

**SECOND AMENDMENT TO
AD VALOREM TAX EXEMPTION PERFORMANCE AGREEMENT
BETWEEN POLK COUNTY AND D.R. HORTON, INC.**

THIS SECOND AMENDMENT (“Amendment”) is hereby entered into effective as of the date last executed (the “Second Amendment Effective Date”) by and between Polk County, a political subdivision of the State of Florida (the “County”), and D.R. Horton, Inc., a Delaware corporation (the “Company”).

WHEREAS, the County and the Company entered into that certain Ad Valorem Tax Exemption Performance Agreement dated March 5, 2024 (the “Agreement”) in connection with the D.R. Horton Economic Development Ad Valorem Tax Exemption Ordinance approved by the County on the same date (Ord. No. 2024-015, referred to hereinafter as the “Ordinance”); and

WHEREAS, the Exemption Period was initially defined in the Ordinance as eight (8) tax years commencing with Tax Year 2025 through Tax Year 2032, and the Agreement provides that it is effective from March 5, 2024 through the last day of the Exemption Period; and

WHEREAS, due to unforeseen construction delays and at the Company’s request, on May 6, 2025, the Polk County Board of County Commissioners (the “Board”) adopted Resolution No. 25-049 amending the Exemption Period to commence with Tax Year 2026 and continue through Tax Year 2033; and

WHEREAS, due to further delays, the Company has again requested, and the County has agreed, to further amend the dates of the Exemption Period in both the Ordinance and the Agreement; and

WHEREAS, the Ordinance has been amended by an amending ordinance adopted by the Board of even date herewith, and the parties desire to similarly amend the Agreement to accurately reflect the eight-year period in which the exemption should apply.

NOW THEREFORE, the County and the Company hereby agree as follows:

1. The recitals stated above are true and correct and fully incorporated herein.
2. Section 3.c. of the Agreement is hereby amended to replace the definition of “Exemption Period” as follows: “eight (8) tax years commencing with Tax Year 2027 through Tax Year 2034.”
3. The Agreement, as amended by this First Amendment, continues in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment effective as of the Second Amendment Effective Date.

ATTEST:
STACY M. BUTTERFIELD
CLERK

COUNTY:
POLK COUNTY, FLORIDA


By: _____
DEPUTY CLERK


By: _____
Martha Santiago, Ed. D., Chair
Board of County Commissioners


Date signed by Chairman: _____

WITNESSES:

D.R. HORTON, INC., a Delaware corporation

By: 
Jonathan Cornwall
Print Name

By: 
Print Name: SAM MACIAS

By: 
Brandon Nichols
Print Name

Title: Assistant Secretary
Date: 4/21/26

Reviewed as to form and legal sufficiency:

County Attorney's Office Date