

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

**THIS FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT**, dated this 21<sup>st</sup> day of March, 2001, is entered into 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**, on June 9, 1999, the City approved a grant of additional powers to the District through Resolution No. 99-R-0014; and

**WHEREAS**, the additional powers authorize the District to plan, establish, acquire, construct, reconstruct, enlarge, extend, equip, operate and maintain parks and facilities for recreational, cultural, and educational purposes; and

**WHEREAS**, the parties hereto agree that the Interlocal Agreement between the parties dated July 9, 1997, shall be amended as provided herein.

**NOW, THEREFORE, FOR AND IN CONSIDERATION** of the mutual covenant 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. Amendment to Section 3 of Interlocal Agreement.** Section 3 of the Interlocal Agreement approved by the City on July 9, 1997, shall be amended as follows:

**SECTION 3. VOLUNTARY LIMITATION ON UTILIZATION OF DISTRICT'S POWERS.** (a) In light of the limited scope of the District Projects, the District agrees and covenants with the City that it (i) will exercise only those powers necessary and required to finance and complete the District Projects and, if approved by the City, those special powers listed in s. 190.012(2), F.S., and (ii) will not utilize its ad valorem taxing powers but specifically reserves its rights and abilities to exercise its condemnation powers

**Section 3. Amendment to Exhibit A of Interlocal Agreement.** Exhibit A to the Interlocal Agreement shall be amended to add language as follows:

DISTRICT PROJECTS

Project Description

Streets and Drainage, specifically including, but not limited to, the Connor Boulevard Project

Water and Sewer Utilities

Any project undertaken by the District pursuant to its special powers related to recreational, cultural and educational purposes.

**Section 4. Savings clause.** In all other respects, the Interlocal Agreement approved by the City on July 9, 1997, shall remain in full force and effect as provided therein.

**Section 5. Effective date.** This amendment shall be effective upon filing with the clerk of the circuit court pursuant to Sec. 163.01(11), Fla. Stat.

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

**CITY OF TALLAHASSEE**

By: Scott Maddox  
Scott Maddox, Mayor

**ATTEST:**

Gary Herndon  
Gary Herndon  
Interim Treasurer-Clerk

**APPROVED AS TO FORM:**

James R. English  
James R. English  
City Attorney

**PINEY-Z COMMUNITY  
DEVELOPMENT DISTRICT**

By: [Signature]  
Chair, Board of Supervisors

**ATTEST:**

Kimberly Murphy  
Name: Kimberly Murphy  
Title: Assistant Secretary