



**AGENDA ITEM SUMMARY SHEET
CITY COUNCIL REGULAR**

MEETING DATE: July 20, 2020

AGENDA ITEM NO. 3.5

WARD: ALL

QUASI-JUDICIAL: No

CONSENT AGENDA

MOTION: Approve the Lease Assignment and Assumption of the Municipal Submerged Lands Lease from Fort Myers Waterfront, LLC (Assignor) to Waterfront Hotels, LLC (Assignee) for City-owned submerged lands located waterward of the riparian upland property at the Best Western Fort Myers Waterfront Hotel, 13021 N. Cleveland Avenue.

MANAGEMENT RECOMMENDATION:
Approve.

FUNDING SOURCE:

N/A

FISCAL IMPACT (\$):

\$7,501.69 Annual Revenue to the City.

One-Time Cost:

No

Budget Year:

2020

Budgeted Item:

N/A

Person Initiating Request: Steven Belden, AICP, Community Development Director

Department: Community Development - Admin

BACKGROUND INFORMATION:

On June 12, 2020, a Lease Assignment and Assumption of City of Fort Myers Submerged Lands Lease (Assignment) was delivered to staff for approval by the City Council, between Fort Myers Waterfront, LLC (Assignor) and Waterfront Hotels, LLC (Assignee), in reference to the Municipal Submerged Lands Lease dated May 4, 2010, for the submerged lands located waterward of the riparian upland property, the Best Western Fort Myers Waterfront Hotel, located at 13021 North Cleveland Avenue, North Fort Myers.

On July 16, 2019, Fort Myers Waterfront, LLC, a Florida limited liability company, sold the Best Western Fort Myers Waterfront Hotel to Waterfront Hotels, LLC, a Florida limited liability company, and recorded a Special Warranty Deed in the public records of Lee County, Instrument # 2019000168082. With this sale of real property, the operation of the hotel and the adjacent submerged lands conveyed to the Assignee. Assignor and Assignee request the approval from the City Council for the Assignment, and request that the Assignment be executed and recorded in the public records of Lee County, Florida.

On May 4, 2010, the City Council approved a Submerged Lands Lease (Agreement) with Fort Myers Waterfront, LLC, a Florida limited liability company, for 638 linear feet of marina/docks for a term of thirty (30) years. The Agreement was amended on February 19, 2013 to extend the term for thirty (30) years from the date the Lessee acquired the first building

permit from the City and/or Lee County. The current annual rental rate for the leasehold is \$7,501.69, plus applicable sales tax.

The subject property is a parcel of submerged lands located in the Caloosahatchee River, identified as STRAP No. 11-44-24-00-00028.0000. The current assessed value of the property is \$360,288.00, according to the Lee County Property Appraiser.

ATTACHMENTS:

[2020 Executed Lease Assignment - Best Western Waterfont.pdf](#)

[2019 SWD Waterfront Hotels LLC.pdf](#)

[Loc Map SubM Best Western Waterfront.pdf](#)