



20 N. Swinton Avenue
Delray Beach, FL 33444

~ CRA BOARD SUMMARY ~
**FIRST AMENDMENT TO COMMERCIAL LEASE AGREEMENT-
FACTUAL MULTI-SERVICES (135 NW 5TH AVENUE, UNIT C6)**

On January 2014 the CRA Board authorized Staff to enter into a Commercial Lease Agreement with Factual Multi-Services to lease Unit C6 in the West Settlers Building (135 NW 5th Avenue), subject to the payment of six months' rent to be applied to the end of the market rate lease term and due upon execution of the lease.

Unit C6 is the northernmost commercial space in the building consisting of 875 square feet. The Agreement included a minimum three (3) year lease term, a one (1) year option to renew, and a lease rate of \$15 per square foot (\$1,093.75) plus monthly association fees, which is presently \$402.00 per month. As part of the lease, the CRA Board also approved a build-out allowance in an amount not to exceed \$5,000.00 primarily for flooring. Additionally, the tenant is responsible for any costs associated with the operation of the business including, property taxes, insurance, telephone, cable television, electrical, solid waste disposal, and any local or state licensing.

The lease expires on January 9, 2017 and tenant, Danny Mesidort, has submitted a request to extend his lease for an additional one (1) year period up to January 9, 2018. Overall, during the initial term of his lease, Mr. Mesidort has proven to be a responsible tenant and staff is therefore recommending the extension of this lease. Towards the end of the lease term, the CRA would evaluate other potential uses of the space.

Recommended Action:

Approve the First Amendment to the Commercial Lease Agreement between the Delray Beach CRA and Factual Multi-Services for the CRA owned property located at 135 NW 5th Avenue, Unit C6 up to January 9, 2018.

Submitted By: Yuberca Pena, Contract Manager

Attachments: First Amendment to Commercial Lease Agreement with Factual Multi Services

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FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT is entered into by and between **DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**, a Florida public body, corporate and politic, created pursuant to Chapter 163, Florida Statutes, (the "Landlord") whose address is 20 N. Swinton Avenue, Delray Beach, Florida 33444, and **FACTUAL MULTI SERVICES, LLC**, a Florida limited liability company, whose address is 4537 Highgate Drive, Unit C, Delray Beach, Florida 33445 (the "Tenant") and shall be effective upon execution by the parties hereto.

WITNESSETH:

WHEREAS, on January 10, 2014, the Landlord entered into a Commercial Lease Agreement ("Lease") with Tenant for the leasehold premises legally described in the Lease Agreement having an address of 135 NW 5th Avenue, Unit C6, Delray Beach, Florida ("Premises"); and

WHEREAS, the Lease will expire on January 9, 2017; and

WHEREAS, the parties desire to enter into this First Amendment to Lease ("First Amendment") to provide for an extension of an additional year.

NOW THEREFORE, the parties hereto in consideration of the mutual covenants and promises contained herein agree as follows:

1. That the above referenced "WHEREAS" clauses shall be confirmed and ratified as if fully set forth herein.
2. The term of the Lease is hereby extended up to and including January 9, 2018.
3. Except as modified by this First Amendment, all terms, covenants, obligations and provisions of the Lease shall remain unaltered, shall continue in full force and effect, and are hereby ratified, approved and confirmed by the parties in every respect. If the terms and conditions set forth in this First Amendment shall directly conflict with any provision contained in the Lease, the terms contained in the First Amendment shall control.

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IN WITNESS WHEREOF, the parties hereto have set their hands and seals the dates set forth below.

LANDLORD:
DELRAY BEACH COMMUNITY
REDEVELOPMENT AGENCY, a Florida public
agency

BY: _____
REGINALD A. COX, CHAIR

ATTEST:

JEFF COSTELLO, EXECUTIVE DIRECTOR

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this ____ day of _____, 2016, by Reginald A. Cox. as Chair and Jeff Costello as Executive Director, respectively, of the Delray Beach Community Redevelopment Agency on behalf of the Delray Beach Community Redevelopment Agency. They are personally known to me or have produced _____ (type of identification) as identification.

Notary Public – State of Florida

TENANT:
FACTUAL MULTI SERVICES, LLC, a Florida
Limited liability company

BY: _____
Print Name:

Title: _____

ATTEST:

Print Name: _____

(SEAL)

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this ____ day of _____, 2016, by _____, as _____, of FACTUAL MULTI SERVICES, LLC, a Florida limited liability company, on behalf of the limited liability company. He/She is personally known to me or has produced _____ (type of identification) as identification

Notary Public – State of Florida