

**FIRST AMENDMENT TO  
AD VALOREM TAX EXEMPTION PERFORMANCE AGREEMENT  
BETWEEN POLK COUNTY AND AGRO-IRON, LLC.**

**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 Agro-Iron, LLC, a Florida limited liability company (the “Company”).

**WHEREAS**, the County and the Company entered into that certain Ad Valorem Tax Exemption Performance Agreement dated January 19, 2021 (the “Agreement”) in connection with the Agro-Iron Economic Development Ad Valorem Tax Exemption Ordinance approved by the County on the same date (Ord. No. 2021-006, referred to hereinafter as the “Ordinance”); and

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

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

**WHEREAS**, due to the length of time that has passed since the County’s initial approval of the Ordinance and the Performance Agreement in 2021 and the increase to the reported average annual wage for Polk County since that time, the Company has agreed to increase the average annual wage required to be paid under the Agreement to match the 2026 average annual wage for Polk County; and

**WHEREAS**, the Ordinance has been amended by the County on even date herewith, and the parties desire to similarly amend the Agreement to accurately reflect the seven-year period in which the exemption should apply and to increase the average annual wage required to qualify for the exemption each year of the Exemption Period.

**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 2.b. of the Agreement is hereby amended and restated in its entirety, as follows:
  - b. create, by the end of the third (3<sup>rd</sup>) year of the Exemption Period, at least twenty-five (25) new full-time jobs in Polk County paying an average annual wage equal to or in excess of \$63,978, which is 115% of the 2026 reported average annual wage for Polk County; and

3. 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 2028 through Tax Year 2034."
4. 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 effective 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:

AGRO-IRON, LLC, a Florida limited liability company

By: \_\_\_\_\_  
 \_\_\_\_\_  
 Print Name

By: \_\_\_\_\_

By: \_\_\_\_\_  
 \_\_\_\_\_  
 Print Name

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Reviewed as to form and legal sufficiency:

\_\_\_\_\_  
 County Attorney's Office      Date