

**AMENDMENT TO AGREEMENT  
RELATED TO ANNEXATION OF THE RIVERLAND AREA**

THIS AMENDMENT TO AGREEMENT is made this 25 day of April 2017, by and between BROWARD COUNTY, a political subdivision of the State of Florida, acting by and through its Board of County Commissioners, hereinafter referred to as "COUNTY," and the City of Fort Lauderdale, a Florida municipal corporation, hereinafter referred to as "CITY."

WHEREAS, the CITY and COUNTY entered into an agreement for annexation of the Riverland Area into the CITY on December 3<sup>rd</sup>, 2002 ("Agreement");

WHEREAS, the parties acknowledge that the CITY has met all of its obligations under the Agreement except with regard to the expenditure of \$700,000 (the "Remaining Sum"), which has already been paid to the CITY in full by the COUNTY, pursuant to Subsection G of Section 15 of Exhibit B of the Agreement;

WHEREAS, the CITY and COUNTY wish to amend the Agreement to allow the CITY the flexibility to allocate the Remaining Sum for land acquisition for public park use;

NOW THEREFORE, for and in consideration of the mutual promises and covenants set forth herein and other good and valuable consideration, the CITY and the COUNTY agree as follows:

1. The above-stated recitals are true and correct and are incorporated herein by reference.
2. The CITY represents and acknowledges that the COUNTY has fully met all of its obligations under the Agreement, and nothing stated in this Amendment shall resurrect any COUNTY obligation(s) contained in the Agreement or create any new COUNTY obligation. Any claim(s) that the CITY could otherwise raise under the Agreement is/are hereby waived and released.
3. The parties agree that, in addition to other expenditures that are permissible under the Agreement, the CITY may use the Remaining Sum on land acquisition for public park purposes.
4. The parties agree that the CITY shall expend the Remaining Sum, on an expenditure permitted by the Agreement as amended hereby, by December 31, 2022. If the Remaining Sum is not expended (on permitted expenditures) in full by the CITY by that deadline, the balance of the Remaining Sum shall be paid by the CITY to the COUNTY within thirty (30) days thereafter.

5. The CITY agrees that, if any or all of the Remaining Sum is expended to acquire land for public park purposes, the acquired property shall be used in full as public park space for the benefit of CITY residents including residents of the annexed area. The obligation to use the acquired land for such public park purposes shall remain in effect through December 31, 2067. The CITY represents and agrees that any such property acquired with any or all of the Remaining Sum will be located within the area that was annexed pursuant to the Agreement.
6. Except as expressly modified hereby, all other terms and provisions of the original Agreement between the parties shall remain in full force and effect.

**[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

IN WITNESS WHEREOF, the CITY and the COUNTY execute this Amendment to Agreement as follows:

CITY

WITNESS

CITY OF FORT LAUDERDALE



DONNA M. SAMUDA  
Print Name

By   
Lee R. Feldman, City Manager

ATTEST

  
Jeffrey A. Modarelli, City Clerk

APPROVED AS TO FORM:  
Cynthia A. Everett, City Attorney

  
Gustavo Ceballos, Assistant City Attorney

(CORPORATE SEAL)

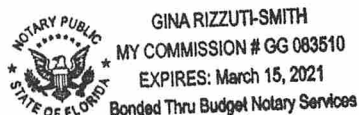
ACKNOWLEDGEMENT FOR CITY

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of April, 2017, by, **Lee R. Feldman** as City Manager of the City of Fort Lauderdale, a municipal Florida corporation, on behalf of the municipal corporation, who is (check one) personally known to me.

(SEAL)

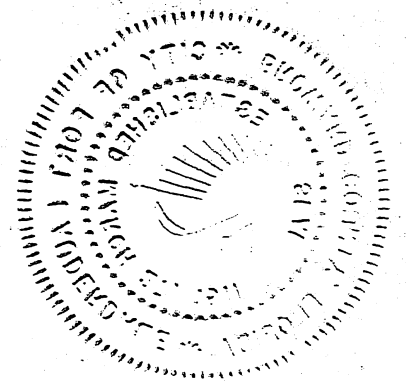
  
Notary Public, State of Florida  
(Signature of Notary taking Acknowledgment)



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

My Commission Expires:

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



UNITED STATES DEPARTMENT OF JUSTICE  
DIVISION OF INVESTIGATION  
WASHINGTON, D. C. 20535  
EXPIRES: March 18, 2021  
MY COMMISSION # 00000000  
GINA RIZZO-SMITH

IN WITNESS WHEREOF, the parties have made and executed this Agreement BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the 25 day of April, 2017, signing by and through its City Manager, duly authorized to execute same.

COUNTY

ATTEST:

BROWARD COUNTY, by and through its Board of County Commissioners


  
Broward County Administrator, as  
Ex-officio Clerk of the Board County  
Board of County Commissioners

By   
~~Barbara Sharief, Mayor~~ Beam Furr VICE MAYOR  
25 day of April, 2017



Approved as to form by  
Joni Armstrong Coffey  
Broward County Attorney  
Governmental Center, Suite 423  
115 South Andrews Avenue  
Fort Lauderdale, Florida 33301  
Telephone: (954) 357-7600  
Telecopier: (954) 357-7641

By \_\_\_\_\_  
(Date)

By  4/10/17  
ANDREW J. MEYERS (Date)  
Chief Deputy County Attorney





COMMISSION AGENDA ITEM  
DOCUMENT ROUTING FORM

*p ② ✓ 4/6/17*  
**RUSH**

Today's Date: 4/4/17

DOCUMENT TITLE: Amended Annexation of the Riverland Area

COMM. MTG. DATE: 3/21/17 CAM #: 17-0203 ITEM #: CR-1 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: 2 Approved as to Form: ☒ YES ☐ NO

Date to CCO: 4/4/17 GC  
Initials

3) City Clerk's Office: # of originals: 2 Routed to: Gina Ri/CMO/X5013 Date: 4/4/17

4) City Manager's Office: CMO LOG #: Apra Date received from CCO: 4/4/17

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 \_\_\_ originals to ☐ Mayor ☒ CCO Date: 4/5/2017

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 2 original(s) to: Shaniece Louis (Name/Dept/Ext)

Attach \_\_\_ certified Reso # \_\_\_\_\_ ☐ YES ☐ NO Original Route form to CAO  
\*\*\*the originals have to be executed by Broward County\*\*\*

**RUSH**