



P. O. Drawer 1300
Pompano Beach, FL 33060

Phone: (954) 786-5535
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COVERSHEET

Date: July 13, 2017

To: Pompano Beach CRA Board

From: Adriane Esteban, Project Manager

Subject: Signature Page for Atlantic Hospitality Group II, LLC First Amendment

It is anticipated that the Atlantic Hospitality Group II's signature page for the First Amendments will be provided on or by Tuesday, July 18, 2017. If the CRA does not receive the signature pages by the CRA Board meeting time, this item will be pulled from the July 18, 2017 CRA Board meeting agenda.



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MEMORANDUM

To: Pompano Beach CRA Board

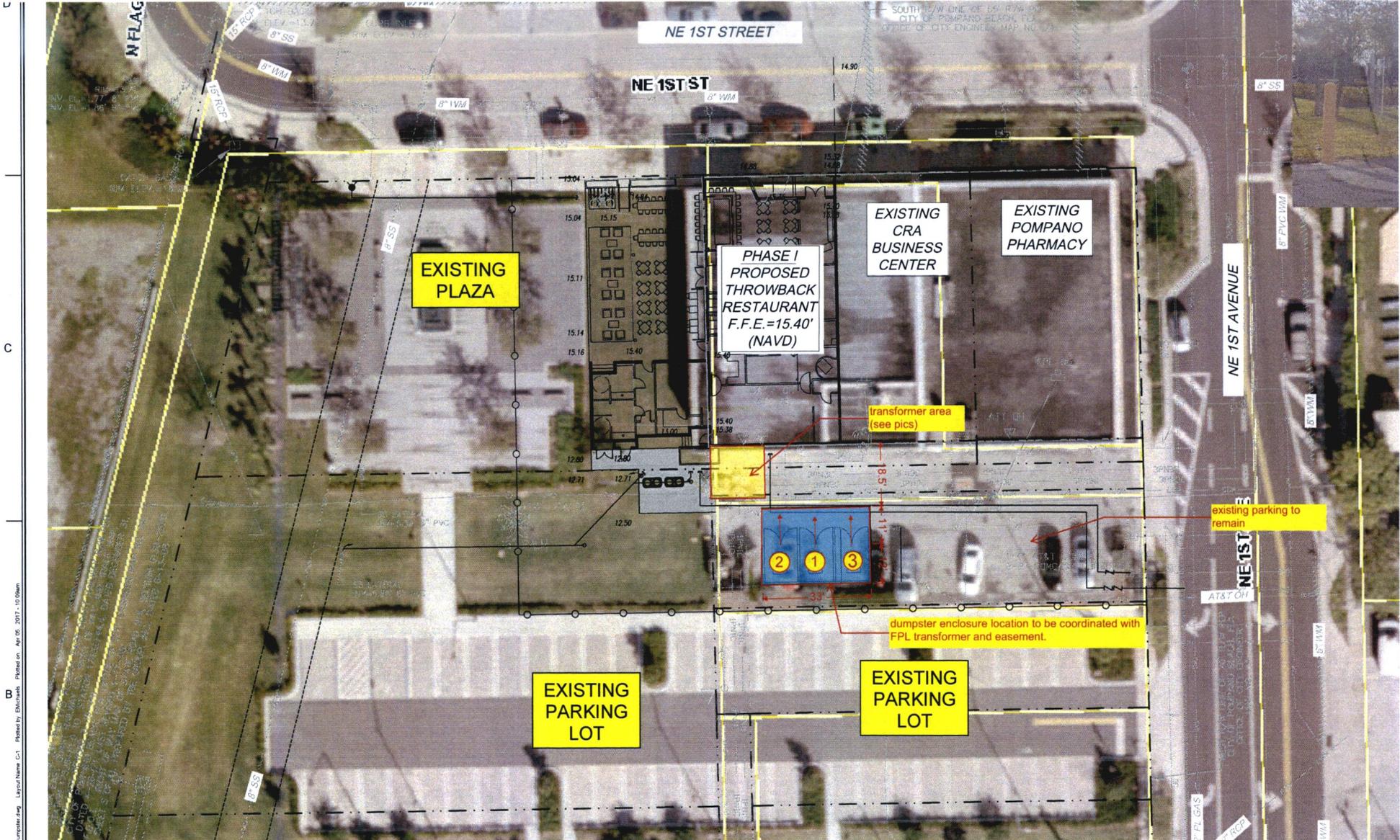
From: Adriane Esteban, CRA Project Manager

Date: July 18, 2017

Subject: First Amendments to the Sublease and Patio Ground Lease Agreements relating to property located at 44 NE 1st Street

In May 2016, the CRA Board approved a Sublease Agreement and Patio Ground Lease Agreement between the CRA and Atlantic Hospitality Group II, LLC (AHG II), via Resolution 2016-44 relating to the property located at 44 NE 1st Street. Since that time, the restauranteur has been working on their concept and also the construction drawings. Although the AHG II has submitted for permit, the coordination required for this project being situated on two separate parcels has been extensive and requires more time in the project schedule. Therefore, staff is recommending the Project Schedule exhibit be amended to provide additional time for AHG II to get their permits and commence construction. The approval of this agenda item will allow the tenant to remain in compliance with the agreements and continue their efforts to bring a new restaurant to the emerging arts and entertainment district in Pompano Beach.

Electric Owl Plan overlaid on Map



POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A FIRST AMENDMENT TO SUBLEASE AGREEMENT AND A FIRST AMENDMENT TO PATIO GROUND LEASE AGREEMENT BETWEEN THE CRA AND ATLANTIC HOSPITALITY GROUP II, LLC, RELATING TO PROPERTY LOCATED AT 44 NORTHEAST 1ST STREET, POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The First Amendment to Sublease Agreement and the First Amendment to Patio Ground Lease Agreement between the Pompano Beach Community Redevelopment Agency and Atlantic Hospitality Group II, LLC, relating to the property located at 44 Northeast 1st Street, Pompano Beach, Florida (the Agreements), copies of which Agreements are attached hereto and incorporated by reference as if set forth in full, are hereby approved.

SECTION 2. The proper officials are hereby authorized to execute the Agreements, together with such other documents as may be required to effectuate the Agreements.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of July, 2017.

LAMAR FISHER, CHAIRPERSON

ATTEST:

CATHY TRENKLE, SECRETARY

FIRST AMENDMENT TO PATIO GROUND LEASE AGREEMENT

THIS FIRST AMENDMENT TO PATIO GROUND LEASE AGREEMENT is entered into on the _____ day of _____, 2017, by and between: **POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY**, a public body corporate and politic, whose address is 100 West Atlantic Boulevard, Pompano Beach, Florida (“CRA”), and **ATLANTIC HOSPITALITY GROUP II, LLC**, a Florida limited liability company, whose address is 2729 NE 31st Street, Lighthouse Point, Florida 33064 (“Tenant”).

WHEREAS, CRA entered into a Patio Ground Lease Agreement with Tenant for the use of 2,800 SF of land located adjacent to 44 NE First Street, (“Original Patio Lease”), and approved by Resolution No. 2016-44;

WHEREAS, CRA entered into a Sublease Agreement with Tenant for the use of 3,081 SF of structure located at 44 NE First Street, (“Original Sublease”), and approved by Resolution No. 2016-44.

WITNESSETH:

NOW, THEREFORE, the parties agree as follows:

1. Each “WHEREAS” clause set forth above is true and correct and herein incorporated by this reference.
2. The Original Patio Lease shall remain in full force and effect except as specifically amended herein below.
3. The Project Schedule attached as Exhibit “B” of the Sublease Agreement is replaced with the revised Project Schedule attached as Exhibit A to this First Amendment.

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

“CRA”:

Signed, Sealed and Witnessed
In the Presence of:

**POMPANO BEACH COMMUNITY
REDEVELOPMENT AGENCY**

Print Name: _____

By: _____
Lamar Fisher, Chairman

Print Name: _____

ATTEST:

Cathy Trenkle, Secretary

EXECUTIVE DIRECTOR:
Redevelopment Management Associates, LLC
a Florida limited liability company

Print Name: _____

By: _____
Print Name: _____

“Tenant”:

Signed, Sealed and Witnessed
In the Presence of:

ATLANTIC HOSPITALITY GROUP II, LLC,
a Florida limited liability company

Print Name _____

By: _____
Print Name: HANSA PATEL

Print Name _____

Title: _____

Print Name _____

By: _____
Print Name: FRANCO GRIECO

Print Name _____

Title: _____

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 2017, by HANSA PATEL and FRANCO GRIECO as _____ (title) and _____ (title) of ATLANTIC HOSPITALITY GROUP II, LLC, on behalf of the limited liability company. They are personally known to me or who have produced _____ (type of identification) as identification.

NOTARY’S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

EXHIBIT A

Project Schedule

Description of Event	Due Date
Submit for Development Approval (Pre-Application, DRC, AAC, P&Z)	11/1/2016
Development Order	2/28/2017
Submit for Building Permit	3/1/2017
Obtain Building Permit	6/30/2017 <u>9/30/2017</u>
Notice of Commencement	7/1/2017 <u>10/1/2017</u>
Temporary Certificate of Occupany or Certificate of Completion	7/1/2018

FIRST AMENDMENT TO SUBLEASE AGREEMENT

THIS FIRST AMENDMENT TO SUBLEASE AGREEMENT is entered into on the _____ day of _____, 2017, by and between: **POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY**, a public body corporate and politic, whose address is 100 West Atlantic Boulevard, Pompano Beach, Florida (“CRA”), and **ATLANTIC HOSPITALITY GROUP II, LLC**, a Florida limited liability company, whose address is 2729 NE 31st Street, Lighthouse Point, Florida 33064 (“Sublessee”).

WHEREAS, CRA entered into a Sublease Agreement with Sublessee for the use of 3,081 SF of structure located at 44 NE First Street, (“Original Sublease”), and approved by Resolution No. 2016-44; and

WHEREAS, CRA entered into a Patio Ground Lease Agreement with Sublessee for the use of 2,800 SF of land located adjacent to 44 NE First Street, (“Original Patio Lease”), and approved by Resolution No. 2016-44.

WITNESSETH:

NOW, THEREFORE, the parties agree as follows:

1. Each “WHEREAS” clause set forth above is true and correct and herein incorporated by this reference.
2. The Original Sublease shall remain in full force and effect except as specifically amended herein below.
3. The Project Schedule attached as Exhibit “C” of the Sublease Agreement is replaced with the revised Project Schedule attached as Exhibit A to this First Amendment.

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

“CRA”:

Signed, Sealed and Witnessed
In the Presence of:

**POMPANO BEACH COMMUNITY
REDEVELOPMENT AGENCY**

Print Name: _____

By: _____
Lamar Fisher, Chairman

Print Name: _____

ATTEST:

Cathy Trenkle, Secretary

EXECUTIVE DIRECTOR:
Redevelopment Management Associates, LLC
a Florida limited liability company

Print Name: _____

By: _____
Print Name: _____

“Sublessee”:

Signed, Sealed and Witnessed
In the Presence of:

ATLANTIC HOSPITALITY GROUP II, LLC,
a Florida limited liability company

Print Name. _____

By: _____
Print Name: HANSA PATEL

Print Name _____

Title: _____

Print Name. _____

By: _____
Print Name: FRANCO GRIECO

Print Name _____

Title: _____

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 2017, by HANSA PATEL and FRANCO GRIECO as _____ (title) and _____ (title) of ATLANTIC HOSPITALITY GROUP II, LLC, on behalf of the limited liability company. They are personally known to me or who have produced _____ (type of identification) as identification.

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