

**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 16th day of May, 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 10, 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

Andrea D. Cinca
[Witness-print or type name]

By: Liberty Property Trust, its sole general partner

Jackie Brautigam
[Witness-print or type name]

By: Michael T. Hagan
Executive Vice President and Chief Investment Officer

By: Christopher J. Papa
Executive Vice President & Chief Financial Officer

STATE OF PENNSYLVANIA:
COUNTY OF CHESTER:

The foregoing instrument was acknowledged before me this 16 day of May, 2018, by Michael T. Hagan 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) COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Melinda Kring, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires May 5, 2020
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Melinda Kring
Notary Public, State of Pennsylvania
(Signature of Notary taking Acknowledgment)

Melinda Kring
Name of Notary Typed,
Printed or Stamped

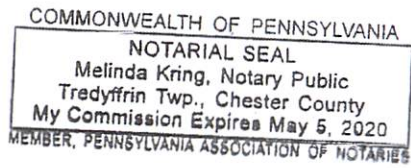
My Commission Expires: 5/5/2020

Commission Number

STATE OF PENNSYLVANIA:
COUNTY OF CHESTER:

The foregoing instrument was acknowledged before me this 16 day of May, 2018, by Christopher J. Papa 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)



Melinda Krings
Notary Public, State of Pennsylvania
(Signature of Notary taking Acknowledgment)

Melinda Krings
Name of Notary Typed,
Printed or Stamped


My Commission Expires:


5/5/2020
Commission Number


AS TO SELLER:

WITNESSES:

CITY OF FORT LAUDERDALE, a Florida municipal corporation


Scott Wymag
[Witness print or type name]

By: 
Dean J. Trantalis, Mayor


Dine Rizetti-Smith
[Witness print or type name]

By: 
Lee R. Feldman, City Manager

ATTEST: 
Jeffrey A. Medarelli, City Clerk

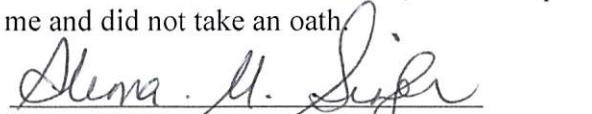
APPROVED AS TO FORM:
Alain E. Boileau, Interim City Attorney

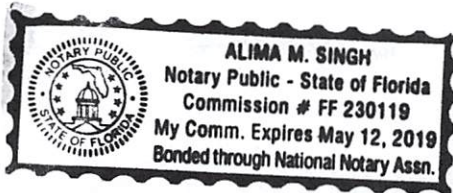

Lynn Solomon, Assistant City Attorney

STATE OF FLORIDA:
COUNTY OF BROWARD:

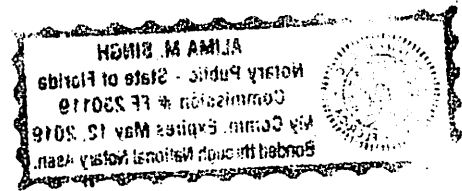
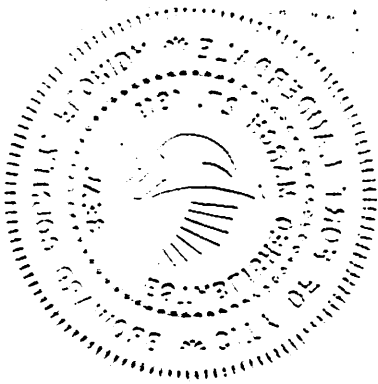
The foregoing instrument was acknowledged before me this 16th day of May, 2018, by DEAN J. TRANTALIS, Mayor of the CITY OF FORT LAUDERDALE, a municipal corporation of Florida. He is personally known to me and did not take an oath.

(SEAL)


Alima M. Singh
Notary Public, State of Florida
(Signature of Notary taking Acknowledgment)



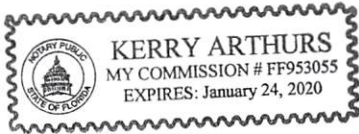
Name of Notary Typed,
Printed or Stamped
My Commission Expires:
Commission Number: _____

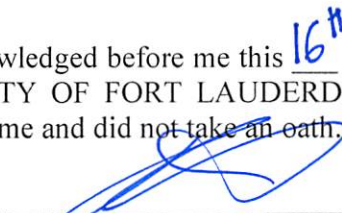


STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this 16th 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)

KERRY ARTHURS

Name of Notary Typed,
Printed or Stamped
My Commission Expires:
Commission Number: _____



COMMISSION AGENDA ITEM
DOCUMENT ROUTING FORM

PIL 5/16/18
RUSH
*must be signed by
5pm Today - 5/16/18*

Today's Date: 5/16/18

DOCUMENT TITLE: Fifth Addendum to Commercial Contract for Purchase and Sale of Sludge Plant to Liberty Property Limited Partnership

COMM. MTG. DATE: 5/15/18 CAM #: 18-0551 ITEM #: CM-4 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: 1 Approved as to Form: YES NO

Date to CCO: 5/16/18 LS
Initials

3) City Clerk's Office: # of originals: 1 Routed to: Gina Ri/CMO/X5013 Date: 5/16/18

4) City Manager's Office: CMO LOG #: May-82 Date received from CCO: 5/16/18

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 1 originals to Mayor CCO Date: 5/16/18

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 1 original and forwards 1 COPY to: Shaniece Louis / CAO . Ext. 5036 (Name/Dept/Ext)

Attach ___ certified Reso # _____ YES NO Original Route form to CAO

****please email an executed copy to Shaniece Louis *****