


MEMORANDUM

Supplement to:
Agenda Item No. 8(L)(3)

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|--------------|---|-----------------|--|
| TO: | Honorable Chairwoman Audrey M. Edmonson and Members, Board of County Commissioners | DATE: | June 2, 2020 |
| FROM: | Abigail Price-Williams County Attorney | SUBJECT: | Resolution accepting "Assignment of Option to Purchase" approximately 4.82 acres within the Environmentally Endangered Lands Program South Dade Wetlands Project with The Nature Conservancy as Assignor, Miami-Dade County as Assignee, and Fenelus Antoine, as Seller, for a purchase price of \$26,000.00 to be funded from Building Better Communities General Obligation Bond Program funds or, alternatively, from the Environmentally Endangered Lands Acquisition Trust Fund |

The item was deferred to no date certain from the April 7, 2020 BCC because the County's option to buy the subject property had expired. The administration will be requesting an amendment so that the option contract extension may be included as part of this item. That option contract extension, which is included as part of the supplement to this item, would extend the option deadline until June 30, 2020.

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss and Co-Sponsor Commissioner Daniella Levine Cava.



Abigail Price-Williams
County Attorney

APW/cp

Memorandum



Date: June 2, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in blue ink, likely belonging to Carlos A. Gimenez, the Mayor.

Subject: Supplemental Memorandum to the Resolution Accepting "Assignment of Option to Purchase" approximately 4.82 Acres within the Environmentally Endangered Lands Program South Dade Wetlands Project with Fenelus Antoine as Seller

The administration will be requesting that item 200094 be amended to include the First Amendment to Option Agreement for Sale and Purchase, which is included with this supplement. The First Amendment provides for time extension to the "Assignment of Option to Purchase" for the purchase of approximately 4.82 acres within the Environmentally Endangered Lands Program South Dade Wetlands Project with Fenelus Antoine as Seller.

This item was initially on the agenda for the February 11, 2020 meeting of the Infrastructure and Capital Improvements Committee (ICIC), which was canceled. Item was then favorably forwarded from the March 10, 2020 meeting of the ICIC. Due to pending expiration of the purchase agreement, item was approved by the Chairwoman to be waived to the March 17, 2020 meeting of the Board, which was subsequently canceled. It was necessary to amend the assignment of option to purchase to extend the option expiration date from April 6, 2020 to June 30, 2020. The amendment, the First Amendment to Option Agreement for Sale and Purchase, was signed by the seller and accompanies this supplement.

A handwritten signature in blue ink, likely belonging to Jack Osterholt, the Deputy Mayor.

Jack Osterholt
Deputy Mayor

**FIRST AMENDMENT
TO
OPTION AGREEMENT FOR SALE AND PURCHASE**

THIS FIRST AMENDMENT TO OPTION AGREEMENT FOR SALE AND PURCHASE (this "First Amendment") is made this 26 day of March, 2020, between FENELUS ANTOINE, whose address is 22716 Beltrees Ct., Land O Lakes, FL 34649, as "Seller" and THE NATURE CONSERVANCY, a nonprofit District of Columbia corporation, as Trustee of The Nature Conservancy Charitable Trust dated May 11, 1998 as amended, whose address is 2500 Maitland Center Parkway, Suite 311, Maitland, Florida 32751, and its successors and assigns as "Purchaser".

WITNESSETH

WHEREAS, the parties hereto entered into that certain Option Agreement for Sale and Purchase dated October 10, 2019 (the "Option") in connection with certain property located in Miami-Dade County, Florida.

WHEREAS, the parties desire to amend the Agreement to extend the Option Expiration Date.

NOW, THEREFORE, for and in consideration of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Paragraph 2 is deleted in its entirety and replaced with the following:


"2. OPTION TERMS.

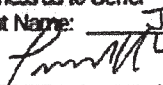
The option payment is \$100.00 (the "Option Payment"), the receipt and sufficiency of which is hereby acknowledged by SELLER.

The Option is exercised by BUYER delivering written notice of exercise to SELLER during the period beginning with BUYER'S execution of this Agreement and ending June 30, 2020 (the "Option Expiration Date"), unless extended by other provisions of this Agreement."

2. Binding Effect. All other terms of the Option remain unchanged and in full force and effect and are hereby ratified and confirmed as of the date first above written.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year written below their respective signatures.



Witness as to Seller
Print Name: Jasmine De Leon


Witness as to Seller
Print Name: Jasmine De Leon

SELLER:



FENELUS ANTOINE

STATE OF FL)
COUNTY OF Polk) ss.:

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 28 day of March, 2020, by FENELIS ANTOINE, who is personally known to me or who has produced a driver's license as identification and who did not take an oath.

(NOTARY PUBLIC)
SEAL



Notary Public

(Printed, Typed or Stamped
Name of Notary Public)

Commission No.:

My Commission Expires:

GG 958646

3/30/2024

Witness as to Buyer

Print Name:

Ryan Tucker

Witness as to Buyer

Print Name:

Megan Tucker

BUYER:

THE NATURE CONSERVANCY, a nonprofit
District of Columbia Corporation, as Trustee of The Nature
Conservancy Charitable Trust dated May 11, 1998, as amended

By:

Lisa Romero
Lisa Romero, Director of Finance and Operations

Reviewed by: Legal Dept. - BA

Date signed by Buyer

4/2/20

STATE OF FLORIDA)
COUNTY OF ORANGE) ss.:

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this 2 day of April, 2020, by Lisa Romero, Director of Finance and Operations of The Nature Conservancy, a nonprofit District of Columbia corporation, as Trustee of The Nature Conservancy Charitable Trust dated May 11, 1998, as amended. She is personally known to me and did not take an oath.

(NOTARY PUBLIC)
SEAL



Notary Public

(Printed, Typed or Stamped Name of
Notary Public)

Commission No.:

My Commission Expires:

GG 313203

3/18/23