

FOURTH AMENDMENT TO AGREEMENT FOR DEVELOPMENT AND DISPOSITION OF PROPERTY

This Amendment to the Agreement for Development and Disposition of Property is made and entered into by the City of Gainesville, Florida ("CITY"), the Gainesville Community Redevelopment Agency ("AGENCY") and Gainesville Commerce Center Limited Partnership ("DEVELOPER").

WHEREAS, the CITY, AGENCY and AMJ Inc. of Gainesville entered into an Agreement for Development and Disposition of Property ("the AGREEMENT") on March 19, 1999 for the Commerce Building Project and the Residential Project described in the AGREEMENT; and

WHEREAS, the CITY, AGENCY and AMJ, Inc. of Gainesville entered into a first amendment to the AGREEMENT on May 4, 2000; and

WHEREAS, the CITY, AGENCY AND AMJ, Inc. of Gainesville entered into a second amendment to the AGREEMENT on April 24, 2001

WHEREAS, on July 13, 2000 AMJ, Inc. of Gainesville assigned its rights and obligations under the AGREEMENT to the Developer of which AMJ, Inc. of Gainesville is general partner; and

WHEREAS, the CITY, AGENCY AND AMJ, Inc. of Gainesville entered into a third amendment to the AGREEMENT on July 30, 2001; and

WHEREAS, the AGREEMENT as amended contains dates by which certain actions must be completed; and

WHEREAS, the DEVELOPER has requested an extension to some of the dates; and

WHEREAS, the CITY and the AGENCY have agreed to the extension and;

WHEREAS, Exhibit B to the Agreement, as amended, contains scrivener's errors in the description of the property to be transferred;

NOW, THEREFORE, the parties agree to amend the AGREEMENT as follows:

1. Adjustment of Timeline

The timeline for development of the Commerce Building Project and the Residential Project is extended. To accomplish this, the following dates are expressly changed:

Paragraph	Description	From	To
5.01	Reversion language	2/01/2002	8/01/2002
15.01(c)	Developer default dates:		
	Complete construction of Commerce Building Project	1/31/2002	7/31/2002
	Commence construction of	2/01/2002	8/01/2002

	first Residential Project phase		
	Complete construction of	1/31/2003	7/31/2003
	first Residential Project phase		
	Commence construction of	2/01/2003	8/01/2003
	second Residential Project phase		
	Complete construction of	1/31/2004	7/31/2004
	second Residential Project phase		
15.06(a)	Commence construction of	2/01/2002	8/01/2002
	Residential Project		

2. Scrivener's errors

Exhibit B to the Agreement is hereby amended in its entirety to read as attached hereto.

Except as expressly modified by this FOURTH AMENDMENT, or the amendment of May 4, 2000, or the amendment of April 24, 2001, or the amendment of July 30, 2001, the terms and conditions of the AGREEMENT remain in full force and effect.

This FOURTH AMENDMENT together with the original AGREEMENT and the amendments of May 4, 2000, April 24, 2001, July 30, 2001 form the entire contract among the parties for the Commerce Building Project and the Residential Project, and is effective as of January 14, 2002.

IN WITNESS WHEREOF, the parties have signed this agreement this ____ day of _____, 2002.

ATTEST:

CITY OF GAINESVILLE

Kurt M. Lannon,
Clerk of the Commission

Thomas D. Bussing
Mayor

Approved as to form and legality:

Marion J. Radson, City Attorney

WITNESSES:

GAINESVILLE COMMUNITY
REDEVELOPMENT AGENCY

Wayne Bowers, Executive Director

Approved as to form and legality:

Charles L. Hauck, CRA Attorney

WITNESSES:

DEVELOPER

President

EXHIBIT "B"

Project Size Description

Tax Parcel 14672

The north 115' of Block 6 Range 4 Original Gainesville DB H-383, less the North 100' of the east 66.67' as recorded in OR 663/146.

Tax Parcel 14707

Block 6 Range 5 of Original Gainesville DB H-383 as recorded in OR 925/220 and OR 1278/06 also the ~~East~~ West $\frac{1}{2}$ of NE 4th Street between NE 1st Avenue and NE 2nd Avenue.

Tax Parcel 14714

Lots 2, & 3 Block 7 Range 5 of Original Gainesville DB H-383 less Lot 4 recorded in OR 1278/06 also the ~~West~~ East $\frac{1}{2}$ of NE 4th Street south of 2nd Avenue which abuts Lots 2 & 3 Block 7 Range 5.

Tax Parcel 14714-1

Lot 4 Block 7 Range 5 of Original Gainesville DB H-383 as recorded in OR 1278/06 also the ~~West~~ East $\frac{1}{2}$ of NE 4th Street north of NE 1st Avenue which abuts Lot 4 Block 7 Range 5.

The above description may be substituted for a metes and bounds description provided to any party by a professional land surveyor licensed to practice in the State of Florida.

