

**FIFTH ADDENDUM TO  
COMMERCIAL CONTRACT FOR PURCHASE AND SALE OF  
SLUDGE PLANT TO LIBERTY PROPERTY LIMITED PARTNERSHIP  
(the “Contract”)**

**BUYER:**                   **LIBERTY PROPERTY LIMITED PARTNERSHIP, a Pennsylvania limited partnership, whose principal address is 500 Chesterfield Parkway, Malvern, PA 19355**

**SELLER:**                   **CITY OF FORT LAUDERDALE, a Florida municipal corporation, whose address is 100 North Andrews Avenue, Fort Lauderdale, FL 33301**

This Fifth Addendum dated the \_\_\_\_\_ day of \_\_\_\_\_, 2018, hereby amends and modifies the Commercial Contract and Addendum with an Effective Date of January 10, 2018, as further modified by those certain Second Addendum dated March 12, 2018, Third Addendum dated April 26, 2018, and Fourth Addendum dated May \_\_\_\_, 2018, between Buyer and Seller.

Whereas, the Buyer has requested a reduction in the Purchase Price under the Commercial Contract, as amended, for the Sludge Plant, and the Seller (or City) and Buyer (or Developer) hereby agree as follows:

1. Pursuant to the agreement between the parties, paragraph 2 of the Commercial Contract is hereby amended to reflect that the Purchase Price is \$13,920,751.00.
2. Buyer will be liable and responsible for any and all environmental remediation detailed in Aecom’s May 3, 2018, Proposal # LPT 2018-15 (“Report”). Further, Buyer agrees to indemnify and hold Seller harmless for the specific remediation detailed in the Report. Buyer’s obligations under Paragraph 2 of this Fifth Addendum shall survive closing pursuant to the Contract, as amended.
3. Unless modified herein, all other terms and conditions of the Commercial Contract, as amended, remain in full force and effect.
4. All capitalized terms herein shall have the meaning defined in the Commercial Contract and Addendum, unless defined herein.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the parties have set their hands and seal the day and year written above.

**AS TO BUYER:**

WITNESSES

**LIBERTY PROPERTY LIMITED PARTNERSHIP**, a Pennsylvania limited partnership

By: Liberty Property Trust, its sole general partner

\_\_\_\_\_

[Witness-print or type name]

By \_\_\_\_\_

\_\_\_\_\_

[Witness-print or type name]

By \_\_\_\_\_

STATE OF PENNSYLVANIA:  
COUNTY OF CHESTER:

The foregoing instrument was acknowledged before me this \_\_\_ day of May, 2018, by \_\_\_\_\_ of Liberty Property Trust, as sole general partner of **Liberty Property Limited Partnership**, a Pennsylvania limited partnership. He is personally known to me or has produced \_\_\_\_\_ as identification and did not take an oath.

(SEAL)

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

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

My Commission Expires:

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

STATE OF PENNSYLVANIA:  
COUNTY OF CHESTER:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of May, 2018, by \_\_\_\_\_ of Liberty Property Trust, as sole general partner of **Liberty Property Limited Partnership**, a Pennsylvania limited partnership. He is personally known to me or has produced \_\_\_\_\_ as identification and did not take an oath.

(SEAL)

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

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

My Commission Expires:

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

**AS TO SELLER:**

WITNESSES:

CITY OF FORT LAUDERDALE, a Florida  
municipal corporation

\_\_\_\_\_

By: \_\_\_\_\_  
Dean J. Trantalis, Mayor

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

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

\_\_\_\_\_

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

ATTEST:

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

APPROVED AS TO FORM:  
Alain E. Boileau, Interim City Attorney

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

STATE OF FLORIDA:  
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this \_\_\_ day of May, 2018,  
by DEAN J. TRANTALIS, 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 May, 2018, 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:\_\_\_\_\_