

AMENDMENT TO AGREEMENT

THIS AMENDMENT, dated as of December 27, 2010, made to that certain Agreement having an original effective date of December 15, 2010, by and between the CITY OF NAPLES and the FIFTH AVENUE SOUTH BUSINESS IMPROVEMENT DISTRICT, INC.

In accordance with Article 8 of the Agreement, the parties hereby agree that the Agreement is amended as follows:

1. The effective date of the Agreement shall be December 27, 2010.
2. Article 10, Section 10.5, is hereby amended and restated to read as follows:

This Agreement, any amendment hereto, the Articles of Incorporation and the By-laws of the 5th Ave BID Corporation shall be posted to its website when available.

All provisions of the Agreement, except as hereby amended, are hereby ratified and confirmed.

This Amendment may be executed in counterparts, which together shall comprise a complete Amendment. Facsimile signatures shall be deemed effective as an original.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date first above written.

CITY of NAPLES

By: _____
Mayor

Approved as to form and legality:

Attest:

City Clerk

By: _____
Robert D. Pritt, City Attorney

FIFTH AVENUE SOUTH BUSINESS
IMPROVEMENT DISTRICT
CORPORATION, INC.

By: _____
President

Witnesses:

