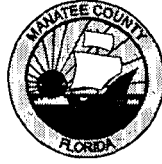


MEMORANDUM



Public Works Department
Fiscal Services Division
1022 26th Ave. E.
Bradenton, FL 34285

MANATEE COUNTY FLORIDA

Phone: 941-708-7450
Fax: 941-708-7502
www.mymanatee.org

To: Susan Romine, Board Records Supervisor, Clerk of the Circuit Court

Thru: Sue Sandhoff, Fiscal Operations Division Manager *Sue Sandhoff*

From: Jane Oliver, Bond Coordinator *Jane Oliver*

Date: January 4, 2011

RECEIVED
JAN 06 2011

Subject: HERITAGE HARBOUR, PHASE I,
SUBPHASE E, PHASES 1, 2 & 3
PDMU-98-08/05-S-39 (F)
ACCEPT PRIVATE PERFORMANCE AMENDMENT

BOARD RECORDS

Please schedule on your consent calendar for the next available Board of County Commissioner's Agenda, the following "Form of Motion":

- **Acceptance of**, the amended Letter of Credit in conjunction with the *Required Improvements Agreement and Temporary Construction Easement for Private Improvements* securing the final lift of asphalt in the amount of \$308,044.16;
 - **LOC No.** FGAC-05333, Amendment No. 6 issued through Fidelity Guaranty & Acceptance Corp.;
 - **Extended to** August 25, 2011;
 - **Amount of Performance** \$308,044.16.

ACCEPTED IN OPEN SESSION *[Signature]*
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY

SS/jo

cc: Records Management
Scott Edwards, Lennar Homes LLC
Fidelity Guaranty & Acceptance Corp.

Attachments

Original to Jane Oliver 1/12/11 v9

FIDELITY GUARANTY AND ACCEPTANCE CORP.

15550 LIGHTWAVE DRIVE - SUITE 200

CLEARWATER, FLORIDA 33760

PHONE (727) 479-1790



DECEMBER 15, 2010

IRREVOCABLE LETTER OF CREDIT NO. FGAC-05333

**BENEFICIARY: BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA
112 MANATEE AVENUE WEST
BRADENTON, FLORIDA 34025**

**APPLICANT: LENNAR HOMES, LLC
551 N. CATTLEMEN ROAD, SUITE 202
SARASOTA, FLORIDA 34232**

GENTLEMEN:

TO AMEND CREDIT FGAC-05333 AS ISSUED IN YOUR FAVOR.

THIS AMENDMENT IS AN INTEGRAL PART OF THE ORIGINAL CREDIT. ALL OTHER TERMS AND CONDITIONS OF THE LETTER OF CREDIT INCLUDING PREVIOUS AMENDMENTS REMAIN UNCHANGED.

AMENDED TERMS:

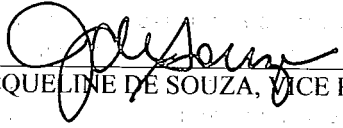
EXTEND EXPIRATION DATE TO: AUGUST 25, 2011.

IMMEDIATE NOTIFICATION MUST BE GIVEN TO US IF THIS AMENDMENT IS NOT ACCEPTED.

THIS IS AMENDMENT NO. 6.

VERY TRULY YOURS,

FIDELITY GUARANTY AND ACCEPTANCE CORP.


JACQUELINE DE SOUZA, VICE PRESIDENT

ACCEPTED IN OPEN SESSION 11/11
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY