

This instrument prepared by:

Lynn Solomon  
Assistant City Attorney  
City of Fort Lauderdale  
100 North Andrews Avenue  
Fort Lauderdale, FL 33301

## FIRST AMENDMENT TO REVOCABLE LICENSE

THIS FIRST AMENDMENT TO REVOCABLE LICENSE is entered into this 9<sup>th</sup> day of May, 2017 is by and between:

**CITY OF FORT LAUDERDALE**, a Florida municipal corporation, 100 North Andrews Avenue, Fort Lauderdale, FL 33301, hereinafter, "CITY"

And

**FLORIDA POWER & LIGHT COMPANY**, a Florida corporation, whose principal address is 700 Universe Blvd, Juno Beach, FL 33408, its successors and assigns ("LICENSEE")

### RECITALS

WHEREAS, on February 7, 2017, the City Commission authorized execution of a Revocable License in favor of LICENSEE permitting the temporary closure of a portion of the public right-of-way of Aurelia Place for public safety to facilitate completion of the Development Project (as defined in the Revocable License).

WHEREAS, the Revocable License was recorded February 16, 2017 in the Public Records of Broward County, Florida under Instrument # 114213230.

WHEREAS, the term of the Revocable License, including all administrative extensions, has expired.

WHEREAS, the City Commission finds that it is in the best interest of the public to continue the road closure to protect the public to allow the Licensee additional time to complete the Development Project.

WHEREAS, the City Commission finds that extending the term of the Revocable License serves a valid municipal purpose.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained in the Revocable License, and other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, the parties agree as follows:

### TERMS

1. The foregoing recitals are true and correct and are hereby ratified and confirmed and incorporated herein. This Second Amendment shall take effect as of April 13, 2017 ("Effective Date").

2. Paragraph 4.1.1 of the Revocable License is deleted and replaced with the following:

Term. The term of the Revocable License shall be for a period of five (5) months commencing with the date of recording this First Amendment, subject to sooner termination as set forth in the Revocable License, and terminating five months thereafter. In the event, LICENSEE is unable to complete the Development Project within the five (5) months term hereof due to circumstances beyond their control, LICENSEE has the right to request an extension of this Revocable License, in writing, for two (2) additional thirty (30) day periods upon approval of the City Manager. Request for extensions must be submitted at least 10 days before the expiration of the term or extension period of this Revocable License. The City Manager shall have the authority to extend the term of this Revocable License by not more than two (2) thirty (30) day periods beyond the end of the five month period.

3. In all other respects, the parties ratify and confirm the Revocable License, as amended by this First Amendment.

4. Unless modified herein, the terms of the Revocable License remains unchanged and in full force and effect.

**REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK**

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first written above.

**CITY:**

**WITNESSES:**

CITY OF FORT LAUDERDALE, a Florida municipal corporation

Jeanette A. Johnson  
Jeanette A. Johnson  
[Witness print or type name]

John P. "Jack" Seiler  
John P. "Jack" Seiler, Mayor

Carina Rizzuti Smith  
Carina Rizzuti Smith  
[Witness print or type name]

Lee R. Feldman  
Lee R. Feldman, City Manager

FOR

(CORPORATE SEAL)

ATTEST: Jeffrey A. Modarelli  
Jeffrey A. Modarelli, City Clerk



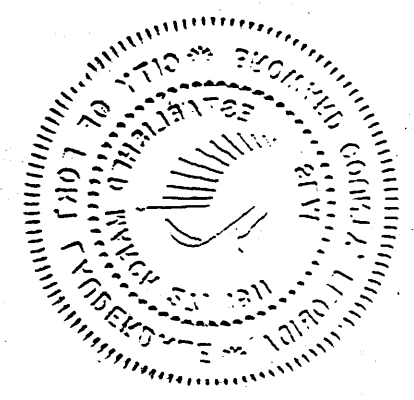
APPROVED AS TO FORM:  
Cynthia Everett, City Attorney

Lynn Solomon  
Lynn Solomon, Assistant City Attorney

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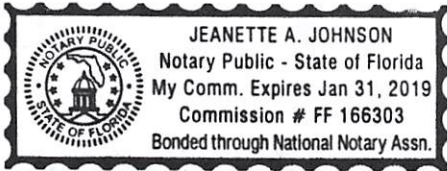
Handwritten text in the middle right section, including a name and possibly a date or location. The text is difficult to read due to fading.



STATE OF FLORIDA:  
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of June, 2017, by John P. "Jack" Seiler, Mayor of the City of Fort Lauderdale, and a municipal corporation of Florida. He is personally know to me and did not take an oath.

(Seal)



Jeanette A. Johnson  
Notary Public, State of Florida  
(Signature of Notary taking Acknowledgment)

Jeanette A. Johnson  
Name of Notary Typed, Printed or Stamped

My Commission Expires: 1/31/19

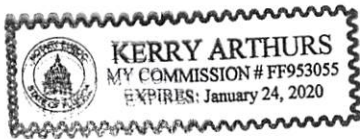
Commission Number FF 166303

STATE OF FLORIDA:  
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this June 12<sup>th</sup>, 2017, by ~~Lee R. Feldman~~, City Manager of the City of Fort Lauderdale, a municipal corporation of Florida. He is personally know to me and did not take an oath.

CHRISTOPHER J. LAGERBLOOM, ACTING

(Seal)

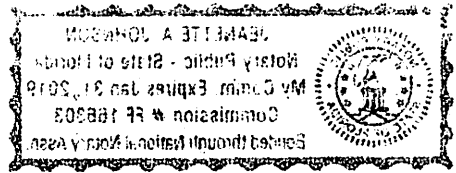


[Signature]  
Notary Public, State of Florida  
(Signature of Notary taking Acknowledgment)

KERRY ARTHURS  
Name of Notary Typed, Printed or Stamped

My Commission Expires:

1/24/2020  
Commission Number



11/13/2018 10:00 AM

11/13/2018 10:00 AM

**WITNESSES:**

**LICENSEE:**

Kathy Reynolds  
[Witness Signature]

**FLORIDA POWER & LIGHT COMPANY**, a Florida corporation

Kathy L Reynolds  
[Witness print/type name]

By: [Signature]  
Print Name: Fayon TORRES  
Title: Engineer II

\_\_\_\_\_  
[Witness Signature]

\_\_\_\_\_  
[Witness print/type name]

STATE OF Florida )

COUNTY OF Broward )

The foregoing instrument was acknowledged before me this 9 day of May, 2017, by Fayon Torres, as Engineer II of Florida Power & Light Company, a Florida corporation, freely and voluntarily on behalf of said corporation. He is personally known to me or has produced \_\_\_\_\_ as identification or is known to me personally.

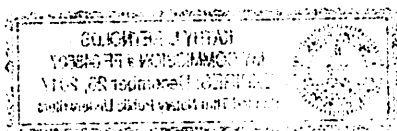
Notary Public

Kathy Reynolds Kathy L Reynolds

Typed, printed or stamped name of Notary Public



My Commission Expires:







COMMISSION AGENDA ITEM  
DOCUMENT ROUTING FORM

DL 6  
6/15/17

**RUSH**

Today's Date: 6/12/2017

DOCUMENT TITLE: First Amendment to Revocable License

COMM. MTG. DATE: 5/16/2017 CAM #: 17-0623 ITEM #: CM-11 CAM attached:  YES  NO

Routing Origin: CAO Router Name/Ext: Shaniece Louis / Ext. 5036

CIP FUNDED:  YES  NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, or real.

2) City Attorney's Office # of originals attached: 1 Approved as to Form:  YES  NO

Date to CCO: 6/12/2017 LS  
Initials

3) City Clerk's Office: # of originals: 1 Routed to: Gina Ri/CMO/X5013 Date: 6/12/17

4) City Manager's Office: CMO LOG #: Jun-29 Date received from CCO: 6/12/17

Assigned to: L. FELDMAN  S. HAWTHORNE  C. LAGERBLOOM   
L. FELDMAN as CRA Executive Director

APPROVED FOR LEE FELDMAN'S SIGNATURE  N/A FOR L. FELDMAN TO SIGN

PER ACM: S. HAWTHORNE (Initial/Date) C. LAGERBLOOM  
(Initial/Date)  PENDING APPROVAL (See comments below)

Comments/Questions: \_\_\_\_\_

Forward 1 originals to  Mayor  CCO Date: 6/12/17

5) Mayor/CRA Chairman: Please sign as indicated. Forward \_\_\_ originals to CCO for attestation/City seal (as applicable) Date: \_\_\_\_\_

**INSTRUCTIONS TO CLERK'S OFFICE**

City Clerk: Retains 0 original and forwards 1 original(s) to: Shaniece Louis/ Ext. 5036 / CAO  
(Name/Dept/Ext)

Attach \_\_\_ certified Reso # \_\_\_\_\_  YES  NO Original Route form to CAO

\*\*\*Original document has to be recorded\*\*\*

**RUSH**