

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: January 19, 2012

Division: Airports

Bulk Item: Yes No

Department: Florida Keys Marathon Airport

Staff Contact Person/Phone #: Reggie Paros/289-6060

AGENDA ITEM WORDING: Approval of Consent to Assignment by and between Monroe County, Florida, County, and Tony D’Aiuto d/b/a Antique Aircraft Restorations, Assignor, and Jobe Materials, L.P., Assignee, regarding a parcel of land upon which the Assignor constructed a hangar facility.

ITEM BACKGROUND: The Assignor requests the Monroe County Board of County Commissioners’, Monroe County, Florida, Consent to Assignment of an existing lease.

PREVIOUS RELEVANT BOCC ACTION: June 14, 2000, the parties, Monroe County, Florida, County, and Tony D’Aiuto d/b/a Antique Aircraft Restorations, Lessee (Assignor) entered into a 20 year lease agreement, original lease, to allow Lessee to construct facilities required by subsection VI(D)(4) of the County’s Revised Standards for Commercial Aeronautical Activities for Aircraft, Engine, Propeller, and Accessory Maintenance Services. September 18, 2002, the parties entered into an amendment extending the date by which construction of the facilities had to be completed. February 19, 2003, the parties entered into a second amendment providing for a second extension of the completion date for the construction of the facilities. February 21, 2007, the parties executed the third amendment providing for the construction of a G.A. apron and setting forth the responsibilities of each party in connection therewith. July 18, 2007, the parties executed the fourth amendment allowing Lessee to provide additional aeronautical services. June 17, 2009, the Lessee leased the former Mosquito Control Hangar from the County and relocated all of the Lessee’s commercial aeronautical activities to the Mosquito Control Hangar.

CONTRACT/AGREEMENT CHANGES: Consents to Assignment of Lease Agreement from Tony D’Aiuto d/b/a Antique Aircraft Restorations, Assignor, to Jobe Materials, L.P., Assignee.

STAFF RECOMMENDATIONS: Approval

TOTAL COST: n/a **INDIRECT COST:** n/a **BUDGETED:** Yes No

DIFFERENTIAL OF LOCAL PREFERENCE: n/a

COST TO COUNTY: n/a **SOURCE OF FUNDS:** _____

REVENUE PRODUCING: Yes No **AMOUNT PER MONTH** \$831.05 **Year** \$9,972.60+CPI

APPROVED BY: County Atty OMB/Purchasing Risk Management

DOCUMENTATION: Included Not Required

DISPOSITION: _____ **AGENDA ITEM #** _____

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

CONTRACT SUMMARY			
Contract with:	<u>Antique Aircraft</u>	Contract # <u>n/a</u>	<u>n/a</u>
		Effective Date:	<u>January 19, 2012</u>
		Expiration Date:	<u>January 18, 2032</u>
Contract Purpose/Description: Consent to Assignment of Lease: Assignor - Tony D'Aiuto d/b/a Antique Aircraft Restorations; Assignee - Jobe Materials, L.P.			
Contract Manager:	<u>Reggie Paros</u>	<u>6060</u>	<u>APM/#15</u>
	(Name)	(Ext.)	(Department/Stop #)
for BOCC meeting on <u>1/19/2012</u> Agenda Deadline: <u>1/3/2012</u>			

CONTRACT COSTS			
Total Dollar Value of Contract: \$	<u>199,452+</u>	Current Year Portion: \$	<u>9,972.60+</u>
Budgeted? Yes <input type="checkbox"/>	No <input type="checkbox"/>	Account Codes:	<u>- - - - -</u>
Grant: \$	<u>n/a</u>		<u>- - - - -</u>
County Match: \$	<u>n/a</u>		<u>- - - - -</u>
			<u>- - - - -</u>
ADDITIONAL COSTS			
Estimated Ongoing Costs: \$ <u>n/a/yr</u>	For: <u>n/a</u>		
(Not included in dollar value above)	(eg. maintenance, utilities, janitorial, salaries, etc.)		

CONTRACT REVIEW				
	Date In	Changes Needed	Reviewer	Date Out
Division Director	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____	_____
Risk Management	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____	_____
O.M.B./Purchasing	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____	_____
County Attorney	<u>1/5/12</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____	_____
Comments: _____				

CONSENT TO ASSIGNMENT

This Consent to Assignment is entered into this 19th day of January, 2012, by and between Monroe County, a political subdivision of the State of Florida, hereafter County, Tony D'Aiuto d/b/a Antique Aircraft Restorations, Assignor, and Jobe Materials, L.P., Assignee, the parties agreeing as follows:

1. The County leases to Assignor a 100 foot by 250 foot parcel of land upon which Assignor constructed a hangar facility, through an Agreement dated June 14, 2000, hereafter the original agreement, and amended on September 18, 2002, February 19, 2003, February 21, 2007, July 18, 2007 and October 19, 2011. The original agreement and amendments are attached and incorporated into this Consent to Assignment.
2. By a change of ownership effective _____, 20__ from Assignor to Assignee, the Assignor assigned to Assignee all the Assignor's rights, title and interest in the original agreement.
3. Monthly rent payments shall be made payable to Monroe County, and sent to the Airport Director's Office, 9400 Overseas Highway, Marathon Fl. 33050.
4. In consideration for such consent, the Assignee agrees to be bound by all the terms and conditions of the original agreement, as previously amended and as amended above.

(SEAL)
ATTEST: DANNY L. KOLHAGE
CLERK

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Deputy Clerk

By: _____
Mayor David Rice

ASSIGNEE

By: _____
Notary Public - State of Florida

By: _____
Jobe Materials, L.P.

My Commission Expires:

(SEAL)

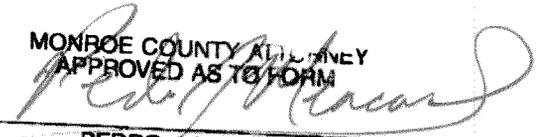
ASSIGNOR

By: _____
Notary Public - State of Florida

By: _____
Tony D'Aiuto d/b/a
Antique Aircraft Restorations

My Commission Expires:

(SEAL)

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

PEDRO J. MERCADO
ASSISTANT COUNTY ATTORNEY
Date 1/5/12