



APP Stuart FBO, LLC

3. Purpose: To correct a minor scrivener's error in the legal description of the leased premises
4. New/Renewal/Modified: New
5. Duration: N/A
6. Benefits to Martin County: To ensure accuracy of the legal description of the leased premises
7. Costs to Martin County: None

On November 14, 2017, Martin County and Atlantic Aviation-Stuart LLC ("Atlantic") entered into that certain Fifth Amendment and Complete Restatement of Agreement of Lease (the "Lease") pursuant to which Martin County leased to Atlantic approximately nineteen (19) acres of real property located at the Martin County Airport / Witham Field. The initial term of the Lease is thirty (30) years and may be renewed at the tenant's option for one (1) additional term of ten (10) years, subject to the terms and conditions set forth in the Lease.

On April 7, 2022, the Board approved the assignment of the Lease from Atlantic to APP.

On November 15, 2022, the Board approved a First Amendment to Lease, whereby the parties agreed to extend the deadline for completing the proposed improvement plan to July 31, 2023.

The purpose of the Second Amendment is to correct a minor scrivener's error in the legal description of the leased premises. A redlined version of the legal description showing the proposed correction is attached hereto. The remainder of the Lease shall remain unchanged and in full force and effect.

**ISSUES:**

None

**LEGAL SUFFICIENCY REVIEW:**

This item has been reviewed for legal sufficiency to determine if it is consistent with applicable law, and in so doing, legal staff has identified risks and developed strategies for legal defensibility, as applicable.

**RECOMMENDED ACTION:**

**RECOMMENDATION**

Move that the Board approve the Second Amendment to the Fifth Amendment and Complete Restatement of Agreement of Lease between Martin County and APP Stuart FBO, LLC.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from the Consent Agenda and direct staff accordingly.

**FISCAL IMPACT:**

**RECOMMENDATION**

None

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

- Budget Transfer / Amendment     Chair Letter     Contract / Agreement  
 Grant / Application     Notice     Ordinance     Resolution  
 Other:

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