

RESOLUTION NO. 04-201

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE LEASE AGREEMENT FOR TOWN OFFICE SPACE BETWEEN THE GRAHAM COMPANIES, INC., AS LANDLORD AND THE TOWN OF MIAMI LAKES AS TENANT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AMENDMENT TO THE LEASE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 19, 2001, the Town of Miami Lakes (the "Town") Council approved a lease agreement with the Graham Companies, Inc. for Town Hall office space (the "Lease"); and

WHEREAS, the Town Council approved an amendment to the Lease on February 12, 2002 to provide for additional office space to conduct the Town's municipal operations and provide additional municipal services to the public; and

WHEREAS, the Lease and the amendment did not provide for rental amounts beyond February 29, 2004; and

WHEREAS, the Graham Companies, Inc. and the Town desire to further amend the Lease to provide for rental amounts through February 28, 2007; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above Recitals are true and correct and incorporated herein by this reference.

Section 2. **Approval of Second Amendment to Lease.** The Second Amendment to the Lease between the Graham Companies, Inc. and the Town of Miami Lakes (the "Second Amendment"), a copy of which is attached as Exhibit "A," together with such non-material

changes as may be acceptable to the Town Manager and approved as to form and legality by the Town Attorney, is approved.

Section 3. Authorization of Town Officials. The Town Manager and Town Attorney are authorized to take all actions necessary to implement the terms and conditions of the Second Amendment.

Section 4. Authorization of Fund Expenditure. The Town Manager is authorized to expend budgeted funds to implement the terms and conditions of the Second Amendment.

Section 5. Execution of Agreement. The Mayor is authorized to execute the Second Amendment on behalf of the Town.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 9th day of March, 2004.

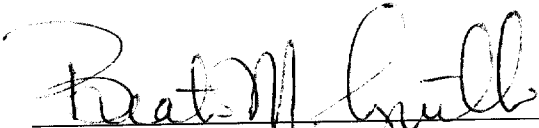
Motion to adopt by Simon, second by Thomson.

FINAL VOTE AT ADOPTION

Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Roberto Alonso	<u>Absent</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Robert Meador	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>
Councilmember Peter Thomson	<u>yes</u>


Wayne Slaton
Wayne Slaton
MAYOR

ATTEST:



Beatris M. Arguelles, CMC
TOWN CLERK

Approved as to form and legality for the use
and benefit of the Town of Miami Lakes only:



Weiss, Serota, Hellman, Pastoriza, Guedes
Cole & Boniske, P.A.
TOWN ATTORNEY

SECOND LEASE AMENDMENT

This Second Lease Amendment (the "Amendment"), is made and entered into this 9th day of March, 2004, by and between **THE GRAHAM COMPANIES**, a Florida Corporation, as "Lessor" and **TOWN OF MIAMI LAKES**, a Florida Municipal Corporation, hereinafter referred to as "Lessee".

WITNESSETH

WHEREAS, Lessor and Lessee entered into that certain Lease Agreement dated March 19, 2001, for the Demise of the real property more particularly described as 6849-55 Main Street, Miami Lakes, Miami-Dade County, Florida, 33014 (the "Lease"); and

WHEREAS, Lessor and Lessee amended the Lease on February 12, 2002 to account for additional office space to be used by the Lessee; and

WHEREAS, Lessor and Lessee desire to further modify certain of the terms and provisions of the Lease as hereinafter set forth.

NOW, THEREFORE, for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Lessor and Lessee agree as follows:

Section 1. Section 2.0 of the Lease on shall be amended to read as follows:

Section 2.0 – Rental –

(a) Rent:

Rental shall be paid in advance on or before the first day of each month, together with applicable tax thereon as follows:

<u>PERIOD</u>	<u>MONTHLY RENT</u>	<u>TAX*</u>	<u>TOTAL</u>
March 1, 2002 through February 28, 2003	\$5,761.13	\$0.00	\$5,761.13
March 1, 2003 through February 29, 2004	\$5,933.96	\$0.00	\$5,933.96
March 1, 2004 through February 28, 2005	\$6,111.98	\$0.00	\$6,111.98
March 1, 2005 through February 28, 2006	\$6,295.34	\$0.00	\$6,295.34
March 1, 2006 through February 28, 2007	\$6,484.20	\$0.00	\$6,484.20

* All sales, use, or similar taxes now or hereinafter imposed, whether federal, state, or local, which is 7.0% as of January 1, 2003.

Section 2. Except as modified and amended herein, all provisions of the Lease shall remain in full force and effect.

EXECUTED as of the date first above written in several counterparts, any one of which shall be deemed an original, but all constituting only one instrument.

WITNESSES:

(As to Lessor)

(Lessor's Corporate Seal)

WITNESSES:

(As to Lessee)

(Lessee's Corporate Seal)

LESSOR:

THE GRAHAM COMPANIES, a Florida Corporation

By: _____

Title: Executive Vice President

Attest: _____

Title: _____

LESSEE:

TOWN OF MIAMI LAKES

Wayne Slaton

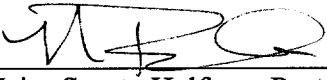
By: Wayne Slaton

Title: mayor

Attest: *Beah M. Gull*

Title: Town Clerk

Approved as to form and legality for the use
and benefit of the Town of Miami
Lakes only:

By: 

Weiss Serota Helfman Pastoriza Guedes
Cole & Boniske, P.A.
TOWN ATTORNEY