



# CRA

POMPANO BEACH

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## MEMORANDUM

**Date:** November 9, 2015

**To:** CRA Board

**Through:** Christopher J. Brown, Co-Executive Director  
Kim Briesemeister, Co-Executive Director

**From:** Nguyen Tran, Northwest CRA Director 

**Subject:** Second Amendment to the Contract for Sale and Purchase with HBJ  
HOLDING LTD for property located at 790 and 800 Hammondville Rd.

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### Background

The Pompano Beach Community Redevelopment Agency (CRA) approved a Contract for Sale and Purchase with HBJ Holding LTD for two large parcels of land located on the South side of Dr. Martin Luther King Jr. Boulevard, between NW 7<sup>th</sup> Terrace and NW 9<sup>th</sup> Avenue on December 15, 2014. The 5.75 acre site contains Rocky's convenience store and a small commercial building fronting along MLK Blvd. The southern end of the property abuts the South Florida Water Management District Canal and contains 18 shotgun style homes (aka Jones Quarters). Due to additional time required to relocate 14 families, the CRA Board approved a contract amendment to extend the closing date until May 22, 2015. The CRA closed on the property on June 2, 2015. After closing, the title company discovered a discrepancy with the legal description on the survey with respect to the legal description on the title. The item before the CRA Board is a second amendment to the Contract for Sale and Purchase with HBJ Holding LTD to correct the legal description for the property.

### Recommendation:

Staff recommends approval of the Second Amendment to the Contract for Sale and Purchase with HBJ Holding LTD.



**City Attorney's Communication #2016-152**  
November 5, 2015

**TO:** Nguyen Tran, Community Redevelopment Agency

**FROM:** Jill R. Mesojedec, FRP, Paralegal

**VIA:** Tracy A. Lyons, Assistant City Attorney. *TL*

**RE:** Second Amendment to CRA Contract for Sale and Purchase from HBJ Holding, Ltd. – 790 and 800 Hammondville Road

As requested, the above-referenced Second Amendment to Contract has been prepared and is attached at this time along with the appropriate Resolution captioned as follows:

**A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING THE PROPER OFFICIAL TO EXECUTE A SECOND AMENDMENT TO CONTRACT FOR SALE AND PURCHASE BETWEEN THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND HBJ HOLDING, LTD. FOR THE PURCHASE OF PROPERTY LOCATED AT 790 AND 800 HAMMONDVILLE ROAD; PROVIDING AN EFFECTIVE DATE.**

Please feel free to contact me if I may be of further assistance.

*Jill R. Mesojedec*  
\_\_\_\_\_  
JILL R. MESOJEDEC

/jrm  
L:cor/cra/2016-152

Attachments

RESOLUTION NO. \_\_\_\_\_

**POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY**

**A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING THE PROPER OFFICIAL TO EXECUTE A SECOND AMENDMENT TO CONTRACT FOR SALE AND PURCHASE BETWEEN THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND HBJ HOLDING, LTD. FOR THE PURCHASE OF PROPERTY LOCATED AT 790 AND 800 HAMMONDVILLE ROAD; PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY:**

**SECTION 1.** That a Second Amendment to Contract for Sale and Purchase between the Pompano Beach Community Redevelopment Agency and HBJ Holding, Ltd., a copy of which is attached hereto and incorporated by reference as if set forth in full, is hereby approved.

**SECTION 2.** That the proper officials are hereby authorized to execute said Second Amendment to Contract for Sale and Purchase between the Pompano Beach Community Redevelopment Agency and HBJ Holding, Ltd.

**SECTION 3.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
**LAMAR FISHER, CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**MARGARET GALLAGHER, SECRETARY**

**SECOND AMENDMENT TO CONTRACT FOR SALE AND PURCHASE**

**THIS IS A SECOND AMENDMENT TO THE CONTRACT FOR SALE AND PURCHASE** dated the \_\_\_\_\_ day of \_\_\_\_\_, 2015, between:

**HBJ HOLDING, LTD.**, of 21715 Cartagena Drive, Boca Raton, Florida 33428, hereinafter referred to as "SELLER,"

and

**POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY**, of 100 West Atlantic Boulevard, Pompano Beach, Florida 33060, hereinafter referred to as the "CRA,"

**WHEREAS**, the parties entered into a Contract for Sale and Purchase for property located at 790 and 800 Hammondville Road, Pompano Beach, Florida, Folio Nos. 4842 35 00 0930 and 4842 35 00 0920, respectively, on December 17, 2014, passed by Resolution No. 2015-29, ("Original Agreement"); and

**WHEREAS**, the parties entered into an Amendment to the Original Agreement on May 21, 2015, approved by Resolution No. 2015-72; and

**WHEREAS**, the CRA and the SELLER have agreed to amend the Original Agreement to substitute Exhibit "A" to the Original Agreement.

**WITNESSETH:**

**IN CONSIDERATION** of the mutual terms, conditions, promises, covenants and payments herein set forth CITY and CONTRACTOR agree as follows:

1. Each "WHEREAS" clause set forth above is true and correct and herein incorporated by this reference.

2. The original Agreement executed on December 17, 2014, and subsequently amended on May 21, 2015, shall remain in full force and effect except as specifically amended hereinbelow.

3. The attached Exhibit "A" is hereby substituted for, and in all references replaces, that Exhibit "A" which was attached to, referenced and made a part of the Original Agreement.

4. All other terms and conditions of the said agreement shall remain in full force and effect as provided by the original agreement and any previous amendments and renewals thereto, unless earlier terminated pursuant to the provisions of the agreement.

5. That no other amendment to the terms of the said agreement shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

6. The provisions of this Amendment shall be binding upon and inure to the benefit of the parties and their respective successors and permitted assigns.

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first above written.

**"BUYER":**

Witnesses:

**POMPANO BEACH COMMUNITY  
REDEVELOPMENT AGENCY**

\_\_\_\_\_  
\_\_\_\_\_

BY: \_\_\_\_\_  
LAMAR FISHER , CHAIRPERSON

ATTEST: \_\_\_\_\_  
MARGARET GALLAGHER, SECRETARY

**"SELLER":**

**HBJ HOLDINGS LTD.,** a Florida limited partnership

BY: HBJ Land, LLC, General Partner

BY: Charles W. Hendrix III  
Charles W. Hendrix III, Trustee of the Thelma Lee Johnston Family Trust, Managing Member

**ATTEST:**

Rachel Giles  
Signature Witness 1

Rachel Giles  
Print/Type Name Witness 1

Jennifer Mooney  
Signature Witness 2

Jennifer Mooney  
Print/Type Name Witness 2

DATED: October 21, 2015

/jrm  
8/28/15  
l:realest/cra/2015-1531

**EXHIBIT "A"****Parcel 1:**

That part of the East 1/2 (E 1/2) of the South 1/2 (S 1/2) of the Northwest 1/4 (NW 1/4) of the Southwest 1/4 (SW 1/4) of the Southwest 1/4 (SW 1/4) of Section 35, Township 48 South, Range 42 East, lying South of the right-of-way of Martin Luther King, Jr. Boulevard (Hammondville Road).

**Parcel 2:**

That part of the East Half (E 1/2) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 35, Township 48 South, Range 42 East, lying North of the right-of-way line of Atlantic Boulevard.

Parcels 1 and 2 above being more particularly described as follows:

A portion of Lot 13, according to the plat of the subdivision of Section 35, Township 48 South, Range 42 East, recorded in Plat Book 8, Page 76, of the Public Records of Miami - Dade County, Florida. Said portion being more particularly described as follows:

Beginning at the intersection of the East line of the West one-half (W 1/2) of said Lot 13 and the North limited access right-of-way line of Atlantic Boulevard (State Road 814); thence South 89°50'27" West, along said right-of-way line, 24.36 feet; thence departing said limited access line and continuing along said North right-of-way line the following two courses: (1) North 00°59'30" West, 90.00 feet; (2) North 89°52'53" West, 309.57 feet to an intersection with the West line of the East three-quarters (E 3/4) of said Lot 13; thence North 01°29'16" West, along said West line, 739.50 feet to an intersection with the South right-of-way of Hammondville Road (Dr. Martin Luther King Jr. Boulevard); thence along said South right-of-way the following three courses: (1) North 89°25'05" East, 183.13 feet; (2) North 01°27'44" West, 10.00 feet; (3) South 89°30'03" East, 150.09 feet to an intersection with said East line; thence South 01°28'55" East, along said East line, 840.64 feet to the Point of Beginning.

Said lands situate in the City of Pompano Beach, Broward County, Florida.