

**SECOND AMENDMENT TO
LAND USE RESTRICTION AGREEMENT**

**PINELLAS COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**

THIS LAND USE RESTRICTION AGREEMENT AMENDMENT (hereinafter known as "AMENDMENT") is entered into this 28 day of December, 2018, between Pinellas County (**COUNTY**), a political subdivision of the State of Florida, having its principal office at 315 Court Street, Clearwater, Florida 33756 and **WestCare Gulf Coast - Florida, Inc. (AGENCY)**, a not-for-profit corporation organized under the laws of the State of Florida, including its successors, assigns, and transferees, having its principal office at 100 Second Avenue South, Suite 901 South, St. Petersburg, Florida 33701:

This AMENDMENT, executed in accordance with provisions of Specific Performance Agreement **CD17WC**, and subsequent amendments, shall be properly filed and recorded by the **COUNTY** in the official public records of Pinellas County, Florida and shall constitute a restriction upon the use of the property subject to and in accordance with the terms contained herein:

WITNESSETH:

WHEREAS, on October 2, 2017, the **COUNTY** and **AGENCY** executed a Land Use Restriction Agreement (AGREEMENT), which was recorded on October 4, 2018 in Official Records Book 19793, Pages 2176-2178, restricting the use of the property located at 1735 Dr. Martin Luther King Jr. Street South, St. Petersburg, Florida 33705, until September 30, 2028. Said property further known as:

Lots 1, BLOCK 1 FAMILY AND SUBSTANCE ABUSE SERVICE CENTER REPLAT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 122, PAGE 10, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA

AND

LOT 17 OF AN UNNAMED PLAT KNOWN AS "SUNNYSIDE SUBDIVISION", AS RECORDED IN PLAT BOOK 1, PAGE 17, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA.

PARCEL NO#.: 25/31/16/27449/001/0010

; and

WHEREAS, on November 15, 2018, the **COUNTY** and **AGENCY** executed an amendment to the Land Use Restriction Agreement, which was recorded on November 21, 2018 in Official Records

Book 20343, Pages 1813-1815, to increase the total CDBG investment in the project and extend the Effective Period of the land use restriction from September 30, 2028 to December 31, 2030; and

WHEREAS, due to project delays, the **COUNTY** is extending the term of Specific Performance Agreement CD17WC and therefore it is necessary to amend the Effective Period of the Land Use Restriction Agreement.

NOW THEREFORE, the parties do hereby covenant and agree that the recitals set forth above are true and accurate and are hereby incorporated in and made a part of this AMENDMENT, and further covenant and agree to amend the Land Use Restriction Agreement referenced and incorporated herein as follows:

1. **Effective Period:** For the purposes of the AGREEMENT, the Effective Period shall expire on **March 30, 2031**.
2. **Remaining Provisions:** To the extent not modified herein, all terms and provisions of the Land Use Restriction Agreement, and subsequent Amendment, remain unaltered and in full force and effect.

(SIGNATURE PAGE/S FOLLOWS)

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written. *Note: Two witnesses are required*

ATTEST:

Della Klug
Witness #1 Signature

Della Klug
Print or Type Name

Witness #2 Signature

Print or Type Name

ATTEST:

Manny
Witness #1 Signature

Valentina Nishku
Print or Type Name

Ronda Lieberman
Witness #2 Signature

Ronda Lieberman
Print or Type Name

PINELLAS COUNTY, FLORIDA
a political subdivision, by and through its
County Administrator

By: Barry A. Burton
Barry A. Burton, County Administrator

Date: December 28, 2018

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By: Chelsea D. Hardy
Chelsea D. Hardy, Assistant County Attorney

AGENCY: WestCare Gulf Coast Florida, Inc.

By: James D. Dates

Date: 12/14/18

STATE OF FLORIDA }
COUNTY OF PINELLAS } §

The foregoing instrument was acknowledged before me this 14 day of December, 2018 by James Dates on behalf of the AGENCY. He/she is personally known to me or () has produced _____ as identification and did/did not take an oath.



(NOTARY STAMP/SEAL ABOVE)

Maureen A. Traci
Signature

Maureen A. Traci
Name of Notary, typed, printed or stamped