

Record and Return to:

Jon L. Lober  
TIGR Acquisitions III, LLC  
1170 Peachtree Street, Suite 1650  
Atlanta, GA 30309

Prepared by:

Jon L. Lober  
TIGR Acquisitions III, LLC  
1170 Peachtree Street, Suite 1650  
Atlanta, GA 30309

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SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**FIRST AMENDMENT TO EASEMENT AGREEMENT**

This First Amendment to Easement Agreement ("Amendment") is made and shall be effective on the \_\_\_ day of \_\_\_\_\_, 2023 ("Effective Date"), by and between Indian River County, Florida, a political subdivision of the State of Florida ("Grantor") and TIGR Acquisitions III, LLC, a Delaware limited liability company ("Grantee").

**WHEREAS** Grantor and Grantee entered into that certain Easement Agreement ("Agreement"), dated July 21, 2022, recorded July 25, 2022, in Book 3558, Page 1775 of the Official Records of the Clerk of the Circuit Court, Indian River County, Florida; and

**WHEREAS** Grantor and Grantee now agree to amend the Agreement, as more fully described herein:

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, the parties agree as follows:

1. Exhibit B of the Agreement is hereby amended to allow the Non-Exclusive Utility Easement to travel in, under and across areas on property outside the Parent Property that are owned or controlled by Grantor as further described in attached Exhibit C.
2. All capitalized terms used herein shall have the same meaning as set forth in the Agreement unless otherwise herein defined.
3. Except as expressly provided in this Amendment, the Agreement shall continue in full force and effect according to its terms.

*[Signature pages and exhibits follow.]*

IN WITNESS WHEREOF the parties hereto have executed this Amendment as of the date on page one above.

GRANTOR: INDIAN RIVER COUNTY, FLORIDA

\_\_\_\_\_  
John A. Titkanich, Jr., County Administrator

Grantor Notice Address:  
Indian River County, Florida  
1801 27th Street  
Vero Beach, Florida 32960

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
\_\_\_\_\_  
Printed Name

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

} ss.

The foregoing instrument was acknowledged before me, by means of \_\_\_ physical presence or \_\_\_ online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by John A. Titkanich, Jr., the County Administrator of Indian River County, Florida, a political subdivision of the State of Florida, who is \_\_\_ personally known or \_\_\_ produced identification in the form of \_\_\_\_\_.

NOTARY PUBLIC

NOTORIAL SEAL

\_\_\_\_\_  
Printed Name:  
Commission No.:  
Commission expiration:

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date on page one above.

GRANTEE: TIGR ACQUISITIONS III, LLC

\_\_\_\_\_  
Jesse M. Wellner, Chief Executive Officer

Grantee Notice Address:  
TIGR Acquisitions III, LLC  
1170 Peachtree Street, Suite 1650  
Atlanta, GA 30309  
Attn: Chief Executive Officer

*With a copy to:*  
TIGR Acquisitions III, LLC  
1170 Peachtree Street, Suite 1650  
Atlanta, GA 30309  
Attn: General Counsel

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
\_\_\_\_\_  
Printed Name

STATE OF GEORGIA

COUNTY OF FULTON

} ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned notary public, personally appeared Jesse M. Wellner, and proved to me through satisfactory evidence of identification, which was personal knowledge/driver's license/passport/ \_\_\_\_\_ (circle one), to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as Chief Executive Officer of TIGR Acquisitions III, LLC.

{affix notary seal or stamp}

\_\_\_\_\_  
Notary Public  
My Commission Expires:

Exhibit 1

*[Attach survey depicting utility easement path from Exclusive Easement to 20<sup>th</sup> Street.]*