

**SECOND AMENDMENT TO PARCEL E GROUND LEASE  
(Extension of Deadline and Rent Abatement)**

**THIS SECOND AMENDMENT TO PARCEL E GROUND LEASE** (“**Second Amendment**”) is dated as of \_\_\_\_\_ 2017, and is between the **CITY OF POMPANO BEACH, FLORIDA**, a Florida municipal corporation (“**City**”), whose address is 100 West Atlantic Boulevard, 4<sup>th</sup> Floor, Pompano Beach, Florida 33060, Attn: City Manager, and **PPA-E, LLC**, a Florida limited liability company, (“**Tenant**”) whose address is 398 NE 6th Avenue, Delray Beach, Florida 33483.

**RECITALS**

City and Tenant have entered into a Parcel Ground Lease for Parcel E dated March 31, 2015 for the lease to Tenant of Parcel E described in the Lease (“**Original Lease.**”)

The Original Lease was amended by a First Amendment to Parcel E Ground Lease dated as of April 15, 2016 (“**First Amendment;**” the Original Lease and the First Amendment are collectively the “**Parcel E Lease.**”)

Tenant has asked City to extend by more than 180 days the deadlines for Parcel E set forth in the Development Timeline attached as Exhibit A to the First Amendment.

City and Tenant are entering into this Second Amendment to the Parcel E Lease to memorialize in writing the extension of the deadlines for Parcel E.

**AGREEMENT**

For Ten Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged by the parties, City and Tenant agree as follows:

1. **Recitals.** The Recitals set forth above are true and correct, and are made a part of this Second Amendment.
2. **Revised Development Deadlines for Parcel E.** The deadlines for Parcel E set forth in the Development Timeline (as of February 22, 2016) attached as Exhibit D to the Parcel E Lease are revised as follows:

<b>Parcel</b>	<b>Design Plans</b>	<b>Obtain Permits</b>	<b>Commence Construction</b>	<b>Substantial Completion</b>
<b>Parcel E</b>	30-Sept-2015	31-Aug-2018	30-Sept-2018	31-Aug-2019

3. **Minimum Rent.** The following provision is added to **Section 5.1 Minimum Rent** of the Parcel E Ground Lease

**5.1.5.** Minimum Rent shall be abated for the period from July 1, 2017 through December 31, 2017. The City Manager may approve an extension of the abatement period, if the Developer can provide evidence reasonably satisfactory to City that the Gross Revenue of

the Project has decreased significantly solely as a result of the reconstruction of the Pier Structure (and not because of other factors unrelated to the reconstruction of the Pier Structure).

4. **Ratification of Parcel E Lease.** The Parcel E Lease, as amended by this Second Amendment, remains in full force and effect on the date hereof.

City and Tenant have signed this Second Amendment to Parcel E Ground Lease on the dates set forth below their respective signatures

Witnesses:	<b>CITY:</b>  <b>CITY OF POMPANO BEACH, FLORIDA</b>
_____ Print Name _____	By: _____ LAMAR FISHER, MAYOR  Dated: _____
_____ Print Name _____  Attest:	By: _____ GREG HARRISON, CITY MANAGER  Dated: _____
_____ ASCELETA HAMMOND, CITY CLERK	(SEAL)
Approved as to form by:	
_____ MARK E. BERMAN, CITY ATTORNEY	

STATE OF FLORIDA  
 COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2017, by LAMAR FISHER, as Mayor, GREG HARRISON, as City Manager, and ASCELETA HAMMOND, as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY SEAL

\_\_\_\_\_  
 NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_  
 Print Name of Notary

TENANT:

PPA- E, LLC, a Florida limited liability company

Witnesses:

Signature: [Handwritten Signature]

Print Name: MARISA BENNETT

Signature: SAMIA FRANCIS

Print Name: SAMIA FRANCIS

By: [Handwritten Signature]  
Richard Caster, Manager

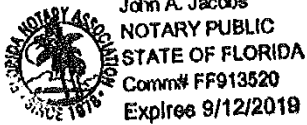
Date: 9/29/17

ACKNOWLEDGMENT

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 29 day of Sept, 2017 by Richard Caster, as Manager of PPA-E, LLC, on behalf of the company. He is personally known to me or produced a Florida driver's license as identification.

NOTARIAL SEAL



[Handwritten Signature]  
Notary Public, State of Florida  
Print Name: John A. Jacobs  
My commission expires: 9/12/19