

**FIRST AMENDMENT TO
PROPERTY DISPOSITION AND DEVELOPMENT AGREEMENT**

This First Amendment to Property Disposition and Development Agreement between the Pompano Beach Community Redevelopment Agency (CRA) and Big Tree BBQ, Inc., (Developer) is entered into this ____ day of _____, 2025.

WHEREAS, by Resolution 2024-19, the CRA approved the Property Disposition and Development Agreement entered into by the parties on March 19, 2024 (the Agreement); and

WHEREAS, the Agreement contemplated completion of construction of approximately a 1,500 square foot restaurant and site improvements including parking, drainage, driveway area and landscaping on four (4) separate parcels by April 11, 2025; and

WHEREAS, the Developer has completed the preliminary site plan drawings and has updated the preliminary construction schedule for the restaurant and site improvements; and

WHEREAS, due to specific ingress and egress requirements on the south side of the proposed development site, the Developer has concluded that the inclusion of the adjacent property owned by the CRA west of the project site and identified by Folio Number 404233040770, is required to ensure site access and vehicular circulation; and

WHEREAS, the Developer has requested to extend the timeline for completion of construction of the restaurant and site improvements on the five (5) separate parcels as per the revised construction schedule.

NOW, THEREFORE, the parties agree as follows:

1. Each “Whereas” clause stated above is true and correct and incorporated in this First Amendment by reference.
2. The Agreement shall remain in full force and effect except as specifically amended below.
3. Article 2.2.9 is amended to read as follows:

Developer agrees that construction of the Building and Improvements on the Property shall be substantially completed according to the Project Schedule, but that in no event shall the completion of said construction extend beyond ~~April 11, 2025~~ June 30, 2026, even taking into account Permitted Delays.

4. Article 4.1 – is amended to read as follows:

<u>Parcel ID</u>	<u>Address</u>	<u>Assessed Value</u>
404233040770	NW 4 th Court	\$710

5. Article 4.5.1 is amended to read as follows:

Developer agrees to complete construction of the Building and Improvements for the Project, according to the Project Schedule (Exhibit 4), but in no event shall completion of said construction extend beyond ~~April 11, 2025~~ June 30, 2026, even taking into account Permitted Delays. Developer's failure to complete construction shall, upon notice to the Developer and a thirty (30) day opportunity to cure, cancel this Agreement and require Developer to immediately re-convey the Property back to the CRA in accordance with Article 20 herein and the Agreement for Re-Conveyance of Property attached as Exhibit 6.

6. Exhibit 1, The Property and Exhibit 4, Project Schedule, are replaced with the revised Exhibit 1, The Property and Exhibit 4, Project Schedule, attached to this First Amendment.

7. All documents referenced in the Agreement which refer to the construction completion date, such as the Agreement for Re-conveyance, shall be revised to reflect this First Amendment.

8. No other amendments to the Agreement shall be effective unless contained in a written document executed with the same formality and of equal dignity with this First Amendment.

IN WITNESS WHEREOF, the parties have executed this First Amendment on the date and year first above written.

Signed, Sealed and Witnessed
In the Presence of:

**POMPANO BEACH COMMUNITY
REDEVELOPMENT AGENCY**

Print Name:_____

By:_____
Rex Hardin, Chairman

Print Name:_____

By:_____
Gregory P. Harrison, Executive Director

Print Name:_____

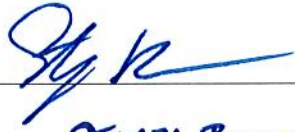
ATTEST:

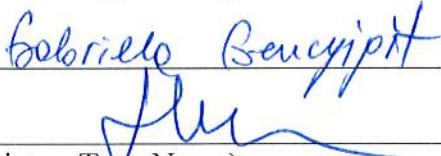
By:_____
Kervin Alfred, Secretary


"DEVELOPER "

Big Tree BBQ, Inc
A Florida For Profit Corporation

Witnesses:


STACEY BOYNTON
(Print or Type Name)


(Print or Type Name)

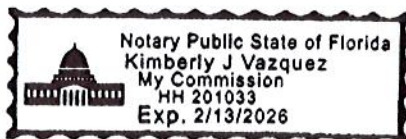
By: 
Print Name: Janice Bynum, Owner

By: 
Print Name: Kenneth Bynum, Owner

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me, by means of ☒ physical presence
or ☐ online notarization, this 1st day of May, 2025, by Janice
Bynum, Owner and Kenneth Bynum, Owner of BIG TREE BBQ, INC., a Florida For Profit
corporation on behalf of the corporation and he/she X is personally known to me or who has
produced _____ and _____ (type of
identification) as identification.

NOTARY'S SEAL:





NOTARY PUBLIC, STATE OF FLORIDA
Kimberly J Vazquez
(Name of Acknowledger Typed, Printed or Stamped)
HH 201033
Commission Number

Exhibit 1 – The Property



Exhibit 4 - Construction Schedule

BBQ RESTAURANT - Revised YH

smartsheet

Priority	Task Name	Start Date	End Date	Duration	Predecessors	Status	Notes	Assigned To	% Done
1	BBQ RESTAURANT PRELIM SCHEDULE	09/30/25	06/15/26	185d					
2	PROJECT MILESTONES	09/30/25	06/15/26	185d					
3	MILESTONES - NOTICE OF COMMENCEMENT	09/30/25	09/30/25	0					
4	MILESTONES - SUBSTANTIAL COMPLETION	05/25/26	05/25/26	0	64				
5	MILESTONES - FINAL COMPLETION	06/15/26	06/15/26	0	65				
6	PRECONSTRUCTION	09/30/25	11/03/25	25d	3				
7	BUILDING PERMIT & SUB-PERMIT	09/30/25	10/20/25	3w					
8	MILESTONES - PRE-CONSTRUCTION MEETING	09/30/25	09/30/25	0					
9	SUBMITTALS	09/30/25	11/03/25	25d	8				
10	PREPARE AND SUBMIT	09/30/25	10/20/25	15d					
11	P/S 081416 PREPARE/SUBMIT- WOOD DOORS & FRAMES SUBMITTAL PACKAGE	09/30/25	10/20/25	3w		In Progress			
12	P/S 092900 PREPARE/SUBMIT- DRYWALL/FRAMING	09/30/25	10/20/25	3w		Complete			
13	P/S 093013 PREPARE/SUBMIT- TILE SUBMITTAL PACKAGE	09/30/25	10/20/25	3w		Complete			
14	P/S 095100 PREPARE/SUBMIT- ACT SUBMITTAL PACKAGE	09/30/25	10/20/25	3w		Complete			
15	P/S 097000 PREPARE/SUBMIT- WALL FINISHES SUBMITTAL PACKAGE	09/30/25	10/20/25	3w					
16	P/S 099100 PREPARE/SUBMIT- PAINT SUBMITTAL PACKAGE	09/30/25	10/20/25	3w		Complete			
17	P/S104400 PREPARE/SUBMIT- TOILET ACCESSORIES SUBMITTAL PACKAGE	09/30/25	10/20/25	3w		Complete			
18	P/S 21000 PREPARE/SUBMIT- FIRE SPRINKLERS SHOP DRAWINGS	09/30/25	10/20/25	3w		In Progress			
19	P/S 22000 PREPARE/SUBMIT- PLUMBING SUBMITTAL PACKAGE	09/30/25	10/20/25	3w		In Progress			
20	P/S 23000 PREPARE/SUBMIT- HVAC SUBMITTAL PACKAGE	09/30/25	10/20/25	3w		In Progress			
21	P/S 26000 PREPARE/SUBMIT- ELECTRICAL SUBMITTAL PACKAGE	09/30/25	10/20/25	3w		In Progress			
22	REVIEW AND APPROVE	10/21/25	11/03/25	10d	10				
23	R/A 081416 REVIEW/APPROVE- WOOD DOORS & FRAMES SUBMITTAL PACKAGE	10/21/25	11/03/25	2w		In Progress			
24	R/A 092900 REVIEW/APPROVE- DRYWALL/FRAMING	10/21/25	11/03/25	2w		Complete			
25	R/A 093013 REVIEW/APPROVE- TILE SUBMITTAL PACKAGE	10/21/25	11/03/25	2w		Complete			
26	R/A 095100 REVIEW/APPROVE- ACT SUBMITTAL PACKAGE	10/21/25	11/03/25	2w		Complete			
27	R/A 097000 REVIEW/APPROVE- WALL FINISHES SUBMITTAL PACKAGE	10/21/25	11/03/25	2w					
28	R/A 099100 REVIEW/APPROVE- PAINT SUBMITTAL PACKAGE	10/21/25	11/03/25	2w		Complete			
29	R/A 104400 REVIEW/APPROVE- TOILET ACCESSORIES SUBMITTAL PACKAGE	10/21/25	11/03/25	2w		Complete			
30	R/A 21000 REVIEW/APPROVE-FIRE SPRINKLERS SHOP DRAWINGS	10/21/25	11/03/25	2w		In Progress			
31	R/A 22000 REVIEW/APPROVE- PLUMBING SUBMITTAL PACKAGE	10/21/25	11/03/25	2w		In Progress			
32	R/A 23000 REVIEW/APPROVE- HVAC SUBMITTAL PACKAGE	10/21/25	11/03/25	2w		In Progress			
33	R/A 26000 REVIEW/APPROVE- ELECTRICAL SUBMITTAL PACKAGE	10/21/25	11/03/25	2w		In Progress			
34	CONSTRUCTION	09/30/25	05/25/26	170d	8				
35	MOBILIZATION/TEMP FACILITIES	09/30/25	10/13/25	2w					
36	SELECTIVE DEMOLITION	10/14/25	11/03/25	3w	35				
37	CONCRETE	11/04/25	11/24/25	3w	36, 7				
38	MASONRY / STONE	11/04/25	11/24/25	3w	37SS				
39	STRUCTURAL STEEL	11/04/25	11/24/25	3w	37SS				
40	DRYWALL / PLASTER	11/25/25	12/22/25	4w	37				
41	ROOFING (PATCHING)	11/25/25	12/08/25	2w	40SS				

Priority	Task Name	Start Date	End Date	Duration	Predecessors	Status	Notes	Assigned To	% Done
42	SPECIALTIES	12/09/25	01/05/26	4w	40FS -10d				
43	ROUGH CARPENTRY	11/25/25	12/08/25	2w	40SS				
44	INSULATION / FIREPROOFING	12/09/25	12/22/25	2w	43				
45	FIRE PROTECTION	11/18/25	12/08/25	3w	40SS -5d				
46	PLUMBING/ GAS	11/18/25	12/15/25	4w	40SS -5d				
47	HVAC	11/18/25	12/15/25	4w	40SS -5d				
48	ELECTRICAL	11/18/25	12/15/25	4w	40SS -5d				
49	FIRE ALARM SYSTEMS	11/18/25	12/15/25	4w	40SS -5d				
50	ACOUSTICAL CEILINGS/ WOOD PLANK CEILING	01/06/26	01/26/26	3w	40, 45, 47, 49, 44, 46, 42				
51	FABRIC CEILING PANELS	01/06/26	01/26/26	3w	50SS				
52	FLOOR PREPARATION	01/27/26	02/09/26	2w	51				
53	KITCHEN WATERPROOFING	01/27/26	02/09/26	2w	52SS				
54	WOOD FLOORING	02/10/26	03/02/26	3w	53				
55	CERAMIC / QUARRY TILE	02/10/26	03/02/26	3w	54SS				
56	DOORS, FRAMES AND HARDWARE	03/03/26	03/16/26	2w	55				
57	MILLWORK / FINISH CARPENTRY	03/17/26	04/13/26	4w	56				
58	ORNAMENTAL IRON	03/17/26	03/30/26	2w	57SS				
59	GLASS & MIRRORS	03/17/26	03/30/26	2w	58SS				
60	PAINTING & WALLCOVERING	04/14/26	05/04/26	3w	57				
61	LIGHTING FIXTURES	05/05/26	05/18/26	2w	60				
62	MEP's TRIM	05/05/26	05/18/26	2w	61SS				
63	GENERAL CLEANING	05/19/26	05/25/26	1w	62				
64	! INSPECTION BUILDING FINAL (TCO)	05/25/26	05/25/26	0	63				
65	- PUNCHLIST/ CLOSEOUT	05/26/26	06/15/26	15d	4				
66	PUNCH OUT	05/26/26	06/15/26	3w					
67									
68									
69									
70									
71									
72									
73									