

**Somerset Academy Pompano Broward K-5 - 5388
First Amendment to Charter School Agreement**

FIRST AMENDMENT TO THE CHARTER SCHOOL AGREEMENT

**This First Amendment to the CHARTER AGREEMENT is made and entered into as of
this _____ day of _____ 2016, by and between:**

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA,
a body corporate operating and existing under the laws of the State of Florida
[hereinafter referred to as "Sponsor"],
and having its principal place of business located at
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

Somerset Academy, Inc.
a Florida not-for-profit organization [hereinafter referred to as "School"],
and having its principal place of business located at
6340 Sunset Drive, Miami, Florida 33143.

WHEREAS, the parties entered into a Charter School Agreement ("Agreement") on or about June 19, 2012, which incorporates by reference the SCHOOL's Charter School Application wherein the School was authorized to operate a charter elementary school K-5, known as "Somerset Academy Pompano K-5" in Broward County, Florida: and

WHEREAS, Section 2.B.4 of the Agreement permits the amendment of the Agreement during its term through mutual agreement of the parties, provided such modifications are agreed to in writing and executed by both parties; and

WHEREAS, the School desires to amend its Agreement to acknowledge a change of address assignment by the City of Pompano Beach, Florida.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and terms herein set forth, the parties agree as follows:

1.01 Recitals: The foregoing recitals are true and correct and are incorporated within this Charter by reference.

1.02 Amendments: The following portion of the Charter School Agreement shall be amended to provide as follows:

Section 6.A.1: **Facility Location:** The School will continue to
occupy the same facility whose address is now: 1101 NW 33rd Street, Pompano Beach, Florida
33064.

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Section 6.C.1: **School's Street Address:** The Charter School is located at: 1101 NW 33rd Street, Pompano Beach, Florida, 33064.

Section 6.C.5: **Shared Use of a Facility with Other Entities:** The School shall disclose to the Sponsor the identity of any entity with whom it will share the facility or space or share any temporary facility during the term of this Charter. Shared use of a facility amendment to the charter agreements of all co-located Schools.

Section 6.C.5.a **Entity Disclosure:** The School will continue to co-locate with Somerset Academy Pompano Middle - 5413, at: 1101 NW 33rd Street, Pompano Beach, Florida, 33064. The School shall enroll all eligible students in accordance with Section 1002.33(1), Florida Statutes. The School's enrollment, when combined with the enrollment of any other co-located schools, may not exceed the building capacity established by the applicable certificate of occupancy. If the combined enrollment of the co-located schools should exceed the building capacity established by the applicable certificate of occupancy, Sponsor may terminate the charter school agreement of each of the co-located schools for good cause.

1.03 Order of Precedence Among Agreement Documents: In the event of a conflict between the provisions of the agreement and the provisions contained herein, the provisions of the following documents shall take precedence in this order:

- (a) This First Amendment to the Charter School Agreement; then
- (b) The Charter Agreement; and
- (c) The Charter Application

1.04 Other Provisions, as Amended, Remain in Force: Except as expressly provided herein, all other portions of the agreement remain in full force and effect.

1.05 Authority Each person signing the First Amendment to the Agreement on behalf of either party individually warrants that he or she has full legal power to execute this First Amendment to the Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment to Charter School Agreement as of the day and year first above written.

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FOR THE SCHOOL



Somerset Academy, Inc. (Not for Profit)

by: [Signature]
David Concepcion, Board Chair

Attest: _____

Secretary

[Signature]

Witness

Witness

STATE OF Florida

COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 22nd day of March, 2016 by David Concepcion, Board Chair, Somerset Academy, Inc. (Not for Profit) on behalf of Somerset Academy Pompano Broward K-5 – 5388. He took an oath and is personally known to me or has produced D/A as identification.

My commission expires:

(SEAL)



CAROLINA L. ROMERO
MY COMMISSION # FF 126204
EXPIRES: June 9, 2018
Bonded Thru Budget Notary Services

[Signature]
Signature – Notary Public

My commission expires:

June 9, 2018

Carolina L. Romero
Printed Name of Notary Public

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FOR THE SPONSOR

(Corporate Seal)

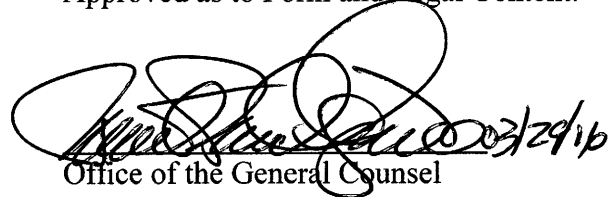
THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

By _____
Dr. Rosalind Osgood, Chair

Robert W. Runcie
Superintendent of Schools

Approved as to Form and Legal Content:


Office of the General Counsel