



2008079467

**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").

BARBARA T. SCOTT, CLERK, CHARLOTTE COUNTY
OR BOOK 3297, PGS 2011-2019 9 pg(s)
INSTR # 1770282
Doc Type AGR, Recorded 06/09/2008 at 09:51 AM
Rec. Fee: \$78.00
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WITNESSETH:

RECORDED IN OFFICIAL RECORDS
INSTRUMENT # 2008079467 9 PGS
2008 JUN 10 09:29 AM
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FLORIDA
DCOURSEY Receipt#1056553

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

Inst: 200814005913 Date: 6/18/2008 Time: 2:50 PM
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DC, Mitzie McGavie, Desoto County Page 1 of 9

OR BOOK 02264 PAGES 3341 - 3349
MANATEE COUNTY CLERK COURT
9 PAGES(S)
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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:

Ginda Stewart

Edward Yates

Approved as to form:

Angela M.

Attorney for Peace River Manasota Regional
Water Supply Authority

By: Shannon Staub
Shannon Staub, Chairman


Date: 6-4-08



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  EDWARD YATES
Commission DD 760115
Expires March 17, 2012
Bonded Thru Troy Fain Insurance 800-385-7019

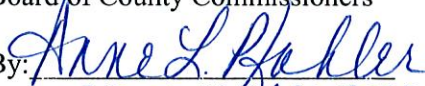
BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY

By 
Thomas C. D'Aprile, Chairman

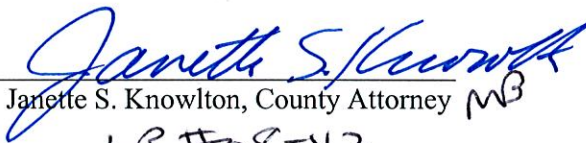
Date: _____

ATTEST:

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

By: 
5-13-08 Deputy Clerk APR 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.



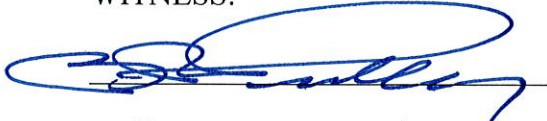
Notary Public
My Commission Expires:

NOTARY PUBLIC-STATE OF FLORIDA
Bonnie S. Stoner
Commission #DD47969
Expires: JULY 06, 2009
Bonded Thru Atlantic Bonding Co., Inc.

MAY 27 2008

DESOTO COUNTY
BOARD OF COUNTY COMMISSIONERS

WITNESS:


Carol Freadwell

By: T. Felton Garner

Date: May 16, 2008

Approved as to form:


Attorney for DeSoto County

STATE OF FLORIDA
COUNTY OF FLORIDA

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, T. Felton Garner, to me known to be the person described in and who executed the foregoing instrument on behalf of DeSoto County, and De acknowledged before me that De, 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

MANATEE COUNTY
BOARD OF COUNTY COMMISSIONERS

WITNESS:

By: _____

Date: _____

4/22/08

Approved as to form:

Attorney for Manatee County

ATTEST: R. B. SHORE
CLERK OF CIRCUIT COURT
BY: _____
SHERIFF - JIM WINE DEPUTY CLERK



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, _____, 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:

Deborah Shaffer
Paula J. Winston

By: Shannon Staul

Date: 5/28/2008

Approved as to form:

Step S
Attorney for Sarasota County *KS*

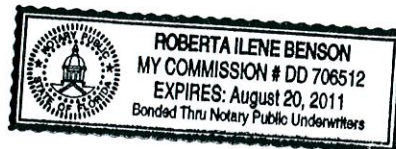
STATE OF FLORIDA
COUNTY OF SARASOTA

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 Staul, 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 28th day of May, 2008

Roberta Ilene Benson

Notary Public, My
Commission
Expires:



WITNESS:

Iida Strong

Susan Hale

Approved as to form:

Robert K. Rol

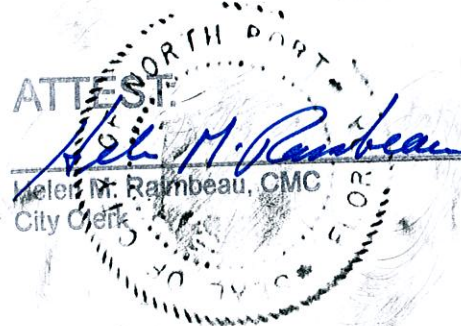
Attorney for City of North Port

STATE OF FLORIDA
COUNTY OF SARASOTA

CITY OF NORTH PORT

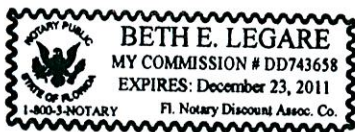
By: [Signature]

Date: April 28, 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, FRED E. TOWER, 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 5th day of May, 2008



Beth E. Legare
Notary Public, My
Commission
Expires:

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).

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