

FIRST AMENDMENT TO SOLAR LEASE AND EASEMENT AGREEMENT

This FIRST AMENDMENT TO SOLAR LEASE AND EASEMENT AGREEMENT (“Amendment”) dated as of the 27th day of January, 2016, by and between the City of Venice, a Florida municipal corporation (“Lessor”), and Florida Power & Light Company, a Florida corporation (“Lessee”). (Lessor and Lessee being collectively referred to herein as the “Parties”).

WITNESSETH:

WHEREAS, the Parties entered into a Solar Lease and Easement Agreement (“Agreement”) on September 22, 2015; and

WHEREAS, Section 15 of the Agreement set forth that Lessor would agree to grant Lessee a ten-foot (10’) wide access, distribution and transmission easement as shown on Exhibit F attached to the Agreement, with the exact location of such easement to be determined by mutual agreement of the Parties; and

WHEREAS, Lessee has subsequently determined that it no longer has a need for the access, distribution and transmission easement contemplated under Section 15 of the Agreement.

NOW THEREFORE, the Parties hereby agree as follows:

1. Lessee hereby releases Lessor from the obligation to grant an access, distribution and transmission easement to Lessee as provided for under Section 15 of the Agreement.
2. The attached **Exhibit F** shall replace the Exhibit F attached to the original Agreement between the Parties.
3. All other provisions and exhibits to the Agreement shall remain in full force and effect.

[Signatures on Next Page]

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed by their respective duly authorized officers as of the date first above written.

Lessor:

Attest:

CITY OF VENICE

City Clerk

By: _____
John Holic, Mayor

Lessee:

Witness:

Florida Power & Light Company



By: Pamela Rauch
Pamela Rauch
Vice President,
External Affairs and Economic Development

Approved as to Form and Correctness:

David Persson, City Attorney

EXHIBIT F
to Agreement

Access, Transmission and Distribution Easement Form

[Intentionally deleted as FPL (Lessee) has determined that a separate Access, Transmission and Distribution Easement will not be needed]