

**Lee County Board Of County
Commissioners
Agenda Item Summary**

**Blue Sheet No.
20040252**

1. REQUESTED MOTION:

ACTION REQUESTED: Approve the Agreement to Terminate Lease with Lightning Wireless, Inc. for the County's space needs within the downtown Fort Myers SunTrust Building, located at 2000 Main Street (STRAP No. 13-44-24-P4-00410.0010). A copy of the agreement is attached.

WHY ACTION IS NECESSARY: Provides +/- 1,892 square feet of office space for County needs within the subject building.

WHAT ACTION ACCOMPLISHES: The Agreement terminates the lease of Lightning Wireless, Inc. within the subject building.

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT # 2**

C2A

3. MEETING DATE:

03-23-2004

4. AGENDA:

**5. REQUIREMENT/PURPOSE:
(Specify)**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

- STATUTE 125
- ORDINANCE
- ADMIN. CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT Construction & Design
- C. DIVISION Facilities Management
- BY: Richard Beck, Director

[Signature]

7. BACKGROUND:

Lee County has purchased the SunTrust Building at 2000 Main Street (the subject). Lightning Wireless, Inc. is a tenant on the 2nd floor of the subject, leasing approximately 1,892 sq. ft. of office space. Lightning Wireless, Inc. has agreed to vacate their office space. The lease was originally due to expire on August 14, 2004. The rental revenue produced was \$1,984.53 for base rent and \$1,124.00 for CAM. This space will help to accommodate some of the County's remodeling schedule and space needs.

Attachment:: Agreement to Terminate Lease (2)

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Departme nt Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>[Signature]</i> 3.4.04	<i>N/A</i> <i>3/3/04</i> <i>[Signature]</i>			<i>[Signature]</i> <i>3/4/04</i>	<i>CA</i> <i>3/5/04</i>	<i>OM</i> <i>3/5/04</i>	<i>Risk</i> <i>3/5/04</i>	<i>GC</i> <i>3/5/04</i>	<i>[Signature]</i> 3.4.04

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 3.4.04
Time: 4:30
Forwarded To: Admin 3-4-04 <i>[Signature]</i>

RECEIVED BY COUNTY ADMIN: <i>[Signature]</i>
<i>3/4/04</i>
<i>4:35pm SLT</i>
COUNTY ADMIN FORWARDED TO: <i>3/8/04</i> <i>10:40am</i>

AGREEMENT TO TERMINATE LEASE

I. Lee County, a political subdivision of the State of Florida, hereinafter called the "County," is owner of the Sun Trust Plaza, hereinafter called the "Building" located at 2000 Main Street, Fort Myers, Florida. Lightning Wireless Inc., hereinafter called "Tenant" holds a lease agreement (see Exhibit "A") attached hereto and made a part hereof, hereinafter called the "Lease" of approximately 1,892 square feet of office space in the Building, hereinafter called the "Premises." To accommodate the County's remodeling and office space needs, the County is willing to terminate the lease, at no cost to the County. The consideration for this agreement is the mutual exchange of promises by the parties hereto.

II. The County agrees to terminate Tenant's lease agreement upon delivery of the Premises to the County, in-broom clean condition, along with all Premises' building fixtures, on or after April 1, 2004, however, not after May 1, 2004. Tenant agrees to accept the termination of its lease by the County, and agrees to deliver the Premises to the County, in-broom clean condition along with all Premises' building fixtures, on or after April 1, 2004, however, not after May 1, 2004. Time is of the essence.

III. Tenant is and will remain responsible for all lease payments and expenses up to and including the day of delivery of the Premises to the County. If the Premises are not delivered to the County by May 1, 2004, this agreement will be null and void; unless extended by mutual written agreement.

Sally G. Shuford
SALLY A. SHUFORD

Witness

Wendie Smith
Wendie Smith

Witness

LESSEE:

BY:

DATE:

3-2-04
PRESIDENT
LIGHTNING WIRELESS

OWNER:
LEE COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

BY: _____
Chairman or Vice Chairman

DATE: _____

CHARLIE GREEN, CLERK

BY: _____
DEPUTY CLERK

DATE: _____

APPROVED AS TO LEGAL FORM
SUFFICIENCY