

**THIRD AMENDMENT TO
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM SUBAWARD
SPECIFIC PERFORMANCE AND LAND USE RESTRICTION AGREEMENT
(Agreement No.: CD17PERCRHB)**

THIS THIRD AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM SUBAWARD SPECIFIC PERFORMANCE AND LAND USE RESTRICTION AGREEMENT (THIRD AMENDMENT), is made and entered into by and between Pinellas County (COUNTY), a political subdivision of the State of Florida, having its principal office at 315 Court Street, Clearwater, Florida 33756, and Pinellas Ex-Offender Re-Entry Coalition, Inc., (AGENCY), a Florida not-for-profit corporation, having its principal office at 12810 U.S. Highway 19 North, Clearwater, Florida 33764:

WITNESSETH:

WHEREAS, the COUNTY entered into Community Development Block Grant Subaward Specific Performance and Land Use Restriction Agreement No.: CD17PERCRHB with AGENCY on July 25, 2019 (AGREEMENT), to provide, through the Pinellas County Housing and Community Development Department (DEPARTMENT), \$300,054.00 in Community Development Block Grant (CDBG) funds to AGENCY for facility improvements at 12810 US Highway 19 North, Clearwater, FL 33764, as recorded in Official Records Book 20628, Pages 622-649 (PROJECT); and

WHEREAS, the COUNTY executed a First Amendment to AGREEMENT with the AGENCY on April 20, 2020, wherein the COUNTY provided an additional \$466,096.00 in CDBG funds to agency for additional facility improvements, revised the project description to include additional improvements, extended the term of the specific performance period and restricted period, and identified new CDBG grant funding Federal Award Identification Numbers, as recorded in Official Records Book 21227, Pages 1761-1764; and

WHEREAS, the COUNTY executed a Second Amendment to AGREEMENT with the AGENCY on September 28, 2021, wherein the COUNTY extended the term of the specific performance period and restricted period, as recorded in Official Records Book 21738, Pages 128-130; and

WHEREAS, the AGREEMENT states that PROJECT activities shall be completed by the AGREEMENT expiration date of December 31, 2021; and

WHEREAS, due an extensive permitting process, the AGENCY will not be able to complete the PROJECT on or before the AGREEMENT expiration date of December 31, 2021; and

WHEREAS, the AGENCY has requested, and the COUNTY has agreed, to extend the AGREEMENT expiration date; and

WHEREAS, providing an extension to the term of the AGREEMENT requires that the restricted period of the land use restriction also be extended; and

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
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WHEREAS, the AGENCY and the COUNTY have agreed to extend the AGREEMENT expiration date eighteen (18) months to June 30, 2023 and the Restriction Period eighteen (18) months to June 1, 2043.

NOW, THEREFORE, in consideration of the promises and mutual covenants, contained herein and for other good and valuable considerations, the receipt and sufficiency of which are hereby mutually acknowledged, the parties agree as follows:

Article 1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

Article 2. Amended Terms and Conditions. The terms and conditions of the Agreement are hereby amended and restated as follows:

3. TERM OF SPECIFIC PERFORMANCE AGREEMENT; EFFECTIVE DATE

This Agreement shall become valid and binding upon proper execution by the parties hereto, and unless terminated pursuant to the term herein, shall continue in full force and effect until **June 30, 2023**, or until COUNTY'S full and complete disbursement of funding to AGENCY, whichever comes first. AGENCY may use funds provided herein to cover eligible PROJECT expenses incurred by the AGENCY between **July 1, 2019 and June 30, 2023**.

Notwithstanding the termination of the AGREEMENT, the use restrictions referenced in section 7. Reversion of Assets; Land Use Restrictions, shall remain in full force and effect, restricting the use of the PROPERTY to the use outlined herein, from the Effective Date of this AGREEMENT until the end of the Restricted Period referenced in section 7. Reversion of Assets; Land Use Restrictions.

5. SPECIFIC GRANT INFORMATION

(e)	Subaward Period of Performance Start and End Date	July 1, 2019 - June 30, 2023
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7. REVERSION OF ASSETS; LAND USE RESTRICTIONS

b) Restricted Period: Notwithstanding the termination of the AGREEMENT, the land use restrictions referenced herein shall remain in full force and effect, restricting the use of the PROPERTY to the use outlined herein, from the Effective Date of this AGREEMENT until **June 1, 2043 (RESTRICTED PERIOD)**.

Article 3. Terms and Conditions. Except as otherwise stated herein, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Third Amendment to be executed, on the last date of execution as shown below.

ATTEST:

PINELLAS COUNTY, FLORIDA
a political subdivision, of the State of Florida

Della Klug
Witness #1 Signature

By: 
Barry A. Burton, County Administrator

Della Klug
Print or Type Name

Date: January 4, 2022

s/Jo Lugo
Witness #2 Signature

APPROVED AS TO FORM
By: Anna M. Adams
Office of the County Attorney

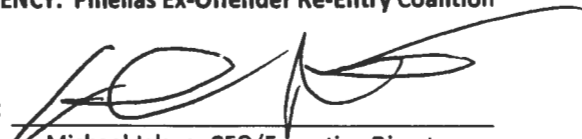
Jo Lugo
Print or Type Name

ATTEST:

AGENCY: Pinellas Ex-Offender Re-Entry Coalition

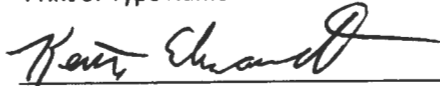
Note: Two witnesses are required


Witness #1 Signature

By: 
Michael Jalazo, CEO/Executive Director


Jennifer Trivoli
Print or Type Name

Date: 10/29/2021


Witness #2 Signature

Keith Eberhardt
Print or Type Name

I, Kenneth P. Burke, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida. Witness my hand and seal of said County FL this 7 day of January, 2022.
KENNETH P. BURKE, Clerk of the Circuit Court Ex-Officio Clerk of the Board of County Commissioners, Pinellas County, Florida.

By: 
Deputy Clerk

