

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

**Blue Sheet No. 20060651**

**1. ACTION REQUESTED/PURPOSE:** Authorize County staff to execute the "Notice of Non-Renewal of Leased Premises" and proceed with terminating the billboard lease agreement with Lamar Advertising per Conservation Lands Acquisition and Stewardship Advisory Committee's (CLASAC's) recommendation and the approved Deep Lagoon Preserve Land Stewardship Plan.

**2. WHAT ACTION ACCOMPLISHES:** Authorizes County staff to execute the "Notice of Non-Renewal of Leased Premises" to terminate the billboard lease agreement.

**3. MANAGEMENT RECOMMENDATION:** Authorize County staff to execute the "Notice of Non-Renewal of Leased Premises" to terminate the billboard lease agreement.

<b>4. Departmental Category:</b> <u>CIIA</u>		<b>5. Meeting Date:</b> <u>06-06-2006</u>
<b>6. Agenda:</b> <input checked="" type="checkbox"/> <b>Consent</b> <input type="checkbox"/> <b>Administrative</b> <input type="checkbox"/> <b>Appeals</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Walk-On</b>	<b>7. Requirement/Purpose: (specify)</b>	
	<input type="checkbox"/> <b>Statute</b>	
	<input type="checkbox"/> <b>Ordinance</b>	
	<input type="checkbox"/> <b>Admin. Code</b>	
	<input checked="" type="checkbox"/> <b>Other</b>	
		<b>8. Request Initiated:</b> <b>Commissioner</b> _____ <b>Department</b> <u>Parks &amp; Recreation</u> <b>Division</b> _____ <b>By:</b> <u>John Yarbrough, Director</u>

**9. Background:**

The billboard and its lease (\$1,250.00/year), located on nomination #116 (Deep lagoon Preserve), were acquired with a Conservation 20/20 preserve in 2001. The 2005 Land Stewardship Plan called for ending the lease after December 2005. The parcel is currently undergoing restoration and terminating the billboard lease is timely.

**10. Review for Scheduling:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<u>CCM</u> <u>5/19/06</u>				<u>MR</u> <u>5/22/06</u>	Analyst <u>5/22/06</u>	Risk <u>5/22/06</u>	Grants <u>5/22/06</u>	Mgr. <u>5/23/06</u>	<u>[Signature]</u>

**11. Commission Action:**

- Approved**
- Deferred**
- Denied**
- Other**

REC'D <u>5-22-06</u> <u>4:00</u>
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Rec. by CoAtty Date: <u>5/22/06</u> Time: <u>1:50pm</u> Forwarded To: <u>2:45pm</u> <u>5/22/06</u>
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**MEMORANDUM  
FROM THE  
OFFICE OF COUNTY ATTORNEY**

DATE: May 11, 2006

To: John Yarbrough  
Director, Parks and Recreation

FROM:   
Kristie L. Kroslack  
Assistant County Attorney

RE: **BILLBOARD LAND LEASE - LAMAR CORPORATION  
MCGREGOR BOULEVARD, LOCATION #1  
NOTICE OF NON-RENEWAL**

Per Cathy Olson's request, I have drafted the enclosed "Notice of Non-Renewal of Leased Premises" for your review.

You will need to obtain Board of County Commissioners' approval to execute such document, since the Board is the contracting party (Assignee) to the assignment of the original land lease. (In short, the Board agreed to assume the lease, when it purchased the Conservation 20/20 land.)

Please have your staff prepare the blue sheet seeking authorization for County staff to send the letter and proceed with terminating the lease agreement.

Should you have any questions, please contact me.

KLK/cdd

Enclosure

xc: David M. Owen, County Attorney  
Andrea R. Fraser, Chief Assistant County Attorney  
Cathy Olson, Parks and Recreation

\$1250.00



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: (239) 461-7400  
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Bob Janes  
District One

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Tammy Hall  
District Four

John E. Albion  
District Five

Donald D. Stilwell  
County Manager

David M. Owen  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

**NOTICE OF NON-RENEWAL OF LEASED  
(NONRESIDENTIAL) PREMISES**

Sent by Certified Mail

**TO: Lamar Advertising**  
17660 East Street  
North Fort Myers, Florida 33917  
Attention: Mr. Ben Henry

**RE: LAND LEASE FOR BILLBOARD AT MCGREGOR BLVD. LOCATION #1  
YOUR LESSOR #82872**

*By this means, you are notified that:*

1. The Lamar Corporation's Land Lease Agreement with Lee County expires on January 1, 2007. Lee County does not intend to renew such agreement. As such, Lamar Corporation's year-to-year Land Lease Agreement with Lee County will terminate on **January 1, 2007.**
2. The Lamar Corporation's Lease Agreement dated January 1, 1995, requires that "either party shall give the other party written notice of non-renewal at least 60 days prior to the expiration of the then-current term."
3. This letter constitutes the required "Notice of Non-Renewal."
4. The Lamar Corporation is required to remove all structures, equipment and materials placed upon the above-referenced premises at or prior to the expiration of the term on January 1, 2007.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
John Yarbrough  
Lee County Parks and Recreation Director