

## LEASE EXTENSION AGREEMENT NO. 1

This Lease Extension Agreement No. 1 ("Amendment") to that certain Lease Agreement dated March 9, 2018 ("Lease") between Florida Inland Navigation District ("FIND") and CITY OF POMPANO BEACH, FLORIDA, a municipal corporation under the laws of Florida ("Tenant") dated \_\_\_\_ day of \_\_\_\_\_, 2023.

### WITNESSETH:

WHEREAS, FIND owns a parcel of real property in Palm Beach County known as MSA-727B, also known as Alsdorf Park, which is more particularly described in the Lease (hereinafter, the "Premises"); and

WHEREAS, FIND leased the Premises to the Tenant for a term ending March 1, 2023 (the "Initial Term"); and

WHEREAS, Tenant has requested that the Lease be extended for an additional five (5) years.; and

WHEREAS, FIND is willing to extend the Lease for another five (5) years, subject to the terms and conditions of this Amendment.

NOW, THEREFORE, in consideration of the premises, the sum of Ten Dollars (\$10.00) and other valuable consideration, FIND and the Tenant hereby agree as follows:

1. The foregoing recitals are true and correct, and are incorporated herein by reference.
2. FIND hereby extends the Lease for an additional five (5) year term expiring on March 1, 2028 ("Renewal Term").
3. Notwithstanding the provisions of Section 6 of the Lease, Tenant may allow portions of the Premises to be used by Tenant's contractors or contractors of other governmental agencies as a staging area for construction activities on or benefitting publicly owned or maintained waterways. Tenant shall notify FIND in writing at least thirty (30) days prior to the commencement of such use and upon the conclusion of such use.
4. Notwithstanding the provisions of Section 8 of the Lease, Tenant may continue to sublease a portion of the Premises to the United States Coast Guard Auxiliary Flotilla 34 during the Renewal Term.
5. The Effective Date of this First Amendment shall be the date on which the last party to this Amendment executes this First Amendment.
6. There are no further options to extend the Lease. The Lease may only be extended by a further written amendment entered into between the parties.
7. Except as amended by this First Amendment, the Lease is ratified, confirmed and accepted.

8. This Amendment may be executed in counterparts, all of which taken together shall be deemed an original, with a facsimile and/or an e-mail signature serving as an original thereof.

IN WITNESS WHEREOF, the parties hereto have duly executed this Second Amendment, by and through their duly authorized officers, as of the day and year stated above.

FLORIDA INLAND NAVIGATION DISTRICT, an independent special taxing district of the State of Florida

By: \_\_\_\_\_  
Carl Blow, Chair

Dated: \_\_\_\_\_

**CITY OF POMPANO BEACH**

By: \_\_\_\_\_

REX HARDIN, MAYOR

By: \_\_\_\_\_

GREGORY P. HARRISON, CITY MANAGER

Dated: \_\_\_\_\_

Attest:

\_\_\_\_\_

KERVIN ALFRED, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_

MARK E. BERMAN, CITY ATTORNEY