

## FIRST EXTENSION OF AGREEMENT

THIS IS A SECOND EXTENSION OF AGREEMENT, entered into on October \_\_\_\_, 2016, between:

THE CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida, hereinafter referred to as "City"

and

TMF2013, LLC, a Louisiana foreign limited liability company authorized to do business in the State of Florida, hereinafter referred to as "Applicant."

WHEREAS, Applicant requested approval from the City to conduct the Tortuga Rock the Ocean Music Festival on Fort Lauderdale Beach, or other title as agreed to by the parties herein, which includes a three day beach front music festival featuring multiple artists, in order to call attention and raise funds to benefit the world's oceans, including, without limitation, entertainment, film screening, exhibits, souvenir sales and concessions collectively hereinafter referred to as the "Event."; and

WHEREAS, In accordance with the terms hereof, Applicant shall provide the required certificates of insurance and indemnify and hold harmless the City of Fort Lauderdale for any damage to persons or property that occurs as a sole and direct result of the actions or inactions of the Applicant in connection with and/or as a result of the operation of said Event; and

WHEREAS, on January 5, 2016, the City Commission approved an Agreement, providing an option to extend for three (3) consecutive (1) year renewal terms, provided that both parties mutually agree it is in their best interest to do so; and

WHEREAS, on July 8, 2016 Applicant notified the City of their intent to extend for a 2017 music festival; and

WHEREAS, the City Commission authorizes the proper City official to execute this First Extension of Agreement with TMF2013, LLC for the 2017 Tortuga Rock the Ocean Music Festival.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained in this Agreement, and other good and valuable consideration, the receipt and adequacy of which are acknowledged, the parties agree as follows:

IN WITNESS THEREOF, as a First Extension of Agreement, the City and TMF2013, LLC hereby agree as follows:

SECTION 1: The Tortuga Rock the Ocean Music Festival is permitted to take place on Fort Lauderdale Beach, as defined in the site plan attached in Exhibit A, on April 7<sup>th</sup> through

April 9<sup>th</sup> of 2017, with provision for set-up and breakdown as identified below and the agreement is hereby authorized and extended.

SECTION 2: TMF2013, LLC is granted a limited non-exclusive license for the use of certain portions of Fort Lauderdale Beach to produce the Tortuga Rock the Ocean Music Festival from March 24 – April 14, 2017, inclusive of set-up and breakdown time.

SECTION 3: All terms and conditions of the original Agreement shall remain unchanged and in full force and effect.

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

**CITY**

CITY OF FORT LAUDERDALE, a municipal  
corporation of the State of Florida:

By \_\_\_\_\_  
JOHN P. "JACK" SEILER, Mayor

By \_\_\_\_\_  
LEE R. FELDMAN, City Manager

(SEAL)

**ATTEST**

By \_\_\_\_\_  
JEFFREY A. MODARELLI, City Clerk

Approved as to form:

\_\_\_\_\_  
COLE J. COPERTINO  
Assistant City Attorney

WITNESSES

TMF2013, LLC, a Louisiana foreign limited liability company authorized to do business in the State of Florida,

By: Huka Productions, LLC, a DBA of Huka Entertainment

By \_\_\_\_\_

PRESIDENT

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

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

(CORPORATE SEAL)

STATE OF LOUISIANA )

ss: )

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

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016 by \_\_\_\_\_, PARTNER of TMF2013, LLC, an Louisiana foreign limited liability company, a Louisiana foreign limited liability company authorized to do business in the State of Florida, on behalf of the corporation. ☐ They are personally known to me or ☐ have produced \_\_\_\_\_ as identification 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:

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