

Memorandum



Date: May 3, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name.

Subject: Robert's Pharmacy

In accordance with the terms of the Stephen P. Clark Center (SPCC) Pharmacy lease agreement, the attached notice of termination was sent to RDS Pharmacy Management, d/b/a Robert's Pharmacy for "failing to use the premises for the operation of a pharmacy as required by the Agreement." Robert's closed its doors on May 1, 2012 and will remove all of its belongings by May 11, 2012.

We are expediting the request for proposals process in order to resume providing this service to the SPCC tenants and visitors as quickly as possible. If you have any questions, please contact Lester Sola, Internal Services Department Director, at 305-375-2363.

Attachment

c: R. A. Cuevas, Jr., County Attorney
Office of the Mayor Senior Staff
Lester Sola, Director, Internal Services Department
Charles Anderson, Commission Auditor



miamidade.gov

Internal Services
111 NW 1st Street • Suite 2130
Miami, Florida 33128
T 305-375-2724 F 305-372-6130

May 1, 2012

Mr. Aiman I. Aryan
RDS Pharmacy Management, Inc.
d/b/a Roberts Drug Store #4
111 NW 1st Street
Miami, FL 33128

**Re: Notice of Termination
Stephen P. Clark Center Pharmacy Lease Agreement
Lease # 01-4137-023-0020-L09**

Dear Mr. Aryan:

You are hereby notified that RDS Pharmacy Management, Inc. d/b/a Roberts Drug Store #4 (Roberts) is in default of the terms of the Stephen P. Clark Center Pharmacy Lease Agreement (Agreement) with Miami-Dade County (County) for failing to use the premises for the operation of a pharmacy as required by the Agreement.

Article 2 of the Agreement titled "Operations" provides: "Lessee shall continuously and uninterruptedly use and operate for purposes outlined herein all of the Pharmacy other than such minor portions thereof as are reasonably required for the storage and office purposes, and such storage and office space shall only be used in connection with the business conducted by Lessee in the Pharmacy..." Pursuant to Section A.iv. of Article 57 of the Agreement titled "Termination by County", "abandonment or discontinuation of operations for more than a 24 hour period without prior written approval from the County" is grounds for termination by the County upon written notice to Roberts.

Roberts has abandoned or discontinued its pharmacy operation for more than a 24 hour period without written approval of the County. Therefore, please consider this letter as official notice of termination of the Stephen P. Clark Center Pharmacy Lease Agreement. Roberts shall cease all operations by close of business May 1, 2012 and shall remove all personal property from the premises on or before May 16, 2012 in the manner specified in the Agreement. You are further notified that the County is hereby exercising its right to accelerate payment of the balance of the rent in the amount of \$63,154.08, which shall become immediately due without further notice or demand. This notice of termination should not be construed as a waiver of any other term, covenant or breach of the lease.

Mr. Aiman I. Aryan
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Should you have any question, please contact Leland Salomon, Internal Services Department Real Estate Development Division Director, at 305-375-4421.

Sincerely,



Lester Sola
Director
Internal Services Department

- c: Honorable Carlos A. Gimenez, Mayor
- Edward Marquez, Deputy Mayor
- R. A. Cuevas, Jr., County Attorney
- Geri Bonzon-Keenan, Assistant County Attorney
- Debra Herman, Assistant County Attorney