

**FIRST AMENDMENT TO AGREEMENT FOR ARTWORK LOAN AND DISPLAY**

THIS FIRST AMENDMENT TO AGREEMENT FOR ARTWORK LOAN AND DISPLAY ("First Amendment") is entered into by and between the CITY OF OCALA, a Florida municipal corporation ("City"), and LINDA DEROSA ("Artist").

**WHEREAS**, on February 16, 2022, City and Artist entered into an Agreement for Artwork Loan and Display to be exhibited at the Clerk's Office located at 110 SE Watula Avenue, Ocala, Florida, 34471 (the "Exhibition") City of Ocala contract No. REC/220085; and

**WHEREAS**, after the Original Agreement was fully executed by the parties, it was discovered that one item of artwork listed in the document attached thereto as Exhibit A – Artwork was priced and sized incorrectly; and

**WHEREAS**, City and Artist now desire to enter into this First Amendment solely for the purpose of updating the information contained in Exhibit A – Artwork.

**NOW THEREFORE**, in consideration of each of the foregoing recitals and the following mutual covenants, conditions and other good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged, City and Artist agree as follows:

1. **RECITALS.** City and Artist hereby represent and warrant that the Recitals set forth above are true and correct.
2. **INCORPORATION OF ORIGINAL AGREEMENT.** The Original Agreement between City and Artist is hereby incorporated by reference as if set forth herein in its entirety and remains in full force and effect except for those terms and conditions expressly amended by this First Amendment.
3. **AMENDMENT TO EXHIBIT A – ARTWORK.** The document attached to the Original Agreement as Exhibit A – Artwork is hereby deleted and replaced, in its entirety, with the document attached to this First Amendment as **Revised Exhibit A – Artwork**.
4. **NOTICES.** All notices, certifications or communications required by this First Amendment shall be given in writing and shall be deemed delivered when personally served, or when received if by facsimile transmission with a confirming copy mailed by registered or certified mail, postage prepaid, return receipt requested. Notices can be concurrently delivered by e-mail. All notices shall be addressed to the respective parties as follows:



REC/220085

If to Artist:

Linda DeRosa  
10038 SW 77 Loop  
Ocala, Florida 34481  
Phone: 516-424-1449  
E-mail: [paintermom1@gmail.com](mailto:paintermom1@gmail.com)

If to City of Ocala:

Tiffany L. Kimball, Contracting Officer  
City of Ocala, City Hall  
110 SE Watula Avenue, 3<sup>rd</sup> Floor  
Ocala, Florida 34471  
PH: 352-629-8366  
FAX: 352-690-2025  
E-mail: [tkimball@ocalafl.org](mailto:tkimball@ocalafl.org)

Copy to:

Robert W. Batsel, Jr., Esquire  
Gooding & Batsel, PLLC  
1531 SE 36<sup>th</sup> Avenue  
Ocala, Florida 34471  
PH: 352-579-6536  
E-mail: [rbatsel@lawyersocala.com](mailto:rbatsel@lawyersocala.com)

6. **EFFECT OF AGREEMENT.** In the event of any inconsistency between this First Amendment and a prior version of the Original Agreement, this First Amendment shall govern. Except as expressly set forth herein, the Original Agreement shall remain in full force and effect and is not amended or modified.
7. **COUNTERPARTS.** This First Amendment may be executed in counterparts, each of which shall be an original and all of which shall constitute the same instrument.
8. **ELECTRONIC SIGNATURE(S).** Artist, if and by offering an electronic signature in any form whatsoever, will accept and agree to be bound by said electronic signature to all terms and conditions of this First Amendment. Further, a duplicate or copy of the First Amendment that contains a duplicated or non-original signature will be treated the same as an original, signed copy of this original First Amendment for all purposes.



REC/220085

9. **LEGAL AUTHORITY.** Each person signing this First Amendment on behalf of either party individually warrants that he or she has full legal power to execute this First Amendment on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this First Amendment.

**IN WITNESS WHEREOF**, the parties have executed this First Amendment on 03 / 12 / 2022.

**ATTEST:**

**CITY OF OCALA**

*Angel B. Jacobs*

*Ken Whitehead*

Angel B. Jacobs  
City Clerk

Ken Whitehead  
Assistant City Manager

**Approved as to form and legality:**

**LINDA DEROSA**

*Robert W. Batsel, Jr.*

*Linda DeRosa*

Robert W. Batsel, Jr.  
City Attorney

Signature

Linda DeRosa

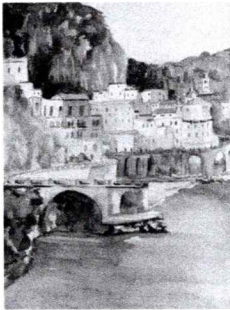
Name

Artist

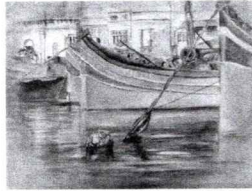
Title

**Revised Exhibit A – Artwork CONTRACT# REC/220085**

LINDA DEROSA / MARCH 7, 2022 – JULY 5, 2022



(1)



(2)



(3)



(4)



(5)

|  |  |  |  |   |
|--|--|--|--|---|
| Amalfi Coast<br>Watercolor<br>11" x 14"<br>\$150 | Anchored<br>Watercolor<br>16" x 20"<br>\$275 | Eggs in a Nest<br>Watercolor<br>11" x 14"<br>\$150 | Farm House Ranch<br>Watercolor<br>16" x 20"<br>\$275 | First Snow Fall<br>Watercolor<br>16" x 20"<br>\$150 |
|--|--|--|--|---|



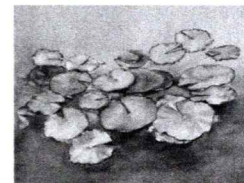
(6)



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(8)



(9)

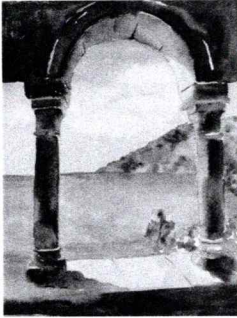


(10)

|   |   |  |  |  |
|---|---|--|--|--|
| Seize the Day<br>Watercolor<br>16" x 20"<br>\$275 | Ship Yard<br>Watercolor<br>16" x 20"<br>\$275 | Spanish Village by the Sea<br>Watercolor<br>16" x 20"<br>\$275 | Suspension<br>Watercolor<br>16" x 20"<br>\$275 | Venice<br>Watercolor<br>16" x 20"<br>\$275 |
|---|---|--|--|--|

**Revised Exhibit A – Artwork CONTRACT# REC/220085**

LINDA DEROSA / MARCH 7, 2022 – JULY 5, 2022



(11)

View thru the Arches  
Watercolor  
11" x 14"  
\$150



|                         |  |
|-------------------------|--|
| TITLE                   | FOR SIGNATURES - First Amendment to Agreement for Artwork... |
| FILE NAME               | 18019.original   |
| DOCUMENT ID             | 356c461c380af79d870d1a580d9d9e4d4147d43c                     |
| AUDIT TRAIL DATE FORMAT | MM / DD / YYYY   |
| STATUS                  | • Signed   |

## Document History



**03 / 04 / 2022**  
12:11:17 UTC-5

Sent for signature to Robert W. Batsel, Jr.  
(rbatsel@lawyersocala.com), Linda DeRosa  
(paintermom1@gmail.com), Ken Whitehead  
(kwhitehead@ocalafl.org) and Angel Jacobs  
(ajacobs@ocalafl.org) from biverson@ocalafl.org  
IP: 216.255.240.104



**03 / 11 / 2022**  
08:37:45 UTC-5

Viewed by Robert W. Batsel, Jr. (rbatsel@lawyersocala.com)  
IP: 216.255.247.55



**03 / 11 / 2022**  
08:38:19 UTC-5

Signed by Robert W. Batsel, Jr. (rbatsel@lawyersocala.com)  
IP: 216.255.247.55



**03 / 12 / 2022**  
06:34:06 UTC-5

Viewed by Linda DeRosa (paintermom1@gmail.com)  
IP: 204.10.181.162








**03 / 12 / 2022**  
06:36:59 UTC-5

Signed by Linda DeRosa (paintermom1@gmail.com)  
IP: 204.10.181.162

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|--------------------------------|--|
| <b>TITLE</b>                   | FOR SIGNATURES - First Amendment to Agreement for Artwork...                             |
| <b>FILE NAME</b>               | 18019.original   |
| <b>DOCUMENT ID</b>             | 356c461c380af79d870d1a580d9d9e4d4147d43c   |
| <b>AUDIT TRAIL DATE FORMAT</b> | MM / DD / YYYY   |
| <b>STATUS</b>                  |  Signed |

## Document History

|  |   |   |
|--|---|---|
| <br>VIEWED      | <b>03 / 12 / 2022</b><br>10:45:06 UTC-5 | Viewed by Ken Whitehead (kwhitehead@ocalafl.org)<br>IP: 216.255.240.104 |
| <br>SIGNED      | <b>03 / 12 / 2022</b><br>10:45:41 UTC-5 | Signed by Ken Whitehead (kwhitehead@ocalafl.org)<br>IP: 216.255.240.104 |
| <br>VIEWED    | <b>03 / 14 / 2022</b><br>09:06:30 UTC-4 | Viewed by Angel Jacobs (ajacobs@ocalafl.org)<br>IP: 216.255.240.104     |
| <br>SIGNED    | <b>03 / 14 / 2022</b><br>09:06:39 UTC-4 | Signed by Angel Jacobs (ajacobs@ocalafl.org)<br>IP: 216.255.240.104     |
| <br>COMPLETED | <b>03 / 14 / 2022</b><br>09:06:39 UTC-4 | The document has been completed.  |