing under the Original Contract is hereby extended to be on or before December 16, 2021.

2. Facsimile signatures shall be binding with the same force and effect as original signatures.

3. This Addendum may be signed in counterparts and the counterparts when taken together shall constitute the entire Addendum.

**IN WITNESS WHEREOF**, the parties have executed this Addendum on the date set forth below.

**THE REMAINDER OF THE PAGE IS INTENTIONALLY LEFT BLANK.**

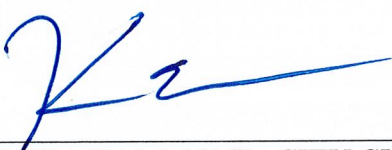
"CITY":

**CITY OF POMPANO BEACH**

By:   
\_\_\_\_\_  
REX HARDIN, MAYOR

By:   
\_\_\_\_\_  
GREGORY P. HARRISON, CITY MANAGER

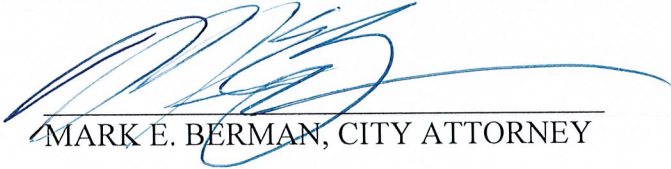
*For*

Attest:   
\_\_\_\_\_  
ASCELETA HAMMOND, CITY CLERK

*for*

(SEAL)

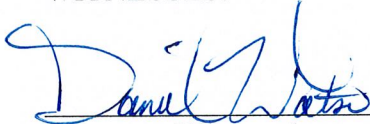
APPROVED AS TO FORM:

  
\_\_\_\_\_  
MARK E. BERMAN, CITY ATTORNEY


**"SELLER":**

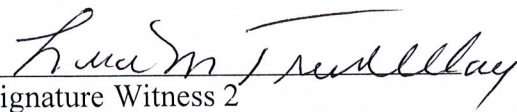
WITNESSES:

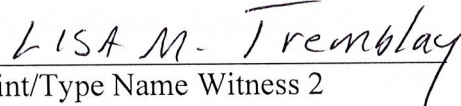
**MARVIN R. BURKHOLDER ESTATE**

  
\_\_\_\_\_  
Signature Witness 1

  
\_\_\_\_\_  
Brad Burkholder, Executor

  
\_\_\_\_\_  
Print/Type Name Witness 1

  
\_\_\_\_\_  
Signature Witness 2

  
\_\_\_\_\_  
Print/Type Name Witness 2

4<sup>th</sup> day of August, 2021

/jrm  
8/2/21  
l:realest/2021-1031