

AMENDMENT NO. 2 TO THE LEASE AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND PINEAPPLE GROVE PROFESSIONAL CENTER LEASE

THIS AMENDMENT NO. 2 to the Lease Agreement is made and entered into effective this 11th day of February, 2020 by and between **PINEAPPLE GROVE HOLDINGS LLC**, (hereinafter referred to as “Lessor”) and **CITY OF DELRAY BEACH**, (hereinafter referred to as “Tenant”).

W I T N E S S E T H:

WHEREAS, the Lessor and the Tenant entered into that certain lease (“Lease”) dated October 2, 2015 for that certain premises described herein as: Pineapple Grove Professional Center, 525 N.E. 3rd Avenue, Suites 104 and 105, Delray Beach, Florida 33483; and

WHEREAS, the Lessor and Tenant entered into the first amendment of the Lease on February 7, 2017; and

WHEREAS, the amended Lease is due to expire on February 28, 2020; and

WHEREAS, the Lessor and the Tenant wish to continue the Lease’s term for 36 additional months and adjust the annual increase rate of the monthly amount due to reflect the length of the new term.

NOW, THEREFORE, for and in consideration of the mutual covenants, promises, and representations contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree to the following:

1. The recitations set forth above are incorporated herein.

2. That “**BASIC LEASE TERMS**”, Paragraph III, “Term of Lease”; Paragraph IV, “Occupancy Date”; Paragraph V, “Lease Commencement Date”; Paragraph VI, “Lease Expiration Date”; Paragraph X, “Base Rent”; and Paragraph XV, “Total Monthly Amount Due” of the Lease Agreement shall be amended to read as follows:

BASIC LEASE TERMS

...

III.	Term of Lease	36 months
IV.	Occupancy Date	March 1, 2017 <u>2020</u>
V.	Lease Commencement Date	March 1, 2017 <u>2020</u>
VI.	Lease Expiration Date	February 29, 2020 <u>February 28, 2023</u>

...

X. Base Rent

~~Month 1 to Month 12: \$4049.51
Beginning on month 13, the total monthly amount due shall increase by 2% to \$4,130.50.
Beginning on month 25, the total monthly amount due shall increase by an additional 4% to \$4,295.72.~~

Month 1 to Month 12: \$4,295.72
Beginning on month 13, the total monthly amount due shall increase by 2% to \$4381.63.
Beginning on month 25, the total monthly amount due shall increase by an additional 4% to \$4556.90.

...

XV. Total Monthly Amount Due

~~Month 1 to Month 12: \$4049.51
Month 13 to Month 24: \$4,130.50
Month 25 to Month 36: \$4,295.72.~~

Month 1 to Month 12: \$4,295.72
Month 13 to Month 24: \$4,381.63
Month 25 to Month 36: \$4,556.90.

Tenant as a municipality is exempt from paying State of Florida sales tax. Tenant’s utilities shall be separately metered and are the responsibility of the Tenant.

3. That Article I “Base Lease Provisions”, Section 1.3 “Term of Lease” of the Lease Agreement shall be amended to read as follows:

1.3 Term of Lease

The term of the lease shall be for thirty-six (36) months and shall commence 12:00 a.m., March 1, 2017~~2020~~, and shall end, unless otherwise extended or terminated as provided herein, at midnight on ~~February 29, 2020~~ February 28, 2023.

4. Except as modified by this Amendment, the original Lease Agreement as previously amended thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the day and year first above written.

Two Witnesses to Lessor's Execution:

LESSOR:

[Signature]
Witness Signature

PINEAPPLE GROVE HOLDINGS, LLC

Lisa M Perez
Print Name of Witness

By: [Signature]
John R. Westine, President

[Signature]
Witness Signature

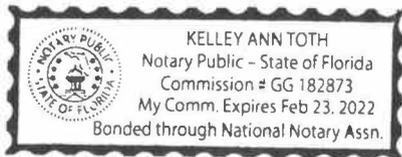
Audrey M Orr
Print Name of Witness

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 29th day of January, 2020, by John R. Westine (name of person), as _____ (type of authority) for _____ (name of party on behalf of whom instrument was executed).

Personally known OR Produced Identification
Type of Identification Produced _____

[Signature]
Notary Public - State of Florida



ATTEST:

Kateri Johnson
City Clerk

TENANT:

CITY OF DELRAY BEACH, FLORIDA

By: Shelly Petrolia
Mayor

Approved as to Form:

Lynn Gelin
Lynn Gelin, City Attorney

Two Witnesses to Tenant's Execution:

Marianne Rodriguez
Witness Signature

Marianne Rodriguez
Print Name of Witness

Beverly Searvogel-Graikowski
Witness Signature

Beverly Searvogel-Graikowski
Print Name of Witness