

**FIRST AMENDMENT TO THE LICENSE AGREEMENT
FOR CONSTRUCTION STAGING**

This Amendment to the License Agreement for Construction Staging is made and entered into by the City of Gainesville ("CITY") and the Gainesville Commerce Center Limited Partnership ("LICENSEE")

WHEREAS, the City and the Licensee entered into an Agreement for Development and Disposition of Property ("AGREEMENT") whereby the Licensee agreed to construct a Commerce Building and a Residential Project; and

WHEREAS, paragraph 6.02 of the AGREEMENT provides that the City will grant Licensee a temporary construction easement over a portion of the right-of-way around the perimeter of the project site to accommodate construction activity and temporarily close portions of NE 1st Avenue and NE 4th Street to traffic to accommodate construction staging; and

WHEREAS, the City, and the Gainesville Commerce Center Limited Partnership entered into a License Agreement for Construction Staging ("LICENSE") on November 28, 2000 which will expire on June 30, 2002; and

WHEREAS, the completion date for the Phase I Residential Project listed in the AGREEMENT has been extended to July 31, 2003; and

WHEREAS, the Developer has requested an extension on the LICENSE; and

WHEREAS, the City has agreed to the extension;

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

1. That the termination date of the LICENSE be extended to June 30, 2003.

Except as expressly modified by this FIRST AMENDMENT, the terms and conditions of the LICENSE remain in full force and effect.

This FIRST AMENDMENT together with the original LICENCE form the entire contract among the parties and is effective on execution and delivery by the CITY and LICENSEE.

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:

DEVELOPER

Michael J. Warren, General Partner
Gainesville Commerce Center Limited
Partnership