

**FIRST AMENDMENT TO PEACE RIVER/MANASOTA REGIONAL WATER SUPPLY
AUTHORITY MASTER WATER SUPPLY CONTRACT**

THIS FIRST AMENDMENT TO PEACE RIVER/MANASOTA REGIONAL WATER SUPPLY AUTHORITY MASTER WATER SUPPLY CONTRACT (this Amendment) is made and entered into as of the 4th day of JUNE 2008 by and between the **PEACE RIVER/MANASOTA REGIONAL WATER SUPPLY AUTHORITY** a regional water supply authority created and existing pursuant to Sections 373 196 373 1962 and 163 01 Florida Statutes and other applicable law acting by and through its Board of Directors the governing board thereof (Authority) **MANATEE COUNTY** a political subdivision of the State of Florida acting by and through its Board of County Commissioners the governing board thereof (Manatee) **CHARLOTTE COUNTY** a political subdivision of the State of Florida acting by and through its Board of County Commissioners the governing board thereof (Charlotte) **DeSOTO COUNTY** a political subdivision of the State of Florida acting through its Board of County Commissioners the governing board thereof (DeSoto) **SARASOTA COUNTY** a political subdivision of the State of Florida acting by and through its Board of County Commissioners the governing board thereof (Sarasota) and the **CITY OF NORTH PORT** a municipal corporation of the State of Florida acting by and through its Board of City Commissioners the governing board thereof (North Port) (collectively Customers)

WITNESSETH

WHEREAS the Authority and Customers entered into the Peace River Manasota Regional Water Supply Authority Master Water Supply Contract effective October 5 2005 (the Agreement) and

WHEREAS pursuant to the Agreement each Customer submitted to the Authority a report which identified its projections for Authority Supplied Water each Customer identified that quantity of water it shall purchase from the Authority in the designated Contract Year For the initial time period through Contract Year 2013 the New Water Supply Demands in Exhibit C was the water each Customer irrevocably committed to purchase from the Authority and the Authority agreed to supply such water and

WHEREAS, at the time Customers submitted their New Water Supply Demands to the Authority in 2005 Customers were experiencing rapid population growth and intense development and

WHEREAS, the Customers have since submitted their New Water Supply Demands to the Authority in 2008 the rapid population growth and intense development previously experienced by the Customers has declined and

WHEREAS, the Agreement may only be amended by a writing duly executed by the Authority Manatee Charlotte DeSoto Sarasota and North Port and pursuant to the terms and conditions of the Agreement

NOW, THEREFORE, in consideration of the foregoing recitals Authority and the Customers hereby agree as follows

1 **Incorporation of Recitals** The foregoing recitals are true and correct and are incorporated herein by reference

2 **Amendments**

2.1 Exhibit C of the Agreement entitled New Water Supply Demands is hereby deleted in its entirety and replaced with the amended Exhibit C attached to this amendment

3 **Ratification** The terms and conditions of the Agreement as amended by this Amendment are hereby ratified and confirmed by the parties

IN WITNESS WHEREOF the Authority Manatee Charlotte DeSoto Sarasota and North Port have caused this Amendment to be executed effective as of the date first above written

IN WITNESS WHEREOF have executed this Contract on the day month and year first above written

PEACE RIVER MANASOTA REGIONAL
WATER SUPPLY AUTHORITY

WITNESS

Sinda Stewart

By

Shannon Staub
Shannon Staub Chairman

Date

6-4-08



Approved as to form

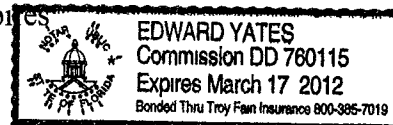
Edward Yates
Attorney for Peace River Manasota Regional
Water Supply Authority

STATE OF FLORIDA
COUNTY OF MANATEE

I HEREBY CERTIFY that on this day before me an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements personally appeared Shannon Staub to me known to be the person described in and who executed the foregoing instrument on behalf of the Peace River Manasota Regional Water Supply Authority and Shannon Staub acknowledged before me that Shannon Staub executed same as a free act and deed for the uses and purposes therein stated

WITNESS my hand and official seal in the County and State last aforesaid this 4th
day of June 2008

Edward Yates
Notary Public My
Commission
Expires



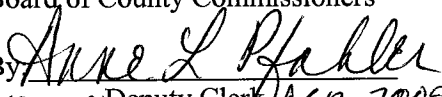
BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY

By 
Thomas C. D'Aprile Chairman

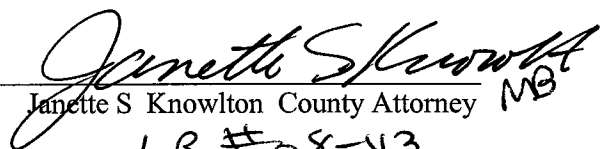
Date _____

ATTEST

Barbara T. Scott Clerk of Circuit
Court and Ex Officio Clerk to the
Board of County Commissioners

By 
5/13/08 Deputy Clerk JAGR 2005 048

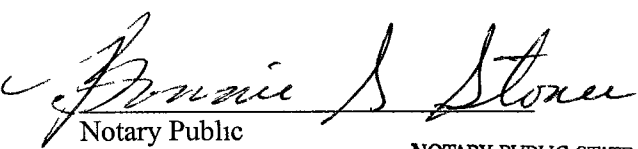
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


Janette S. Knowlton County Attorney MB
LR #08-43

STATE OF FLORIDA
COUNTY OF CHARLOTTE

I HEREBY CERTIFY that on this day before me an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements personally appeared Tom D'Aprile to me known to be the person described in and who executed the foregoing instrument on behalf of Charlotte County and _____ acknowledged before me that TOM D'APRILE executed same as a free act and deed for the uses and purposes therein stated

WITNESS my hand and official seal in the County and State last aforesaid this 14th day of May 2008


Notary Public
My Commission Expires

NOTARY PUBLIC STATE OF FLORIDA
Bonnie S. Stoner
Commission D0447969
Expires JULY 26 2009
Boraca Tlru At C I

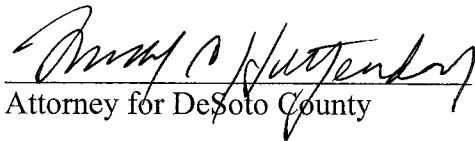
DESOTO COUNTY
BOARD OF COUNTY COMMISSIONERS

WITNESS



Carol Ireadwell

Approved as to form


Attorney for DeSoto County

STATE OF FLORIDA
COUNTY OF FLORIDA

By 

Date May 16, 2008

I HEREBY CERTIFY that on this day before me an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements personally appeared L. Felton Garner to me known to be the person described in and who executed the foregoing instrument on behalf of DeSoto County and he acknowledged before me that he executed same as a free act and deed for the uses and purposes therein stated

WITNESS my hand and official seal in the County and State last aforesaid this 16th day of May 2008



Notary Public My
Commission
Expires

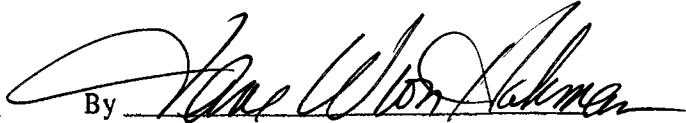
BETTY PHILLIPS
Notary Public, State of Florida
My comm. expires Dec. 18, 2011
Comm. No. DD741978

[illegible]

MANATEE COUNTY
BOARD OF COUNTY COMMISSIONERS

WITNESS

By



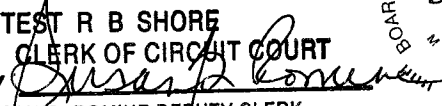
Date

4/22/08

Approved as to form

Attorney for Manatee County

STATE OF FLORIDA
COUNTY OF MANATEE

ATTEST R B SHORE
CLERK OF CIRCUIT COURT
BY 
SUSAN G. ROMINE DEPUTY CLERK



I HEREBY CERTIFY that on this day before me an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements personally appeared _____ to me known to be the person described in and who executed the foregoing instrument on behalf of Manatee County and _____ acknowledged before me that _____ executed same as a free act and deed for the uses and purposes therein stated

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____ 2008

Notary Public My
Commission
Expires

SARASOTA COUNTY
BOARD OF COUNTY COMMISSIONERS

WITNESS

Paula J. Montoman

By Shannon Stubbs

Deborah Sheffer

Date 5/13/2008

Approved as to form

[Signature]
Attorney for Sarasota County KJS

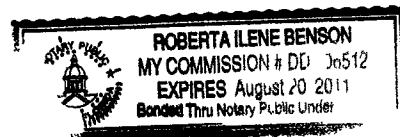
STATE OF FLORIDA
COUNTY OF SARASOTA

I HEREBY CERTIFY that on this day before me an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements personally appeared Shannon Stubbs to me known to be the person described in and who executed the foregoing instrument on behalf of Sarasota County and _____ acknowledged before me that _____ executed same as a free act and deed for the uses and purposes therein stated

WITNESS my hand and official seal in the County and State last aforesaid this 13th day of May 2008

Roberta Ilene Benson

Notary Public My
Commission
Expires



WITNESS

Patricia A Edwards

Wida Strong

Approved as to form

Robert K Rob

Attorney for City of North Port

CITY OF NORTH PORT

By [Signature]

Date April 28, 2008

ATTEST

[Signature]

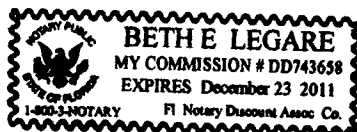
Helen M Raimbeau CMC
City Clerk

STATE OF FLORIDA

COUNTY OF SARASOTA

I HEREBY CERTIFY that on this day before me an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements personally appeared FRED E TOWRE III to me known to be the person described in and who executed the foregoing instrument on behalf of the City of North Port and _____ acknowledged before me that _____ executed same as a free act and deed for the uses and purposes therein stated

WITNESS my hand and official seal in the County and State last aforesaid this 30 day of April 2008



Beth E Legare
Notary Public My
Commission
Expires 12/23/11

EXHIBIT C
New Water Supply Demands

Annual Average Daily Quantity (MGD)						
Fiscal Year	Charlotte County	DeSoto County	Manatee County	Sarasota County	City of North Port	Total
FY08	0 000	0 000	0 000	0 000	0 250	0 250
FY09	0 000	0 000	0 000	0 000	0 250	0 250
FY10	0 000	0 032	0 000	0 000	0 250	0 282
FY11	0 000	0 123	0 000	0 000	0 250	0 373
FY12	0 000	0 279	0 000	0 000	0 250	0 529
FY13	0 000	0 409	0 000	0 000	0 400	0 809
FY14	1 658	0 539	0 000	0 000	0 500	2 697
FY15	1 658	0 763	0 000	0 000	0 500	2 921

Peak Month Average Daily Quantity (MGD)						
Fiscal Year	Charlotte County	DeSoto County	Manatee County	Sarasota County	City of North Port	Total
FY08	0 000	0 000	0 000	0 000	0 400	0 400
FY09	0 000	0 000	0 000	0 000	0 400	0 400
FY10	0 000	0 038	0 000	0 000	0 400	0 438
FY11	0 000	0 148	0 000	0 000	0 400	0 548
FY12	0 000	0 335	0 000	0 000	0 400	0 735
FY13	0 000	0 491	0 000	0 000	0 600	1 091
FY14	1 990	0 647	0 000	0 000	1 000	3 637
FY15	1 990	0 916	0 000	0 000	1 000	3 906

Maximum Daily Quantity (MGD)						
Fiscal Year	Charlotte County	DeSoto County	Manatee County	Sarasota County	City of North Port	Total
FY08	0 000	0 000	0 000	0 000	0 500	0 500
FY09	0 000	0 000	0 000	0 000	0 500	0 500
FY10	0 000	0 045	0 000	0 000	0 500	0 545
FY11	0 000	0 172	0 000	0 000	0 500	0 672
FY12	0 000	0 391	0 000	0 000	0 500	0 891
FY13	0 000	0 573	0 000	0 000	1 000	1 573
FY14	2 321	0 755	0 000	0 000	1 500	4 576
FY15	2 321	1 068	0 000	0 000	1 500	4 889

Annual Average Day Peak Month Average Day and Maximum Day are expressed in million gallons per day (MGD)