## PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

| Meeting Date: | April 4, 2017 | [X] Consent <br> [ ] Ordinance | Regular <br> Public Hearing |
| :---: | :---: | :---: | :---: |
| Department: | Facilities Development \& Operations |  |  |

## I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: a notice of exercise of the 16 th one (1) year extension option under the Lease with Bedner Farm, Inc. (R2001-0582) for Bedner Farm's continued agricultural use of approximately 246 acres located in the Ag Reserve for $\$ 122,918.50 /$ year.

Summary: Bedner Farm leases two (2) parcels of property in the Ag Reserve from the County. One parcel is approximately 156 acres located just west of the Turnpike and north of Atlantic Avenue. The other parcel is approximately 90 acres located west of U.S. 441 and north of Boynton Beach Boulevard. The Lease currently expires on May 31, 2017. Exercising this 16 th option extends the term to May 31, 2018. There remain twenty-five (25) annual extension options through May 31, 2043. The annual rental rate is currently $\$ 122,918.50 /$ year ( $\$ 500 /$ acre ). Pursuant to the Lease, Bedner Farm has the right to exercise its option and the Board has no discretionary authority to deny the exercise of the option. PREM will continue to have administrative responsibility for this Lease. (PREM) Districts 5 and 6 (HJF)

Background and Justification: On April 17, 2001, the Board accepted an assignment from the Nature Conservancy of an Option Agreement for Sale and Purchase (R2001-0582) to acquire approximately 262 acres in the Ag Reserve, with a 10 year lease back of the property to Bedner Farm. On May ${ }^{\circ}$ 15, 2007, the Board approved the First Amendment (R2007-0827) extending the term of the Lease for an additional twelve (12) years through 2023. On January 12, 2010, the Board approved the Second Amendment (R2010-0083) reducing the rent from $\$ 659 /$ acre to $\$ 500 /$ acre. On February 4, 2014, the Board approved the Third Amendment (R2014-0190) adding ten (10) additional one (1) year extension options, updating the non-discrimination provision and acknowledging the Office of the Inspector General. On July 21, 2015, the Board approved the Fourth Amendment (R2015-0953) adding ten (10) additional one (1) year extension options. State statutes do not require a Disclosure of Beneficial Interests be obtained when the County leases property to a tenant. Staff confirmed there has been no changes in ownership since the Disclosure submitted in 2015 (Attachment 4) which identifies Stephen W. Bedner ( $331 / 3 \%$ ), Charles Bedner ( $331 / 3 \%$ ), and Bruce Bedner ( $331 / 3 \%$ ) as holding interests in Bedner Farm, Inc.

## Attachments:

1. Location Map A
2. Location Map B
3. Extension option request letter
4. 2015 Disclosure of Beneficial Interest


## II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:


B. Recommended Sources of Funds/Summary of Fiscal Impact:

Fixed Assets Number $\qquad$ n/a
C. Departmental Fiscal Review:

## III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

B. Legal Sufficiency:

C. Other Department Review:

[^0]This summary is not to be used as a basis for payment.


LOCATION MAP
${ }^{110} B^{18}$ Attachments, 2,

## BEDNER FARMS, INC

10066 LEE ROAD
BOYNTON BEACH, FL 33473-4721
561-733-5490
561-733-5492 fax

Palm Beach County Property \& Real Estate Management
2633 Vista Parkway
West Palm Beach, FL
33411-5605

January 12, 2017
Please be advised this letter serves as Bedner Farms, Inc notice for the option to renew the lease agreement with Palm Beach County.
It is our intent to occupy the premise for another year starting June $1^{\text {st }}, 2017$ to May 31, 2018.

The semi-annual rent shall be submitted by the date of May 31, 2017 and December 31, 2017.

Sincerely,


Charles A. Bedner
President

| RECEIVE, |
| :--- |
| JAN 20 2016 |
| BY: |



# TO: PALM BEACH COUNTY CHIEF OFFICER, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE 

## STATE OF FLORIDA <br> COUNTY OF PALM BEACH

W BEFORE ME, the undersigned authority, this day personally appeared Stephen
first duly sworn, under oath, deposes and states as follows:
 , (name and type of entity - ie. ABC Corporation, XYZ Limited Partnership), (the "Tenant") which entity is the lessee of the real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is: 100 bo Lee Road Bopston Beach, $\ddagger 133473$
3. Attached hereto, and made a part hereof, as Exhibit " B " is a complete listing of the names and addresses of every person or entity having a five percent (5\%) or greater beneficial interest in the Tenant and the percentage interest of each such person or entity.
4. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
5. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete, and will be relied upon by Palm Beach County relating to its lease of the Property.

FURTHER AFFIANT SAYETH NAUGHT.


Print Affiant Name: Stephen wI Bedner
The foregoing instimament was sworn to, subscribed and acknowledged before me this

$\qquad$


ROBIN NEWBECK
Notary Public - State of Florida
My Comm. Expires Oct 25, 2015 Commission \# EE 141322 Bonded Though Mrional Mousy Assn;

G:PREMIStandard DocumentsIDisclosure of Beneficial Interest (tenant) 03-11.doc

## NOTARY PUBLIC

State of Florida at Large My Commission Expires: $9 / 25 / 2015$ $A+H C R M M C H$ $1 \% 7$

Exhibit "A"
PROPERTY

AHachment 4
2of 7

## EXEXBIT A

Lands being comprised of all or portions thereof of Tracts 2 through 8 inclusive, Tracts 25 through 30 inclusive, Tracts 35 through 40 inchusive, Tracts 57 through 62 inclusive, Tracts 67 through 72 inchusive, Tracts 89 through 93 inchusive, and Tracts. 100 through 104 inclusive, Section 8, PALM BEACH FARMS CO. PLAT NO. 1, woconding to the plat thersaf as recorded in Plat Book 2, at Page 26 of the Public Records of Palm Beach County, Florida, being more particularly described in the following two (2) parcels:

## PARCEI A

Connmencing at a found Palm Beach County hnsen disc in concrete at the Northwent corner of Section 7, Townehip 46 South, Range 42 Eant, Palm Beach County, Florida; thenoc North $89^{\circ} 06^{\prime} 56^{\prime \prime}$ East as a basis of bearings along the Notth line of said Section 7 , a distance of $5,530,83$ feet to the Northeast corner of said Section 7, also being the Northwest comer of Section 8, Township 46 South, Range 42 Benst, Palm Beach County, Florida; thence North $89^{\circ} 00^{\prime} 55^{n}$ East along the Notth line of said Section 8 , in distence of $2,646.06$ feet to the Northweat corner of the East one-half (1/2) of atid Seation 8; thence South $00^{\circ} 12^{\prime 2} 7^{\prime \prime}$ East along the West line of the Enst one-half (1/2) of said Section 8, \& distance of 2,768,83 feet; thence South $89^{\circ} 54^{\circ} 25^{\prime \prime}$ East, a diatance of 21.12 feet to the POINT OF BEGINNING; thence continue South $89^{\circ} 54^{\prime 2} 5^{\prime \prime}$ East along a line being 38.28 feet South of and parallel to (as measured at right angles) the North line of Trect 72, Section 8, Palm Beach Famme Co. Plat No. 1, as reconded in Plat Book 2, Page 26 of tho Public Records of Paim Beach County, Floxidn, a distance of 342.09 feet, thence South 0003738" Enat aloag the East line of said Tract 72 almo being the Wert line of Tract 71 of said plat, a distance of 7.92 feet; thence South $89^{\circ} 54^{\prime 2} 25^{\prime \prime}$ East along a line being 46.20 feet South of and parallel to (as measured at right angles) the North line of Tracts 67 through 71 of anid plat, a distance of 1,348.89 feet, the preceding thrte (3) courses aiso being coincident with the Southerly limits of the Lake Worth Drainage District Lateral-31 according to Chancery Case 407 reoorded in Official Record Book 6495, Prge 1165 of the Public Recordis of Palm Beach County, Florida; thence South 0903948" Wost along the Weat right-of-way line of the E2-W cenal as recorded in Deed Book 1111, Page 667 of the Public Records of Palm Beach County, Florida, a distance of $1,226.52$ foot to the point of curvature of a circular ourve to the left; thence Southerly along the are of said curve having a radius of $11,709.16$ feet and a central angle of $02^{\circ} 04^{\prime} 55^{\prime \prime}$, adistance of 425.46 foet, thence South $89^{\circ} 32^{\prime 2} 28^{\prime \prime}$ West along a line

Page 1 of 4
being 321,00 feet North of and parallel to (ss moasured at right angles) the South line of Tracts 100 through 104 of aaid plat of Paim Beach Farms Co. Plet No. 1, a dintance of $1,402.39$ feet, thearee North $00^{\circ} 39^{\prime \prime} 39^{\prime \prime}$ West along the centeritine of 330 foot wide road and a portion of the West line of Tract 104 of aild plat, a distance of 15.15 feet; thance North $89^{\circ} 46^{\prime} 38^{\prime \prime}$ East, a distrnce of 15.00 feet, thence North $00^{\circ} 39^{\prime \prime} 9^{\prime \prime}$ Weat along a line being 15.00 fect Rast of and parallel to (as mensured at right angles) said centerline, aportion of the West line of Tract 104, the West line of Traot 89, and a portion of the West line of Tract 72 of said plat, a distance of $1,624.79$ feet; thenoe North $89^{\circ} 54^{\prime 2} 25^{\prime \prime}$ Weast along a line being 50.00 feet South of and parallel to (as measured st right tugles) the North line of seid Tract 72, a distance of 15.00 fest the preceding theree (3) courses also being coincident with the Stuckoy Roud right-of way dedicution recorded in Official Record Book 7542, Page 1288 of the Public Reoonds of Palm Beach County, Florids; thence North 00039r39" West along the centerline of maid 30 foot wide road and the West line of a portion of asid Tract 72, a distance of 11.72 feet to the POINT OF BEOINNNNG.

Said lands eituate, lying and being in Palm Beach County, Florida.
Containing 2,503,966 square feet or 57,483 acres more or leas.

## PARCEL B

Commencing at a found Palm Beach County brase dite in concrete at the Northwest comer of Seotion 7, Townahip 46 South; Range 42 East, Palma Beach County, Florida; thence North $89^{\circ} 06^{\prime} 56^{\prime \prime}$ East an a basis of bearinge along the North line of sadd Section 7, a distance of $5,530.83$ feet to the Northeast comer of said Section 7, also baing the Northweat comer of Section 3, Township 46. South, Range 42 East, Palm Beach County, Florida; thence North $89^{\circ} 00^{\prime} 55^{\prime \prime}$ East alang the North line of said Section 8, a distance of $2,646,06$ feet to the Nouthwest comer of the East one-half (1.2) of asid Section 8; flence South 00 ${ }^{\circ} 12^{\prime 2} 7^{\prime \prime}$ East nlong the West line of the East one hanf( $1 / 2$ ) of said Section 8 , a distance of 90.12 feet to the PONTT OF BBGINNING; thexce North $89^{\circ} 000^{5} 55^{\prime \prime}$ East along a line being 90.11 feet South of and parallel to (as measured at right angles) the North line of"Tract 8, Section 8, Palm Beach Futms Co. Plat No. 1, as recorded tn Plat Book 2, Page 26 of the Publio Records of Palm Beach County, Florida, a distance of 343.56 feet; thence South $00^{\circ} 3738^{\prime \prime}$ Enst along the East line of said Tract 8 , also being the Weat lins of Tract 7 of said plat, a distarice of 0.53 feet; thence North $89^{\circ} 00^{\prime} 55^{\prime \prime}$ East along a line being 90.64 feet South of and parallel to (as messured at tight angles) the North line of esid Tract 7 and the North line of Tract 6 of maid plat, a distance of 653.62 feet; thence North $00^{\circ} 3831^{\prime \prime}$ West along the East line of anid Tract 6 also boing the Weest line of Tract 5 of aaid plat, a distance of 0.53 feet; thence North $89^{\circ} 00^{\prime} 55^{\prime \prime}$ East along a line boing 90.11 feet South of and prrallel to (as measured at right angles) the North line of aaid Truet 5 , a dirtance of 326.75 feet; thonce South $00^{\circ} 40^{\prime} 18^{\prime \prime}$ East along the Eaxt lize of gaid Tract 5 also being the West hine of Tract 4 - 5 eaid plat, a dirtance

Page 2 of 4
of 0.53 foet; thenoo North $89^{\circ} 00^{\prime} 55^{\prime \prime}$ " Eastalong a line being 90.64 feet South of and parallel to (Es measurad at right angles) the North lina of nald Tract 4, a distance of 326.85 feet, thence South $60^{\circ} 42^{\prime 2} 1^{\prime \prime}$ Bast along the East line of said Tract 4 also boing the Weast line of Tract 3 of said plat, a distance of 0.03 feet, thence North $89^{\circ} 00^{\prime} 55^{\prime \prime}$ East along a line bsing 90.67 feet South of and parallel to (as measured at night angles) the North line of asid Truct 3, a distance of 326.75 fect; thenoe North $00^{\circ} 43^{\prime} 48^{\prime \prime}$ West along the East line of said Tract 3 aleo being the West line of Tract 2 of said plat, a distance of 0.03 fest; thence North $89^{\circ} 00^{\circ} 55^{\prime \prime}$ East along a line being 90.64 feet South of and parallel to (as measured at right angies) the North line of sald Tract 2, a distance of 19.54 feet, the preceding eleven (11) courses also being coincident with the Southerly limits of the Lake Worth Drainage District Laternl-30 as mentioned in Chancery Case 407, reconded in Official Record Book 6495, Page 1165 of the Public Record of Ralm Beach County, Florida; thence South 00 $2012^{\prime \prime}$ Bast along the Weat right-of-way line of the E2-W cauni at recordodi in Deed Book 11.27, Page 250 of the Public Recorda of Palm Beach Connty, Florida, a distance of 91.12 feet to the point of curvature of a circular curve to the right; thence Southerly along the West right-of-way line of said $\mathrm{E} 2-\mathrm{W}$ camal and the arc of said corve having a radius of 11,209.16 feet and a cratral angle of $10^{\circ} 00^{\circ} 00^{\prime \prime}$, a distance of $1,956.37$ feet, thence South $09^{\circ} 399^{\prime \prime} 48^{\prime \prime}$ West along the West right-of-way line of baid E2-W canal, a dittance of 632.44 foet; thence North $89^{\circ} 54^{\prime 2} 25^{\prime \prime}$ West alone a line being 15,00 feet North of and parallel to (as measured at right angles) the South line of Trects 57 through 62 of said plat of Palm Beach Farme Co. Plat No. 1, said line also being the North line of flre Lake Worth Drainage District Lataral-31 as recorded in Official Record Book 1585, Page 505 of the Publio Records of Palm Beach County, Floxida, a distance of $1,687.09$ feot; theince North $00^{\circ} 399^{3} 9^{\prime \prime}$ Wast along a line being 15.00 feet Eust of and parallol to (as measurod at right angles) the West line of Tructs 57 and a portion of Tract 40 of said plat, a distance of 931.84 feet to the point of curvature of a circular curve to the left; thence Northerly along the are of said eurve having a radius of 2,421. 67 feet and a central angle of $06^{\circ} 22^{\prime} 150^{\prime \prime}$, a distance of 269.68 feet to a point ou the Weat line of a portion of Tract 40 of said plet, the preceding two (2) courses also being coincident with the Starkey Rosd right-of-way dedioation ar recordod in Official Record Book 7542, Page 1261 of the Publio Records of Palm Beach County, Florida; thence North $00^{\circ 3} 39^{\prime 39 "}$ West along a portion of the Weast line of Tract 40, the West line of Treot 25, and a portion of the West linge of Tract 8 of uaid plat, a distanpe of $1,424,85$ feet, thence North $89^{\circ} 00^{\prime} 55^{\prime \prime}$ East along a line being 90.11 foot South of and parallel to.(as measured at right angles) the North line of Tract 8 of maid plat, a dismance of 0.08 faet to the PONNT OF BEGINNING.

## Said hands situate, lying nud being in Palm Besch County, Florida,

Containing 4,993,026 square feet or 114.624 acres more or less.

## TOGETHER WITH

PARCEL D:
North 1/2 of the NW $1 / 4$ of Section 13, Township 45 South, Range 41 East, Palm Beach County, Florida.

PARCEL E:
Being the East $1 / 2$ of the Northeast $1 / 4$ of the Southeast $1 / 4$ of the Northwest $1 / 4$ of Section 13, Township 45 South, Range 41 East, Palm Beach County, Florida.

PARCEL $F$ :
Being the West $1 / 2$ of the Northwest $1 / 4$ of the Southwest $1 / 4$ of the Northeast $1 / 4$ of Section 13, Township 45 South, Range 41 East, Palm Beach County, Florida.

Said lands cumulatively being 90.27 acres moro or less.
TOGETHER WITH
An easement for ingress and egress over the North 50 feet of the South one-half ( $S / / 1$ ) of the North onemalf( $\mathrm{N}^{1 / 2}$ ) of Section 13, Township 45 South, Range 41 East, Palm Beach County, Florida.

LESS AND EXCEPT THE FOLLOWINGTWO WETLANDS PARCELS AS SHOWNON THE SURVEY PREPARED BY DENNIS I. LEAVY AND ASSOCIATES, JOB NO. 01 027, REV-2, DATED 5/LO1, AS REVISED 6/18/01

1. The West Preserve Ares $-12.38+/$ - acres
2. The South Preserve Area $-4.16+1$-acres

EXHIBIT "B"
SCHEDULE TO BENEFICIAL
INTERESTS IN PROPERTY

Tenant is only required to identify five percent (5\%) or greater beneficial interest holders. If none, so state. Tenant must identify individual owners. If, by way of example, Tenant is wholly or partially owned by another entity, such as a corporation, Tenant must identify such other entity, its address and percentage interest, as well as such information for the individual owners of such other entity.

NAME ADDRESS
PERCENTAGE


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Summary of Certificates
This report displays detailed Certificate of Insurance information for a selected Insured. Any items shown in red are deficient.


| Missing Policy Information |  |
| :--- | :--- |
| The original Certificate of Insurance received did not include policies for the following coverages: | Override |
|  | Workers Compensation/Employers Liability |

Notifications (Show All)
The following letters were issued:
There were no deficiency letters issued.

Do you have an updated Certificate? Click the button below to submit a Certificate.

Certificate Submittal
https://its.insurancetrackingservices.com/clientreports/ProblemsSpecificRpt.asp?Vendor=1... 2/27/2017


[^0]:    Department Director

