

**FIRST AMENDMENT TO  
AMENDED AND RESTATED INTERLOCAL AGREEMENT  
(PINEY-Z COMMUNITY DEVELOPMENT DISTRICT)**

BOB INZER, CLERK OF COURTS

**THIS FIRST AMENDMENT TO THE AMENDED AND RESTATED INTERLOCAL AGREEMENT** (“First Amendment”) dated December 1, 2010, and approved by the City Commission on November 23, 2010, dated this 15<sup>th</sup> day of July, 2014, is entered by and between the CITY OF TALLAHASSEE, FLORIDA, a municipal corporation created and existing under the laws of the State of Florida, acting by and through its City Commission (the “City”), and PINEY-Z COMMUNITY DEVELOPMENT DISTRICT, a local unit of special purpose government organized and existing under the laws of the State of Florida (the “District”).

**WHEREAS**, the parties entered into an Interlocal Agreement, dated July 9, 1997 (“Interlocal Agreement”) that, in relevant part, identified the projects to be undertaken by the District and voluntarily limited the scope of powers to be exercised by the District; and

**WHEREAS**, the Interlocal Agreement was amended by the parties on March 21, 2001 (“First Amendment”), to expand the scope of powers to be exercised by the District; and

**WHEREAS**, the Interlocal Agreement was replaced in its entirety by the Amended and Restated Interlocal Agreement dated December 1, 2010; and

**WHEREAS**, by action of the City Commission after public hearing on May 28, 2014, on the request of the Piney Z Land Company, LLC, to contract the boundaries of the District, the boundaries of the District have changed, and are now as described herein in Exhibit A to this First Amendment; and

**WHEREAS**, the District has requested an amendment to the Amended and Restated Interlocal Agreement to revise Section 5 to delete the requirement that the Piney-Z Community Development District be terminated when the District’s debt is paid; and

**WHEREAS**, the City has considered, after public hearing on May 28, 2014, the District’s request, and has approved Ordinance No. 14-O-25 amending Ordinance No. 97-O-33AA to delete the requirement that the Piney-Z Community Development District be terminated; and

**WHEREAS**, to make the Interlocal Agreement consistent with the implementing ordinance, as amended, the parties hereto agree that the Amended and Restated Interlocal Agreement between the parties shall be amended as provided herein.

**NOW, THEREFORE, FOR AND IN CONSIDERATION** of the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

**Section 1. Recitals.** The recitals set forth above are true and correct, and are hereby incorporated herein by reference.

**Section 2. Exhibits.** Each exhibit referred to in this First Amendment forms an essential part of this First Amendment. The exhibits, if not physically attached, should be treated as part of this First Amendment and are incorporated herein by reference.

**Section 3. Amendment to Add Legal Description of District.** The Amended and Restated Interlocal Agreement is amended to add the revised legal description for the District, as described in Exhibit A to this First Amendment.

**Section 4. Amendment to Section 5 of the Amended and Restated Interlocal Agreement.** Section 5 of the Amended and Restated Interlocal Agreement shall be amended as follows:

**SECTION 5. DISSOLUTION.** ~~The District agrees and covenants that it shall file a petition to dissolve itself pursuant to section 190.046(9), Florida Statutes, within thirty (30) days following the retirement of the District's bonds or other debt incurred to finance all or any portion of the costs of the District Project and provided that it has no operating or maintenance responsibilities. Once the City has adopted a non-emergency ordinance granting the District's petition, the District shall be dissolved. Upon such dissolution pursuant to Section 190.046(9), Florida Statutes, any District Projects that have not previously been dedicated to the City will be so-dedicated, and any other property of the District shall be transferred to the City or such other entity as shall be designated by the City. Any District obligations (contractual, statutory or otherwise) existing at the time of dissolution related to the Association and/or the Fieldcrest subdivision as addressed in Section 3 of this Agreement shall revert to the Association upon termination of the District.~~

**Section 5. Savings Clause.** In all other respects, the Amended and Restated Interlocal Agreement shall remain in full force and effect as provided therein.

**Section 6. Effective Date.** This First Amendment shall be effective upon filing with the clerk of the circuit court pursuant to Section 163.01(11), Florida Statutes.

IN WITNESS WHEREOF, this First Amendment has been executed by the parties as of the date first above written.

Approved by the City Commission on May 28, 2014.

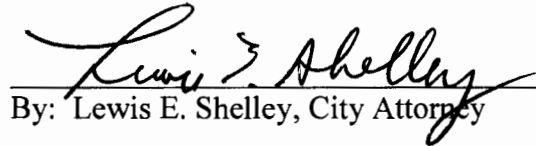
Approved by the Piney-Z Community Development District Board of Supervisors on 7/14/14.

**CITY OF TALLAHASSEE**



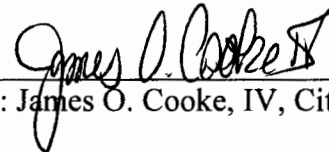
By: John R. Marks III, Mayor

**APPROVED AS TO FORM:**




By: Lewis E. Shelley, City Attorney

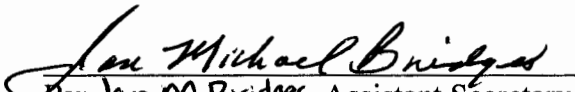
**ATTEST:**

  
By: James O. Cooke, IV, City Treasurer-Clerk

**PINEY-Z COMMUNITY DEVELOPMENT DISTRICT**

  
Michael Lee, Chair  
Board of Supervisors

**ATTEST:**

  
By: Jan M. Bridges Assistant Secretary

**EXTERNAL BOUNDARIES OF THE DISTRICT, AS CONTRACTED**

Commence at a terra cotta monument marking the Southwest corner of Section 35, Township 1 North, Range 1 East, Leon County, Florida, and thence run North 01 degrees 19 minutes 57 seconds West along the Section Line 1839.30 feet to a point on the Southerly boundary of the proposed 300-foot wide right of way of the extension of Conner Boulevard for the POINT OF BEGINNING. From said POINT OF BEGINNING continue North 01 degrees 19 minutes 57 seconds West along the Section Line 610.06 feet, thence run South 88 degrees 40 minutes 03 seconds East 545.12 feet; thence run North 18 degrees 39 minutes 56 seconds East 1890.63 feet, thence run South 78 degrees 01 minutes 34 seconds East 1455.21 feet, thence run South 55 degrees 33 minutes 24 seconds East 941.17 feet, thence run South 71 degrees 14 minutes 32 seconds East 208.00 feet, thence run South 71 degrees 55 minutes 17 seconds East 1729.94 feet, thence run South 06 degrees 59 minutes 15 seconds East 342.79 feet, thence run South 28 degrees 37 minutes 43 seconds East 134.73 feet, thence run South 00 degrees 23 minutes 03 seconds East 2376.43 feet to the South Boundary of Section 36, Township 1 North, Range 1 East, Leon County, Florida, thence run North 89 degrees 30 minutes 48 seconds West along the South Boundary of said Sections 36 and 35 a distance of 2283.52 feet, thence run South 00 degrees 22 minutes 34 seconds West 817.44 feet, thence run North 89 degrees 35 minutes 19 seconds West 200.00 feet, thence run South 00 degrees 32 minutes 31 seconds West 172.15 feet, thence run South 89 degrees 53 minutes 09 seconds West 181.20 feet, thence run South 00 degrees 12 minutes 53 seconds West 523.23 feet, thence run North 89 degrees 47 minutes 05 seconds West 165.64 feet, thence run South 00 degrees 12 minutes 53 seconds East 84.14 feet, thence run South 89 degrees 47 minutes 05 seconds East 70.00 feet, thence run South 00 degrees 12 minutes 53 seconds West 321.13 feet to the Northerly right of way boundary of State Road No. 20 (Apalachee Parkway, U.S. Highway 27, or Perry Highway), thence run South 85 degrees 34 minutes 05 seconds West along said Northerly right of way boundary 521.73 feet to the West boundary of the proposed extension of Doyle Conner Boulevard (300 foot wide right of way), said point lying on a curve concave to the Easterly, thence run Northerly along said proposed right of way curve with a radius of 1800.00 feet, through a central angle of 18 degrees 48 minutes 37 seconds, for an arc distance of 590.94 feet (the chord of said arc being North 05 degrees 49 minutes 53 seconds East 588.28 feet), thence run North 15 degrees 14 minutes 11 seconds East along said proposed right of way boundary 905.49 feet to a point of curve to the left, thence along said proposed right of way boundary curve with a radius of 1500.00 feet, through a central angle of 26 degrees 43 minutes 55 seconds, for an arc distance of 699.84 feet, thence run North 11 degrees 29 minutes 44 seconds West 777.15 feet to a point of curve to the left, thence run along said proposed right of way boundary curve with a radius of 1500.00 feet, through a central angle of 65 degrees 14 minutes 02 seconds, for an arc distance of 1707.82 feet to a point of compound curve, thence run along said proposed right of way boundary curve with a

radius of 650.00 feet, through a central angle of 48 degrees 33 minutes 10 seconds, for an arc distance of 720.30 feet to a point of reverse curve, thence run along said proposed right of way boundary curve with a radius of 650.00 feet, through a central angle of 36 degrees 36 minutes 52 seconds, for an arc distance of 415.38 feet to the POINT OF BEGINNING, containing 345.56 acres, more or less.

**LESS AND EXCEPT:**

BEGIN at a concrete monument (#1254) marking the Northeast corner of PINEY Z, PHASE 9, a subdivision as per map or plat thereof recorded in Plat Book 13, Page 5, of the Public Records of Leon County, Florida, thence run South 00 degrees 22 minutes 40 seconds West a distance of 816.50 feet to a concrete monument (plain), thence run North 89 degrees 51 minutes 48 seconds West a distance of 200.00 feet to a concrete monument (#1254), thence run South 00 degrees 30 minutes 49 seconds West a distance of 172.35 feet to a concrete monument (#1254), thence run South 89 degrees 53 minutes 56 seconds West a distance of 181.19 feet, thence run South 00 degrees 12 minutes 43 seconds West a distance of 523.26 feet to a concrete monument (#1254), thence run North 89 degrees 44 minutes 32 seconds West a distance of 165.76 feet to a concrete monument (#732), thence run South 00 degrees 11 minutes 33 seconds West a distance of 84.19 feet to a concrete monument (#732), thence run South 89 degrees 52 minutes 18 seconds East a distance of 69.88 feet to an iron rod, thence run South 00 degrees 09 minutes 30 seconds West a distance of 320.86 feet to an iron rod (#4261) on the Northerly right of way boundary of Apalachee Parkway (width varies), thence run South 85 degrees 39 minutes 30 seconds West a distance of 225.13 feet to a concrete monument (#4261) at the intersection of said Northerly right of way boundary with the Easterly right of way boundary of Doyle Conner Boulevard (100' wide), said point being on a curve concave to the east, thence run northerly along said right of way curve having a radius of 1500.00 feet, through a central angle of 18 degrees 34 minutes 44 seconds for an arc distance of 486.39 feet (chord of said arc bears North 05 degrees 59 minutes 16 seconds East for a distance of 484.27 feet), thence run North 15 degrees 16 minutes 35 seconds East a distance of 1224.03 feet to a point on a curve concave to the west, thence run northerly along said curve having a radius of 1052.00 feet, through a central angle of 15 degrees 04 minutes 55 seconds for an arc distance of 276.92 feet (chord of said arc bears North 07 degrees 43 minutes 39 seconds East for a distance of 276.12 feet) to the Northwest corner of aforesaid PINEY Z, PHASE 9, thence leaving said Easterly right of way boundary run South 89 degrees 30 minutes 28 seconds East a distance of 301.45 feet to the POINT OF BEGINNING, containing 12.82 acres, more or less.

**FOR A TOTAL OF 332.74 ACRES.**