

AGREEMENT FOR LAND USE HEARING OFFICER SERVICES

AMENDMENT #1

This Amendment is made and entered into by and between Polk County, a political subdivision of the State of Florida, situated at 330 W. Church Street, Bartow, Florida 33830 (the “County”), Conn & Buenaventura, PA, a Florida corporation (the “ASSIGNOR Law Firm”), and Buenaventura Law, PLLC, a Florida professional limited liability company (the “ASSIGNEE Law Firm”).

WITNESSETH:

WHEREAS, the County and the ASSIGNOR Law Firm entered into that certain Agreement for Land Use Hearing Officer Services dated effective April 1, 2023 (the “Agreement”), for the purpose of providing legal and professional land use hearing officer services to the County, as more fully set forth and described in the Agreement; and

WHEREAS, pursuant to that certain Assignment Agreement dated November 27, 2024, between the ASSIGNOR Law Firm and the ASSIGNEE Law Firm, the ASSIGNOR Law Firm conveyed, transferred and assigned all of the ASSIGNOR Law Firm’s rights and interests in and to, and obligations under, the Agreement to the ASSIGNEE Law Firm effective November 27, 2024; and

WHEREAS, subject to the below terms and conditions, the County acknowledges and consents to the assignment of the Agreement from the ASSIGNOR Law Firm to the ASSIGNEE Law Firm, and the parties wish to amend the terms of the Agreement to acknowledge such assignment, as further set forth below.

NOW, THEREFORE, the parties hereto agree as follows:

1. The recitals stated above are true and correct and are fully incorporated herein.
2. The County hereby consents to the assignment of the Agreement from the ASSIGNOR Law Firm to the ASSIGNEE Law Firm, subject to the terms and conditions stated herein.
3. The ASSIGNEE Law Firm hereby agrees to assume all rights, duties, and liabilities of the “Law Firm” under the Agreement, and further acknowledges and agrees that it is solely responsible for performing all obligations of the Law Firm thereunder, in accordance with the terms thereof, and acknowledges and agrees to be bound by all of the terms and conditions of the Agreement.
4. The ASSIGNEE Law Firm hereby represents and warrants the following to the County:
 - (a) Buenaventura Law, PLLC is a Florida professional limited liability company that is duly organized and existing in good standing under the laws of the State of Florida with full right and authority to do business within the State of Florida;
 - (b) The ASSIGNEE Law Firm’s performance under the Agreement will not violate or breach any contract or agreement to which the ASSIGNEE Law Firm is a party or is otherwise bound, and will not violate any governmental statute, ordinance, rule, or regulation;
 - (c) The ASSIGNEE Law Firm has the full right and authority to enter into this Amendment and the Agreement and to perform its obligations in accordance with the terms thereof;
 - (d) The ASSIGNEE Law Firm now has and will continue to maintain all licenses and approvals required to conducting its business, including its performance under the Agreement, and it shall at all times conduct its business activities in a reputable manner;

- (e) The ASSIGNEE Law Firm has no obligation or indebtedness that would impair its ability to fulfill the terms of the Agreement;
- (f) Each individual executing this Amendment on behalf of the ASSIGNEE Law Firm is authorized to do so; and
- (g) The ASSIGNEE Law Firm has read each and every provision of the Agreement and fully understands the meaning and import thereof and agrees to be bound thereby.

5. The Agreement, as amended by this Amendment #1, continues in full force and effect.

THE REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment effective November 27, 2024.

ATTEST:

STACY M. BUTTERFIELD
CLERK OF THE BOARD

Polk County, a political subdivision
of the State of Florida

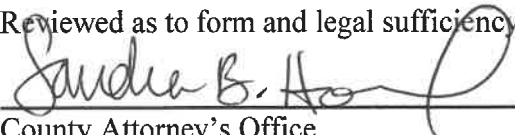
By: _____
Deputy Clerk

By: _____
T.R. Wilson, Chair,
Board of County Commissioners

Date Signed By County _____

Date: _____

Reviewed as to form and legal sufficiency:



County Attorney's Office

ASSIGNOR LAW FIRM:


Conn & Buenaventura, P.A.,
a Florida corporation

By: 
Barrie S. Buenaventura, Vice-President

Date: December 6, 2024

ASSIGNEE LAW FIRM:

Buenaventura Law, PLLC,
a Florida professional limited liability company

By: 
Barrie S. Buenaventura, Manager

Date: December 6, 2024