

**AMENDMENT 1 TO THE COST SHARE AGREEMENT BETWEEN  
THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT  
AND INDIAN RIVER COUNTY  
FOR OSPREY ACRES STORMWATER PARK 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 27<sup>th</sup> Street, Building A, Vero Beach, Florida 32960-3388, and is effective on the date the last party has executed same.

**PREMISES:**

The parties entered into Agreement No. 28730 on August 29, 2016 to provide funding for the Recipient's Osprey Acres Stormwater Park 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 August 29, 2016 ("Effective Date") through December 27, 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 September 27, 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, June 30, 2018, 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: \_\_\_\_\_  
Dale R. Jenkins, PG, Bureau Chief  
Bureau of Project Management (or Designee)

By: \_\_\_\_\_

\_\_\_\_\_  
Typed Name and Title

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_