

**Eagles Nest Elementary Charter School (Location #5355)
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 April, 2014, 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

EAGLES NEST COMMUNITY CHARTER SCHOOLS, INC.
a Florida not-for-profit organization [hereinafter referred to as "School"],
and having its principal place of business located at
201 N. University Drive, Coral Springs, Florida 33071

WHEREAS, the parties entered into a Charter School Agreement ("Agreement") on or about August 18, 2009, which incorporates by reference the SCHOOL's Charter School Application wherein the School was authorized to operate a charter elementary school, known as "Eagles Nest Elementary Charter School" in Broward County, Florida;

WHEREAS, Section 4.1 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 document the relocation of the school to a new location.

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:

(a) Section 14.1 of the Charter School Agreement shall be deleted in its entirety and replaced with the following language:

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“14.1 **Applicable Building Codes:** The SCHOOL will be located at 3968 NW 15th Street, Fort Lauderdale, Florida 33311 and the SCHOOL agrees to use facilities which comply with the Florida Building Code pursuant to Section 1013.37, Florida Statutes, or with applicable state minimum building codes pursuant to Chapter 553, Florida Statutes, and state minimum fire protection codes pursuant to Section 633.025, Florida Statutes, as adopted by the authority in whose jurisdiction the facility is located. The SCHOOL shall provide the SPONSOR a list of the facilities to be used and their location.”

(b) The following language shall be inserted as Section 14.9 immediately following Section 14.8 of the Charter School Agreement:

“14.9 **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. The SCHOOL will co-locate with Eagles Nest Middle Charter School (Location #5356). At no time will the total enrollment of all the schools sharing such facility exceed the Certificate of Occupancy, Certificate of Use or Fire Permit capacities of the facility.”

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) 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.

[Signatures on Following Pages]

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FOR THE SCHOOL

(Corporate Seal)

EAGLES NEST COMMUNITY CHARTER
SCHOOLS, INC.

Attest: _____

Secretary

– or –

Witness

Witness

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this 24 day of April, 2014 by

Belinda Hope
Name of Person on behalf of

of _____
Eagles Nest Community Charter Schools, Inc.

the Governing Entity

He/She took an oath and is personally known to me or has produced driver's license as
identification.

My commission expires:

(SEAL)

My commission expires:



[Signature]
Signature – Notary Public

Scott Hermansen
Printed Name of Notary Public

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FOR THE SPONSOR

(Corporate Seal)

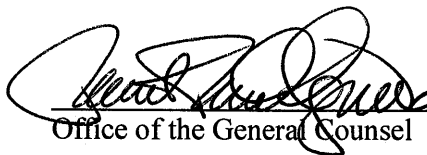
THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

By _____
Patricia Good, Chair

Robert W. Runcie
Superintendent of Schools

Approved as to Form and Legal Content:

 04/25/14

Office of the General Counsel