

## ***SECOND AMENDMENT***

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**THIS IS A SECOND AMENDMENT TO THE AGREEMENT** dated \_\_\_\_\_, between:

**CITY OF POMPANO BEACH**, a municipal corporation of the State of Florida, whose address is 100 West Atlantic Boulevard, Pompano Beach, Florida 33060, hereinafter referred to as “CITY”,

and

**LIVING WATER SURF SCHOOL LLC**, a Florida limited liability company, having its office and place of business at 1627 SE 7 St, Deerfield Beach, Florida 33441, hereinafter referred to as “LICENSEE”.

**WHEREAS**, the parties entered into an agreement for ocean awareness and surfing fundamentals on June 1, 2020, ("Original Agreement"), and approved by City Resolution No. 2020-186 on May 26, 2020; and

**WHEREAS**, the parties entered into a First Amendment to the Original Agreement on May 3, 2021, and approved by City Resolution No. 2020-146 on April 27, 2021; and

**WHEREAS**, the CITY and LICENSEE have mutually agreed to extend the Original Agreement for one (1) additional one-year period and amend certain terms and conditions.

### **WITNESSETH:**

**IN CONSIDERATION** of the mutual terms, conditions, promises, covenants and payments herein set forth CITY and LICENSEE agree as follows:

1. Each “WHEREAS” clause set forth above is true and correct and herein incorporated by this reference.

2. The terms and conditions contained within the Original Agreement between CITY and LICENSEE, effective June 1, 2020, and subsequently amended on May 3, 2021, copies of which are

attached hereto and made a part hereof as Exhibit "A," shall remain in full force and effect for the new contract extension term except as specifically amended hereinbelow.

3. The attached Exhibit "A", Scope of Authorization, is hereby substituted for, and in all references replaces, that Exhibit "A", Scope of Authorization, which was attached to, referenced and made a part of the Original Agreement.

4. The parties hereto agree to extend the Original Agreement for one (1) additional one-year period, ending May 31, 2023.

5. This Agreement shall bind the parties and their respective executors, administrators, successors and assign and shall be fully effective as though the extension and amendment had been originally included in the Agreement.

**THE REMAINDER OF THE PAGE IS INTENTIONALLY LEFT BLANK**

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed the day and year hereinabove written.

**CITY OF POMPANO BEACH**

By: \_\_\_\_\_  
REX HARDIN, MAYOR

By: \_\_\_\_\_  
GREGORY P. HARRISON, CITY MANAGER

Attest:

\_\_\_\_\_  
ASCELETA HAMMOND, CITY CLERK

(SEAL)

Dated: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
MARK E. BERMAN, CITY ATTORNEY

**"CONTRACTOR":**

Witnesses:

**LIVING WATER SURF SCHOOL LLC**

Henry Paul Cook JR  
Henry Paul Cook JR  
Print Name

By: [Signature]  
William Zimmerman, Manager

BSM  
Bosette Szymour  
Print Name

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 April, 2022 by William Zimmerman as Manager of Living Water Surf School LLC, a Florida limited liability company on behalf of the company. She is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

NOTARY'S SEAL:

Anne Hollady  
NOTARY PUBLIC, STATE OF FLORIDA  
Anne Hollady  
(Name of Acknowledger Typed, Printed or Stamped)  
GG 265432  
Commission Number

