



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

February 29, 2008

Mr. Edwin Hunzeker, Chairman
Osceola County
Board of County Commissioners
1 Courthouse Square, Suite 1400
Kissimmee, FL 34741


Dear Mr. Hunzeker:

**Subject: Contract # 3600000693 - A01
Amendment – Inter-local Agreement**

Please find enclosed one (1) fully executed copy of the above referenced document.

Thank you for your efforts on behalf of the South Florida Water Management District (District). Should there be any questions, or if you require any additional information, please contact me.

Sincerely,

Lg 

Linda Greer
Senior Contract Specialist
Procurement Department
lgreer@sfwmd.gov
(561) 682-6396
FAX: (561) 681-6275

LG/gq

Enclosure

c: Marjorie Moore MSC-7321
Linda Schindeler MSC-7352
Mr. Campbell, City of Kissimmee, 101 N Church St., 3rd Fl
Kissimmee, FL 34741
Procurement/Original File

Prepared by:

Holly Walter, Esq.
South Florida Water Management District
3301 Gun Club Road, P. O. Box 24680
West Palm Beach, FL 33416-4680

Return to:

South Florida Water Management District
3301 Gun Club Road, P. O. Box 24680
West Palm Beach, FL 33416-4680

FIRST AMENDMENT
TO INTERLOCAL AGREEMENT (NO. IA060960)
BETWEEN
THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT
AND
OSCEOLA COUNTY
AND
CITY OF KISSIMMEE, FLORIDA

This Amendment (the "Amendment") to that certain Interlocal Agreement, dated February 2, 2006, by and between the South Florida Water Management District, a public corporation of the State of Florida (the "District"), and Osceola County, a political subdivision of the State of Florida (the "County"), and the City of Kissimmee, Florida, a municipal corporation (the "City"), (the County and the City shall hereinafter be known as the "Local Government"), is entered into this 27 day of February, 2008 (the "Effective Date"),

IN WITNESSETH:

WHEREAS, the Local Government and the District entered into that certain Interlocal Agreement, dated February 2, 2006 (the "Agreement"), and recorded in the Public Records of Osceola County at Official Record Book 3085, Page 257, concerning the acquisition of lands within the "Save Our Rivers" Project area identified as the "Shingle Creek Project" (the "Project"); and

WHEREAS, the parties hereto wish to amend the Agreement to make the District's obligations under the Agreement subject to approval annually by its Governing Board.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, the parties agree as follows:

1. The Agreement is hereby amended to include the following provision:

17. This Agreement is subject to the availability of funding by the parties and does not obligate future appropriations for the obligations created herein, including any obligations under the Management Plan. In the event either party does not approve funding for any fiscal year during the term of this Agreement, this Agreement shall terminate upon expenditure of the current funding, notwithstanding other provisions in this Agreement to the contrary. The party which did not approve funding shall notify the other party in writing after the adoption of the non-funding party's final budget for each subsequent fiscal year if funding is not approved for this Agreement.

2. Except as expressly amended herein, the Agreement shall remain in full force and effect and is hereby ratified and confirmed as of the date of this amendment.

WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day first above written.



Attest: Jackie McGarty
District Clerk/Secretary

SOUTH FLORIDA WATER
MANAGEMENT DISTRICT

Procurement approved:
By: Frank Hayden
Date: 11/27/07

By: Frank Hayden
Frank Hayden, Procurement Director
Date: 2/27/07

Legal form approved by:
Kelly Water
South Florida Water Management
District Office of Counsel

Date: 11-27-07

BOARD OF COUNTY
COMMISSIONERS, OSCEOLA
COUNTY, FLORIDA

Attest:

Debra A. Davis
Clerk / Deputy Clerk

By:

[Signature]
Chairman/Vice Chairman

Legal form approved by:

By: [Signature]
County Attorney

Date: BCC approved 02/11/08

CITY OF KISSIMMEE, FLORIDA, a
Municipal corporation of the State of
Florida

Attest:

[Signature]
City Clerk

By:

[Signature]
Mayor-Commissioner

Legal form approved by:

By: [Signature]
City Attorney

Date: 1/31/08

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