

CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY

---

**M E M O R A N D U M**

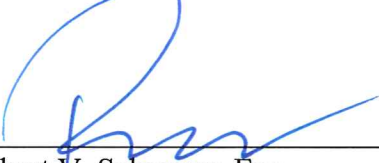
**TO:** Linda Cox, City Clerk (*via email*)  
**FROM:** Robert V. Schwerer, City Attorney  
**SUBJECT:** Assignment of Lease – Fort Pierce Yacht Club  
**DATE:** February 22, 2016

---

At their regular meeting of February 16, 2016, the City Commission approved an Assignment of Lease between the County and the City pertaining to the Fort Pierce Yacht Club lease subject to review and approval by the City Attorney. Prior to said meeting, Legal identified a number of edits that would be needed in order to approve of the form and correctness of the Assignment. Attached is a revised document approved by this office.

Please obtain the Mayor's and your signatures on the lines provided on both of the attached, and insert the date of the City's signing on the line below my signature. Thereafter, forward both of these to my office and we will transmit the same to the County Attorney for signing by the County.

Please do not hesitate to let me know if you have any questions concerning the attached.



---

Robert V. Schwerer, Esq.  
City Attorney

/mlp  
Attachment  
cc: Nicholas Mimms, City Manager (*via email*)

**ASSIGNMENT OF LEASE BETWEEN**  
**ST. LUCIE COUNTY AND**  
**FORT PIERCE YACHT CLUB**  
**CONTRACT NO. C86-09-117**

**THIS ASSIGNMENT OF LEASE** is made and entered into this \_\_\_\_\_ day of February, 2016, by and between **ST. LUCIE COUNTY**, a political subdivision of the State of Florida (the “County”) and the **CITY OF FORT PIERCE, FLORIDA**, a Florida municipal corporation, (the “City”).

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

**WHEREAS**, the County and the City entered into a Lease Agreement on December 14, 1976 for certain property known as Indian River Memorial Park located along Indian River Drive, Fort Pierce, Florida; and,

**WHEREAS**, the County and Fort Pierce Yacht Club entered into a Lease Agreement on September 8, 1984 for certain property located at 700 North Indian River Drive, Fort Pierce, Florida within Indian River Memorial Park; and,

**WHEREAS**, on September 30, 2008, the County vacated the lands and premises affected by the Lease entered into on December 14, 1976 and relocated all scheduled programming and other activities to the Havert L. Fenn Center; and,

**WHEREAS**, on November 14, 2008 the City terminated the Lease Agreement with the County dated December 14, 1976; and,

**WHEREAS**, the County desires to assign the Lease Agreement of November 14, 2008 with the Fort Pierce Yacht Club to the City.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the County and the City hereby agree as follows:

1. **Assignment of Lease**. The County hereby assigns to the City all of its interests, rights, duties and responsibilities as set forth in the Fort Pierce Yacht Club Agreement

dated September 8, 1984, incorporated herein.

- 2. **Assumption of Lease.** As of the Effective Date of this Assignment, the City hereby agrees to its substitution as Lessor and to perform and discharge all rights, duties, and responsibilities as set forth in the Agreement dated September 8, 1984.
- 3. **Effective Date.** This Assignment shall be effective as of the date of this Assignment.

**IN WITNESS WHEREOF**, the parties hereto have executed this Assignment on the date first above written.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS  
ST. LUCIE COUNTY**

\_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
Chairman

**APPROVED  
AS TO FORM AND CORRECTNESS**

BY: \_\_\_\_\_  
Daniel S. McIntyre, County Attorney

Date: \_\_\_\_\_

**ATTEST:**

**CITY OF FORT PIERCE, FLORIDA**

BY: \_\_\_\_\_  
Linda Cox, City Clerk

BY: \_\_\_\_\_  
Linda Hudson, Mayor

**APPROVED  
AS TO FORM AND CORRECTNESS:**

BY:  \_\_\_\_\_  
Robert V. Schwerer, City Attorney

Date: \_\_\_\_\_