

(MARION COUNTY)

RECORD \$ _____

PREPARED BY AND RETURN TO:

Tim D. Haines
GRAY, ACKERMAN & HAINES, P.A.
211 NW Third Street
Ocala, FL 34475

----- SPACE ABOVE THIS LINE RESERVED FOR RECORDING DATA -----

FIRST AMENDMENT TO AMENDED AND RESTATED ACCESS MANAGEMENT AND DEVELOPMENT AGREEMENT

**THIS FIRST AMENDMENT TO AMENDED AND RESTATED ACCESS
MANAGEMENT AND DEVELOPMENT AGREEMENT** is made and entered into effective this ____
day of _____, 2025, by and between:

- The following (each an “*Owner*” and collectively the “*Owners*”)
 - **STEPHEN GREENE AND NOEL NATION, AS SUCCESSOR CO-TRUSTEES OF
THE 358 ACRE LAND TRUST DATED FEBRUARY 4, 2004, (“*Sweeny*”);**
 - **TODD B. RUDNIANYN, INDIVIDUALLY AND AS TRUSTEE FOR THE SWEENY
2, SWEENY 3N, SWEENY 3S, SWEENY 4 LAND TRUST AGREEMENT DATED
JUNE 1, 2007 (“*Rudnianyn*”);**
 - **FREEDOM CROSSINGS LLC, A FLORIDA LIMITED LIABILITY COMPANY
 (“*Freedom Crossings*”);**
 - **FREEDOM CROSSINGS LAND, LLC, A FLORIDA LIMITED LIABILITY
COMPANY (“*Freedom Crossings Land*”);**

and

- **MARION COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF
FLORIDA (“*County*”).**

RECITALS:

- A. Sweeny, Rudnianyn, Freedom Crossings and County have previously entered into that certain Amended and Restated Access Management and Development Agreement dated November 3, 2020, and recorded in OR Book 7309, Pages 347-384, Public Records of Marion County, Florida (the “*Existing Agreement*”).
- B. Sweeny, Rudnianyn and Freedom Crossings Land now own the Commercial Tracts, as that term is defined in the Existing Agreement, and Freedom Crossings owned the Residential Tract, as that term is defined in the Existing Agreement.

- C. Section 9 of the Existing Agreement provided for, among other things, preparation by a Tract Owner and presentation to the County of a traffic impact analysis ("**TIA**"), the provision by a Tract Owner of an Updated Impact Traffic Analysis, the withholding by County of development approvals until such analyses are completed, and the obligations of each Owner with regard to transportation facility improvements required to be constructed to satisfy traffic concurrency requirements.
- D. Sweeny, Rudnianyn, and Freedom Crossings Land have requested approval of, and recording of, a Plat of the Commercial Tracts in advance of compliance with Sections 9.1 and 9.2 of the Existing Agreement or any determination as to the requirement for construction of transportation facility improvements as contemplated by Section 9.3 of the Existing Agreement and County consents to the recording of such Plat conditioned upon the terms, conditions, restrictions and limitations set forth hereinafter.

NOW, THEREFORE, with the intention they be legally bound, and other good and valuable consideration, the Parties agree as follows:

1. **INCORPORATION OF RECITALS; DEFINITIONS.** The Parties confirm and agree that the above recitals are true and correct and incorporate their terms and provisions herein for all purposes. Capitalized terms not otherwise defined herein shall have the meaning set forth in the Existing Agreement.
2. **PLATTING.** By execution hereof the Parties acknowledge that the Commercial Tracts are the subject of that certain Plat of Freedom Crossings Commercial Phase 1, as per plat thereof recorded in Plat Book ____, Pages ____ through ____, inclusive, Public Records of Marion County, Florida (the "**Plat**"). All of the property described in the Plat shall be subject to the Existing Agreement, as modified and amended herein.
3. **AMENDMENT OF SECTION 9. TRAFFIC FACILITIES CONCURRENCY.** Section 9, Traffic Facilities Concurrency of the Existing Agreement is hereby amended to include a new Subsection 9.4 which shall read as follows:
 - 9.4. **Limited Waiver.** County has permitted the recording of the Plat contingent upon completion by the Owners of the Commercial Tracts of a TIA meeting the requirements of the foregoing Subsection 9.1. By execution hereof the undersigned Owners of the Commercial Tracts acknowledge their continuing obligation to complete the TIA and to provide for the construction of any transportation facility improvements required to satisfy traffic concurrency requirements as identified in such TIA, all in accordance with the foregoing Subsections 9.1 – 9.3 inclusive. (the "**Continuing Obligations**"). Absent modification of this Agreement by County in writing, Owners of the Commercial Tracts may obtain, in aggregate, site plan approvals, building permits, or certificates of occupancy for no more than two (2) of the Lots depicted on the Plat unless and until the Continuing Obligations have been satisfied.

4. **REAFFIRMATION.** Except as herein modified all of the terms, covenants and conditions of the Existing Agreement are hereby reaffirmed and ratified.

Signed and delivered in our presence as witnesses:

Witness #1:

Signature

Print Witness #1 Name

Address: _____

Witness #2

Signature

Print Witness #2 Name

Address: _____

ATTEST:

Gregory C. Harrell, Clerk

Approved as to form and legality:


Matthew Guy Minter, County Attorney

STATE OF FLORIDA
COUNTY OF MARION

The foregoing instrument was acknowledged before me by means of ☐ **physical presence** or ☐ **online notarization**, by **Kathy Bryant, as Chair of the Board of County Commissioners of Marion County**, who is:

Personally known by me, OR

Produced a driver's license as identification.

Dated: this _____ day of _____, 2025.

Notary Signature

Print Name: _____

Notary Public, State of Florida

Commission Number: _____

Commission Expires: _____

Signed and delivered in our presence as witnesses:

SWEENEY:

Witness #1:

Julie M. Bowman

Signature

Julie M. Bowman

Print Witness #1 Name

Address: 648 Brandy Dr

Trussville, AL 35173

Witness #2

Benjamin S. Nye

Signature

Benjamin S. Nye

Print Witness #2 Name

Address: 400 Union Hill Dr. Ste 100

Birmingham, AL 35209

STATE OF Alabama
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, by **STEPHEN GREENE, AS SUCCESSOR CO-TRUSTEE OF THE 358 ACRE LAND TRUST** DATED FEBRUARY 4, 2004, who is:

X Personally known by me, OR
____ Produced a driver's license as identification.

Dated: this 29th day of August, 2025.

Stephen Greene

STEPHEN GREENE, AS SUCCESSOR CO-
TRUSTEE OF THE 358 ACRE LAND TRUST
DATED FEBRUARY 4, 2004

John R. Kirkpatrick

Notary Signature

Print Name: John R. Kirkpatrick

Notary Public, State of Alabama

Commission Number: _____

Commission Expires: April 5, 2028



Signed and delivered in our presence as witnesses:

Witness #1:

Signature

MANUEL R. ALVES HOLLWEG

Print Witness #1 Name

Address: 360 W 41 ST

MIAMI BEACH FL 33140

SWEENEY:

NOEL NATION, AS SUCCESSOR CO-TRUSTEE
OF THE 358 ACRE LAND TRUST DATED
FEBRUARY 4, 2004

Witness #2

Signature

WILSON ROLDAN

Print Witness #2 Name

Address: 360 W 41 ST

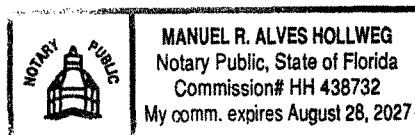
MIAMI BEACH FL 33140

STATE OF FLORIDA
COUNTY OF MIAMI - DADE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, by NOEL NATION, AS SUCCESSOR CO-TRUSTEE OF THE 358 ACRE LAND TRUST DATED FEBRUARY 4, 2004, who is:

☐ Personally known by me, OR
☒ Produced a driver's license as identification.

Dated: this 2nd day of SEPT, 2025.



Manuel R. Alves Hollweg

Notary Signature

Print Name: MANUEL R. ALVES HOLLWEG

Notary Public, State of FLORIDA

Commission Number: HH 438732

Commission Expires: 08/28/27

Signed and delivered in our presence as witnesses:

Witness #1:

Signature

Print Witness #1 Name

Address:

Witness #2

Signature

Print Witness #2 Name

Address:

RUDNIANYN:

TODD B. RUDNIANYN, INDIVIDUALLY AND AS TRUSTEE OF THE SWEENY2, SWEENY 3N, SWEENY 3S, SWEENY 4 LAND TRUST AGREEMENT DATED JUNE 1, 2007.

STATE OF FLORIDA
COUNTY OF MARION

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, by TODD B. RUDNIANYN, INDIVIDUALLY AND AS TRUSTEE OF THE SWEENY2, SWEENY 3N, SWEENY 3S, SWEENY 4 LAND TRUST AGREEMENT DATED JUNE 1, 2007, who is:

☒ Personally known by me, OR
☐ Produced a driver's license as identification.

Dated: this 5th day of September, 2025.



BEVERLY J. HERNANDEZ
Notary Public
State of Florida
Comm# HH498418
Expires 6/22/2028

Notary Signature
Print Name: _____
Notary Public, State of FLORIDA
Commission Number: _____
Commission Expires: _____

Signed and delivered in our presence as witnesses:

Witness #1:

Ellen Nimmo

Signature

Ellen Nimmo

Print Witness #1 Name

Address: 10820 SW 62nd
Ter., Ocala, FL 34476

FREEDOM CROSSINGS:

FREEDOM CROSSINGS LLC, A FLORIDA
LIMITED LIABILITY COMPANY

By:

Chris Armstrong
CHRIS ARMSTRONG

Its: MANAGER

Witness #2

Elaine J. Jarosz

Signature

Elaine J. Jarosz

Print Witness #2 Name

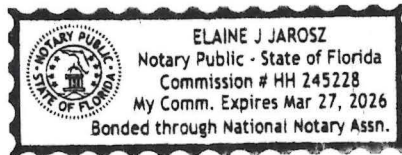
Address: 9903 SE 175th St
Summerfield, FL 34491

STATE OF FLORIDA
COUNTY OF MARION

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, by CHRIS ARMSTRONG, MANAGER OF FREEDOM CROSSINGS LLC, A FLORIDA LIMITED LIABILITY COMPANY, on behalf of the Company, who is:

☒ Personally known by me, OR
☐ Produced a driver's license as identification.

Dated: this 9 day of September, 2025.



Elaine J. Jarosz
Notary Signature

Print Name: _____

Notary Public, State of FLORIDA

Commission Number: _____

Commission Expires: _____

Signed and delivered in our presence as witnesses:

Witness #1:

Signature

Print Witness #1 Name

Address:

Susan M Gray
Susan M Gray
211 NW 3rd St
Ocala, FL 34475

FREEDOM CROSSINGS LAND:

**FREEDOM CROSSINGS LAND, LLC, A FLORIDA
LIMITED LIABILITY COMPANY**

By:

TODD B. RUDNIANYN

Its: **MANAGER**

Witness #2

Signature

Print Witness #2 Name

Address:

Beverly J. Hernandez
Beverly J. Hernandez
211 NW 3rd St
Ocala, FL 34475

**STATE OF FLORIDA
COUNTY OF MARION**

The foregoing instrument was acknowledged before me by means of ☒ **physical presence** or ☐ **online notarization**, by **TODD B. RUDNIANYN, MANAGER OF FREEDOM CROSSINGS LAND, LLC, A FLORIDA LIMITED LIABILITY COMPANY**, on behalf of the Company, who is:

☒ Personally known by me, OR
☐ Produced a driver's license as identification.

Dated: this 5th day of September, 2025.



BEVERLY J. HERNANDEZ
Notary Public
State of Florida
Comm# HH498418
Expires 6/22/2028

Beverly J. Hernandez
Notary Signature

Print Name: _____

Notary Public, State of FLORIDA

Commission Number: _____

Commission Expires: _____