

**GROUND LEASE AGREEMENT**  
*between*  
**DIVITO ENTERPRISES LIMITED PARTNERSHIP**  
*and*  
**CITY OF POMPANO BEACH**

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9TH **THIS GROUND LEASE AGREEMENT** ("Agreement") made and entered into this day of October, 2019 (the "Effective Date"), by and between:

**DIVITO ENTERPRISES LIMITED PARTNERSHIP**, an Illinois limited partnership company, authorized to do business in the State of Florida, having its principal office at 360 South Green Bay Road, Lake Forest, Il., 60045 ("Lessor"),

and

**CITY OF POMPANO BEACH**, a Florida municipal corporation, having its principal office at 100 W. Atlantic Blvd., Pompano Beach, Florida, 33060 ("Lessee"),

collectively referred to as "the Parties."

**WHEREAS**, the Parties executed a prior lease agreement on February 14, 2014 (the "Prior Lease") for the Premises described below with a five (5) year term; and

**WHEREAS**, although the term of the Prior Lease expired on February 13, 2019, the Parties agreed to continue their leasing relationship while negotiating a new lease agreement, understanding that each Party would continue to comply with the terms and conditions of the Prior Lease until a new lease agreement is executed;

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties covenant, stipulate and agree as follows:

**W I T N E S S E T H:**

**1. DEMISE; DESCRIPTION OF PREMISES.**

Lessor agrees to lease to Lessee and Lessee agrees to lease from Lessor, for the purpose of providing public parking, the Premises more particularly described in Exhibit "A" attached and made a part of this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

**"LESSOR":**

Witnesses:

DiVito Enterprises Limited Partnership  
an Illinois limited partnership

By: Reliance Enterprises of South Florida, Inc.  
a Florida corporation, its General Partner

Signature

Print Name

Signature

Print Name

By:

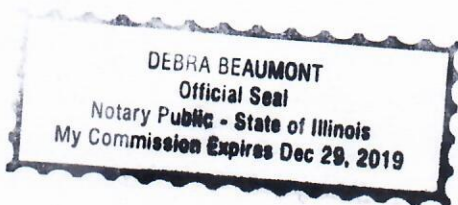
Eugene C. DiVito, President

STATE OF ILLINOIS

COUNTY OF Lake

The foregoing instrument was acknowledged before me this 9th day of \_\_\_\_\_, 2019, by Eugene C. DiVito, as President of Reliance Enterprise of South Florida, Inc. a Florida Corporation, the General Partner of DiVito Enterprises Limited Partnership, an Illinois limited partnership, authorized to do business in the State of Florida. He is personally known to me or who has produced personally known (type of identification) as identification.

NOTARY SEAL:



NOTARY PUBLIC, STATE OF ILLINOIS

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number



**"LESSEE":**

Witnesses:

**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

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instruments were acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019 by **REX HARDIN** as Mayor, **GREGORY P. HARRISON** as City Manager and **ASCELETA HAMMOND** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY SEAL:

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_  
(Name of Acknowledger Typed, Printed or Stamped)

\_\_\_\_\_  
Commission Number

TAL:jrm:JES:jmz  
10/7/19 (jrm)  
L:agr/CIP/2019-754c