

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 \_\_\_\_ day of \_\_\_\_\_, 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

\_\_\_\_\_

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

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

\_\_\_\_\_

\_\_\_\_\_  
Lee R. Feldman, City Manager

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

**ATTEST:**

(CORPORATE SEAL)

\_\_\_\_\_  
Jeffrey A. Modarelli, City Clerk

APPROVED AS TO FORM:  
Cynthia Everett, City Attorney

\_\_\_\_\_  
Lynn Solomon, Assistant City Attorney

STATE OF FLORIDA:  
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this \_\_\_\_\_,  
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)

\_\_\_\_\_  
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 \_\_\_\_\_,  
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.

(Seal)

\_\_\_\_\_  
Notary Public, State of Florida  
(Signature of Notary taking Acknowledgment)

\_\_\_\_\_  
Name of Notary Typed, Printed or Stamped

My Commission Expires:

\_\_\_\_\_  
Commission Number

**WITNESSES:**

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

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

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

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

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

**LICENSEE:**

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

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2017, by \_\_\_\_\_, as \_\_\_\_\_ 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

\_\_\_\_\_  
Typed, printed or stamped name of Notary Public  
My Commission Expires: