

**FIRST AMENDMENT TO LEASE AGREEMENT, #10263,
BETWEEN ALACHUA COUNTY AND
THE NORTH FLORIDA BOTANICAL SOCIETY, INC.**

THIS FIRST AMENDMENT TO AGREEMENT, made and entered into this _____ day of _____ A.D. 20____, by and between Alachua County, a charter county and political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as "County", and the North Florida Botanical Society, Inc., a non-profit organization incorporated pursuant to the provisions of Chapter 617, Florida Statutes, for educational, recreational, scientific, and social purposes in the establishment of a botanical garden facility, hereinafter referred to as the "Lessee":

WITNESSETH:

WHEREAS, the parties hereto previously entered into a Lease Agreement dated March 10, 1981; and,

WHEREAS, the parties wish to amend the agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties, the parties hereby agree to amend the Agreement as follows:

A. SECTION # 11 of the Agreement, Audit, is amended in its entirety to read:

11. **Audit or Financial Statement.**

Lessee agrees to procure an audited copy of Lessee's budget for its last completed fiscal year. Lessee shall file with Lessor the report issued from said audit. The Lessee may, at its sole discretion, instead provide internally prepared financial statements. An internally prepared financial statement is one that has been prepared by the Executive Director or Treasurer of the organization and has been approved by the Board of Directors of the organization. Lessee shall file with Lessor a copy of the meeting minutes documenting that the financial statement was approved by the Board of Directors and a signed copy of IRS Form 990, if required by law.

B. This First amendment shall take effect upon execution of this First Amendment to Lease Agreement.

SAVE and EXCEPT as expressly amended herein, all other terms and provisions of the original agreement between the parties, dated March 10, 1981, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this First Amendment to Agreement to be executed for the uses and purposes therein expressed on the day and year first above-written.

ALACHUA COUNTY, FLORIDA

By: _____
_____, Chair
Board of County Commissioners
Date: _____

ATTEST:

APPROVED AS TO FORM

JK “Jess” Irby, Clerk

(SEAL)

Alachua County Attorney's Office

North Florida Botanical Society, Inc.

ATTEST .
By: _____
Print: _____
Title: Secretary

By: _____
Print: _____
Title: President

Date: _____