

**AMENDMENT 2 TO THE AGREEMENT BETWEEN  
THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT  
AND INDIAN RIVER COUNTY  
FOR INDIAN RIVER COUNTY MOORHEN MARSH LEAPS (IRL20-21)**

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 ("County") whose address is 1801 27TH STREET, BOARD OF COUNTY COMMISSIONERS, VERO BEACH, FL, 32960-3388, and is effective on the date the last party has executed same.

**PREMISES:**

The parties entered into Agreement No. 36528 on March 10, 2021 for Indian River County Moorhen Marsh LEAPS (IRL20-21) ("Agreement") and amended the Agreement on August 22, 2022 (Amendment 1). The parties desire to further 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 OF AGREEMENT: delete – this paragraph and replace it with the following paragraph:

The term of this Agreement is from the date upon which the last party has dated and executed the same ("March 10, 2021") until March 29, 2023 ("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 before February 1, 2023. Timely requests to extend, for longer than six months, the Completion Date of the Agreement for projects whose District contribution exceeds \$100,000 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 survive termination or expiration hereof (e.g., delivery of a final report, will remain in full force and effect after the Completion Date as necessary to effect performance).

5. 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: \_\_\_\_\_  
Louis J. Donnangelo, Bureau Chief, or designee, Project  
Management

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

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

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

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

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

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