

Instrument Prepared By and Return to:
Right of Way Department/Amy Powell
Florida Gas Transmission Company, LLC
2301 Lucien Way, Suite 200
Maitland, FL 32751

Project No.: 25-364 (Amend 1 – 24-314)

Tract No.: FLMEA-INDI-009, FLMEB-INDI-009, FLMEA-INDI-011, FLMEB-INDI-012

AMENDMENT OF ENCROACHMENT AGREEMENT

WHEREAS, by that certain Encroachment Agreement dated February 14, 2025, and recorded in Instrument # 3120250010885 in Official Records, Indian River County, Florida, ("Agreement") Florida Gas Transmission Company, LLC, ("FGT") agreed to allow Indian River County, a Political subdivision of the State of Florida ("Owner") to install a four-inch (4") force main and an eight-inch (8") water main under the pipeline via directional bore at two (2) different crossings, as well as an asphalt roadway with curbing and a concrete sidewalk above the pipeline at two (2) different crossings, all crossing and within the FGT natural gas pipeline easement described in the Agreement;

WHEREAS, FGT and OWNER desire to amend the Agreement to install a six-foot (6') black vinyl clad chain link fence with two (2), six-foot (6') wide swing gates. In addition, this amendment will add to the drawings shown on pages 9-15 of Exhibit C with additional revised plan drawings attached hereto and made a part hereof as Exhibit C-1.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT FGT, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid by Owner, does hereby agree and consent, subject to the terms and provisions of the Agreement and this Amendment of the Encroachment Agreement ("Amendment"), to the following:

- a. Addition and/or Replacement of Exhibit C Drawings with the drawings attached to this Amendment as Exhibit C-1.

FGT and Owner stipulate and agree that the statements and information contained in the introductory paragraphs of the Agreement as changed by this Amendment are true and correct and are incorporated herein by this reference. FGT and Owner do hereby **ADOPT, RATIFY** and **CONFIRM** the Agreement, as amended and modified by this Amendment and agree to be bound thereby.

This Amendment and the benefits and obligations herein contained shall insure to the benefit of and be binding and obligatory upon FGT, Owner and their respective successors and assigns.

EXECUTED THIS _____ day of _____, 2025.

WITNESSES:

**“FGT”
FLORIDA GAS TRANSMISSION
COMPANY, LLC**

Name: Kristin Duke
Address: 2301 Lucien Way, Ste 200 Maitland, FL

By _____
**DAVID SHELLHOUSE
VP of SOUTHEAST DIVISION**

Name: Amy Powell
Address: 2301 Lucien Way, Ste 200 Maitland, FL

ACKNOWLEDGEMENTS

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2025, by **DAVID SHELLHOUSE, VICE PRESIDENT OF FLORIDA GAS TRANSMISSION COMPANY, LLC**, a Delaware limited liability company, on behalf of the company. He is personally known to me or has produced _____ (type of identification) as identification.

Notary Public
Printed Name: _____

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WITNESSES:

Name: _____

Address: _____

Name: _____

Address: _____

**“OWNER”
INDIAN RIVER COUNTY**

By: _____

Name: _____

Title: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2025, by _____, as _____ of **INDIAN RIVER COUNTY**, on behalf of the corporation, on behalf of the company. He/she is personally known to me or has produced _____ (type of identification) as identification.

Notary Public
Printed Name: _____

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EXHIBIT C-1

**To that certain
Amendment of Encroachment Agreement
Dated _____, 2025
By and between
FLORIDA GAS TRANSMISSION COMPANY, LLC, and
INDIAN RIVER COUNTY**

DESCRIPTION OF THE ENCROACHMENT

(See attached 1 Page)

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