

CONTRACT, LEASE, AGREEMENT CONTROL FORM

Date: 04/18/2024

Contract/Lease Control #: L08-0337-AP

Procurement#: N/A

Contract/Lease Type: LEASE - AGREEMENT

Award To/Lessee: KDTS 02, LLC.

Owner/Lessor: OKALOOSA COUNTY

Effective Date: 04/16/2024

Expiration Date: 07/11/2040

Description of: DAP LOT 4/ BLOCK 1

Department: AP

Department Monitor: STAGE

Monitor's Telephone #: 850-651-7160

Monitor's FAX # or E-mail: TSTAGE@MYOKALOOSA.COM

Closed: _____

CC: BCC RECORDS

**PROCUREMENT/CONTRACT/LEASE
INTERNAL COORDINATION SHEET**

Procurement/Contract/Lease Number: 108-0334-AP Tracking Number: 5100-2y
Procurement/Contractor/Lessee Name: Ventura Coastal Highway Grant Funded: YES ___ NO X
Purpose: consent to assignment to KDTSD2 LLC
Date/Term: 7-11-2040 1. GREATER THAN \$100,000
Department #: _____ 2. GREATER THAN \$50,000
Account #: NA 3. \$50,000 OR LESS
Amount: _____
Department: Airports Dept. Monitor Name: Stacy

Purchasing Review

Procurement or Contract/Lease requirements are met: _____ Date: 2-14-24
Purchasing Manager or designee: DeRita Mason, Erin Poole, Amber Hammonds

2CFR Compliance Review (if required)

Approved as written: no Federal funds Grant Name: _____ Date: _____
Grants Coordinator: Suzanne Ulloa

Risk Management Review

Approved as written: see email attached Date: 2-15-24
Risk Manager or designee: Lydia Garcia

County Attorney Review

Approved as written: see email attached Date: 2-26-24
County Attorney: Lynn Hoshihara, Kerry Parsons or Designee

Department Funding Review

Approved as written: _____ Date: _____

IT Review (if applicable)

Approved as written: _____ Date: _____

DeRita Mason

From: Odessa Cooper-Pool
Sent: Thursday, February 15, 2024 1:01 PM
To: DeRita Mason
Cc: Lynn Hoshihara; Kerry Parsons
Subject: FW: Coordination - L08-0334-AP Assignment of Lease
Attachments: Consent Assignment of Lease Ventura Coastal Highway.docx

Hello DeRita,

The Assignment of lease for L08-0334-AP has been reviewed and is approved by Risk Management. No changes were made to the insurance requirements.

Thank you,

Odessa Cooper-Pool

Public Records & Contracts Specialist |Risk Management
Okaloosa County BCC
302 N. Wilson Street, Crestview, FL 32536
Office: 1-850-689-4111



“And, when you want something, all the universe conspires in helping you to achieve it.”— Paulo Coelho, *The Alchemist*

Please note: Due to Florida's very broad public records laws, most written communications to or from County employees regarding County business are public records, available to the public and media upon request. Therefore, this written e-mail communication, including your e-mail address, may be subject to public disclosure.

From: DeRita Mason <dmason@myokaloosa.com>
Sent: Wednesday, February 14, 2024 11:48 AM
To: Lynn Hoshihara <lhoshihara@myokaloosa.com>
Cc: Odessa Cooper-Pool <ocooperpool@myokaloosa.com>; Jacqueline Matichuk <jmatichuk@myokaloosa.com>; Kerry Parsons <kparsons@ngn-tally.com>
Subject: FW: Coordination - L08-0334-AP Assignment of Lease

Good morning,
Please review and approve the attached.
Thank you,

DeRita Mason

DeRita Mason

From: Lynn Hoshihara
Sent: Monday, February 26, 2024 9:34 AM
To: DeRita Mason
Cc: Odessa Cooper-Pool; Jacqueline Matichuk; Kerry Parsons
Subject: Re: Coordination - L08-0334-AP Assignment of Lease
Attachments: Consent Assignment of Lease Ventura Coastal Highway 2.26.24.docx

DeRita,

With the attached changes, this is approved.

Lynn

Lynn M. Hoshihara
County Attorney
Okaloosa County, Florida

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From: DeRita Mason
Sent: Wednesday, February 14, 2024 12:48 PM
To: Lynn Hoshihara
Cc: Odessa Cooper-Pool; Jacqueline Matichuk; Kerry Parsons
Subject: FW: Coordination - L08-0334-AP Assignment of Lease

Good morning,
Please review and approve the attached.
Thank you,

DeRita Mason



DeRita Mason, CPPO, CPPB, NIGP-CPP
Purchasing Manager
Okaloosa County Purchasing Department
5479A Old Bethel Road



BOARD OF COUNTY COMMISSIONERS AGENDA REQUEST

DATE: April 16, 2024
TO: Honorable Chairman and Distinguished Members of the Board
FROM: Tracy Stage
SUBJECT: Assignment of Lease Ventura Coastal Highway to KDTS 02, LLC L08-0337-AP (DTS)
DEPARTMENT: Airport
BCC DISTRICT: 5

STATEMENT OF ISSUE: The Airports Department requests approval by the Board of County Commissioners for the Assignment of Lease from Ventura Coastal Highway, LLC for Block 1 Lot 4, at the Destin Executive Airport (L08-0337-AP).


BACKGROUND: On August 18, 2020, Ventura Coastal Highway, LLC entered into a Lease with Okaloosa County Board of County Commissioners for Block 1 Lot 4 at the Destin Executive Airport. Ventura Coastal Highway, LLC now desires to assign the lease to KDTS 02, LLC. In accordance with Section 13 of the Lease Agreement, the lessee is required to obtain the County's consent for the assignment. Ventura Coastal Highway, LLC is in full compliance with lease requirements and the \$1,000.00 approval fee has been paid. The approved coordination is attached.

FUNDING SOURCE, (If Applicable): N/A
For recording fees: Department 4210 Account 549151

OPTIONS: Approve, Deny or Postpone.

RECOMMENDATIONS: Approval of the Assignment of Lease from Ventura Coastal Highway, LLC to KDTS 02, LLC, as described above.

RECOMMENDED BY:


Tracy Stage, Airport Director 4/8/2024

APPROVED BY:


Craig Coffey, Deputy County Administrator - Operations 4/16/2024

**CONSENT TO ASSIGNMENT OF LEASE L08-0337-AP
VENTURA COASTAL HIGHWAY, LLC LEASE AT THE
DESTIN EXECUTIVE AIRPORT (DTS)**

This Consent to Assignment of Lease, made and entered into this 16th day of April, 2024, hereby approves the assignment of a ground lease agreement from Ventura Coastal Highway, LLC (Lessee) to KDTS 02, LLC, 4008 Legendary Drive, Suite 340, Destin, Florida 32541 (Assignee), and with Okaloosa County, Florida, through its Board of County Commissioners as Lessor (County).

WITNESSETH:

WHEREAS, the County entered into a Lease Agreement, L08-0337-AP, with Lessee on August 18, 2020 with a current expiration date of July 11, 2040 for Block 1 Lot 4 at the Destin Executive Airport (the "Lease"); and

WHEREAS, Lessee desire to assign its interests in the Lease to Assignee; and

WHEREAS, in accordance with Section 26 of the Lease, Lessee is required to obtain the County's consent prior to assigning its interest and confirm that all other conditions have been satisfied to approve the assignment.

NOW THEREFORE, in consideration of the mutual covenants herein and other good and valuable consideration, the executing parties consent to and agree to the following:

CONSENT TO ASSIGNMENT

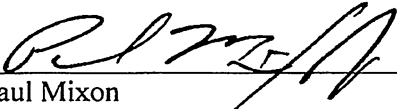
1. In accordance with Section 26 of the Lease, the County hereby consents to the assignment of the Lease from Lessee to Assignee.

2. Assignee, by execution of this Consent to Assignment of Lease, and in consideration of consent by the County of the same, is bound by all terms of the Lease as may be amended from time to time and does hereby assume all responsibilities, duties, obligations, rights, and privileges as set forth in the original lease, supplemental agreements, and assignment of leases.

(The remainder of this page intentionally left blank)

IN WITNESS WHEREOF, the parties hereto have executed this assignment as of the day and year first written.

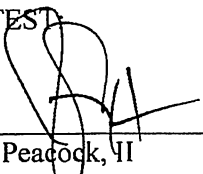
OKALOOSA COUNTY, FLORIDA



Paul Mixon
Chairman, Board of County Commissioners

Date: 4/16/2024

ATTEST



J.D. Peacock, II
Clerk of Circuit Court



LESSEE

Matthew D. Maikowski
Matthew D. Maikowski, President.
Ventura Coastal Highway, LLC
Date: March 11, 2024

WITNESS:


Witness 1 Signature

CHRISTINA M OLTEAN
Witness 1 Printed Name

175 W GRANADA BLVD, ORMOND BEACH, FL 32174
Witness 1 Address


Witness 2 Signature

Cathleen A. Schrage
Witness 2 Printed Name

175 W. Granada Blvd, Ormond Beach, FL. 32174
Witness 2 Address

ASSIGNEE

RW

Ray J. Watson, Manager

KDTS 02, LLC

Date: 3-12-24

WITNESS:

Ross Durham

Witness 1 Signature

Ross T Durham

Witness 1 Printed Name

4000 Gulf Terrace Dr Destin FL

Witness 1 Address

ERK

Witness 2 Signature

CHUCK CUSTER

Witness 2 Printed Name

3753 Misty Way Destin FL

Witness 2 Address

CERTIFICATE OF ACKNOWLEDGEMENT

This CERTIFICATE documents and is intended to summarize the basic terms of the Lease Agreement to ensure the signer is fully apprised of the Lease Agreement and the terms and conditions of the Lease Agreement, notarized and made part of the Lease Agreement. The summary is not all inclusive and does not replace any portion or part of the Lease Agreement.

Lease Agreement*: L08-0337-AP Lessee*: Ventura Coastal Highway, LLC
Owner*: Matthew Maikowski Term Left on the Agreement*: 16 years 4 months
Expiration Date of the Agreement*: July 11, 2040 Date Form Prepared*: April 1, 2024
Renewals on the Agreement*: 0 Location*: DTS: Block 1 Lot 4
Insurance Types Required*: General Liability Property Insurance Aircraft Liability
Square Footage of Lease*: 2,512 Ground Lease Fee*: \$4,404.93 Hangar Lease Fee*: N/A
(Annually)
Potential Buyer (Assignment of Lease - Optional): KDTS 02, LLC

No one individual, group, business or entity may own any buildings or grounds on any Okaloosa County Airport at any time. If the Lease Agreement assigned to this certificate does not contain any additional renewal options, the building, facility or hangar will become under the sole control of the County on the listed expiration date. Once the building, facility or hangar reverts to County control, the County will inspect and perform any maintenance and repairs required. The building, facility or hangar will be appraised and, a first right of refusal to enter into a new Lease Agreement will be offered to the then current Lessee provided the Lessee is in full compliance and good standing at the end of the previous term.

I, Roy Watson, acknowledge receipt and review of the entire Lease Agreement and this Certificate of Acknowledgement. I understand the definitions, terms, stipulations and limits of the Lease Agreement I am entering into.

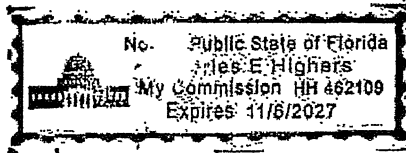
Roy Watson
Printed Name


Signature

STATE OF FLORIDA
COUNTY OF Okechobee

The foregoing instrument was acknowledged before me by means of physical presence online
notarization, this 2 day of April, 2021, by Doug Anderson (Name of Person
Acknowledging).

(Seal)



[Signature]
Signature of Notary Public:

Charles E. Higgins
Print, Type or Stamp Name of Notary

Personally Known: _____
OR Produced Identification: _____
Type of Identification Produced: Dr. MC

PROCUREMENT/CONTRACT/LEASE
INTERNAL COORDINATION SHEET

Procurement/Contract/Lease Number: 108-0334-AP Tracking Number: 5100-24
Procurement/Contractor/Lessee Name: Ventura Coastal Highway Grant Funded: YES NO X
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Department #: _____ 2. GREATER THAN \$50,000
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Amount: _____
Department: Airports Dept. Monitor Name: Stacy

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Procurement/Contract/Lease requirements are met: [Signature] Date: 2/14/24
Purchasing Manager or designee: [Signature] DeRita Mason, Erin Poole, Amber Hammonds

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Approved as written: No Federal Funds Grant Name: _____
Grants Coordinator: Suzanne Ulloa Date: _____

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Risk Manager or designee: Lydia Garcia

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County Attorney: Lynn Hoshihara, Kerry Parsons or Designee

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Thank you,

Odessa Cooper-Pool
Public Records & Contracts Specialist |Risk Management
Okaloosa County BCC
302 N. Wilson Street, Crestview, FL 32536
Office: 1-850-689-4111



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Lynn

Lynn M. Hoshihara
County Attorney
Okaloosa County, Florida

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DeRita Mason



DeRita Mason, CPFO, CPPB, NIGP-CPP
Purchasing Manager
Okaloosa County Purchasing Department
5479A Old Bethel Road