

Prepared by and Return to:  
Stefanie Beskovoyne, Esq.  
City of Port St. Lucie  
Utility Systems Department  
900 SE Ogden Lane  
Port St. Lucie, FL 34983

**CONSENT TO ASSIGNMENT AND ASSUMPTION  
OF AGREEMENT**

THIS CONSENT TO ASSIGNMENT AND ASSUMPTION OF AGREEMENT (“Assignment”) is entered into as of the 8 day of November 2021 (“Effective Date”) by and among the **CITY OF PORT ST. LUCIE**, a Florida municipal corporation, whose mailing address is 121 SW Port St. Lucie Blvd., Port St. Lucie, FL 34984 (“CITY”), **SUNSTATE METER & SUPPLY, INC.**, a Florida corporation, whose mailing address is 14001 W. Newberry Road, Newberry, FL 32669 (“ASSIGNOR”), and **FERGUSON ENTERPRISES, LLC**, a Foreign Limited Liability Company authorized to do business in the State of Florida, whose mailing address is 12500 Jefferson Avenue, Newport News, VA 23602 (“ASSIGNEE”). CITY, ASSIGNOR and ASSIGNEE may also be referred to herein individually as a “Party” or collectively as the “Parties.”

**WHEREAS**, the CITY and ASSIGNOR entered into Contract No. 20130109 on April 16, 2014 for Water Meter and Related Hardware purchases for the City of Port St. Lucie as well as other tasks (“Agreement”); and

**WHEREAS**, ASSIGNOR and ASSIGNEE entered into a Bill of Sale and Assignment and Assumption Agreement, which transfers all of ASSIGNOR’s right, title and interest in and to their assets to ASSIGNEE; and

**WHEREAS**, ASSIGNOR desires to assign all of its rights and interest in the Agreement to ASSIGNEE and ASSIGNEE desires to assume all of ASSIGNOR’s obligations under the Agreement; and

**WHEREAS**, the City consents to the assignment of rights,

**NOW THEREFORE**, in consideration of the sum of ten dollars (\$10) mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

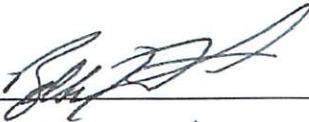
1. The above recitals are true and correct and by this reference incorporated herein and made a part hereof.
2. All other terms and conditions of the Agreement between CITY and ASSIGNOR shall remain unchanged and in full force and effect.
3. ASSIGNEE has reviewed the terms of the Agreement and ASSIGNEE hereby assumes all rights and obligations under the Agreement and agrees to be bound thereby.
4. ASSIGNEE shall be liable to CITY in any action taken for violation of any condition or covenant contained within the Agreement.


**IN WITNESS WHEREOF**, the Parties are authorized to bind their respective entities and have affixed their hands and seals on the dates entered below.

**[SIGNATURE PAGES FOLLOW]**

**ASSIGNOR:**

ATTEST:

Sign:   
Print: Billy McEwen

By:   
Authorized Representative


[ SEAL ]

STATE OF FLORIDA             )  
  ) ss  
COUNTY OF Florida     )

The foregoing instrument was acknowledged before me this 8 day of Nov 2021, by Keith Ellenburg, as President of SUNSTATE METER & SUPPLY, INC who appeared via \_\_\_ remote online notarization or  in person and is personally known to me or produced \_\_\_\_\_ as identification and did/did not take an oath.

NOTARY PUBLIC:



  
Signature of Notary Public

Karen Whittle  
Print Name of Notary Public  
Notary Public, State of Florida  
My Commission expires \_\_\_\_\_

ASSIGNEE:

ATTEST:

Sign:

Print: Chris Dashiell

By:

Authorized Representative

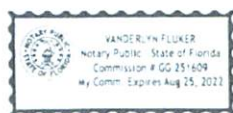
[ SEAL ]

STATE OF FLORIDA        )  
  ) ss  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 9 day of November 2021, by Matt Rizzo as Director - Meter & Automation for **FERGUSON ENTERPRISES, LLC**, who appeared via   x   remote online notarization or    in person and is personally known to me or produced    as identification and did/did not take an oath.

NOTARY PUBLIC:

Signature of Notary Public



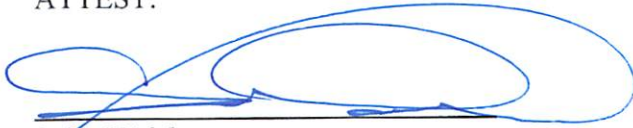
VANDERLYN FLUKER  
Print Name of Notary Public  
Notary Public, State of Florida  
My Commission expires 8/25/2022

Consent to Assignment and Assumption of Agreement:

CITY:

CITY OF PORT ST. LUCIE

ATTEST:



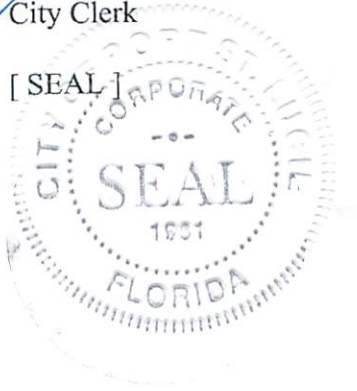
Sally Walsh  
City Clerk

By:



Russ Blackburn  
City Manager

[SEAL]



Ad

