

**FOURTH AMENDMENT
TO AGREEMENT**

THIS FOURTH AMENDMENT (the "FOURTH Amendment") to Agreement is made and entered into this 2nd day of June, 2004 by and between the CITY OF NAPLES, a Florida Municipal Corporation (the "City"), and **A. Gail Boorman and Associates** (the "Contractor").

W I T N E S S E T H

WHEREAS, the City and the Contractor entered into that certain Agreement to provide Professional Landscape Architectural Services, dated June 19, 2002 (the "Original Agreement") for services associated with the Heart of Naples Project ('Project'); and

WHEREAS, the parties desire to amend the Original Agreement by this Fourth Amendment so that the Contractor 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 \$101,960.00 to \$125,757.00 for additional scope of work that includes presentation of preliminary design concepts, final design and recommendations.**
3. The terms of this Fourth 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 Fourth Amendment, shall remain unchanged and are hereby ratified and confirmed and shall remain in full force and effect.
4. This Fourth 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 Contractor have caused this Fourth 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: _____