

**FIFTH 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 CITY, AGENCY AND AMJ, Inc. of Gainesville entered into a fourth amendment to the AGREEMENT on November 26, 2001 to correct several scrivener's errors;

**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;

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

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 first Residential Project phase	2/01/2002	8/01/2002

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

Except as expressly modified by this FIFTH AMENDMENT, or the amendment of May 4, 2000, or the amendment of April 24, 2001, or the amendment of July 30, 2001, or the amendment of November 26, 2001 the terms and conditions of the AGREEMENT remain in full force and effect.

This FIFTH AMENDMENT together with the original AGREEMENT and the amendments of May 4, 2000, April 24, 2001, July 30, 2001 and November 26, 2001 form the entire contract among the parties for the Commerce Building Project and the Residential Project, and is effective on execution and delivery by the AGENCY, CITY and DEVELOPER.

IN WITNESS WHEREOF, the parties have signed this agreement this \_\_\_ day of \_\_\_\_\_, 2002.

CITY OF GAINESVILLE

ATTEST:

\_\_\_\_\_  
Thomas Bussing, Mayor

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Approved as to form and legality

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Marion J. Radson, City Attorney

GAINESVILLE COMMUNITY REDEVELOPMENT AGENCY

ATTEST:

\_\_\_\_\_  
Wayne Bowers, Executive Director

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Approved as to form and legality

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Charles L. Hauck Sr., CRA Attorney

DEVELOPER

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ATTEST:

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