

ACKNOWLEDGMENT AND WAIVER

City of Gainesville hereby waives the right of first refusal provided under Section 9.2 of the Participation Agreement described above under the circumstances and in accordance with the terms described in the foregoing letter.

CITY OF GAINESVILLE

ATTEST:

By: \_\_\_\_\_  
Name: Paula M. DeLaney  
Title: Mayor  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF Alachua

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of January, 1999, by Paula M. DeLaney, ~~MR~~ Mayor on behalf of City of Gainesville. He/she is personally known to me or produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Signature of Notary Public

My Commission expires: