

THIRD EXTENSION AGREEMENT

THIS IS THE THIRD EXTENSION AGREEMENT dated the _____ day of _____, 2023, between:

CITY OF POMPANO BEACH, a municipal corporation of the State of Florida, whose address is 100 West Atlantic Boulevard, Pompano Beach, Florida 33060, hereinafter referred to as "CITY,"

and

UNITED STATES COAST GUARD AUXILIARY FLOTILLA 34, an instrumentality of the Government of the United States, hereinafter referred to as "FLOTILLA 34."

WHEREAS, the parties entered into a Sublease Agreement of a portion of the parcel currently leased by the City from the Florida Inland Navigation District, commonly known as Alsdorf Park, for the purpose of conducting boating safety classes, public education, member training and other activities in support of the missions and operations of the United States Coast Guard, on November 19, 2010, ("Original Agreement"), and approved by City Ordinance No. 2011-8; and

WHEREAS, the parties entered into an Extension Agreement to the Original Agreement on August 26, 2015 and approved by City Ordinance 2015-71, extending the Original Agreement until March 1, 2018; and

WHEREAS, the parties entered into a Second Extension Agreement to the Original Agreement on March 1, 2018 and approved by City Ordinance 2018-42, extending the Original Agreement until March 1, 2023; and

WHEREAS, the parties desire to extend the term for an additional five (5) year term ending on March 1, 2028.

WITNESSETH:

IN CONSIDERATION of the mutual terms, conditions, promises, covenants and payments herein set forth CITY and FLOTILLA 34 agree as follows:

1. Each “WHEREAS” clause set forth above is true and correct and herein incorporated by this reference.

2. The Original Agreement effective November 19, 2010, and subsequently amended on August 26, 2015 and March 1, 2018, copies of which are attached hereto and made a part hereof as Composite Exhibit "A," shall be extended for a period of five (5) years from March 1, 2023, pursuant to the terms, conditions and specifications set forth therein.

3. All terms, covenants and conditions contained in the Original Agreement now existing between CITY and FLOTILLA 34, with the exception of the provisions above, shall remain unchanged, and the parties agree to keep, observe and perform all covenants and conditions contained therein.

4. This Agreement shall bind the parties and their respective executors, administrators, successors and assign and shall be fully effective as though the extension had been originally included in the Agreement.

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first above written.

SIGNATURE PAGES FOLLOW

“CITY”:

CITY OF POMPANO BEACH

By: _____
REX HARDIN, MAYOR

By: _____
GREGORY P. HARRISON, CITY MANAGER

Attest:

ALFRED KERVIN, CITY CLERK

(SEAL)

Dated: _____

APPROVED AS TO FORM:

MARK E. BERMAN, CITY ATTORNEY

"FLOTILLA 34":

Witnesses:

**UNITED STATES COAST GUARD
AUXILIARY FLOTILLA 34**

[Signature]

By: Richard J. Leys
Richard J. Leys, Flotilla Staff Officer for Finance

Nick LAZZARE
Print Name

BY: [Signature]
Harry Silverman, Flotilla Commander

[Signature]

SCOTT MOORE
Print Name

(SEAL)

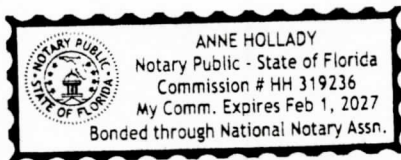
STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 1st day of February, 2023, by Richard J. Leys, Flotilla Staff Officer for Finance and Harry Silverman, Flotilla Commander of United States Coast Guard Auxiliary Flotilla 34, an instrumentality of the Government of the United States. He/she is personally known to me or who has produced _____ (type of identification) as identification.

NOTARY'S SEAL:

Anne Hollady
NOTARY PUBLIC, STATE OF FLORIDA



Anne Hollady
(Name of Acknowledger Typed, Printed or Stamped)

HH 319236
Commission Number

CONSENT TO EXTENSION OF SUBLEASE

Florida Inland Navigation District (FIND) consents to the Extension Agreement for the subleasing of a portion of parcel MSA 727-B, a more particular description of said portion being attached hereto as Exhibit "C," now occupied by the CITY, under the terms of the Sublease Agreement. This consent is not a waiver of the restriction or limitation on subleasing of the Leased Premises by City without the consent of FIND, and FIND reserves the right to approve any future tenant with whom the CITY desires to make any additional sublease.

Dated this _____ day of _____, 2023.

Witnesses:

Florida Inland Navigation District

-

By: _____

Print Name: _____
As Chair

(SEAL)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this _____ day of _____, 2023, by _____, as Chair of Florida Inland Navigation District, an independent special district organized under the law of the State of Florida, on behalf of said District. He/she is personally known to me or who has produced _____ (type of identification) as identification.

NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

/jrm
1/30/23
l:agr/recr/2023-343