

**AMENDMENT 1 TO THE COST SHARE AGREEMENT BETWEEN
THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
AND INDIAN RIVER COUNTY
FOR NORTH SEBASTIAN PHASE 1 SEPTIC TO SEWER PROJECT**

THIS AMENDMENT is entered into by and between the GOVERNING BOARD of the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (the "District"), whose mailing address is 4049 Reid Street, Palatka, Florida 32177-2571, and INDIAN RIVER COUNTY ("Recipient") whose address is 1801 27th Street, Building A, Vero Beach, Florida 3290-3388, and is effective on the date the last party has executed same.

PREMISES:

The parties entered into Agreement No. 28771 on October 20, 2016 to provide funding for the Recipient's North Sebastian Phase 1 Septic to Sewer Project ("Agreement"). The parties desire to amend the Agreement.

NOW, THEREFORE, in consideration of the above premises, which are hereby made a part of this amendment, the mutual covenants contained herein, and other good and valuable consideration, the parties hereby agree to amend the Agreement as follows:

1. Paragraph 1(a) TERM; WITHDRAWAL OF OFFER: delete this paragraph and replace it with the following paragraph:
 - (a) The term of this Agreement is from October 20, 2016 ("Effective Date") through September 30, 2018 ("Completion Date"). Recipient shall not commence the Project until any required submittals are received and approved. Time is of the essence for every aspect of this Agreement, including any time extensions. Any request for an extension of time beyond the Completion Date must be made in writing before July 1, 2018. For projects whose District contribution exceeds \$100,000, timely requests to extend the Completion Date more than six months beyond the original Completion date may only be approved by the District's Governing Board. Notwithstanding specific mention that certain provisions survive termination or expiration of this Agreement, all provisions of this Agreement that by their nature extend beyond the Completion Date, for example, delivery of a final report, will remain in full force and effect after the Completion Date as necessary to affect performance.
2. All other terms and conditions of the Agreement, including any subsequent amendments, are hereby ratified and continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have duly executed this amendment on the date set forth below.

ST. JOHNS RIVER WATER
MANAGEMENT DISTRICT

INDIAN RIVER COUNTY

By: _____
Ann B. Shortelle, Ph.D., Executive Director or Designee

By: _____
Peter D. O'Bryan, Chairman. Board of County Commissioners

Date: _____

Date: _____

Attest: _____
Jeffrey R. Smith, Clerk of Court and Comptroller

Approved As to Form and Legal Sufficiency:

Dylan Reingold, County Attorney