

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE ON BEHALF OF THE CITY TO ENTER INTO THE FIRST AMENDMENT BETWEEN BROWARD COUNTY AND THE CITY OF NORTH LAUDERDALE EXTENDING THE EXPIRATION DATE OF THE ANNEXATION AGREEMENT TO SEPTEMBER 30, 2013; AND PROVIDING FOR AN EFFECTIVE DATE.

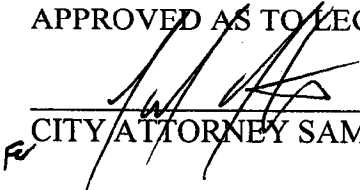
BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: That the City Commission of the City of North Lauderdale, Florida, authorizing the City Manager or her designee to enter into the first amendment between Broward County and the City of North Lauderdale extending the expiration date of the annexation agreement to September 30, 2013.

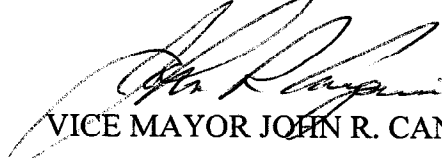
Section 2: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 23th day of March, 2010.

APPROVED AS TO LEGAL FORM:

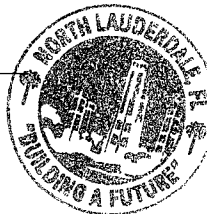

CITY ATTORNEY SAMUEL S. GOREN


MAYOR JACK BRADY


VICE MAYOR JOHN R. CANGEMI

ATTEST:


PATRICIA VANCHERI, CITY CLERK



FIRST AMENDMENT TO AGREEMENT

Between

BROWARD COUNTY

and

CITY OF NORTH LAUDERDALE

to

IMPLEMENT ANNEXATION OF THE BROADVIEW ESTATES/POMPANO PARK
UNINCORPORATED NEIGHBORHOOD INTO THE CITY

This is the First Amendment to the Agreement between BROWARD COUNTY, a political subdivision of the state of Florida, hereinafter referred to as "COUNTY";

and

The CITY OF NORTH LAUDERDALE, a municipal corporation of the state of Florida, hereinafter referred to as "CITY."

WHEREAS, COUNTY and CITY entered into an Agreement which was approved by COUNTY on March 11, 2003, to implement annexation of the Broadview Estates/Pompano Park unincorporated neighborhood into the CITY; and

WHEREAS, the parties desire to extend the termination date of the Agreement from September 30, 2010 to September 30, 2013 to allow for the completion of the infrastructure improvement projects;

NOW THEREFORE, IN CONSIDERATION of the mutual terms, conditions, promises, and covenants hereinafter set forth, the parties agree as follows:

1. The above recitals and representations are true and correct and are incorporated herein.
2. Article 3, "Effectiveness; Term And Time Of Performance," Section 3.1, is hereby amended to read as follows:
 - 3.1 The Agreement shall become effective only upon being executed by all of the parties and, and shall be further expressly subject to an affirmative vote of a majority of the ballots cast in the Broadview Estates/Pompano Park referendum election to be held on March 11, 2003. If this Agreement becomes effective, the term, and the obligations hereunder, shall begin on the date the annexation is effective, which date is September 15, 2003,

and shall end after all duties, obligations, and responsibilities set forth in this Agreement are fulfilled or met, by undertaking or completion thereof as herein required; ~~provided, however, that in no event shall this Agreement extend beyond September 30, 2010. COUNTY obligations under this Agreement shall terminate with the expiration of this Agreement.~~ however, Notwithstanding any other provision, the parties' obligations under this Agreement shall not extend beyond September 30, 2010 2013.

3. Subsection 16.A.6 of Exhibit A is hereby amended to read as follows:

16. Infrastructure Improvement Program

A. Scope of Infrastructure Improvement Project

6. The COUNTY shall complete a Basis of Design Review and implement the projects in phases with the goal of completing all infrastructure improvement projects for the Broadview Estates/Pompano Park neighborhood on or about September 30, 2010 2013.

4. Except as otherwise provided in this First Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

5. In the event of any conflict or ambiguity between the First Amendment and the Agreement, the parties hereto agree that this First Amendment shall control.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Coding: Words in ~~strike-through~~ type are deletions from existing text.
Words in underline type are additions.

IN WITNESS WHEREOF, the parties hereto have made and executed this First Amendment to Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action, and CITY OF NORTH LAUDERDALE, signing by and through its City Manager, duly authorized to execute same.

COUNTY

ATTEST:


BROWARD COUNTY, by and through
its Board of County Commissioners

County Administrator and Ex-Officio
Clerk of the Board of County
Commissioners of the Broward
County, Florida

By: _____
Mayor

_____ day of _____, 20____

Approved as to form by
Office of County Attorney
Broward County, Florida
JEFFREY J. NEWTON, County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-6968

By:  5/17/10
Deputy County Attorney

FIRST AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF NORTH LAUDERDALE TO IMPLEMENT THE ANNEXATION OF THE BROADVIEW ESTATES/POMPANO PARK UNINCORPORATED NEIGHBORHOOD INTO THE CITY

CITY

Witnesses:

Tania Cordova

Print Name: TANIA CORDOVA

Pam Donova

Print Name: Pam Donova

Attest:

Patricia Vancheri

Patricia Vancheri, City Clerk

Approved by:

Samuel S. Goren
for Samuel S. Goren, City Attorney

CITY OF NORTH LAUDERDALE

By: A. Bhatti
Ambreen Bhatti, City Manager



STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 24th day of MARCH, 2010 by Ambreen Bhatti, as City Manager of the City of North Lauderdale, a municipal Florida corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:

Linda White
NOTARY PUBLIC, STATE OF FLORIDA
(Signature of Notary Taking Acknowledgment)

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

4

NOTARY PUBLIC-STATE OF FLORIDA
Linda White
Commission # DD546469
Expires: JUNE 17, 2010
Bonded Through Atlantic Bonding Co., Inc.