



**City Attorney's Communication #2021-1162**

September 21, 2021

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

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

**RE:** Resolution – First Addendum to the Contract for Sale and Purchase / Christ Church United Methodist, Inc.

As requested in your e-mail and memorandum of September 21, 2021, Real Property Manager #21-038, the above-referenced First Addendum has been prepared and is attached at this time along with the following captioned Resolution:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN ADDENDUM TO CONTRACT FOR SALE AND PURCHASE BETWEEN THE CITY OF POMPANO BEACH AND CHRIST CHURCH UNITED METHODIST, INC. FOR THE PROPERTY WEST OF FOUNDERS PARK BETWEEN NE 2<sup>ND</sup> AVENUE ON THE WEST, NE 3<sup>RD</sup> AVENUE ON THE EAST, NE 4<sup>TH</sup> STREET ON THE NORTH AND NE 1<sup>ST</sup> STREET ON THE SOUTH, AND WITH TWO OF THE LOTS LOCATED ON THE WEST SIDE OF NE 2<sup>ND</sup> AVENUE, SOUTH OF NE 4<sup>TH</sup> STREET, AND NORTH OF NE 2<sup>ND</sup> STREET; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

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

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

/jrm  
l:cor/finance/rpm/2021-1162

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 AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN ADDENDUM TO CONTRACT FOR SALE AND PURCHASE BETWEEN THE CITY OF POMPANO BEACH AND CHRIST CHURCH UNITED METHODIST, INC. FOR THE PROPERTY WEST OF FOUNDERS PARK BETWEEN NE 2<sup>ND</sup> AVENUE ON THE WEST, NE 3<sup>RD</sup> AVENUE ON THE EAST, NE 4<sup>TH</sup> STREET ON THE NORTH AND NE 1<sup>ST</sup> STREET ON THE SOUTH, AND WITH TWO OF THE LOTS LOCATED ON THE WEST SIDE OF NE 2<sup>ND</sup> AVENUE, SOUTH OF NE 4<sup>TH</sup> STREET, AND NORTH OF NE 2<sup>ND</sup> STREET; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

**WHEREAS**, the City Commission approved the Contract for Sale and Purchase on June 1, 2021, and passed by Resolution No. 2021-205; and

**WHEREAS**, the parties desire to execute the Addendum to Contract to provide for additional time for closing; now, therefore,

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** The Addendum to Contract for Sale and Purchase between the City of Pompano Beach and Christ Church United Methodist, Inc., relating to the six properties located west of Founders Park between NE 2<sup>nd</sup> Avenue on the west, NE 3<sup>rd</sup> Avenue on the east, NE 4<sup>th</sup> Street on the north and NE 1<sup>st</sup> Street on the south, and with two of the lots located on the west side of NE 2<sup>nd</sup> Avenue, south of NE 4<sup>th</sup> Street, and north of NE 2<sup>nd</sup> Street, for use as a municipal charter school, a copy of which Addendum is attached hereto and incorporated by reference as if set forth in full, is hereby approved.

**SECTION 2.** That the proper City officials are hereby authorized to execute said Addendum to Contract for Sale and Purchase thereto between the City of Pompano Beach and Christ Church United Methodist, Inc.

**SECTION 3.** This Resolution shall become effective upon passage.

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

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

**ATTEST:**

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

MEB/jrm  
9/21/21  
l:reso/2021-323

**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”), June 1, 2021, and passed by Resolution No. 2021-205, between the **City of Pompano Beach** (“City”) and **Christ Church United Methodist, Inc.** (“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 28, 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

Attest:

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

(SEAL)

APPROVED AS TO FORM:

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

**“SELLER”:**

WITNESSES:

**CHRIST CHURCH UNITED METHODIST, INC.**  
a Florida not-for-profit corporation

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

\_\_\_\_\_  
Brian J. McComb, President

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

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

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

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Brian J. McComb, as President of Christ Church United Methodist, Inc., a Florida corporation, on behalf of the corporation. He 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  
9/21/21  
l:realest/2021-1163