

**FIRST AMENDMENT TO**

**AD VALOREM TAX EXEMPTION PERFORMANCE AGREEMENT  
BETWEEN POLK COUNTY AND PUBLIX SUPER MARKETS, INC.**

**(PROJECT RETRO – CORPORATE HEADQUARTERS EXPANSION)**

**THIS FIRST AMENDMENT** (“Amendment”) is hereby entered into effective as of the date last executed (the “Effective Date”) by and between Polk County, a political subdivision of the State of Florida (the “County”), and Publix Super Markets, Inc., a Florida corporation (“Publix”).

**WHEREAS**, the County and Publix entered into that certain Ad Valorem Tax Exemption Performance Agreement dated July 2, 2024 (the “Agreement”) in connection with the Publix Corporate Headquarters Economic Development Ad Valorem Tax Exemption Ordinance approved by the County on the same date (Ord. No. 2024-042, referred to hereinafter as the “Ordinance”); and

**WHEREAS**, the Exemption Period was initially defined in the Ordinance as seven (7) tax years commencing with Tax Year 2026 through Tax Year 2032; and

**WHEREAS**, Publix has requested, and the County has agreed, to amend the dates of the Exemption Period; and

**WHEREAS**, the Exemption Period has been amended by the County on even date herewith via adoption of a resolution in accordance with Polk County Ordinance 2022-069 and Resolution 2022-128, and the parties desire to similarly amend the Agreement to accurately reflect the seven-year period in which the exemption should apply.

**NOW THEREFORE**, the County and Publix 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: “seven (7) tax years commencing with Tax Year 2027 through Tax Year 2033.”
3. The Agreement, as amended by this First Amendment, continues in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have executed this First Amendment as of the 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:**

**PUBLIX SUPER MARKETS, INC., a**  
**Florida corporation**

By: Mark Levine  
**Mark Levine**  
Print Name

By: Chris Mesa

By: Derek Bayan  
**Derek Bayan**  
Print Name

Print Name: Chris Mesa

Title: VP+ Controller

Date: 4/20/26

Reviewed as to form and legal sufficiency:

Sandra B. Hoff 4/22/26  
County Attorney's Office      Date