

MODIFICATION OF THE TENTH AMENDMENT TO THE AGREEMENT
BETWEEN
BROWARD COUNTY
AND
NOVA SOUTHEASTERN UNIVERSITY, INC.
FOR
DESIGN, CONSTRUCTION, AND OPERATION OF A JOINT-USE LIBRARY AND
PARKING GARAGE

This is a modification (“Modification”) of the tenth amendment (“Tenth Amendment”) to the Agreement for Design, Construction, and Operation of a Joint-Use Library and Parking Garage (“Agreement”), made and entered into by and between BROWARD COUNTY, a political subdivision of the State of Florida (“COUNTY”), and NOVA SOUTHEASTERN UNIVERSITY, INC., a Florida not for profit corporation (“UNIVERSITY”) (individually a “Party” and collectively the “Parties”).

RECITALS

A. The Parties entered into the Tenth Amendment to the Agreement on August 13, 2019; and

B. The Parties acknowledge that pursuant to Section 7 of the Tenth Amendment, each Party has already contributed Five Million Dollars (\$5,000,000); and

C. The Parties wish to modify the Tenth Amendment to provide for additional funding by each of them.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **UNIVERSITY AND COUNTY ADDITIONAL CONTRIBUTIONS.** Within thirty (30) days after the date that the last of the Parties hereto executes this Modification, COUNTY and UNIVERSITY shall each contribute an additional One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) so as to (i) increase the Five Million Dollars (\$5,000,000) referenced in the first sentence and the third sentence of Section 7 of the Tenth Amendment to Six Million Seven Hundred Fifty Thousand Dollars (\$6,750,000), and (ii) increase the Ten Million Dollars (\$10,000,000) referenced in the first sentence of Section 7 of the Tenth Amendment to Thirteen Million Five Hundred Thousand Dollars (\$13,500,000).

2. **RATIFICATION.** The Tenth Amendment to the Agreement, as modified herein, remains in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Modification of the Tenth Amendment to the Agreement under each signature: NOVA SOUTHEASTERN UNIVERSITY, INC., signing by and through its President, duly authorized to execute same, and BROWARD COUNTY, signing by and through its County Administrator, authorized to execute same by Board action on _____ (Agenda Item No. ____).

UNIVERSITY:

NOVA SOUTHEASTERN UNIVERSITY, INC., a Florida not for profit corporation

By: George L. Hanbury II
George L. Hanbury II, Ph.D., President

6th day of July, 2022

WITNESSES:

Julissa Batista
Signature

JULISSA BATISTA
Print Name

Adiagnis S. Morales
Signature

Adiagnis S. Morales
Print Name

WITNESSES:

Signature

Print Name

Signature

Print Name

COUNTY:

BROWARD COUNTY, by and through its County Administrator

By: _____
Monica Cepero, County Administrator

_____ day of _____, 20____

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By: _____
Print Name: NA (Date)
Assistant County Attorney

By: Michael J. Kerr 8/4/22
Print Name: _____ (Date)
Deputy County Attorney
Michael J. Kerr