

**First Amendment to Hotel Development Agreement
Exhibit 2 to Resolution 19-23**

**FIRST AMENDMENT TO THE HOTEL DENSITY RESERVE DEVELOPMENT
AGREEMENT**

THIS FIRST AMENDMENT TO THE HOTEL DENSITY RESERVE DEVELOPMENT AGREEMENT ("Amendment") is dated the 20th day of August, 2015, and entered into between **ALANIK PROPERTIES, LLC, ANCO HOLDINGS, LLC,** and **NIKANA HOLDINGS, LLC** (collectively "Developer"), its successors and assigns, and the **CITY OF CLEARWATER, FLORIDA**, a municipal corporation of the State of Florida acting through its City Council, the governing body thereof ("City").

WITNESSETH:

WHEREAS, the City and the Developer are parties to that certain Hotel Density Reserve Development Agreement (the "Agreement") dated September 10, 2014; and

WHEREAS, the City and the Developer desire to amend certain terms and provisions of the Agreement, as more fully set forth herein below; and

NOW, THEREFORE the City and the Developer agree as follows:

1. Exhibit "B," attached to the Agreement is hereby amended and restated in its entirety and shall hereafter be and read as provided in Exhibit "B," attached to this Amendment and incorporated for all purposes.

2. Section 4.4 is amended to read as follows:

The density of the Project shall be 114 units per acre. In no instance shall the density of a parcel of land exceed 117 units per acre. The height of the Project shall be 150 feet measured from Base Flood Elevation, as defined in the Code. The maximum building heights of various character districts cannot be increased to accommodate hotel rooms allocated from the Hotel Density Reserve.

3. Section 6.1.3.2 is amended to read as follows:

The Developer shall obtain appropriate site plan approval pursuant to a Level One or Level Two development application within six (6) months from the effective date of this Amendment in accordance with provisions of the Code, and shall then obtain appropriate permits and certificates of occupancy in accordance with the provisions of the Code. Nothing herein shall restrict the Developer from seeking an extension of site plan approval or other development orders pursuant to the Code or state law. In the event that work is not commenced pursuant to issued permits, or certificates of occupancy are not timely issued, the City may deny future development approvals and/or certificates of occupancy for the Project, and may terminate the Agreement in accordance with Section 10.

4. This Amendment embodies the entire agreement between the City and the Developer with respect to the amendment of the Agreement. In the event of any conflict or inconsistency

between provisions of the Agreement and this Amendment, the provisions of this Amendment shall control and govern.

5. Except as specifically modified and amended herein, all of the terms, provisions, requirements and specifications contained in the Agreement remain in full force and effect. Except as otherwise expressly provided herein, the parties do not intend to, and the execution of this Amendment shall not, in any manner impair the Agreement, the purpose of this Amendment being simply to amend and ratify the Agreement, as hereby amended and ratified, and to confirm and carry forward the Agreement, as hereby amended, in full force and effect.

IN WITNESS WHEREOF, the parties have hereto executed this Agreement the date and year first above written.

In the Presence of:

Alanik Properties, LLC, Anco Holdings, LLC, and Nikana Holdings, LLC

Reely M. Thurson
Print Name Reely M. Thurson

By: [Signature]
Martin R. Cole

Print Name _____
As to "Developer"

CITY OF CLEARWATER, FLORIDA
By: William B Home II
William B Home II,
City Manager

Attest:
Rosemarie Call
Rosemarie Call, CMC, City Clerk

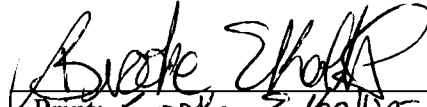
Countersigned:
George N. Cretkos
George N. Cretkos, Mayor

Approved as to Form:
Camilo Soto
Assistant City Attorney



STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing Declaration was acknowledged before me this day of May 23, 2016 by Martin R. Cole, on behalf of Alanik Properties, LLC, Anco Holdings, LLC, and Nikana Holdings, LLC. He is personally known to me or has produced _____ as identification.


Print: Brooke E. Rollins
Notary Public – State of Florida
My Commission Expires:



BROOKE E. ROLLINS
MY COMMISSION # EE 857636
EXPIRES: January 18, 2017
Bonded Thru Budget Notary Services

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Exhibit "B" to HDA

Survey, Conceptual Site Plan, and Architectural Drawings

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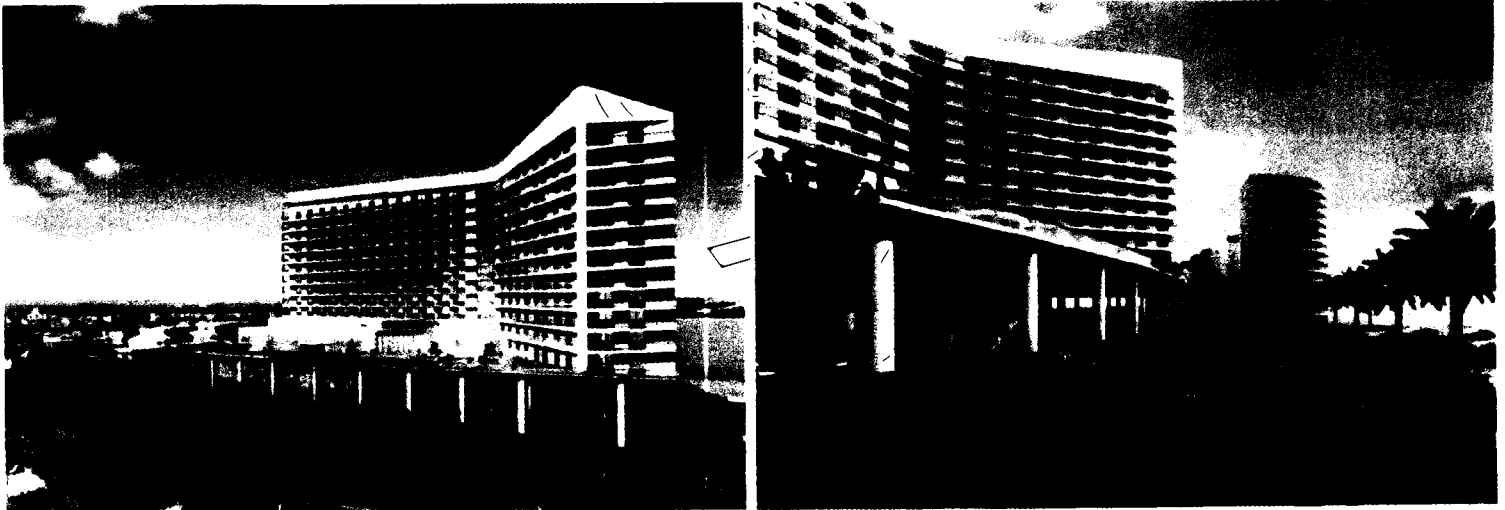
Site Plan Submittal

July 7, 2015

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Clearwater, FL

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RENDERINGS

JULY 7, 2015

A-102

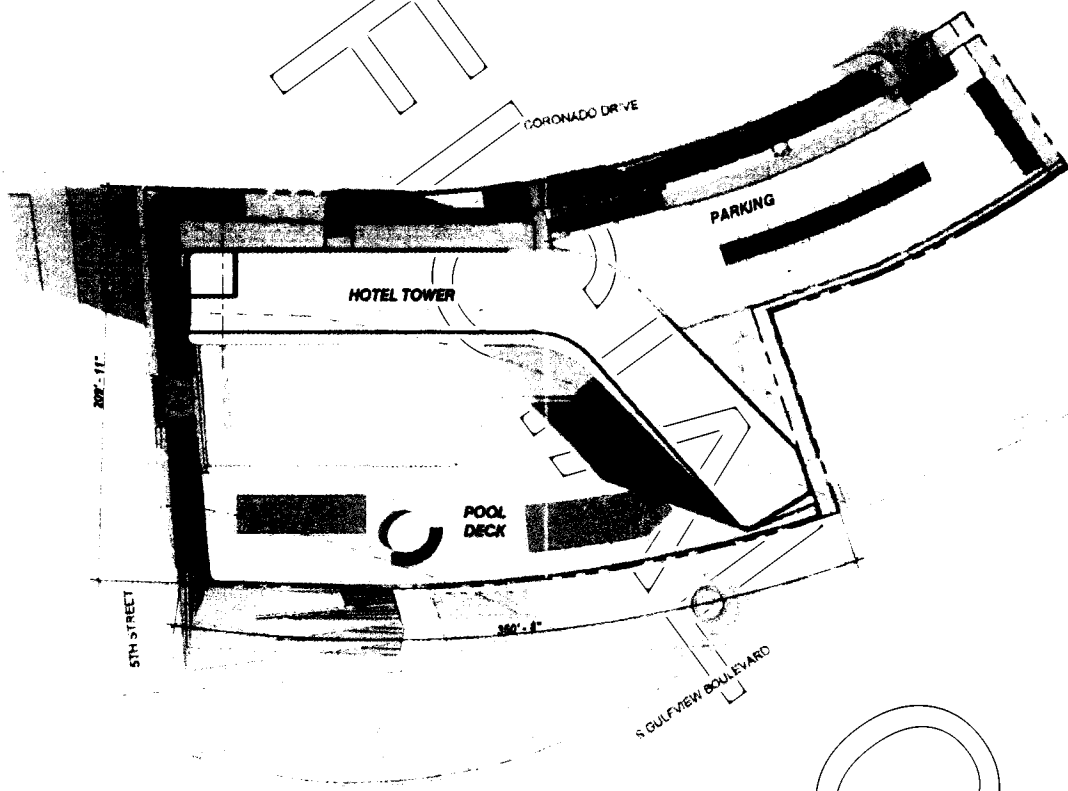
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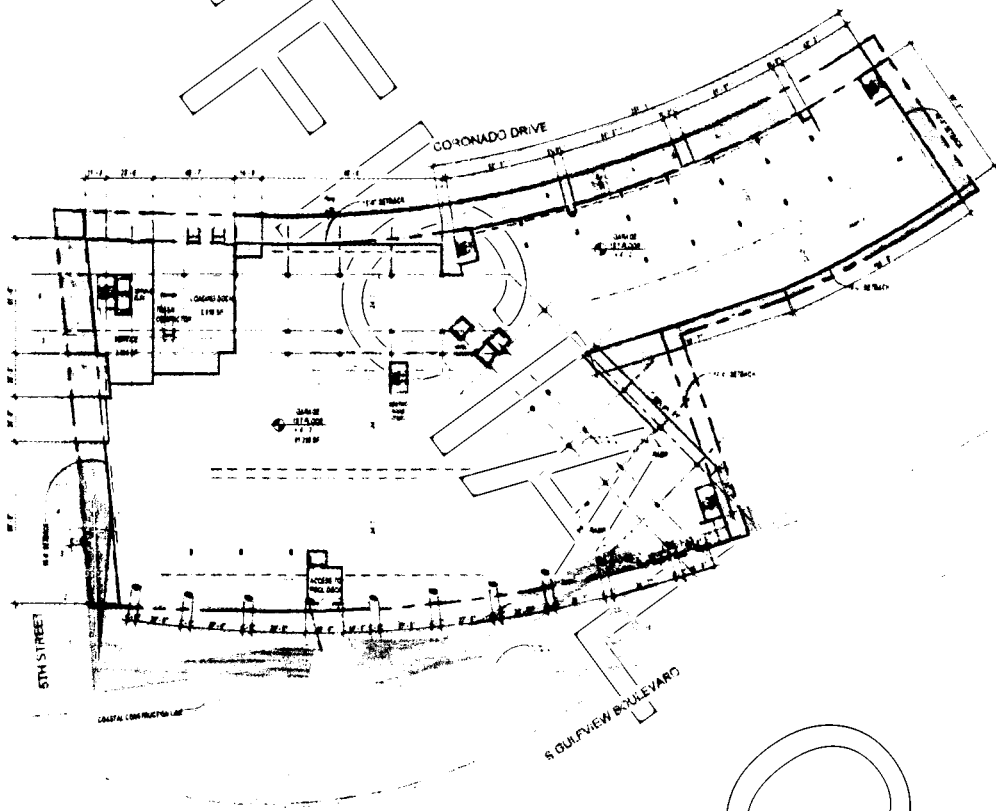
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SITE PLAN

July 7, 2015
 1" = 50'-0" A-103
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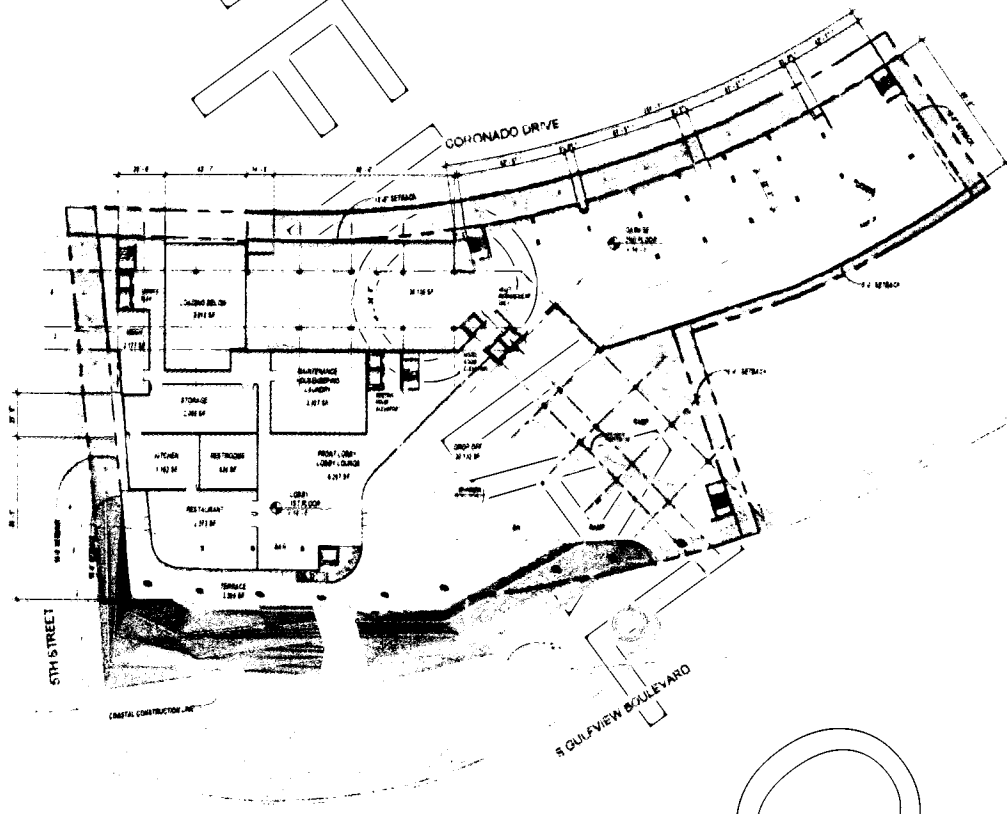


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1" = 50'-0" A-104

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FIRST FLOOR PLAN

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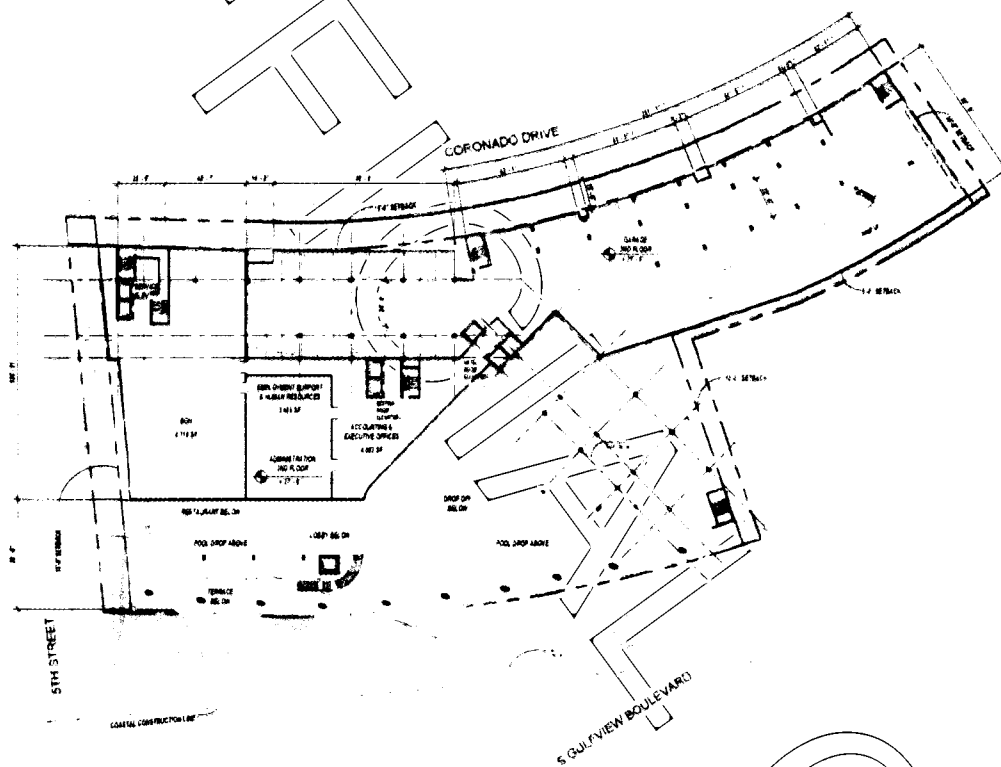
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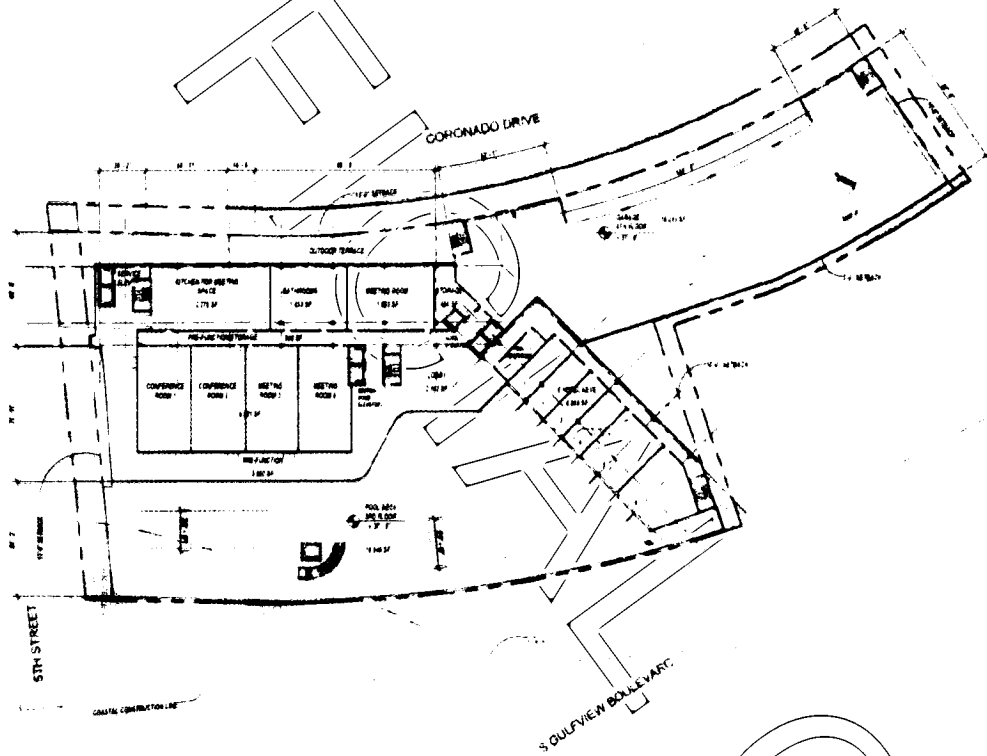


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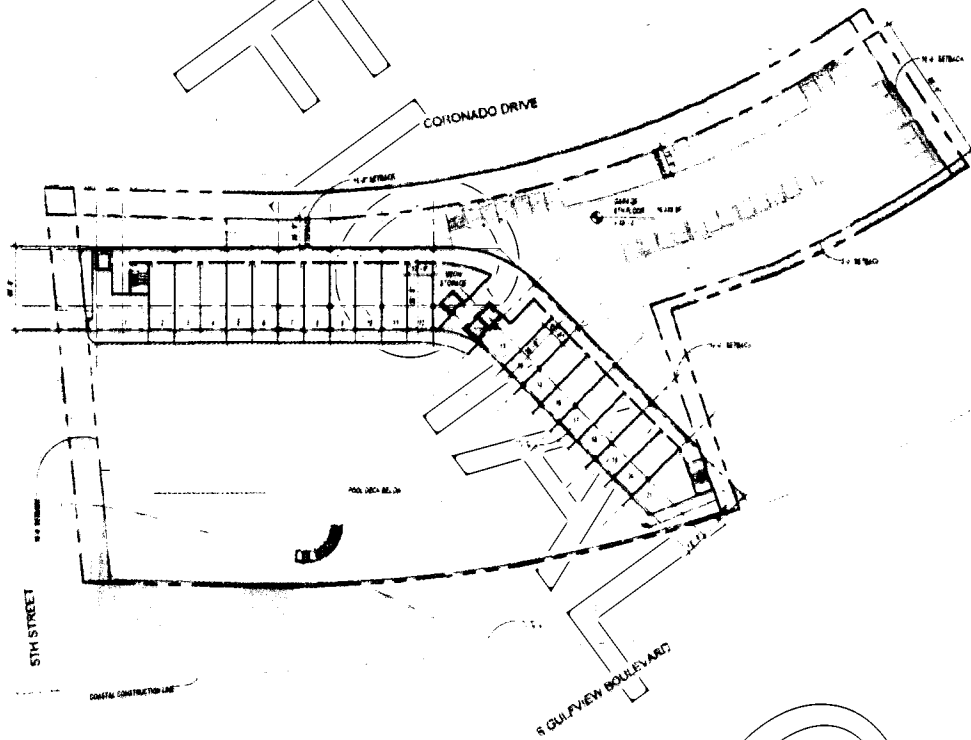
THIRD FLOOR PLAN

100 N. Beachline Blvd., Suite 100
Clearwater, FL 34617
Phone: 727.822.1100
Fax: 727.822.1101

A. Zyscovich, AIA
Principal Architect

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FIFTH FLOOR PLAN

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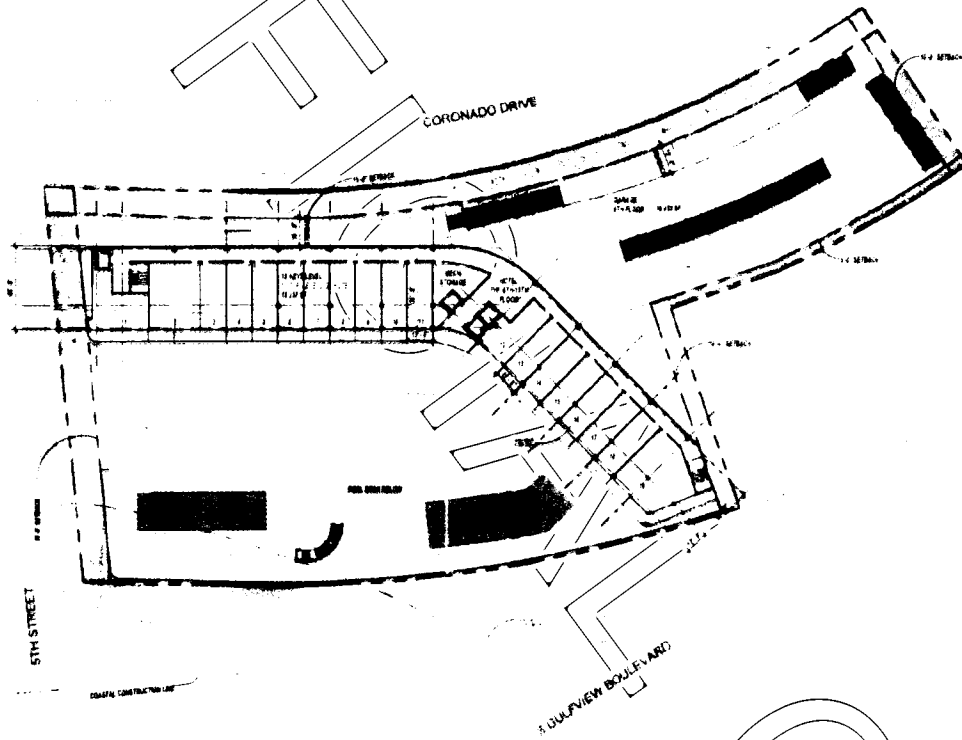
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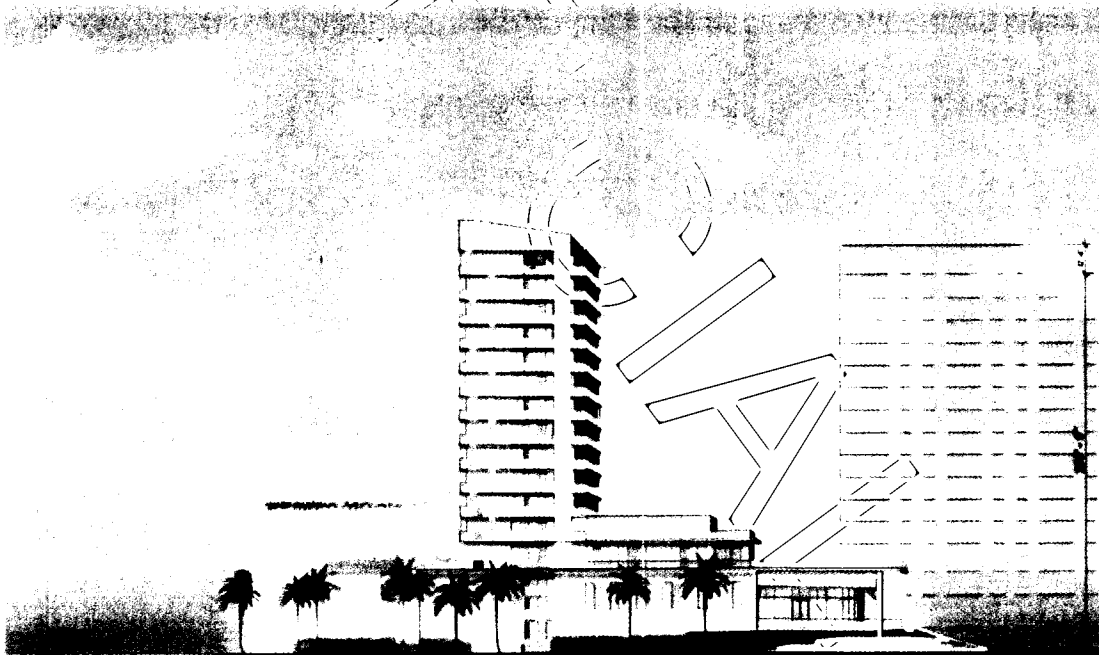
TYP. HOTEL FLOOR PLAN
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Roof	100'-0"
10th Floor	90'-0"
9th Floor	80'-0"
8th Floor	70'-0"
7th Floor	60'-0"
6th Floor	50'-0"
5th Floor	40'-0"
4th Floor	30'-0"
3rd Floor	20'-0"
2nd Floor	10'-0"
1st Floor	0'-0"
Ground Level	0'-0"
Basement	-10'-0"
Basement	-20'-0"
Basement	-30'-0"
Basement	-40'-0"
Basement	-50'-0"
Basement	-60'-0"
Basement	-70'-0"
Basement	-80'-0"
Basement	-90'-0"
Basement	-100'-0"

CLEARWATER HOTEL

Clearwater, FL

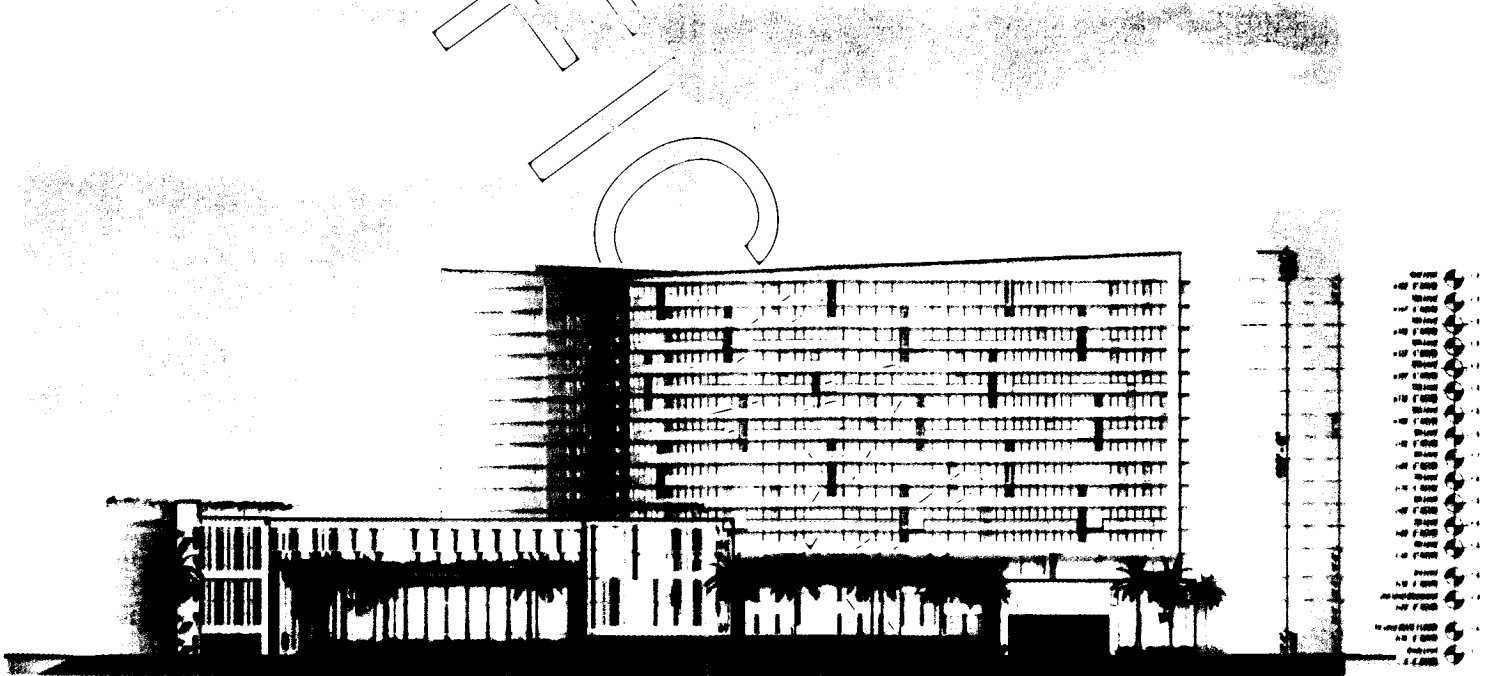
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NORTH ELEVATION
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EAST ELEVATION

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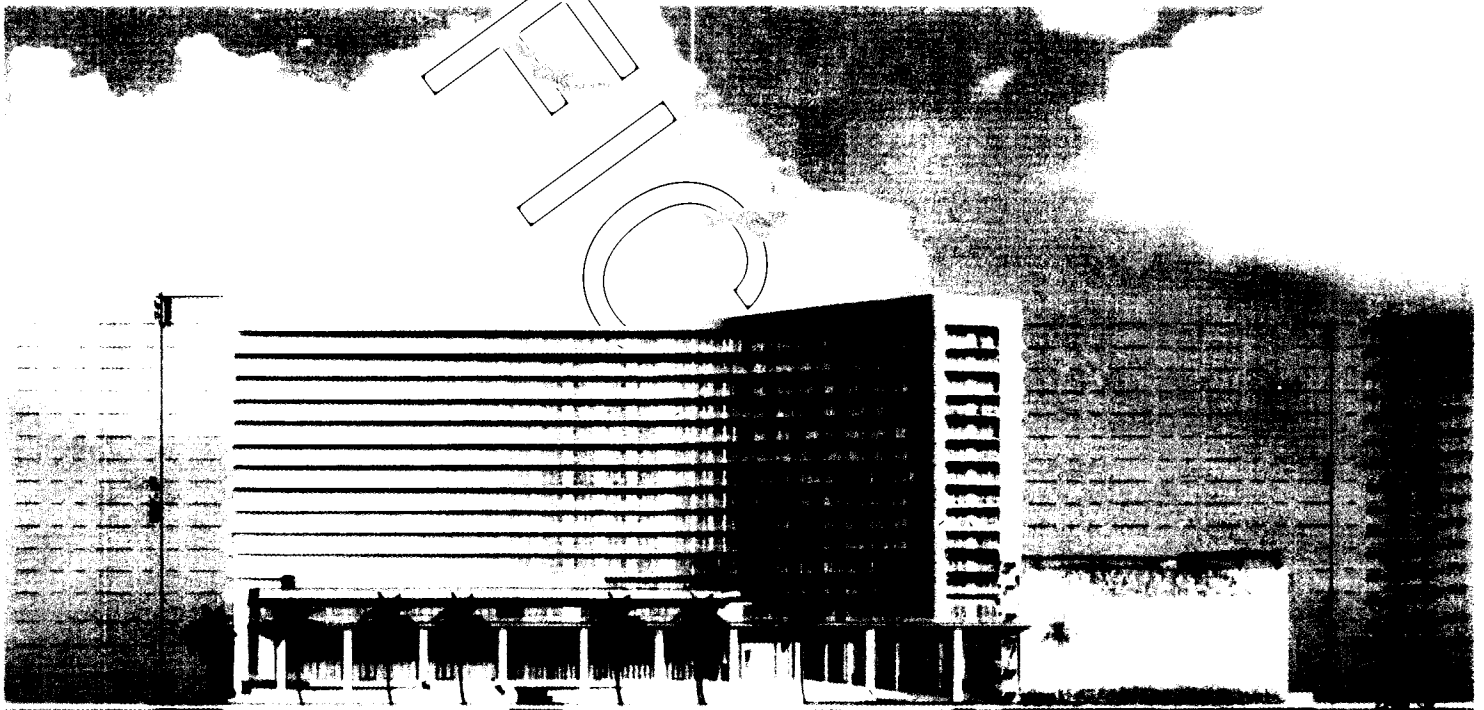
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WEST ELEVATION

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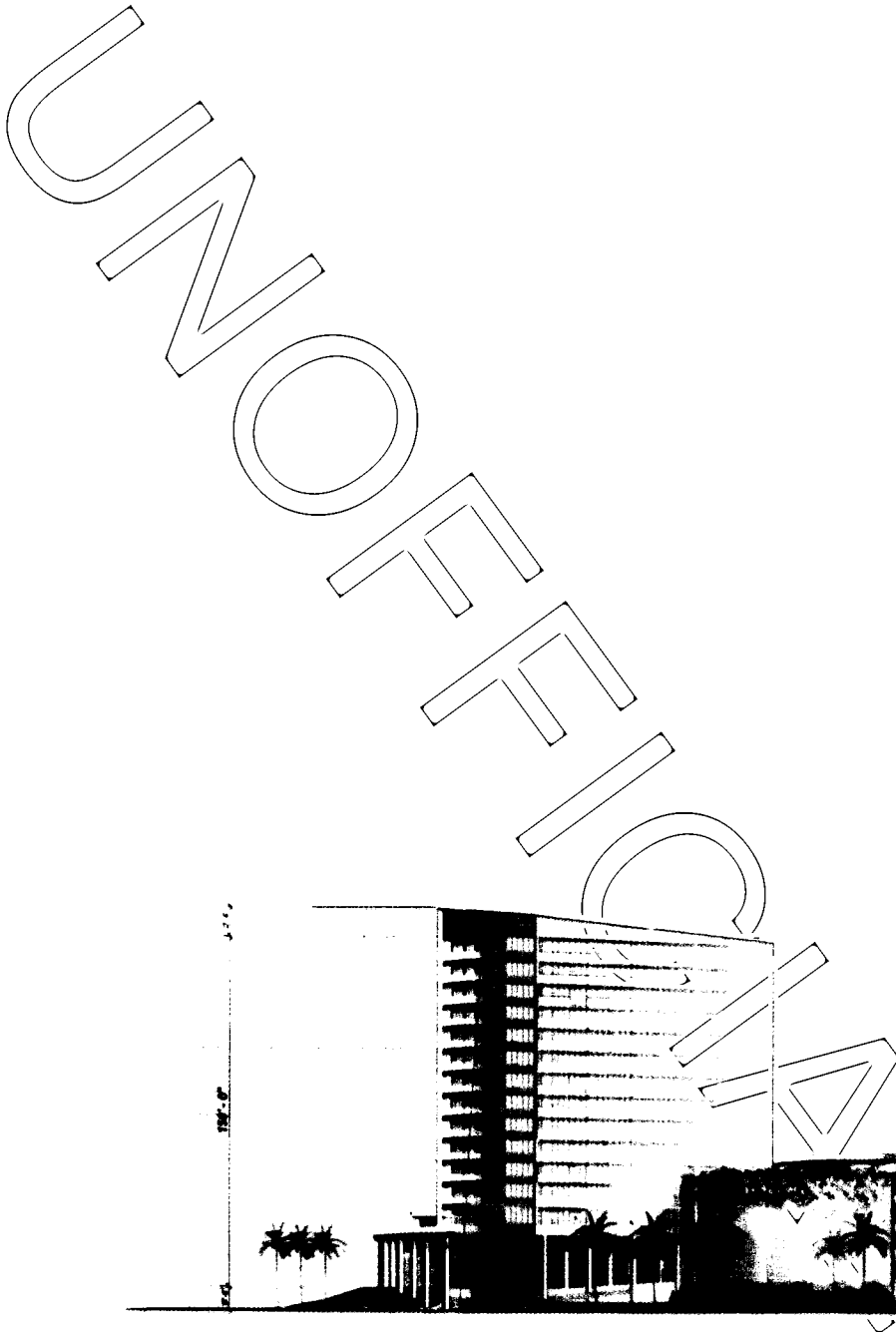
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SOUTH ELEVATION

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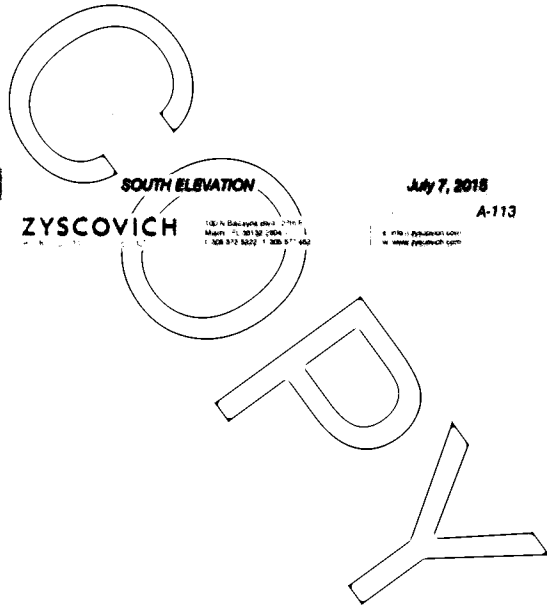
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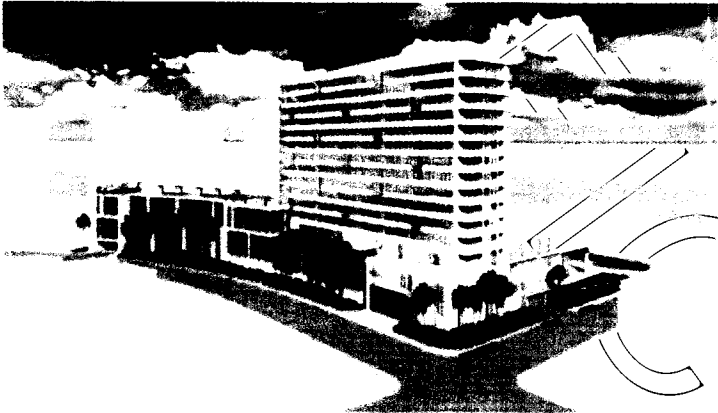
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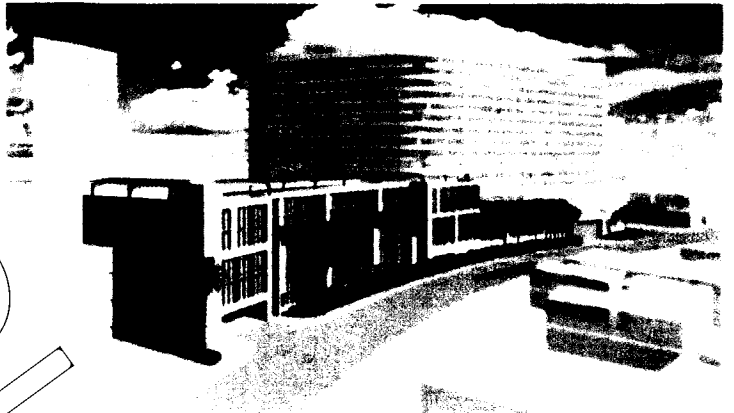
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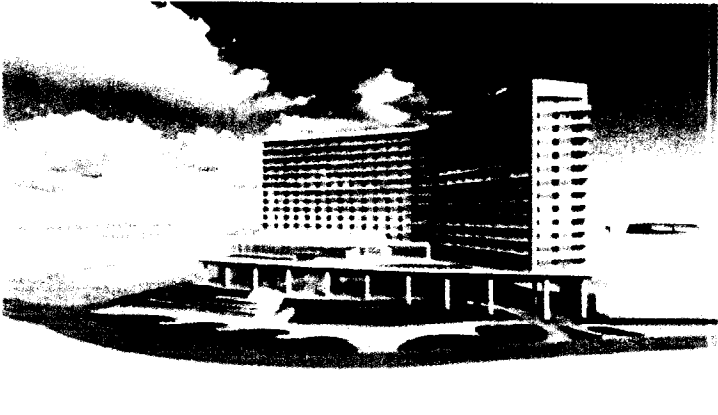
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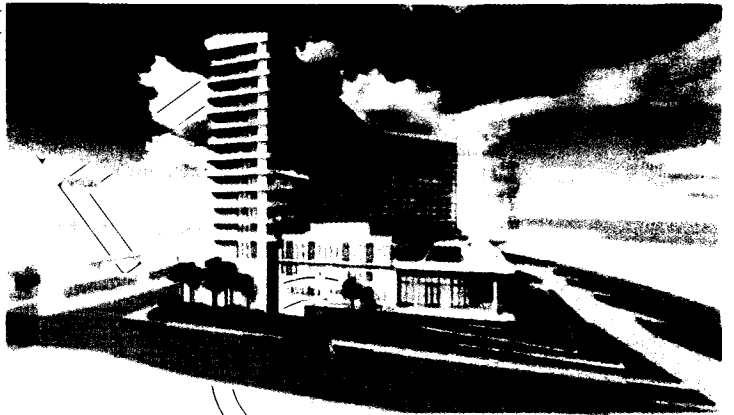
NORTHEAST VIEW



SOUTHEAST VIEW



SOUTHWEST VIEW



NORTHWEST VIEW

CLEARWATER HOTEL

Clearwater, FL

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3D VIEWS

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A-114

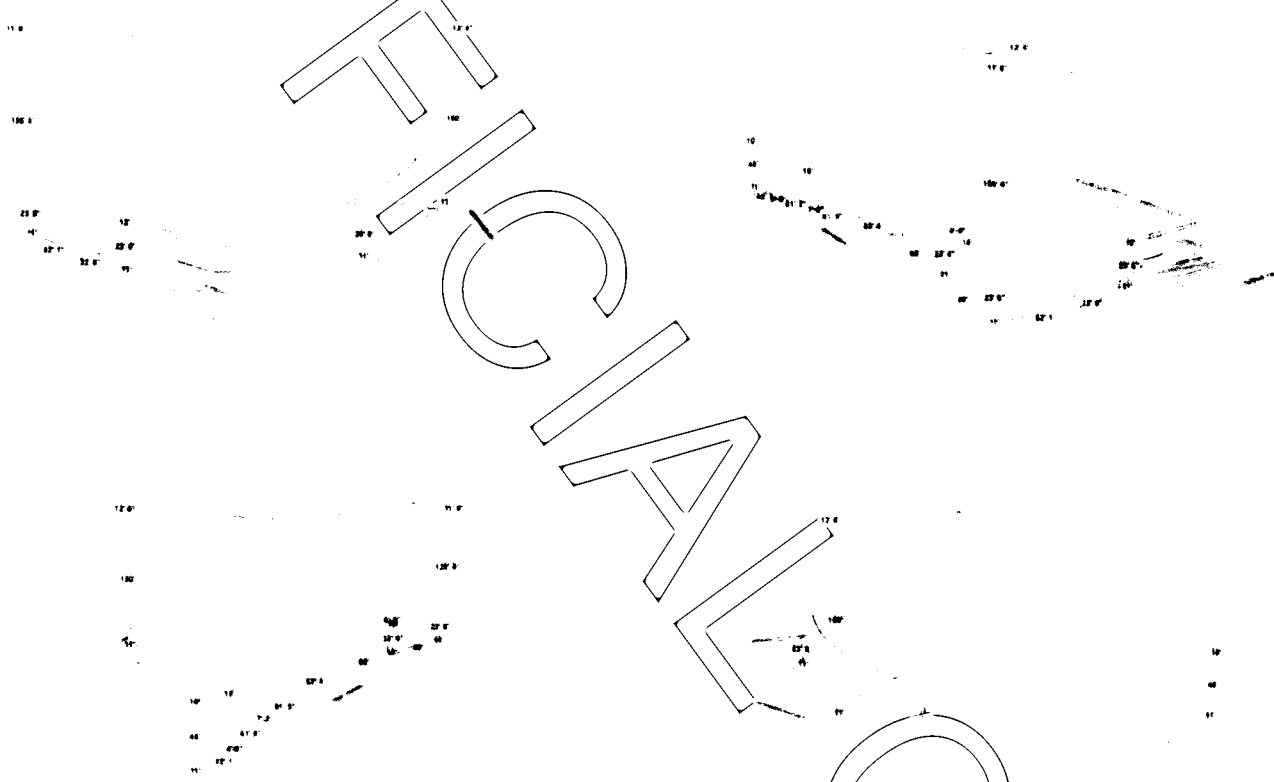
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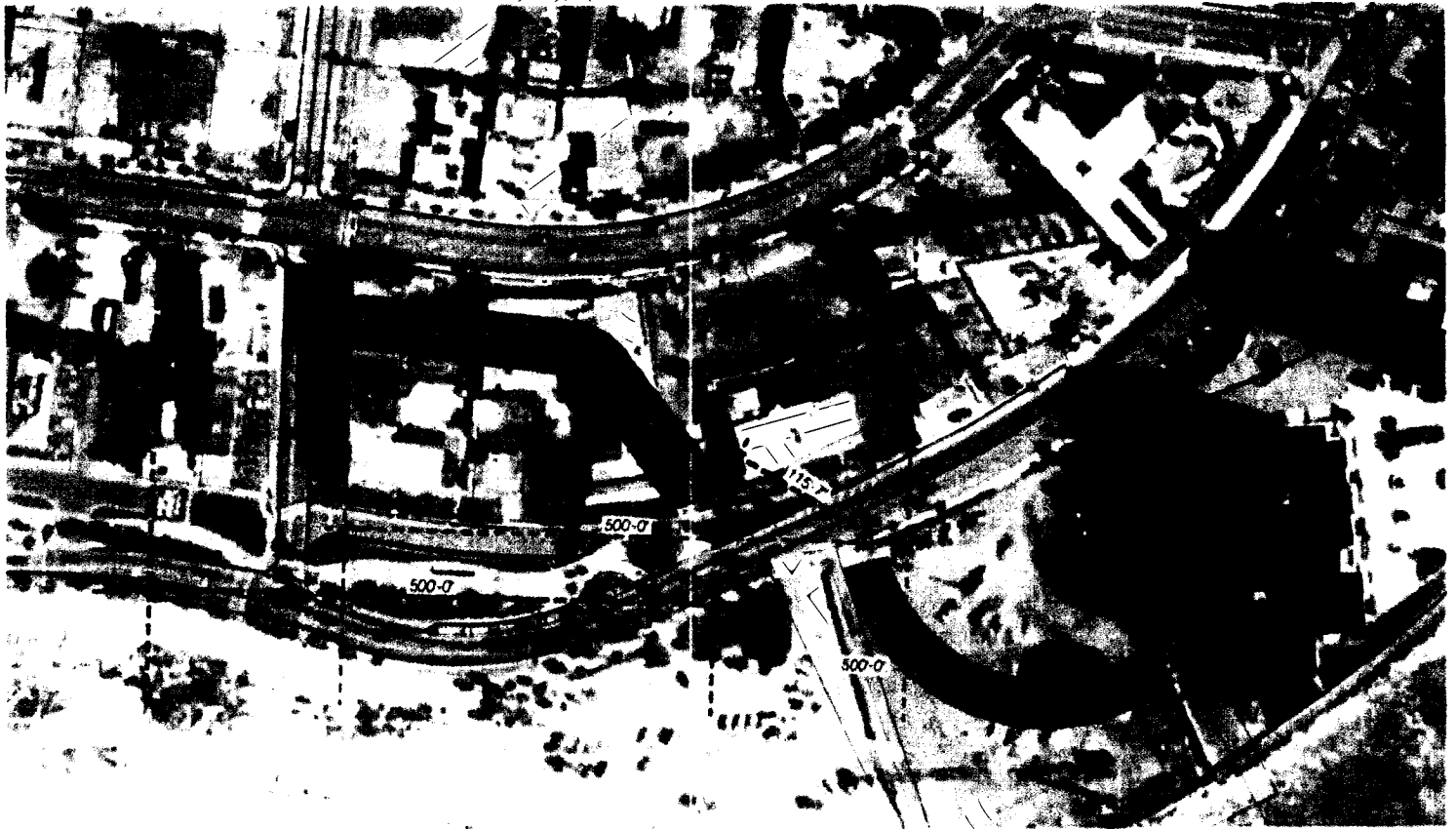
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TOWER SEPARATION DIAGRAM

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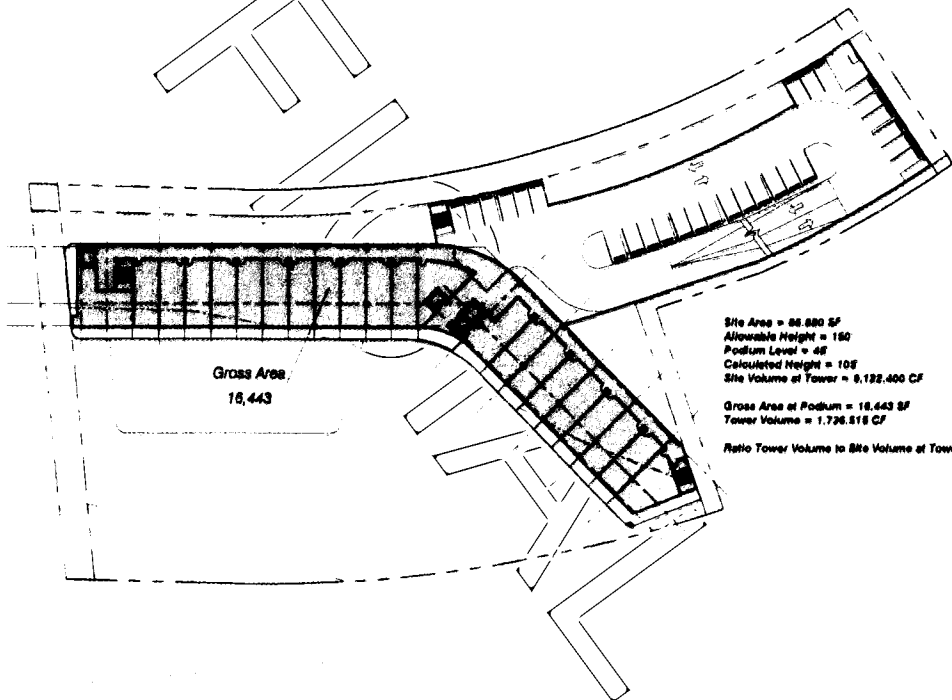
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A-116

PROPERTY

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Gross Area
18,443

Site Area = 86,880 SF
 Allowable Height = 160'
 Podium Level = 48'
 Calculated Height = 108'
 Site Volume of Tower = 6,122,400 CF
 Gross Area of Podium = 18,443 SF
 Tower Volume = 1,726,818 CF
 Ratio Tower Volume to Site Volume of Tower = 19%

CLEARWATER HOTEL

Clearwater, FL

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BUILDING ENVELOPE

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SAMPLE

BASE COLOR:
WHITE



DECORATIVE
SCREENS



DECORATIVE
SCREENS



GLAZING

CLEARWATER HOTEL

Clearwater, FL

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PROPOSED BUILDING COLORS

July 7, 2015

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