

PREPARED BY AND RETURN TO:

Robert B. Dunckel, Esquire
Asst. City Attorney
Office of the City Attorney
City of Fort Lauderdale
100 North Andrews Avenue
Fort Lauderdale, Florida 33301

FIRST AMENDMENT
TO
PARKLET REVOCABLE LICENSE

THIS IS THE FIRST AMENDMENT TO PARKLET REVOCABLE LICENSE (hereinafter, "Revocable License" or "License") granted this 16th day of September, 2014, between:

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

and

1235 LAS OLAS, LLC, a Florida limited liability company, whose principal address is 676 West Prospect Road, Fort Lauderdale, FL 33309, FEI/EIN # 453755583 ("Owner") and **GRANFORNO 1, INC.**, a Florida corporation, whose principal address is 676 West Prospect Road, Fort Lauderdale, FL 33309, FDI/EIN # 45-3763175 ("Tenant"), unless the context indicates otherwise, Owner & Tenant are hereinafter referred to jointly and severally as "PERMITTEE"

WHEREAS, City staff has requested that the Parklet Pilot Program be extended to December 31, 2014 in order that an Ordinance be drafted and adopted making the Pilot Program and permanent program; and

WHEREAS, the City Commission by adoption of Resolution No. 14-__ has extended the Parklet Pilot Program to December 31, 2014 in order that an Ordinance may be drafted and adopted making the program permanent; and

WHEREAS, the underlying Parklet Revocable License, dated February 13, 2014 provided that the Parklet Revocable License granted 1235 Las Olas, LLC and Granforno 1, Inc. expire on or before September 30, 2014; and

WHEREAS, with the extension of the Pilot Program through December 31, 2014, it is in the best interests of the City and it serves a valid municipal purpose to amend the underlying Parklet Revocable License to extend the expiration date to December 31, 2014;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained in this First Amendment to the Parklet Revocable License, and other good and valuable

considerations, the adequacy and receipt of which are hereby acknowledged, the parties agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and are hereby ratified and confirmed and incorporated herein.

2. **Amendment of Section 4 of the underlying Parklet Revocable License.** Section 4, Term, of the underlying Parklet Revocable License is hereby amended as follows:

4. **Term.** Unless extended by other action of the City Commission, the term of this Revocable License under this Pilot Program for Parklets shall expire December 31, 2014 ~~September 30, 2014~~ or subject to sooner termination as set forth below.

3. This First Amendment shall be effective September 16, 2014.

4. In the event and to the extent that there is any conflict between the terms and conditions of the Parklet Revocable License and the terms and conditions of this First Amendment to the Parklet Revocable License, then the terms and conditions of this First Amendment shall supersede and prevail over any such conflicting terms in the underlying Parklet Revocable License.

5. In all other respects, the parties ratify and confirm this Development Agreement, as previously amended.

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

WITNESSES:

CITY OF FORT LAUDERDALE

By _____
Lee R. Feldman, City Manager

[Witness print/type name]

[Witness print/type name]

ATTEST:

(CORPORATE SEAL)

Jonda K. Joseph, City Clerk

Approved as to form:

Robert B. Dunckel, Assistant City Attorney

STATE OF FLORIDA:

COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by LEE R. FELDMAN, City Manager of the CITY OF FORT LAUDERDALE, a municipal corporation of Florida. He is personally known to me and did/did not take an oath.

(SEAL)

Notary Public, State of Florida
(Signature of Notary Taking Acknowledgment)

Name of Notary Typed, Printed or Stamped

My Commission Expires:

WITNESSES:

[Witness print/type name]

[Witness print/type name]

AS TO PERMITTEE:

1235 LAS OLAS LLC, a Florida limited liability company

By: _____

Print: _____

Title: _____

STATE OF FLORIDA:

COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this ____ day of _____, 2014, by _____, as _____ of ABC Corporation, a Florida corporation. She/He is personally known to me and did/did not take an oath.

(SEAL)

Notary Public, State of _____

(Signature of Notary Taking Acknowledgment)

Name of Notary Typed, Printed or Stamped

My Commission Expires:

WITNESSES:

[Witness print/type name]

[Witness print/type name]

STATE OF FLORIDA:

COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this ____ day of _____, 2014, by _____, as _____ of ABC Corporation, a Florida corporation. She/He is personally known to me and did/did not take an oath.

(SEAL)

AS TO PERMITTEE:

GRANFORNO 1, INC., a Florida corporation

By: _____

Print: _____

Title: _____

Notary Public, State of _____
(Signature of Notary Taking Acknowledgment)

Name of Notary Typed, Printed or Stamped

My Commission Expires: