

FIRST AMENDMENT TO THE CHARTER SCHOOL AGREEMENT

This First Amendment to the Charter Agreement is made and entered into as of this _____ day of _____ 2018, 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

SUNSHINE ACADEMY OF OAKLAND PARK, INC.
a Florida not-for-profit organization
[hereinafter referred to alternatively as "Sunshine Oakland Park" or "School"],
doing business as "Sunpark High School"
and having its principal place of business located at
2360 West Oakland Park Boulevard, Oakland Park, Florida 33311

WHEREAS, SBBC and Sunshine Charter Academy of Broward, Inc. [hereinafter referred to as "Sunshine Broward"] entered into a Charter School Agreement ("Agreement") on or about June 13, 2017 which incorporates by reference the School's Charter School Application wherein the School was authorized to operate a charter high school (grade levels 9-12) known as SunEd High School in Broward County, Florida; and

WHEREAS, Section 14.D of the Agreement permits its assignment only upon the prior written consent of the other party; and

WHEREAS, Sunshine Broward desires to assign its rights under the Agreement to Sunshine Oakland Park as set forth in the Assignment appended hereto as **Exhibit 1** and incorporated herein by reference; 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.

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 Amendment by reference.

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1.02 Consent to Assignment and Amendment: SBBC hereby consents to the assignment of the Agreement from Sunshine Broward to Sunshine Oakland Park and all references within the Agreement to the governing board entity are hereby changed from Sunshine Charter Academy of Broward, Inc. to Sunshine Academy of Oakland Park, Inc.

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 School Agreement; then
- (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.

FOR THE SCHOOL

(Corporate Seal)

SUNSHINE ACADEMY OF OAKLAND
PARK, INC.

Attest: _____

Secretary

- or -

[Handwritten Signature]

Witness

Sandie Clarke
[Handwritten Signature]

Witness

Karina Figueroa

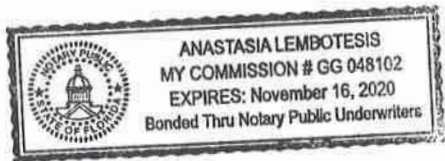
by: *[Handwritten Signature]*
JOSEPH R. CASACCI, Board Chair

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 18th day of January 2018, by JOSEPH R. CASACCI as Chair of Sunshine Academy of Oakland Park, Inc. who took an oath and is **personally known** to me or has produced _____ as identification.

(SEAL)



My commission expires:

Anastasia Lembotesis
Signature – Notary Public

ANASTASIA LEMBOTESIS
Printed Name of Notary Public

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FOR THE SPONSOR

(Corporate Seal)

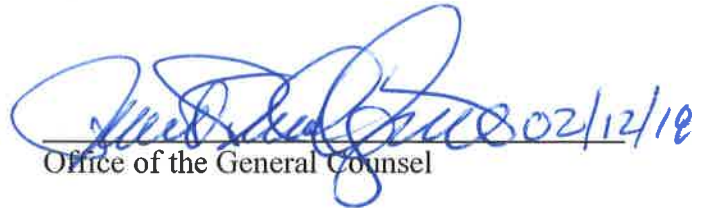
THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

By _____
Nora Rupert, Chair

Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:



Office of the General Counsel