

FOURTH AMENDMENT TO THE AGREEMENT FOR OCALA GOLF CLUB MANAGEMENT

THIS FOURTH AMENDMENT TO THE AGREEMENT FOR OCALA GOLF CLUB MANAGEMENT ("Agreement") is entered into by and between the **CITY OF OCALA**, a Florida municipal corporation ("City") and **INDIGO SPORTS MANAGEMENT, LLC**, a foreign limited liability company duly organized and authorized to do business in the state of Florida (EIN# 86-1092316) ("Indigo").

WHEREAS, the City owns and operates the Ocala Golf Club located at 3130 E Silver Springs Blvd. Ocala, FL 34470 for the use and benefits of its citizens; and

WHEREAS, on July 17, 2012, City and Billy Casper Golf, LLC entered into a Management Agreement (the "Original Agreement"), City of Ocala Contract No.: REC/12-011, for a term of five years from October 1, 2012 to September 30, 2017; and

WHEREAS, on February 19, 2013, City and Billy Casper Golf, LLC entered into a First Amendment to Management Agreement ("First Amendment") to remove the requirement for a Deposit Account; and

WHEREAS, on April 18, 2017, City and Billy Casper Golf, LLC entered into a Second Amendment to Management Agreement ("Second Amendment") to renew the Original Agreement for the first available five-year renewal term from October 1, 2017 to September 30, 2022; and

WHEREAS, on May 1, 2019, City and Billy Casper Golf, LLC entered into a Third Amendment to Management Agreement ("Third Amendment") to revise and replace the language contained at Section 4.1.1 in the Original Agreement; and

WHEREAS, on April 1, 2020, Billy Casper Golf, LLC legally changed its name to Antares Golf, LLC; and

WHEREAS, on January 1, 2021, Troon Golf, LLC purchased Antares Golf, LLC, and assumed all rights, interests, and obligations held by Antares Golf, LLC under the Original Agreement; and

WHEREAS, on September 1, 2021, Troon Golf, LLC legally changed its name to Indigo Sports, LLC; and

WHEREAS, City and Indigo Sports, LLC, now desire to extend the Original Agreement, as written, for the final five-year renewal period available under the Original Agreement.

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 Indigo Sports, LLC, agree as follows:

1. **RECITALS.** City and Indigo Sports, LLC 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 Indigo Sports, LLC 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 Fourth Amendment.
3. **RENEWAL TERM.** The Original Agreement is hereby renewed for an additional five-year term beginning **OCTOBER 1, 2022** and terminating **SEPTEMBER 30, 2027**.
4. **NOTICES.** All notices, certifications or communications required by this Fourth 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 email. All notices shall be addressed to the respective parties as follows:

If to Indigo:

Indigo Sports, LLC
Attention: Shelley Griffin
995 Dalton Ave.
Cincinnati, OH 45203
E-mail: shelley.griffin@leaserv.com

If to City of Ocala:

Daphne M. Robinson, Esq., Contracting Officer
City of Ocala
110 SE Watula Avenue, 3rd Floor
Ocala, Florida 34471
PH: 352-629-8343 FAX: 352-690-2025
E-mail: notices@ocalafl.org

Copy to:

Robert W. Batsel, Jr., Esquire
Gooding & Batsel, PLLC
1531 SE 36th Avenue
Ocala, Florida 34471
PH: 352-579-6536
E-mail: rbatsel@lawyersocala.com

5. **COUNTERPARTS.** This Fourth Amendment may be executed in counterparts, each of which shall be an original and all of which shall constitute the same instrument.
6. **ELECTRONIC SIGNATURE(S).** Indigo Sports, LLC, 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 Fourth Amendment. Further, a duplicate or copy of the Fourth Amendment that contains a duplicated or non-original signature will be treated the same as an original, signed copy of this original Fourth Amendment for all purposes.
7. **LEGAL AUTHORITY.** Each person signing this Fourth Amendment on behalf of either party individually warrants that he or she has full legal power to execute this Fourth 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 Fourth Amendment.

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment on 07 / 12 / 2022.

ATTEST:

CITY OF OCALA

Angel B. Jacobs

Angel B. Jacobs
City Clerk

Ire Bethea Sr.

Ire Bethea, Sr.
City Council President

Approved as to form and legality:

INDIGO SPORTS, LLC

Robert W. Batsel, Jr.

Robert W. Batsel, Jr.
City Attorney

[Signature]

By: Indigo Sports, LLC
(Printed Name)

Title: Secretary
(Title)

TITLE	FOR SIGNATURES - Fourth Amendment to the Agreement for Ocala.....
FILE NAME	FOR COUNCIL - Fou... (REC 12-011).pdf
DOCUMENT ID	146a1e1d2b0eff27d995ef899a848d5b2f42c5fa
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
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Document History



SENT

07 / 06 / 2022

14:39:58 UTC-4

Sent for signature to Robert W. Batsel, Jr.
(rbatsel@lawyersocala.com), Indigo Sports, LLC
(jhansen@troon.com), Ire Bethea Sr. (ibethea@ocalafl.org)
and Angel Jacobs (ajacobs@ocalafl.org) from
biverson@ocalafl.org
IP: 216.255.240.104



VIEWED

07 / 10 / 2022

11:00:28 UTC-4

Viewed by Robert W. Batsel, Jr. (rbatsel@lawyersocala.com)
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SIGNED

07 / 10 / 2022

11:00:58 UTC-4

Signed by Robert W. Batsel, Jr. (rbatsel@lawyersocala.com)
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VIEWED

07 / 10 / 2022

11:06:29 UTC-4

Viewed by Indigo Sports, LLC (jhansen@troon.com)
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SIGNED

07 / 10 / 2022

11:07:56 UTC-4

Signed by Indigo Sports, LLC (jhansen@troon.com)
IP: 70.180.29.73

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07 / 12 / 2022
09:15:21 UTC-4

Viewed by Ire Bethea Sr. (ibethea@ocalafl.org)
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07 / 12 / 2022
09:15:53 UTC-4

Signed by Ire Bethea Sr. (ibethea@ocalafl.org)
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07 / 12 / 2022
09:16:28 UTC-4

Viewed by Angel Jacobs (ajacobs@ocalafl.org)
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07 / 12 / 2022
09:16:35 UTC-4

Signed by Angel Jacobs (ajacobs@ocalafl.org)
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The document has been completed.