

CLARIFICATION OF LEASE AGREEMENT

This Agreement is made and entered into this ___ day of December, 2017, by and between THE CITY OF PENSACOLA, FLORIDA, a municipal corporation created under the laws of the State of Florida ("City"), and FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("Commission").

RECITALS

1. The parties entered into that certain "Lease Agreement" dated May 12, 2014 (hereafter "Lease") in which the City is and continues to lease certain property therein described as the Premises for the purposes of building and maintaining the Florida Gulf Coast Marine Fisheries Hatchery/Enhancement Center ("Center").

2. To avoid any uncertainty as to the validity or existence of the Lease, the parties wish to clarify, acknowledge, and agree with each other that the Lease continues to be a valid and binding document on the parties hereto.

ACCORDINGLY, in consideration of the Recitals and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged by the parties hereto, the parties agree as follows:

Section 1. Recitals. The above stated Recitals are true and correct, and form a material part of this Agreement.

Section 2. Clarification of Section 20. Section 20 of the Lease is hereby clarified by the parties to acknowledge and agree with each other that (1) construction has commenced as contemplated by the parties, (2) the time for completion of construction is hereby extended until December 31, 2022, and (3) the Lease is and continues to be a valid and binding document on the parties. Except as expressly stated in this Section, Section 20 shall remain unchanged and is hereby ratified and confirmed by the parties.

Section 3. Effect of this Agreement. Except as expressly set forth in Section 2 of this Agreement, the Lease shall remain unchanged and is hereby ratified and confirmed by the parties.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the date first above written.

(REMAINDER OF PAGE LEFT INTENTIONALLY BLANK)

WITNESSES:

Name: _____

Name: _____

“CITY”

THE CITY OF PENSACOLA

By:

Print Name: Ashton J. Hayward, III
Title: Mayor

ATTEST: _____

City

Clerk

WITNESSES:

Name: _____

Name: _____

“COMMISSION”

FISH AND WILDLIFE CONSERVATION
COMMISSION

By:

Print Name: _____
Title: _____

ATTEST: _____