

CONSTRUCTION

SECOND AMENDMENT OF INTERGOVERNMENTAL
SUBLEASE OF COMMUNITY EDUCATION FACILITIES
FOR LOCKER ROOMS FOR MALES AND FEMALES

AUG 03 1999

SERVICES

THIS SECOND AMENDMENT of the Intergovernmental Sublease of Community Education Facilities, (hereinafter the "Original Sublease") entered into by and between the Board of County Commissioners of Manatee County, a political subdivision of the State of Florida (hereinafter "County,") and The School Board of Manatee County, (hereinafter referred to as "Board"); and

WHEREAS, the County entered into a 50 year lease on June 14, 1978 with the City of Bradenton ("City") for certain property fronting on 59th Street West, (hereinafter referred to as "G.T. Bray Park"); and

WHEREAS, Board entered into a 40 year sublease dated June 1, 1984 and Addendum dated May 15, 1984 with the County and City to maintain a community educational facility at G.T. Bray Park, a copy of which lease with the amendment is attached as Exhibit "A" hereto and incorporated herein; and

WHEREAS, the County originally constructed and has maintained and operated G.T. Bray Park for a number of years; and

WHEREAS, Board has previously constructed a baseball locker room for males at G.T. Bray Park; and

WHEREAS, Board has offered to construct a softball locker room for females, at its own expense at G.T. Bray Park; and

WHEREAS, Board covenants that it does not need the approval of the Florida Department of Education prior to approval and construction of the baseball locker rooms for males and softball locker rooms for females (herein collectively referred to as "Locker Rooms", and

CONSTRUCTION

SEP 17 1999

SERVICES

WHEREAS, the parties heretofore by mutual agreement have determined the construction and use of the Locker Rooms for use by the County and Board at the existing G.T. Bray Park, will serve a valid public purpose.

W I T N E S S E T H:

NOW, THEREFORE, in consideration of and in accordance with the items and conditions set forth herein, the original sublease is amended as follows:

I. Section 5 is hereby amended as follows:

5.A. Subject to prior written authorization by the County, in accordance with the provisions of the Request, improvements and other permanent facilities may be constructed or erected upon the above described property with the grant proceeds received as a result of the approved Request and the life expectancy of all such permanent facilities and other improvements will be in accordance with the rules of the FDOE.

B. The Board, or its designee, may access and use G.T. Bray Park for the purpose of construction and use of Locker Rooms in the locations as shown on Exhibit "B" hereto and incorporated herein. Such construction and use shall be subject to the following:

(1) The Board shall provide the County and the City of Bradenton with a conceptual drawing of the softball locker room for females and construction drawings and specifications for evaluation and

- shall obtain written approval by the City of Bradenton and County prior to construction.
- (2) The design of the Locker Rooms shall be compatible with existing similar structures located in G.T. Bray Park.
 - (3) The Board shall make arrangements for connections to all needed utilities, (i.e., electrical, sewer, water and telephone) and shall be responsible for all building construction costs and expenses for the Locker Rooms.
 - (4) The Board is solely responsible for acquiring and maintaining all necessary and required permits and approvals of lawful authorities having jurisdiction, at its expense, for the Locker Rooms.
 - (5) The Board shall not allow any liens to be placed against the Locker Rooms.
 - (6) The Board shall be responsible for its own monthly telephone expenses for the Locker Rooms and the County shall be responsible for electrical, water and sewer monthly expenses. Interior building janitorial services shall be the responsibility of the user. Interior maintenance (i.e., painting and minor repairs, light bulb replacement, etc.) of the Locker Rooms shall be the responsibility of and at the expense of the Board. The County shall be responsible for structural maintenance and

exterior maintenance of the Locker Rooms, including trash pick-up and plumbing repairs. Board shall have the right to request maintenance as needed.

(7) The Board has first priority of the use of the Locker Rooms for Board activities. The County will have second priority of use in a portion of the locker room for females (as identified in Exhibit "C") and in all portions of the locker room for males. Use of the Locker Rooms by the County shall be for special events only, and not for weekly or monthly activities which are typical of events at G.T. Bray Park. Said special events shall not be allowed during Board's baseball/softball season. County is required to obtain permission to use the Locker Rooms from Board, or its designee, at least seven days in advance of use of the Locker Rooms. County shall be responsible for any damages to the Locker Rooms during County use.

(8) The Board shall have private, secure storage provided in the Locker Rooms for its equipment and inventory during the term of this Agreement. The County and the City shall be allowed access to the storage area for inspections.

(9) The Locker Rooms shall be considered the property of the County at the time of construction completion.

II. Each of the parties hereby covenants to the other party hereto that it has lawful authority to enter into this Second Amendment to the Original Sublease, that the governing body of each of the parties has approved this Second Amendment, and that the governing body of each of the parties has authorized the execution of this Second Amendment in the manner hereinafter set forth.

IN WITNESS WHEREOF, the parties have approved and caused this Second Amendment of the Original Sublease to be duly executed on the date herein below set forth.

WITNESSES:

THE SCHOOL BOARD OF MANATEE COUNTY, MANATEE COUNTY, FLORIDA

[Signature]

BY: [Signature]
Chairman

[Signature]

AUGUST 4, 1997
Date of Execution

[Signature]

BY: [Signature]
Superintendent

[Signature]

August 4, 1999
Date of Execution



BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA

BY: [Signature]
Chairman

9/7/99
Date of Execution

MP
[Handwritten initials]

CONSTRUCTION
FAUSERVOMAWPDCSIAGREEMENSCHOOALBD.AGR

SEP 17 1999

SERVICES

GAVIN W. O'BRIEN
Approved as to
legal form
and sufficiency

[Handwritten signature]
8-4-99