

Return recorded document to:

Broward County Environmental Planning
& Community Resilience Division
115 South Andrews Avenue, Suite 329H
Fort Lauderdale, FL 33301

Document prepared by:
Benjamin D. Crego, Assistant County Attorney
Broward County Attorney's Office
115 South Andrews Avenue, Suite 423
Fort Lauderdale, FL 33301

REINSTATEMENT AND SECOND AMENDMENT TO
AGREEMENT BETWEEN BROWARD COUNTY
AND TOWN OF DAVIE FOR DAVIE WETLAND
PRESERVE THROUGH THE BROWARD
COUNTY LAND STEWARDSHIP PROGRAM

This is a Reinstatement and Second Amendment ("Second Amendment") to that certain agreement, made and entered into by and between BROWARD COUNTY, a political subdivision of the State of Florida ("COUNTY"), and TOWN OF DAVIE, a municipal corporation of the State of Florida ("TOWN").

Recitals

- A. COUNTY and TOWN entered into that certain agreement that was executed by COUNTY on March 20, 2013, providing for TOWN to receive a grant from COUNTY for the ecological restoration of publicly-owned natural lands and sustainable development of passive recreation parks ("Agreement").
- B. On February 12, 2014, the Agreement was extended by eighteen (18) months, to September 20, 2015, by the County Administrator pursuant to the terms of the Agreement.
- C. COUNTY and TOWN subsequently entered into a First Amendment to the Agreement extending the term of the Agreement an additional twenty-four (24) months, to September 20, 2017 ("First Amendment").
- D. The Agreement, as amended, expired on September 20, 2017, prior to TOWN's completion of the required improvements.
- E. TOWN is desirous of reinstating the Agreement and extending the termination date of the reinstated Agreement an additional twenty-four (24) months from the former expiration date of September 20, 2017, through September 20, 2019, to allow additional time for continued public input and completion of the required improvements.

- F. COUNTY deems it to be in the best interests of the residents of Broward County to reinstate the Agreement and extend the termination date of the Agreement through September 20, 2019.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The Agreement is hereby reinstated in its entirety and the Agreement and its First Amendment shall be in full force and effect as if same had not expired.
2. Subsection 2.1 of the Agreement is hereby amended to read as follows:
 - 2.1 The term of this Agreement shall begin on the date this Agreement is fully executed by both parties and shall end at 11:59 p.m. on September 20, 2017 2019.
2. Exhibit "B-1" of the Agreement, as amended by the First Amendment, "Davie Wetland Preserve, OS-76 – Project Schedule," is hereby deleted and replaced with Exhibit "B-2," attached hereto and incorporated herein. All references in the Agreement to Exhibit "B" shall be deemed to refer to Exhibit "B-2."
3. Except as amended herein, all other terms and conditions of the Agreement, as amended by the First Amendment, shall remain in full force and effect.
4. In the event of any conflict or ambiguity by and between the terms and provisions of this Second Amendment and the Agreement (as previously amended), the terms and provisions of this Second Amendment shall control to the extent of any such conflict or ambiguity.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have made and executed this Second Amendment to Agreement between Broward County and Town of Davie for Davie Wetland Preserve through the Broward County Land Stewardship Program, 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 on the _____ day of _____, 20____, and TOWN OF DAVIE, signing by and through its Mayor, duly authorized to execute same.

COUNTY

ATTEST:

BROWARD COUNTY, by and through
its Board of County Commissioners

Broward County Administrator, as
Ex-officio Clerk of the Broward County
Board of County Commissioners

By _____
Mayor
____ day of _____, 20____

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By Benjamin Crego 03/20/18
Benjamin D. Crego (Date)
Assistant County Attorney

By Maitte Azcoitia 3/20/18
Maitte Azcoitia (Date)
Deputy County Attorney

SECOND AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND
TOWN OF DAVIE FOR DAVIE WETLAND PRESERVE THROUGH THE BROWARD
COUNTY LAND STEWARDSHIP PROGRAM

TOWN

WITNESSES:

[Signature]

[Signature]

ATTEST:

[Signature]
Town Clerk

TOWN OF DAVIE

By [Signature]
Mayor
(Insert Title)

12 day of March, 2018

APPROVED AS TO FORM:

By [Signature]
Town Attorney

12 day of March, 2018

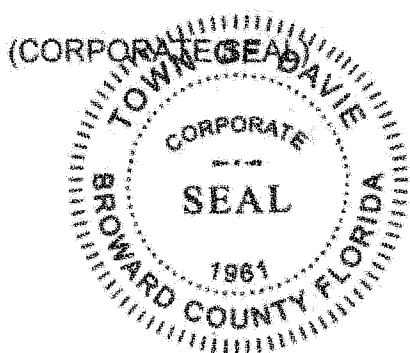


EXHIBIT "B-2"
DAVIE WETLAND PRESERVE, OS-76 - PROJECT SCHEDULE
(proposed project schedule/timeline for completion)

EXHIBIT "B-2"

DAVIE'S WETLANDS RESTORATION TIMELINE													
MANAGEMENT ACTIVITY	2018												2019
	1	2	3	4	5	6	7	8	9	10	11	12	1
FLORIDA-FRIENDLY PLANTINGS/INVASIVE REMOVAL													
RECYCLED MATERIAL PICNIC BENCHES													
RECYCLED MATERIAL TRASH BINS													
PERVIOUS CONCRETE TRAIL													

Shaded boxes represent the month of the year that such activity will occur.