

THIS INSTRUMENT WAS PREPARED BY
AND SHOULD BE RETURNED TO:

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AMENDMENT TO EASEMENT AGREEMENTS

THIS AMENDMENT TO EASEMENT AGREEMENTS (“Amendment”) is made and executed as of the ____ day of _____, 2014 (the “Effective Date”), by and between **QUORUM CENTER ASSOCIATES LLC**, a Delaware limited liability company, whose address is 825 3rd Avenue, 36th Floor, New York, NY 10022 (“Quorum”), **ORLANDO UTILITIES COMMISSION**, a statutory commission organized under the laws of the State of Florida, whose address is 500 South Orange Avenue, Orlando, FL 32802 (“OUC”) and the **CITY OF ORLANDO**, a Florida municipal corporation, whose address is 400 South Orange Avenue, Orlando, FL 32802 (the “City”).

W I T N E S S E T H :

WHEREAS, WATKINS ASSOCIATED INDUSTRIES, INC., a Florida corporation (“Watkins”), the City and OUC entered into the following easement agreements: (i) that certain Overhead and Underground Easement recorded February 13, 1983 in Official Records Book 3349, Page 813, (ii) that certain Overhead and Underground Electric and Water Easement, recorded March 12, 1985 in Official Records Book 3616, Page 1959, and (iii) that certain Overhead and Underground Easement recorded February 19, 1987 in Official Records Book 3862, Page 4275, all of the Public Records of Orange County, Florida (the “Easements”); and

WHEREAS, Quorum obtained fee simple title to the real property encumbered by the Easements pursuant to that certain Special Warranty Deed recorded September 3, 2009 in Official Records Book 9928, Page 4938 of the Public Records of Orange County, Florida (the “Property”); and

WHEREAS, the Easements provide for utility lines through, over, across and under portions of the Property that have been improved with existing buildings (the “Buildings”); and

WHEREAS, the parties wish to acknowledge that neither OUC nor the City will require the removal of or damage the Buildings in the exercise of their rights under the Easements;

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

1. Recitals. The recitals set forth above are true and correct and incorporated herein by this reference. All capitalized terms not otherwise defined in this Amendment shall have the meanings ascribed to them in the Easements.

2. Permitted Improvements. Notwithstanding anything to the contrary contained in the Easements, neither OUC nor the City will require the removal of or damage the Buildings in the exercise of their rights under the Easements.

3. Effect of Amendment. This Amendment shall be binding upon and inure to the benefit of the parties hereto and their respective permitted legal representatives, successors and assigns. Except as specifically modified hereby, all of the terms and conditions of the Easements remain in full force and effect.

4. Counterparts. This Amendment may be executed in counterparts; each of which shall be deemed to be an original and all of which shall together constitute one and the same instrument.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK;

SIGNATURES APPEAR ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed in the manner and form sufficient to bind them as of the Effective Date.

Signed, sealed and delivered in the presence of the following witnesses:

Signature of Witness

Printed Name of Witness

Signature of Witness

Printed Name of Witness

QUORUM:

QUORUM CENTER ASSOCIATES, LLC,
a Delaware limited liability company

By: **P 7 QUORUM CENTER LLC**, a
Delaware limited liability company, its
Managing Member

By: _____

Name: _____

Title: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by _____, as _____ of **P 7 QUORUM CENTER LLC**, a Delaware limited liability company, Managing Member of **QUORUM CENTER ASSOCIATES, LLC**, a Delaware limited liability company, on behalf of said company. He/She ☐ is personally known to me or ☐ has produced _____ as identification.

(NOTARY SEAL)

Notary Public Signature

(Name typed, printed or stamped)

[SIGNATURES CONTINUE ON FOLLOWING PAGES]

Signed, sealed and delivered in the presence of the following witnesses:

Signature of Witness

Printed Name of Witness

Signature of Witness

Printed Name of Witness

(MUNICIPAL SEAL)

Approved for form and legality for use and reliance of the City of Orlando, Florida:

Chief Assistant City Attorney

STATE OF FLORIDA
COUNTY OF ORANGE

I HEREBY CERTIFY that on this _____ day of _____, 2014, before me, an officer duly authorized in the state and county aforesaid to take acknowledgments, personally appeared _____ and Alana C. Brenner respectively, the Mayor Pro Tem & City Clerk of the CITY OF ORLANDO, a municipal corporation existing under the laws of the State of Florida, to me known to be the individuals and officers described herein and who executed the foregoing instrument on behalf of said CITY OF ORLANDO and severally acknowledged the execution thereof to be their free act and deed as such officers thereunto duly authorized, and that the official seal of CITY OF ORLANDO is duly affixed thereto and the instrument is the act and deed of said City.

CITY:

THE CITY OF ORLANDO, a municipal corporation existing under the laws of the State of Florida

By: _____
Mayor / Pro Tem

ATTEST:

By: _____
Alana C. Brenner, City Clerk

NOTARY PUBLIC:

Sign: _____

Print: _____

State of Florida at Large (Seal)

My Commission Expires:

Signed, sealed and delivered in the presence of the following witnesses:

Signature of Witness

Printed Name of Witness

Signature of Witness

Printed Name of Witness

(COMMISSION SEAL)

Approved for form and legality for use and reliance of OUC:

Attorney

STATE OF FLORIDA
COUNTY OF ORANGE

I HEREBY CERTIFY that on this _____ day of _____, 2014, before me, an officer duly authorized in the state and county aforesaid to take acknowledgments, personally appeared KENNETH P. KSIONEK and ELIZABETH M. MASON respectively, General Manager & CEO and Assistant Secretary of the ORLANDO UTILITIES COMMISSION, a statutory commission existing under the laws of the State of Florida, to me known to be the individuals and officers described herein and who executed the foregoing instrument on behalf of said ORLANDO UTILITIES COMMISSION and severally acknowledged the execution thereof to be their free act and deed as such officers thereunto duly authorized, and that the official seal of ORLANDO UTILITIES COMMISSION, is duly affixed thereto and the instrument is the act and deed of said Commission.

OUC:

ORLANDO UTILITIES COMMISSION, a statutory commission organized under the laws of the State of Florida

By: _____
Kenneth P. Ksionek, General Manager/CEO

ATTEST:

By: _____
Elizabeth M. Mason, Assistant Secretary

NOTARY PUBLIC:

Sign: _____

Print: _____

State of Florida at Large (Seal)

My Commission Expires: