

**AMENDMENT NO. 2 TO THE USE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND SEMINOLE PROPERTIES II, INC.**

This Amendment No. 2 to the Use Agreement between the City of Coconut Creek and Seminole Properties II, Inc. for the Use of Tract E of the Commerce Center of Coconut Creek Property dated December 14, 2017 ("Agreement") and Amendment No. 1 to the Use Agreement between the City of Coconut Creek and Seminole Properties II, Inc. for the Use of Tract E of the Commerce Center of Coconut Creek Property dated December 13, 2018 ("Amendment No. 1"), is made this 12th day of December, 2019 by and between the City of Coconut Creek, Florida, (the "City"), and Seminole Properties II, Inc. ("Seminole") both of whom agree as follows:

**WITNESSETH:**

**WHEREAS**, the parties desire to amend the Agreement and Amendment No. 1 to the Agreement to renew the Agreement for the final one (1) year term as was contemplated in Paragraph 2., "Term" of the Agreement and to provide for the City's use of the Property for the Annual Butterfly Festival on Saturday, February 29, 2020 by amending Paragraph 3., "Use and Purposes".

**NOW, THEREFORE**, based on the promises and covenants herein contained, the parties agree as follows:

1. The recitations referred to above are hereby incorporated herein.
2. The parties desire to amend Paragraph 2 of the Use Agreement as follows:
3. Term: The term of this Agreement shall be for one year commencing on the date this Amendment No. 2 is signed by the City ("Effective Date") and ending one (1) year thereafter ("Termination Date").
4. The parties desire to amend Paragraph 3. A. of the Agreement as follows:  
3. Use and Purposes:

A. The City agrees to allow Seminole to use the Property for temporary overflow parking ("Spring Parking") without notice to the City during weekends from December 31 through April 30 except for on Saturday February 29, 2020 when the City shall utilize the Property for temporary overflow parking for its Butterfly Festival event. The term weekends as used herein shall mean from 12:00 pm noon on Fridays until 5:00 am on Mondays; provided however that if Monday is a Federal holiday, then the weekend shall continue until 11:00 pm on any such holiday Monday.

5. All other terms and conditions of the Agreement and Amendment No. 1 not in conflict with this Amendment No. 2 shall remain in full force and effect and are incorporated herein.

**IN WITNESS WHEREOF**, the parties hereto have executed this Amendment No. 2 the day and year first above written.

**SEMINOLE PROPERTIES II, INC.**

By: Marcellus W. Osceola, Jr.  
Marcellus W. Osceola, Jr., President

Date: 1/27/20

ATTEST: 

**CITY OF COCONUT CREEK, FLORIDA**

By: Karen M. Brooks  
Karen M. Brooks, City Manager

Approved as to Legal Sufficiency

ATTEST:

By: Leslie W. May  
Leslie W. May, City Clerk  
*Wallace*

and Form:

By: Terrill C. Pyburn  
Terrill C. Pyburn, City Attorney