

**SECOND AMENDMENT
TO
CONVEYANCE, DEVELOPMENT AND USE AGREEMENT**

THIS Second Amendment to Conveyance, Development and Use Agreement is entered this 5th day of February, 2013 by and between:

CITY OF FORT LAUDERDALE, a Florida municipal corporation,
P.O. Drawer 14250, Fort Lauderdale, FL 33302-4250, hereinafter
"SELLER" or "CITY"

and

**THE HOUSING AUTHORITY OF THE CITY OF FORT
LAUDERDALE**, a public entity organized under the laws of the
State of Florida, its successors and assigns, 437 S.W. 4th
Avenue, Fort Lauderdale, FL 33315 ("AUTHORITY" or "BUYER")

RECITALS

A. On March 13, 2008, CITY and AUTHORITY entered into a Conveyance, Development and Use Agreement respecting the conveyance, development and use of certain real property described therein.

B. On September 3, 2008, the Conveyance, Development and Use Agreement was consummated with the conveyance by CITY to AUTHORITY by Special Warranty Deed of properties described therein, said Special Warranty Deed being recorded at Official Records Book 45808, Page 1615 of the Public Records of Broward County, Florida.

C. That attached to and incorporated in that Special Warranty Deed was a Declaration of Restrictive Covenants which embodied the continuing performance conditions imposed AUTHORITY flowing from the Conveyance, Development and Use Agreement.

D. That the obligations flowing from the Conveyance, Development and Use Agreement that were intended to survive the closing which was consummated with the execution and delivery of the aforementioned Special Warranty Deed have been merged into the Declaration of Restrictive Covenants.

NOW, THEREFORE, in exchange of the mutual covenants contained herein and other good and valuable considerations exchanged between the parties, the receipt and sufficiency of which is agreed to, CITY and AUTHORITY agree as follows:

1. **Recitals.** The foregoing recitals are true and correct.

Second Amendment to
Conveyance, Development and Use Agreement
City / Housing Authority

2. **Merger.** The covenants within the Conveyance, Development and Use Agreement that were intended to survive the closing which was consummated with the execution and delivery of the aforementioned Special Warranty Deed, have been merged into the surviving Declaration of Restrictive Covenants and are of no further force and effect.

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 _____

John P. "Jack" Seiler, Mayor

[Witness-print or type name]

By _____

Lee R. Feldman, City Manager

[Witness-print or type name]

(CORPORATE SEAL)

ATTEST:

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 _____, 2013, by JOHN P. "JACK" SEILER, Mayor of the CITY OF FORT LAUDERDALE, a municipal corporation of Florida. He is personally known to me and 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:

Commission Number

STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this ____ day of _____, 2013, 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 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:

Commission Number

WITNESSES:

**THE HOUSING AUTHORITY OF THE
CITY OF FORT LAUDERDALE**

By _____
Tam A. English, Executive Director

[Witness-print or type name]

[Witness-print or type name]

STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this _____ day of _____, 2013, by TAM A. ENGLISH, Executive Director, The Housing Authority of the City of Fort Lauderdale. He is personally known to me and 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:

Commission Number

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