

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

**(PROJECT HORIZON – IT OFFICE 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 March 15, 2022 (the “Agreement”) in connection with the Publix IT Headquarters Economic Development Ad Valorem Tax Exemption Ordinance approved by the County on the same date (Ord. No. 22-018, referred to hereinafter as the “Ordinance”); and

**WHEREAS**, the Exemption Period is defined in the Ordinance as ten tax years commencing with Tax Year 2025 through Tax Year 2034; and

**WHEREAS**, the Agreement provides that it is effective from March 15, 2022 through the last day of the Exemption Period; and

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

**WHEREAS**, the Ordinance has been amended of even date herewith, and the parties desire to similarly amend the Agreement to accurately reflect the ten-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: “ten (10) tax years commencing with Tax Year 2026 through Tax Year 2035.”
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 effective as of the Effective Date.

ATTEST:

COUNTY:

STACY M. BUTTERFIELD  
CLERK

POLK COUNTY, FLORIDA

By: \_\_\_\_\_  
DEPUTY CLERK

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

Date signed by Chairman: \_\_\_\_\_

WITNESSES:

PUBLIX SUPER MARKETS, INC., a  
Florida corporation

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

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

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

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

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

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

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

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

Reviewed as to form and legal sufficiency:

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

\_\_\_\_\_  
Date