Existing BDP
22Z00062

RETURN: Clerk to the Board #27

CFN:2001069824 04-11-2001 08:14 am
OR Book/Page: 4321 / 0948

Prepared by: Richard S. Amari, Esquire
96 Willard St., Suite 302
Cocoa, Florida 32922

FIRST AMENDMENT TO THE AMENDED AND RESTATED BINDING DEVELOPMENT PLAN

THIS AMENDMENT, entered into this 5th day of April, 2001, between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County"), and IPCO, INC., a Florida corporation (hereinafter referred to as "Developer/Owner")

Scott Ellis
Clerk Of Courts, Brevard County
#Pgs: 4 #Names: 2
Trust: 2.50 Rec: 17.00 Serv: 0.00
Deed: 0.00 Excise: 0.00
Mtg: 0.00 Int Tax: 0.00

RECITALS

WHEREAS, the Developer/Owner owns a certain parcel of property ("Property") which was originally subject to a Binding Development Plan, dated February 20, 1990, recorded in Official Records Book 3049, Page 51 through 57, Public Records of Brevard County, Florida ("Original Binding Development Plan"); and

WHEREAS, the Original Binding Development Plan was superseded by the Amended and Restated Binding Development Plan dated December 29, 1998, ("Amended and Restated Binding Development Plan") recorded in the Official Records Book 3954, Page 0181 through 0189; and

WHEREAS, the improvements to the Property which were the subject of the Amended and Restated Binding Development Plan were described and depicted on a concept plan attached to the Amended and Restated Binding Development Plan as Exhibit "B" ("Original Concept Plan"); and

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WHEREAS, Developer/Owner desires to make certain improvements to the Property including expanding the existing skateboard ramp facility and creating a covered section of such ramp, pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, a new concept plan has been drafted to reflect the additional improvements to the Property contemplated by this Amendment ("New Concept Plan"); and

WHEREAS, the parties desire to amend the Amended and Restated Binding Development Plan to substitute the New Concept Plan for the Original Concept Plan in order to properly reflect the improvements planned for the Property.

NOW, THEREFORE, the parties agree to amend the Amended and Restated Binding Development Plan as follows:

1. The concept plan attached to the Amended and Restated Binding Development Plan as Exhibit "B" and recorded in Official Records Book 3954, Page 0187, is deleted in its entirety and the concept plan attached as Exhibit "A" to this Amendment is substituted in lieu thereof.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST:

SCOTT ELLIS, Clerk

(SEAL)

STATE OF FLORIDA
COUNTY OF BREVARD

This is to certify that the foregoing is a true and current copy of Agreement witness my hand and official seal this 19th day of April 2001

SCOTT ELLIS
Clerk Circuit Court
BY D. DeBonzo D.C.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA
2725 Judge Fran Jamieson Way
Viera, Florida 32940

By: Susan Carlson

Susan Carlson
(Print Name of Chairman) Chairman
As approved by the Board on 12-7-00

2

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STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 5th day of April, 2001, by SUSAN CARLSON, Chairman of the Board of County Commissioners of Brevard County, Florida, who is personally known to me or who has produced _____ as identification.

(SEAL)

BERNADETTE S. TALBERT
MY COMMISSION # CC 936140
EXPIRES: May 14, 2004
Bonded Thru Notary Public Underwriters

Notary Public
Print Name or Stamp_____

WITNESSES:

Lynella Rigg
Print Name: Lynella Rigg

Marsha Lindfelt
Print Name: Marsha Lindfelt

IPCO, INC., OWNER

By: _____
Print Name: Richard Bonas, President

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 22nd day of December, 2000, by Richard Bonas, President of IPCO, INC.; ☒who is personally known to me or ☐who has produced _____ as identification.

NOTARY PUBLIC - STATE OF FLORIDA
STACY S. HURLBUT
COMMISSION # CC753403
EXPIRES 9/5/2002
BONDED THRU ASA 1-888-NOTARY1

Notary Public
Print Name or Stamp Stacy S. Hurlbut

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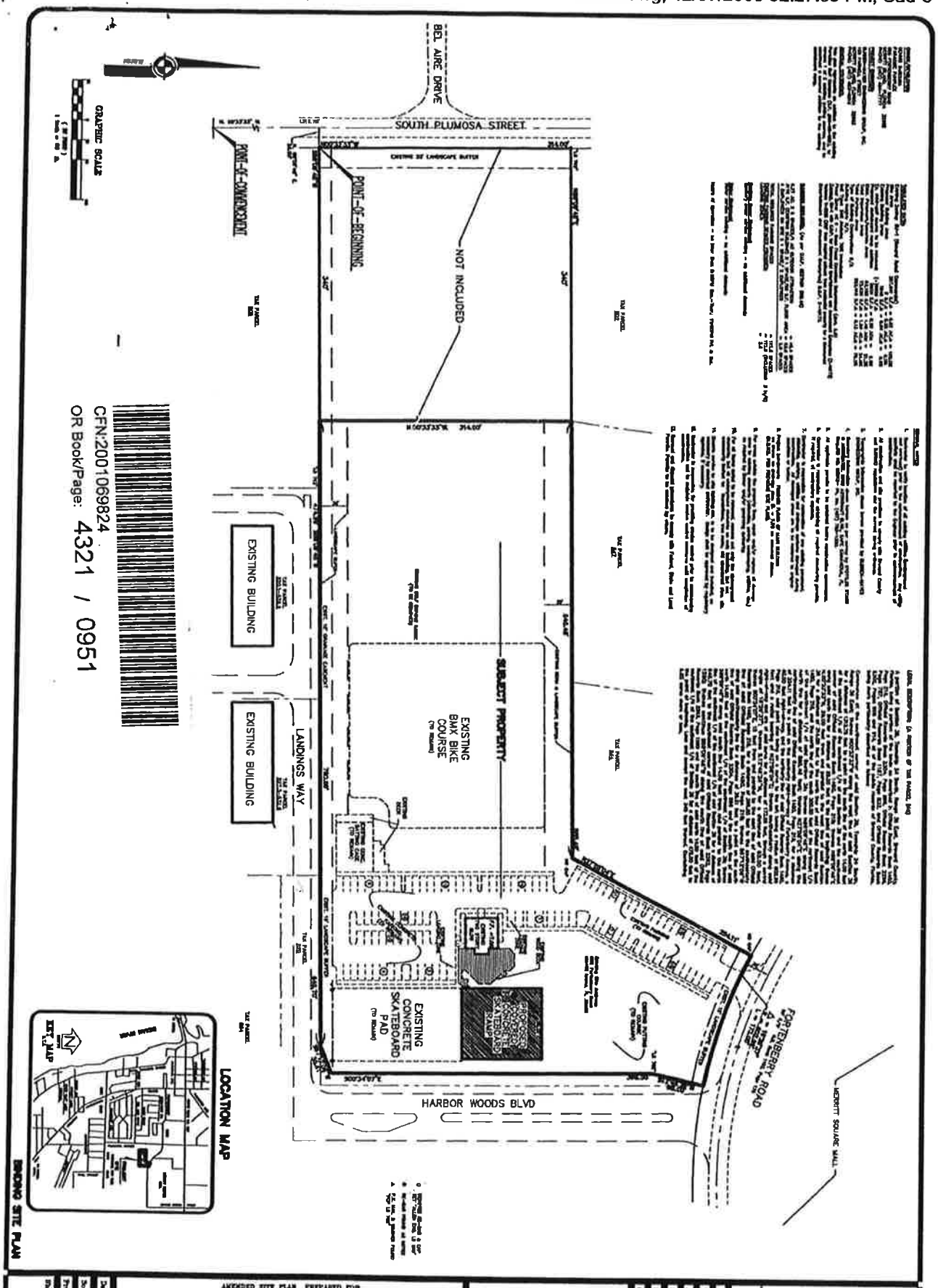

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Exhibit "A"

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