

**AMENDMENT TO LEASE AGREEMENT
DATED NOVEMBER 23, 1993
BETWEEN POLK COUNTY, FLORIDA,
AND THE CITY OF AUBURNDALE, FLORIDA**

THIS AMENDMENT is made effective as of the 6th day of August 2013, by and between POLK COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "LESSOR" and the CITY OF AUBURNDALE, a municipal corporation organized and existing under the laws of the State of Florida, hereinafter referred to as "LESSEE."

WHEREAS, LESSOR and LESSEE previously entered into a Lease Agreement dated August 3, 1993, for LESSEE's use of certain property for the construction of a Recreational Softball Complex, for a term of thirty (30) years to begin on October 1, 1993 and terminating on September 30, 2023; and

WHEREAS, after the preliminary site plans were drawn, it was determined that the leased property was insufficient for LESSEE's needs; and

WHEREAS, on November 23, 1993, a revised Lease Agreement was entered into between LESSOR and LESSEE which added additional area to the lease, the entire leased property being more particularly described in the revised Lease Agreement attached hereto as "Exhibit A"; and

WHEREAS, Section 2 of the revised Lease Agreement dated November 23, 1993 contained a typographical error which caused the termination date to be incorrectly stated as 2013, although the time period referenced as the term of the lease was 30 (thirty) years; and

WHEREAS, the parties have agreed to amend the Lease Agreement in order to correct the error and to clarify that the termination is the date originally intended by both LESSOR and LESSEE.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each party to the other, LESSOR and LESSEE hereby amend the Lease Agreement dated November 23, 1993 as follows:

1. **Recitals**. The foregoing recitals are true and correct and are incorporated into and made a part of this Amendment to Lease Agreement dated November 23, 1993, the same as if fully set forth herein.
2. **Term**: Section 2, Term, is hereby amended as follows:

The term of this lease is thirty (30) years, beginning October 1, 1993 and terminating September 30, 2023.

3. **Other Lease Provisions.** Except as specifically amended herein, all other terms, conditions, rights and obligations contained in the Lease Agreement dated November 23, 1993 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this instrument for the purpose herein expressed, the day and year first above written.

ATTEST:

STACY M. BUTTERFIELD
Clerk and Comptroller to the Board

POLK COUNTY, a political subdivision of
the State of Florida, by and through its
Board of County Commissioners

By: _____
Deputy Clerk

By: _____
Melony M. Bell, Chair

(SEAL)

Approved as to form and legal sufficiency

By: _____
Assistant County Attorney

ATTEST:

SHIRLEY LOWRANCE
City Clerk

CITY OF AUBURNDALE, a municipal
corporation of the State of Florida

By: _____

By: _____
Richard Hamann, Mayor

Approved as to form and legal sufficiency

By: _____
City Attorney