

## FIRST AMENDMENT TO COMMERCIAL CONTRACT FOR PURCHASE AND SALE

This First Amendment (the "Amendment") to that certain Commercial Contract for Purchase and Sale effectively dated August 2, 2022 (the "Contract") is made, between by and between:

- **BOYD-MOX DEVELOPMENT, LLC** (hereinafter called "Buyer"); and
- **CITY OF OCALA** (hereinafter called "Seller").

The parties hereby agree that the Contract is hereby amended as follows:

1. **Acknowledgment of Requirement of FAA Approval.** The parties acknowledge that the Contract is and shall remain contingent upon approval of the proposed sale by the Federal Aviation Administration ("FAA Approval"). The parties further acknowledge that obtaining such approval, is the responsibility of Seller and Seller shall continue to use reasonable diligence in obtaining FAA Approval.
2. **Closing Date.** The Closing shall be on the date that is 60 days, following the date upon which Seller gives Buyer written notice that it has obtained FAA Approval.
3. **Miscellaneous.**
  - 3.1. Except as herein amended all terms of the Contract, as previously amended, shall remain in full force and effect.
  - 3.2. This Amendment may be executed simultaneously in two or more counterparts, each of which shall be deemed to be an original and all of which shall together constitute one and the same instrument.
  - 3.3. This Amendment may be executed and delivered by e-mail in PDF or similar format or other facsimile or electronic transmission all with the same force and effect as if the same was a fully executed and delivered original manual counterpart.

IN WITNESS WHEREOF, Buyer and Seller have executed this Amendment as of the date first set forth above.

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SIGNATURE PAGE(S) FOLLOW.

**BUYER**

**BOYD-MOX DEVELOPMENT, LLC**

By: \_\_\_\_\_

Rachel Gibbs, Authorized Representative

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

**SELLER**

**CITY OF OCALA**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

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