

1700
City of Ocala 84-025514

OR
BOOK 1220 PAGE 0183

FIRST AMENDMENT
TO
DEVELOPER'S AGREEMENT FOR
PADDOCK PARK COMMERCIAL CENTER
CITY OF OCALA, FLORIDA
AND
PADDOCK PARK DEVELOPMENT, INC.

MAY 17 2 32 PM '84
RECORDED
1544 CHIEF CLERK
MARION COUNTY, FLA.

THIS AMENDMENT, made this 15th day of May, 1984, to that certain Developer's Agreement dated January 17, 1984, and recorded in Official Records Book 1199, pages 0589 through 0599, of the public records of Marion County, Florida, by and between Paddock Park Development, Inc., a Florida corporation hereinafter called the "DEVELOPER", and the CITY OF OCALA, a municipal corporation under the laws of the State of Florida, hereinafter called the "CITY".

W I T N E S S E T H:

WHEREAS, on January 17, 1984, the parties hereto entered into a Developer's Agreement covering the development of a portion of certain property owned by the Developer as more particularly described and detailed in said agreement; and

WHEREAS, Developer has sold portions of the development to PADDOCK PARK VILLAGE ASSOCIATES and to PPBC ASSOCIATES, LTD; and

WHEREAS, the parties have determined the need to expand the definition of the term "Supplementary Improvements" as utilized in paragraph 2.E. of the DEVELOPER'S AGREEMENT; and

WHEREAS, the parties have mutually agreed that it is both necessary and desirable to amend said Developer's Agreement as hereinafter provided;

NOW, THEREFORE, and in consideration of the mutual terms, covenants and conditions to be complied with on the part of the respective parties hereto, it is agreed as follows:

1. Except as otherwise herein amended, the Developer's Agreement heretofore entered into on January 17, 1984, shall in all other aspects remain in full force and effect.

2. THE DEVELOPER hereby covenants and agrees:

- (a) To include wooden water retention area fencing as "supplementary improvements" within the subdivision in accordance with the paragraph 2.E of the Developer's Agreement.
- (b) To provide the CITY with a current title opinion acceptable to the CITY which attests to the DEVELOPER'S ownership of the SUBDIVISION and his right to enter into this Amendment. The DEVELOPER further agrees not to enter into any agreement which would affect the validity of the aforementioned title opinion until such time as this Amendment has been executed and recorded by the CITY
- (c) To furnish and install all street lights as "supplementary improvements" along public road rights-of-way within the subdivision in accordance with Paragraph 2.F. of the Developer's Agreement. The location and size of street lighting must be approved by the City Electrical Engineering Division. The City agrees to furnish the electric energy for the above street lighting system. However, since this system will be made up of non-utility standard poles and fixtures, the developer agrees to maintain a supply of spare parts as necessary to return the system to its original condition from any damage or failure thereto.

IN WITNESS WHEREOF, the parties have caused these presents to be executed this day and year first aforesaid.

Signed in our presence as witnesses:

PADDOCK PARK DEVELOPMENT, INC.

Judith B. Gadherry

By: Noah H. Long, Jr.
Noah H. Long, Jr.
President

Margaret Palmer

(S E A L)

Attest: Margaret Palmer
Margaret Palmer
Asst. Sec.

STATE OF Georgia
COUNTY OF Colt

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Noah H. Long, Jr. to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 30 day of April, 1984, A.D.

Notary Public, Georgia, State at Large
My Commission Expires August 10, 1987

Judith B. Gadherry
NOTARY PUBLIC - State of
My Commission Expires:
PPBC ASSOCIATES, LTD.

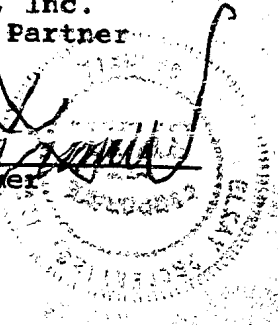
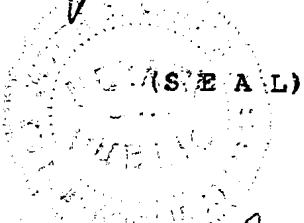
Signed in our present as witnesses:

Rogge White

By: Noah H. Long, Jr.
Noah H. Long, Jr.
President
Elkay Properties, Inc.
Managing General Partner

Judith B. Gadherry

Attest: Henry E. Kroher
Henry E. Kroher
Secretary



STATE OF Georgia
COUNTY OF Colt

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Noah H. Long, Jr. to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 30 day of April, 1984, A.D.

Judith B. Goddard
NOTARY PUBLIC-State of Georgia
My Commission Expires: August 10, 1988

Signed in our presence as witnesses:

DEVELOPER
PADDOCK PARK VILLAGE ASSOCIATES

Greg Jannarelli
Melissa McCune

By: W. Michael Murphy
W. Michael Murphy,
General Partner & Manager

(S E A L)

Attest _____

STATE OF Florida
COUNTY OF Marion

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared W. Michael Murphy to me known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 10th day of April, 1984, A.D.

Melissa A. Goss
NOTARY PUBLIC-State of Florida
My Commission Expires: Nov 24, 1984

(SEAL)

CITY OF OCALA, FLORIDA

BY: Greg S. Clark
Greg S. Clark
City Council President

Attest: Mary Jane Milam
Mary Jane Milam
City Clerk

Approved as to form and legality:

Seymour H. Rowland, Jr.
Seymour H. Rowland, Jr., City Attorney

20% COTTON FIBER