



**CITY OF DELRAY BEACH
100 NW 1st AVENUE, DELRAY BEACH, FL 33444**

**AMENDMENT NO. 5 TO
MUNICIPAL GOLF CLUB AND LAKEVIEW GOLF CLUB
MANAGEMENT AGREEMENT**

BJCE, INC.

CITY OF DELRAY BEACH
AMENDMENT NO. 5 TO
MUNICIPAL GOLF CLUB AND LAKEVIEW GOLF CLUB
MANAGEMENT AGREEMENT

THIS AMENDMENT NO. 5 to the Municipal Golf Club and Lakeview Golf Club Management Agreement dated September 28, 2004, by and between City of Delray Beach, a Florida municipal corporation (City), and BJCE, INC., a Florida corporation, doing business as "JCD Sports", (Contractor), is entered into this ____ day of _____, 20__.

WITNESSETH:

WHEREAS, on September 28, 2004, City entered into Municipal Golf Club and Lakeview Golf Club Management Agreement with Contractor to provide management services related to the City's golf facilities ("Agreement"); and

WHEREAS, on August 15, 2008 the parties amended the Agreement to extend the termination date to September 30, 2012 ("Amendment No.1"); and

WHEREAS, on August 1, 2011, the parties amended the Agreement to extend the termination date to September 30, 2016 ("Amendment No. 2"); and

WHEREAS, on September 22, 2016, the parties amended the Agreement to extend the termination date to December 31, 2016 ("Amendment No. 3"); and

WHEREAS, on January 10, 2017, the parties amended the Agreement to extend the termination date to January 31, 2017 ("Amendment No. 4"); and

WHEREAS, the parties desire to extend the Agreement to April 30, 2017 in order to negotiate terms for a new agreement.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, the parties do agree that the Agreement is amended as follows:

1. The above recitals are true and correct and are incorporated herein.
2. The parties agree to extend this Agreement, under the same terms and conditions, for a period of 90 days. As a result, Paragraph 4 of the Agreement is amended to reflect that this Agreement shall terminate on April 30, 2017.
3. Except as provided herein, all other terms and conditions of the Agreement remain in full force and effect and are hereby confirmed. The Agreement, Amendment No. 1, Amendment No. 2, Amendment No. 3, Amendment No. 4 and this Amendment No. 5 represent the entire understanding between the parties on the issues contained herein, either written or oral, and may only be amended by written instrument signed by both parties.

IN WITNESS WHEREOF, the City and the Contractor executed this Amendment No. 5 to the Agreement as of the day and year first above written.

ATTEST:

CITY OF DELRAY BEACH

Chevelle Nubin, City Clerk

By: _____
Cary D. Glickstein, Mayor

Approved as to form and legal sufficiency:

R. Max Lohman, City Attorney

BJCE, INC.

By: _____

Print Name: _____

Title: _____

(SEAL)

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this ____ day of _____, 2017, by _____, as _____ (name of officer or agent, title of officer or agent), of _____ (name of corporation acknowledging), a _____ (state or place of incorporation) corporation, on behalf of the corporation. He/She is personally known to me or has produced _____ (type of identification) as identification

Notary Public – State of Florida