

FIRST ADDENDUM TO AMENDED AND RESTATED AGREEMENT
BETWEEN
THE CITY OF CORAL GABLES AND ACTOR'S PLAYHOUSE PRODUCTIONS, INC.

THIS ADDENDUM ("Addendum"), made and entered into as of this ___ day of October, 2015, by and between the City of Coral Gables (the "City"), as landlord, and Actor's Playhouse Productions, Inc., (the "Tenant"), as tenant, provides for the early exercise of Tenant's option to renew the lease term (the "Term") of the Amended and Restated Agreement (the "Agreement"). The City and Tenant shall be collectively referred to as "Parties."

RECITALS

WHEREAS, the City and Tenant entered into an Amended and Restated Agreement (the "Agreement") on September 13, 2011, for leasing of the space located at 280 Miracle Mile, Coral Gables, Florida, commonly referred to as "Miracle Theater;" and

WHEREAS, the term of the Agreement commenced on April 13, 1995 and continues through April 12, 2020, unless extended or terminated by the Parties; and

WHEREAS, Pursuant to the Agreement, Tenant has the option to renew the Agreement for two (2) successive periods of ten (10) years each, upon the same terms and conditions set forth in the Agreement, by giving the City written notice of the intent to renew; and

WHEREAS, Tenant submitted such written notice of its intent to exercise early its option to renew the term of the Agreement, for two (2) successive periods of ten (10) years each, to the City on August 31, 2015; and

WHEREAS, the City, in accordance with the terms of the Agreement, determined that the Tenant has observed and performed all of the covenants, agreements and other obligations, as required by the Agreement; and

WHEREAS, based on the above, the City agrees to allow Tenant to exercise one ten (10) year renewal option early; and

WHEREAS, as a result of the early exercise of Tenant's option to renew, the new lease term is through April 2030; and

WHEREAS, section 23.3 of the Agreement allows modification to its terms where in writing and executed by the Parties;

NOW THEREFORE, the Parties agree to modify the Agreement to allow the Tenant to exercise the first ten (10) year renewal to the Agreement as set forth below:

1. Tenant exercises its first ten (10) year renewal option with the Landlord's consent. The Parties agree to allow the renewal option to be exercised earlier than the Agreement would otherwise permit. This modification does not set any precedent as to the procedure for

exercising the second renewal option, which can only be exercised in the manner and at the time set out in Section 3 of the Agreement.

- 2. The Term of the Agreement now ends on April 12, 2030 with one renewal option remaining.
- 3. Except as otherwise provided herein, all terms and conditions of the Agreement shall remain in full force and effect. The procedures for any future renewals shall remain as stated in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum on the date first written above.

CITY:
CITY OF CORAL GABLES,
a Florida Municipal Corporation

ATTEST:

Cathy Swanson-Rivenbark
City Manager

Walter J. Foeman
City Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Craig E. Leen
City Attorney

**ACTOR'S PLAYHOUSE
PRODUCTIONS, INC:**

ATTEST/WITNESS

By:_____

By:_____

Name:_____

Name:_____

Title:_____