

**State of Florida Department of Transportation
Amendment to State Highway Lighting, Maintenance and
Compensation Agreement**

Amendment No. One

Original Contract No. ASM78

FM Number (s) 405122-2-78-64

Purpose of Amendment: To modify paragraphs 1 and 5

Execution Date: _____

Original Execution Date: _____

Terms of the Original Agreement, referenced above, are hereby amended as follows:

-Paragraph 1(e) revise language as follows:

The term for this Agreement is seven (7) years. Either party may terminate this Agreement by notice of termination. The notice of termination must be in writing. Should the MAINTAINING AGENCY choose to terminate the agreement, the MAINTAINING AGENCY shall provide a minimum notice period of ~~two (2) fiscal years~~ one (1) fiscal year prior to the effective date of termination and the notice shall be endorsed by the elected body (County Commission, City Council or local agency governing body) under which the Agency operates. The effective date of the termination will coincide with the end of the FDOT's fiscal year of June 30th following the ~~two-year~~ 1-year notice.

-Paragraph 5 Default

Add language to end of paragraph stating, "Nothing in this agreement shall be construed to waive the sovereign immunity of MAINTAINING AGENCY as set forth in Section 768.28 Florida Statutes."

INDIAN RIVER COUNTY

**STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION**

By:_____

By:_____

ATTEST:_____

Director of Transportation Development

Title

FOR DEPARTMENT USE ONLY
LEGAL REVIEW:

Senior Attorney