Doc # 2384218 Bk# 3185 Pg# 127 Electronically Recorded 7/20/2022 at 9:51 AM Pages 8
Filed and Recorded in Official Records of MONROE COUNTY KEVIN MADOK
ElectronicallyREC: $69.50

After recording return to:

Shawn D. Smith, Esq.
P.O. Box 1409
Key West, FL 33041-1409
(305) 809-3773

(For Recorder's Use Only)

FIRST AMENDMENT TO GROUND LEASE AGREEMENT

THIS FIRST AMENDMENT TO GROUND LEASE AGREEMENT (this "**Amendment**") is made and entered into as of the 15th day of July, 2022 by and between THE NAVAL PROPERTIES LOCAL REDEVELOPMENT AUTHORITY OF THE CITY OF KET WEST ("**Lessor**") and BAHAMA VILLAGE COMMUNITY, LTD., a Florida limited partnership ("**Lessee**").

RECITALS

A. Lessor and Lessee are parties to that certain Ground Lease Agreement recorded in the Official Records of Monroe County, Florida on March 21, 2022, at Book 3162, Page 1069 ("**Lease**"), whereby Lessor leases to Lessee certain real property located in the City of Key West located at the Truman Waterfront in Historic Bahama Village.

B. Lessor and Lessee desire to amend the Lease as set forth in this Amendment.

NOW, THEREFORE, for and in consideration of Ten and 00/100 ($10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee agree as follows:

1. Incorporation of Recitals. The above recitals are true and correct and are incorporated herein as if set forth in full.

2. General Provisions. All defined terms in this Amendment shall have the same meaning as in the Lease, except if otherwise noted. Except as amended and modified by this Amendment, all of the terms, covenants, conditions, and agreements of the Lease shall remain in full force and effect. In the event of any conflict between the provisions of the Lease and the provisions of this Amendment, this Amendment shall control.

3. Reduction to Demised Premises. The term "Demised Premises," as defined and depicted in the Lease, is hereby amended to be the real property described and depicted on **Exhibit A** attached to this Amendment. Any use of the term "Demised Premises" in the Lease shall be a reference to the real property described and depicted on **Exhibit A** attached to this Amendment.

4. Eminent Domain; Cancellation. Section 13.1 of the Lease shall be deleted in its entirety and replaced with the following:

"**Eminent Domain; Cancellation**. If, at any time during the continuance of this Lease, the Demised Premises or the improvement or building or buildings located thereon, or any portion thereof is taken or appropriated or condemned by reason of eminent domain, there shall be such division of the proceeds and awards in such condemnation proceedings and such abatement of the rent and other adjustments made as shall be just and equitable under the circumstances."

5. Binding Effect: Choice of Law. This Lease shall be binding upon the parties, their personal representatives, successors and assigns and be governed by the laws of the State of Florida. Any litigation between the parties hereto concerning this Amendment or the Lease shall be initiated in the county in which the Premises is located.

6. Authority. The parties each represent and warrant to the other that each has full authority to execute this Amendment without the joinder or consent of any other party and that each party has not assigned any of its right, title, and interest in the Lease to any other party.

7. Counterparts. This Amendment may be executed in counterparts each of which shall be deemed an original and all of which together shall constitute one instrument.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, each party has caused this Amendment to be executed by its duly authorized representative.

(SEAL)

ATTEST:

By: _____
Deputy Clerk

Date: 7-7-22

THE NAVAL PROPERTIES LOCAL REDEVELOPMENT AUTHORITY OF THE CITY OF KEY WEST

By: _____
Mayor

Date: 7/6/22

BAHAMA VILLAGE COMMUNITY, LTD., a Florida limited partnership

By: Bahama Village GP, LLC, its general partner

By: Vestcor, Inc., a Florida corporation, its manager

By: _____
Name: Jason O. Floyd
Title: Vice President

STATE OF: Florida

COUNTY OF: Duval

Subscribed and sworn to (or affirmed) before me, by means of ☑ physical presence or ☐ online notarization, on July 15, 2022 by Jason O. Floyd (name of affiant) as VP of Vestcor, Inc., a Florida corporation, manager of Bahama Village GP, LLC, general partner of BAHAMA VILLAGE COMMUNITY, LTD., a Florida limited partnership. He/She is personally known to me or has produced _____ (type of identification) as identification.

_____
NOTARY PUBLIC

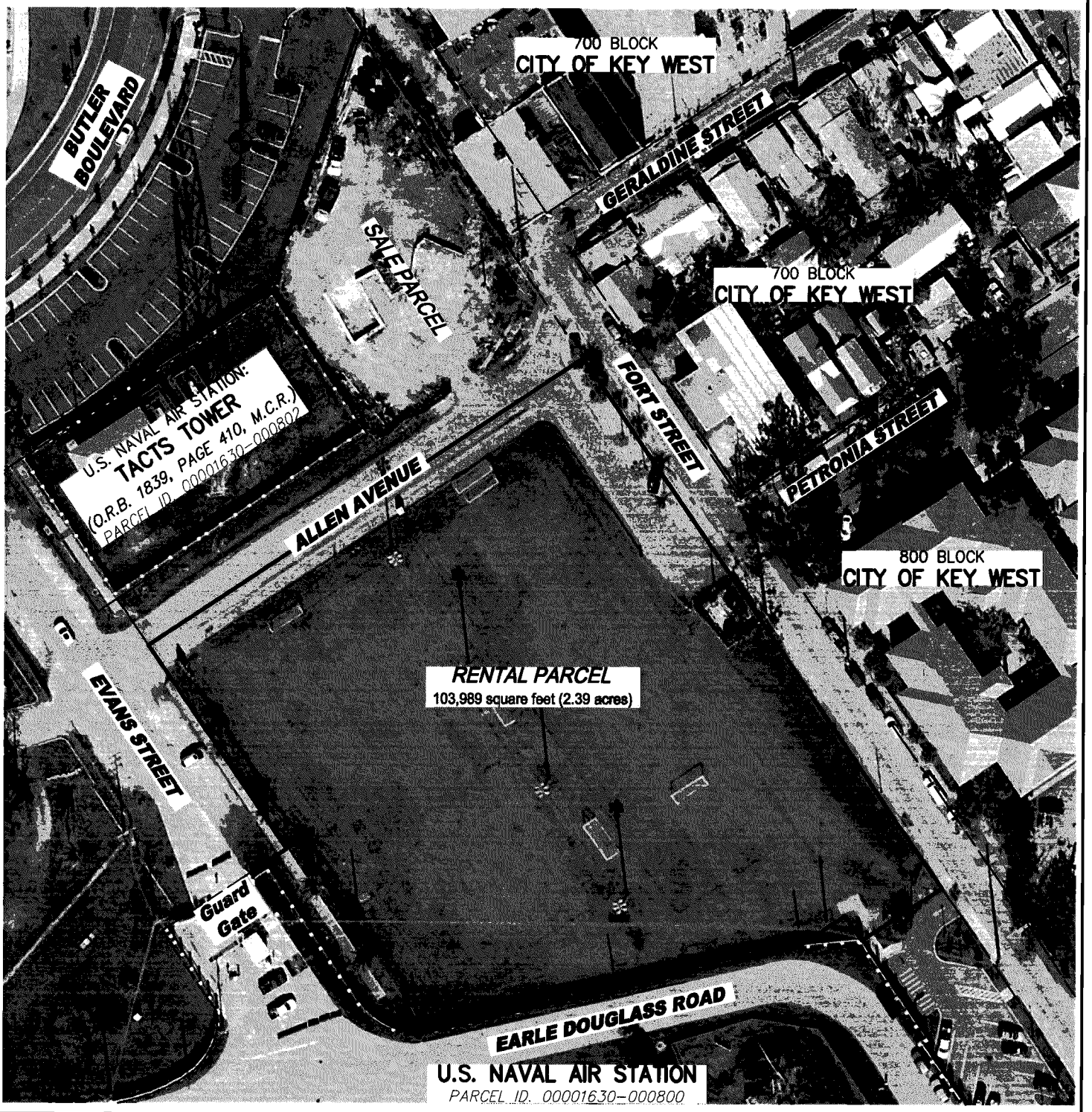
Notary Public State of Florida
Rebecca L White
My Commission GG 942290
Expires 03/23/2024

NOT A VALID SURVEY WITHOUT ALL ACCOMPANYING SHEETS

SKETCH AND DESCRIPTION
BAHAMA VILLAGE RENTAL PARCEL

PORTION OF TRUMAN ANNEX
(O.R.B. 1839, PG. 410, M.C.R.)
CITY OF KEY WEST, MONROE COUNTY, FLORIDA

0 80 160
GRAPHIC SCALE IN FEET
1" = 80'



REVISIONS
REVISED PARCEL CONFIGURATION - 06/22/2022 -K.C.

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
(561) 392-2594 / www.AVIROMSURVEY.com

©2022 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.

JOB #:	11558-2.2
SCALE:	1" = 80'
DATE:	03/06/2022
BY:	K.C.
CHECKED:	K.M.C-A-T
F.B. N/A	PG. N/A
SHEET:	1 OF 5

SKETCH AND DESCRIPTION

BAHAMA VILLAGE RENTAL PARCEL

PORTION OF TRUMAN ANNEX
(O.R.B. 1839, PG. 410, M.C.R.)
CITY OF KEY WEST, MONROE COUNTY, FLORIDA

NOT A VALID SURVEY WITHOUT ALL ACCOMPANYING SHEETS

SURVEYOR'S REPORT:

1. Reproductions of this Sketch are not valid without the electronic signature of a Florida licensed surveyor and mapper. Additions or deletions to this survey map or report by other than the signing party is prohibited without written consent of the signing party.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor. NOTICE: There may be encumbrances that are not delineated on this survey that may be found in the Public Records of Monroe County, Florida.
3. The land description shown hereon was prepared by the Surveyor.
4. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
5. Bearings shown hereon are relative to Grid North of the North American Datum of 1983, Florida State Plane Coordinate System, East Zone with the southwesterly right-way line of Fort Street having a bearing of S 33°54'27" E.
7. This map is intended to be displayed at a scale of 1:960 (1"=80') or smaller.
8. Abbreviation Legend: A= Arc Length; Δ= Central Angle; ℄= Centerline; CB= Chord Bearing; CD= Chord Distance; ID= Identification; L.B.= Licensed Business; M.C.R.= Monroe County Records; O.R.B.= Official Records Book; P.B.= Plat Book; PG.= Page; P.L.S.= Professional Land Surveyor; P.O.B.= Point of Beginning; P.O.C.= Point of Commencement; R= Radius; RP= Reference Point; R/W= Right-of-Way.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapters 5J-17, Florida Administrative Code, pursuant to Chapter 472, Florida Statutes.

Date: 06/22/2022

Digitally signed by Keith M. Chee-A-Tow, PLS
Date: 2022.06.22 15:48:00 -04'00'

KEITH M. CHEE-A-TOW, P.L.S.
Florida Registration No. 5328
AVIROM & ASSOCIATES, INC.
L.B. No. 3300
E-Mail: Keith@AviromSurvey.com

REVISIONS
REVISED PARCEL CONFIGURATION - 06/22/2022 -K.C.

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
(561) 392-2594 / www.AVIROMSURVEY.com

©2022 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.

JOB #:	11558-2.2
SCALE:	N/A
DATE:	03/06/2022
BY:	K.C.
CHECKED:	K.M.C-A-T
F.B. N/A	PG. N/A
SHEET:	2 OF 5

NOT A VALID SURVEY WITHOUT ALL ACCOMPANYING SHEETS

SKETCH AND DESCRIPTION
BAHAMA VILLAGE RENTAL PARCEL
PORTION OF TRUMAN ANNEX
(O.R.B. 1839, PG. 410, M.C.R.)
CITY OF KEY WEST, MONROE COUNTY, FLORIDA

LEGAL DESCRIPTION:

A portion of the lands described in a Quitclaim Deed from the U.S. Government (Grantor) to the City of Key West (Grantee) as recorded in Official Records Book 1839, Page 410, of the Public Records of Monroe County, Florida, described as:

A portion of land located on the Island of Key West, Monroe County, Florida, said parcel also located in Truman Annex (formerly U.S. Navy) and being more particularly described as follows:

COMMENCE at the National Ocean Survey Triangulation Station, GSL, being a brass disc set in concrete, located on the outer mole of Truman Annex, the coordinates of which are N 81,406.14 and E 386,795.78 (1983/89), based on the U.S. Coast and Geodetic Survey Mercator grid coordinate system which has for it's zero coordinate a point of Latitude North 24°20'00" and 500.00 feet west of Longitude West 81°00'00"; thence N 74°38'54" E, a distance of 901.39 feet to the Point of Beginning of the lands granted to the City of Key West as described in Official Records Book 1838, Page 410 of said Public Records; thence along the boundary of the lands as described in said Quitclaim Deed for the following eight (8) courses and distances: N 88°01'07" E, a distance of 57.69 feet (1); thence N 01°52'38" W, a distance of 2.77 feet (2); thence N 88°13'17" E, a distance of 19.93 feet (3); thence S 19°53'46" E, a distance of 549.69 feet (4); thence S 00°20'55" E, a distance 409.16 feet(5); thence N 89°49'18" E, a distance of 100.84 feet (6); thence S 33°56'54" E, a distance of 842.47 feet (7) to the northwest right-of-way of Angela Street; thence S 55°59'51" W along said right-of-way, a distance of 105.64 feet (8) to the southwesterly right-of-way of Fort Street according to the City of Key West Street Map dated May 26, 1955; thence S 33°54'27" E, along said right-of-way, a distance of 289.49 feet to the POINT OF BEGINNING of the Rental Parcel herein described; thence continue S 33°54'27" E along said right-of-way, 378.33 feet; thence S 56°05'33" W, a distance of 55.99 feet; thence N 33°54'27" W, a distance of 17.78 feet; thence thence along the boundary of the lands as described in said Quitclaim Deed for the following four (4) courses and distances: S 56°05'33" W, a distance of 33.80 feet (1); thence S 76°53'05" W, a distance of 217.59 feet (2) to the point of curvature of a curve to the right, having a radius of 40.00 feet, a central angle of 69°12'28" a chord bearing of N 68°30'41" W and a chord length of 45.43 feet; thence along the arc of said curve, an arc length of 48.32 feet to the point of tangency of said curve (3); thence N 33°54'27" W, a distance of 100.28 feet (4); thence N 56°05'33" E, a distance of 13.05 feet; thence N 33°49'42" W, a distance of 145.64 feet to a line being 33.00 feet south of and parallel with the southeasterly boundary line and its northeasterly extension of Tacts Tower as described in Official Records Book 1839, Page 410, of said Public Records;; thence N 56°05'33" E along said parallel line, a distance of 305.76' feet to the southwesterly right-of-way of Fort Street and the POINT OF BEGINNING.

Said lands lying within Section 6, Township 68 South, Range 25 East, City of Key West, Monroe County, Florida containing 103,989 square feet (2.39 acres) more or less.

REVISIONS
REVISED PARCEL CONFIGURATION - 06/22/2022 -K.C.

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
(561) 392-2594 / www.AVIROMSURVEY.com

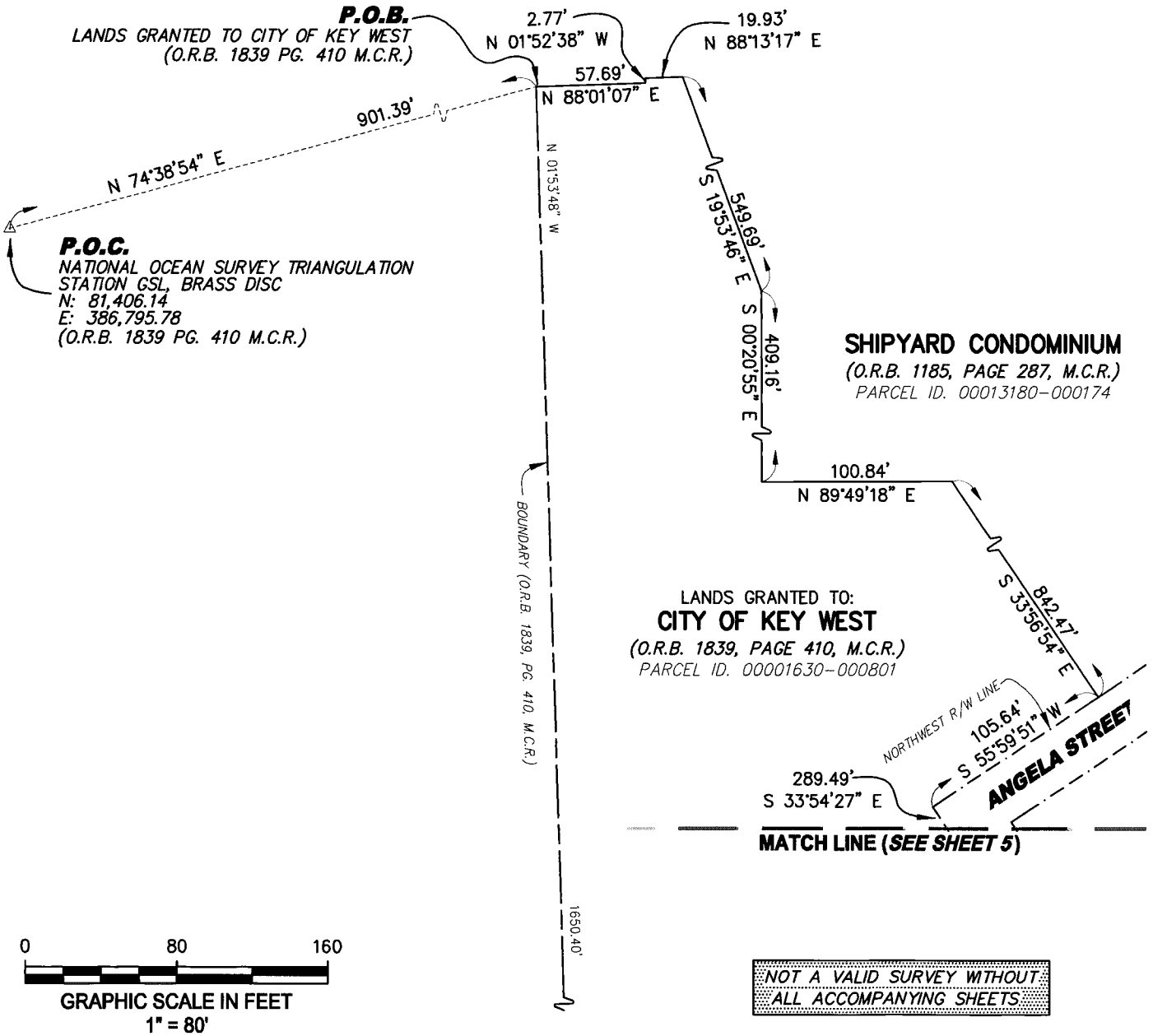
©2022 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.

JOB #:	11558-2.2
SCALE:	N/A
DATE:	03/06/2022
BY:	K.C.
CHECKED:	K.M.C-A-T
F.B. N/A	PG. N/A
SHEET:	3 OF 5

SKETCH AND DESCRIPTION

BAHAMA VILLAGE RENTAL PARCEL

PORTION OF TRUMAN ANNEX
(O.R.B. 1839, PG. 410, M.C.R.)
CITY OF KEY WEST, MONROE COUNTY, FLORIDA



REVISIONS
REVISED PARCEL CONFIGURATION - 06/22/2022 -K.C.

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
(561) 392-2594 / www.AVIROMSURVEY.com

©2022 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC.
and should not be reproduced or copied without written permission.

JOB #:	11558-2.2
SCALE:	1" = 80'
DATE:	03/06/2022
BY:	K.C.
CHECKED:	K.M.C-A-T
F.B. N/A	PG. N/A
SHEET:	4 OF 5

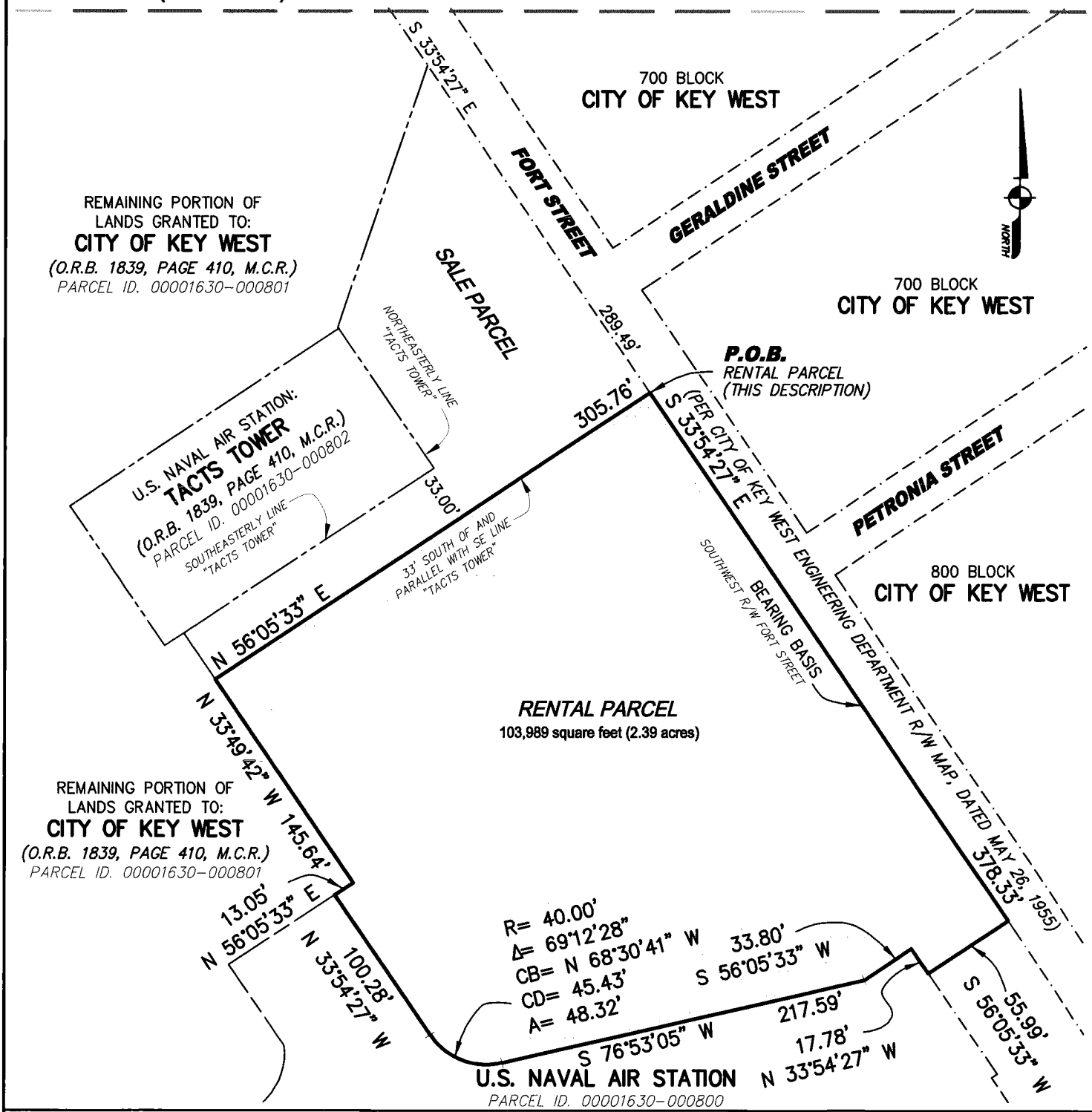
NOT A VALID SURVEY WITHOUT ALL ACCOMPANYING SHEETS

SKETCH AND DESCRIPTION
BAHAMA VILLAGE RENTAL PARCEL

PORTION OF TRUMAN ANNEX
(O.R.B. 1839, PG. 410, M.C.R.)
CITY OF KEY WEST, MONROE COUNTY, FLORIDA

0 80 160
GRAPHIC SCALE IN FEET
1" = 80'

MATCH LINE (*SEE SHEET 4*)



REVISIONS
REVISED PARCEL CONFIGURATION – 06/22/2022 –K.C.

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
(561) 392-2594 / www.AVIROMSURVEY.com

©2022 AVIROM & ASSOCIATES, INC. all rights reserved.
This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.

JOB #:	11558-2.2
SCALE:	1" = 80'
DATE:	03/06/2022
BY:	K.C.
CHECKED:	K.M.C-A-T
F.B. N/A	PG. N/A
SHEET:	5 OF 5