

## **SECOND AMENDMENT TO LEGAL SERVICES AGREEMENT**

THIS AGREEMENT is made on the \_\_\_\_ day of November, 2021, by and between the CITY OF CLEARWATER, FLORIDA (the "City") and the law firm of Manson, Bolves, Donaldson, Varn P.A. ("Counsel").

### **WITNESSETH:**

WHEREAS, the City retained Counsel in connection with matters pertaining to water law/submerged lands, and act as liaison to the FDEP and other parties as may be necessary to assist in clearing any cloud on title of the lands being developed under the Seminole Street Boat Ramp – North Marina District Improvements Project; and

WHEREAS, it became necessary to enter into litigation to clear title on the lands; and

WHEREAS, the litigation has proven more complex than originally anticipated,

NOW, THEREFORE, in consideration of the promises and mutual covenants herein contained, the parties hereto do hereby agree as follows:

**SECTION 1. THE LEGAL SERVICES AGREEMENT DATED MARCH, 12, 2019 IS HEREBY AMENDED AS FOLLOWS:**

**SECTION 2. SCOPE OF SERVICES.** Counsel hereby agrees to provide its professional services in connection with the following matter: prepare and file motions for default, prepare and file motion for summary judgments and attend hearing, negotiate and file final judgments as needed.

**SECTION 3. PROFESSIONAL FEES FOR SERVICES.** The City and Counsel agree to a rate of \$300.00 per hour for attorney services for Jacob D. Varn and other partners and \$200.00 per hour for attorney services for associate attorneys. Professional fees for services, including all expenses incurred thusfar, shall not exceed \$100,000.00 for the term of this Agreement.

**SECTION 4.** All other terms and conditions of the original Legal Services Agreement remain in full force and effect.

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IN WITNESS WHEREOF, the City and Counsel have executed this Agreement as of the date first written above.

Countersigned:

CITY OF CLEARWATER, FLORIDA

\_\_\_\_\_  
Frank Hibbard  
Mayor

By: \_\_\_\_\_  
Micah Maxwell  
Interim City Manager

Approved as to form:

Attest:

\_\_\_\_\_  
David Margolis  
City Attorney

\_\_\_\_\_  
Rosemarie Call  
City Clerk

MANSON, BOLVES, DONALDSON,  
VARN P.A.

By: \_\_\_\_\_  
Brian Bolves, Esq.