

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT ("Amendment") to that certain Lease Agreement ("Agreement") between Florida Inland Navigation District ("DISTRICT") and Indian River County ("COUNTY") dated the 21st day of January, 2010.

WITNESSETH:

WHEREAS, DISTRICT is the owner of a parcel of land in Indian River County, Florida and known as "Dredged Material Management Area (DMMA) IR-14"; and

WHEREAS, DISTRICT allowed COUNTY to lease a portion of DMMA IR-14 for passive recreational purposes subject to said rights of DISTRICT and the future rights and easement of the United States of America; and

WHEREAS, COUNTY has requested to lease an additional portion of DMMA IR-14 for passive recreational purposes in the form of a trail expansion; and

WHEREAS, DISTRICT is willing to consent to leasing this additional portion of DMMA IR-14, subject to the terms and conditions of this Amendment.

NOW, THEREFORE, in consideration of the premises, the sum of Ten Dollars (\$10.00) and other valuable consideration, DISTRICT and COUNTY hereby agree as follows:

1. The foregoing recitals are true and correct, and are incorporated herein by reference.
2. DISTRICT hereby consents to the expansion of COUNTY's trail system, through additional portions of DMMA IR-14, for passive, public recreational purposes.
3. COUNTY hereby agrees to continually maintain the expanded portion of trail to ensure the safety of its users.
4. COUNTY hereby agrees to carry a General Liability Insurance Policy with minimum limits of \$2,000,000.00 per person and \$3,000,000.00 per aggregate.
5. The Effective Date of this Amendment shall be the date on which the last party to this Amendment executes this Amendment.
6. Except as amended by this Amendment, the Agreement is ratified, confirmed and accepted.
7. This Amendment may be executed in counterparts, all of which taken together shall be deemed an original, with a facsimile and/or an e-mail signature serving as an original thereof.

IN WITNESS WHEREOF, the parties hereto have duly executed this Amendment, by and through their duly authorized officers, as of the day and year stated above.

FLORIDA INLAND NAVIGATION DISTRICT, an independent special taxing district of the State of Florida

By: _____
Janet Zimmerman, Executive Director

Date: _____

INDIAN RIVER COUNTY, a political subdivision of the State of Florida

By: _____

Date: _____