

## **FIRST AMENDMENT TO LEASE AGREEMENT**

This First Amendment to Lease Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_ 2016, by and between Key West Caroline Street and Bahama Village Community Redevelopment Agency hereinafter (“CRA”) and, Wayne Owen, Individual/B.O.’s Fishwagon, Inc. located at 801 Caroline Street (hereinafter “TENANT”).

### **WITNESSETH:**

WHEREAS, CRA and TENANT entered into a Lease Agreement on September 17, 2013, (hereinafter the “Lease Agreement”), pertaining to the premises located at 801 Caroline Street, Key West, Florida.

WHEREAS, the CRA and TENANT now desire to enter into a first amendment to the Lease Agreement.

WHEREAS, the TENANT has requested a total rent credit in the amount of \$35,497.01 through a combination of rent reimbursement and rent abatement for November 2015 to August 2016,

WHEREAS, the TENANT currently owes the CRA \$33,682.84 in back rent,

WHEREAS, the Key West Bight Management Board has recommended waiver of the back rent in-lieu of the Tenants’ request

NOW, THEREFORE, in mutual consideration of the benefits conferred upon the parties by the terms of this Amendment, CRA and TENANT agree as follows:

1. Section 14 of the Lease Agreement shall be partially amended to provide the following for losses incurred during the period that the business was impacted due to City of Key West’s construction of Caroline Street:
  - a. A one-time rent waiver in the amount of \$33,682.84
2. Except as modified herein, the Lease Agreement as amended shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have made this Third Amendment to Lease Agreement on the date first written above.

ATTEST

CRA

\_\_\_\_\_  
Cheryl Smith, City clerk

\_\_\_\_\_  
Craig Cates, Chairman

Tenant: Wayne Owen, Individual/B.O.'s Fishwagon, Inc.

\_\_\_\_\_  
Wayne Owen

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

The foregoing First Amendment to Lease Agreement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_ who is personally known to me, or who [ ] produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print name

My commission expires: