

**THIRD AMENDMENT
TO LANDSCAPE ARCHITECTURAL SERVICES AGREEMENT**

THIS THIRD AMENDMENT (the “Third Amendment”) to the Landscape Architectural Agreement is made and entered into this 7th day of January 2004 by and between the CITY OF NAPLES, a Florida Municipal Corporation (the “City”), and A. Gail Boorman & Associates (the “Consultant”).

WITNESSETH

WHEREAS, the City and the Consultant entered into that certain Agreement, to furnish Professional Landscape Architectural Services, dated June 19, 2002 (the “Original Agreement”) for the City of Naples for services associated with the Heart of Naples Project (‘Project’); and

WHEREAS, the parties desire to amend the Original Agreement by this Third Amendment so that the Consultant will provide additional services pursuant to the terms and conditions contained herein.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, and in consideration of the mutual covenants, promises and conditions herein set forth, it is hereby acknowledged and agreed as follows:

1. The above recitals are true and correct and are incorporated herein by this Reference.
2. **Article Four, Compensation**, shall be amended hereto and incorporated herein to **increase the compensation from \$75,000 to \$101,960.**
3. The terms of this Third Amendment shall control and take precedence over any and all terms, provisions and conditions of Original Agreement which might vary, contradict or otherwise be inconsistent with the terms and conditions hereof. All of the other terms, provisions and conditions of Original Agreement, except as expressly amended and modified by this Third Amendment, shall remain unchanged and are hereby ratified and confirmed and shall remain in full force and effect.
4. This Third Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original as against any part whose signature appears thereon and all of which shall together constitute one and the same instrument.

IN WITNESS WHEREOF, the City and the Consultant have caused this Third Amendment to be duly executed by their duly authorized officers, all as of the day and year first above written.

CITY:

ATTEST:

CITY OF NAPLES, FLORIDA

By: _____
Tara Norman, City Clerk

By: _____
Dr. Robert E. Lee, City Manager

Approved as to form and legal sufficiency:

By: _____
Robert D. Pritt, City Attorney

A. GAIL BOORMAN & ASSOCIATES

Witness

By: _____

Name: _____

Title: _____