

HCS#3
APPROVED BY THE BOARD OF COUNTY
COMMISSIONERS AT ITS MEETING

JUL 12 1994 *pc/jgw*

CONTRACT#94-CT-07-91-1A-J1-009

FLORIDA COMMUNITIES TRUST
P1A AWARD# 91-009-P1A

AMENDMENT TO GRANT AWARD AGREEMENT
and
MODIFICATION OF INTERAGENCY AGREEMENT
FOR SPLIT OAK MITIGATION PARK

THIS AMENDMENT to Grant Award Agreement ("Agreement") is entered into this 16th day of March, 1995, by and between FLORIDA COMMUNITIES TRUST ("FCT") a nonregulatory agency within the State of Florida Department of Community Affairs, and ORANGE COUNTY, a political subdivision of the State of Florida and OSCEOLA COUNTY, a political subdivision of the State of Florida (hereinafter jointly referred to as "FCT Recipient").

THIS MODIFICATION of Interagency Agreement for Split Oak Mitigation Park ("Interagency Agreement") is entered into this 27th day of FEBRUARY, 1994, by and between ORANGE COUNTY, a political subdivision of the State of Florida ("Orange"), OSCEOLA COUNTY, a political subdivision of the State of Florida ("Osceola"), and FLORIDA GAME AND FRESHWATER FISH COMMISSION, a state agency existing under the Florida Constitution ("GFC").

WHEREAS, the Agreement imposed certain terms, conditions and restrictions on the use of the lands described therein and was dated April 4, 1994, and recorded in Official Records Book 4721, Page 2133, of the Public Records of Orange County, Florida, and recorded in Official Records Book 1180, Page 0078, of the Public Records of Osceola County Florida;

WHEREAS, the Interagency Agreement dated FEBRUARY 23, 1994 provided for the collection of environmental mitigation fees and the conveyance of conservation easements on the lands described therein; and

WHEREAS, the parties hereto desire to amend the Agreement and to modify the Interagency Agreement to exclude certain parcels of lands described herein from the provisions of the Interagency Agreement.

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

GAAAMD/009/P1A
FIN/5-5-94

MEL WILLS JR., CLERK OF THE CIRCUIT COURT - OSCEOLA CTY
03/28/95 08:17 VERIFIED: MMK INSTR # 95-034244

BK 1249
PG 2942

1. The Grant Award Agreement is hereby amended to add Section V. 8 to read as follows:

8. Those parcels of the Project Site as described in Exhibit "A" attached hereto and made a part hereof shall not be subject to collection of environmental mitigation fees or conveyance of conservation easements from FCT Recipient to the Florida Game and Freshwater Fish Commission under the terms of the Interagency Agreement for Split Oak Mitigation Park.

2. The last paragraph of Item 1.(A) of the Interagency Agreement for Split Oak Mitigation Park is hereby replaced, revised and superseded by the following:

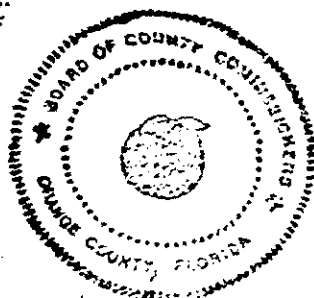
FCT uplands and wetlands are those areas described in Exhibit "A" attached to the Amendment to Grant Award Agreement and Modification of Interagency Agreement for Split Oak Mitigation Park and shall not be available for sale as mitigation.

3. The terms of this Amendment and Modification shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

4. Except as expressly set forth herein, the Grant Award Agreement and the Interagency Agreement for Split Oak Mitigation Park shall remain in full force and effect and are hereby ratified and confirmed as of the Amendment date.

IN WITNESS WHEREOF, the parties hereto have duly executed this Amendment and Modification.

Witness:



ORANGE COUNTY, a political subdivision of the State of Florida
BY ITS BOARD OF COUNTY COMMISSIONERS

Witness Name:

Sharon D. Sha
Witness Name:

By:

Tom Staley

Its: Vice Chairman FOR THE COUNTY CHAIRMAN

Attest:

And Deputy Clerk

Accepted as to Legal Form and Sufficiency:

Date:

15 Jun 94

Witness:

Witness Name: _____

Witness Name: _____

OSCEOLA COUNTY, a political
subdivision of the State of
Florida
BY ITS BOARD OF COUNTY
COMMISSIONERS

By: _____

Its: _____

Attest: _____

Clerk

FOR THE USE AND RELIANCE
OF OSCEOLA COUNTY ONLY
APPROVED AS TO FORM

10-3-1994

NEAL D. BOWEN
COUNTY ATTORNEY

FLORIDA GAME AND FRESHWATER
COMMISSION

By: _____

Executive Director, Florida
Game and Freshwater Fish
Commission

Accepted as to Legal Form and
Sufficiency: _____

Date: _____

Witness Name: _____

Witness Name: _____

Witness Name: _____

Witness Name: _____

FLORIDA COMMUNITIES TRUST

By: _____

Linda Loomis Shelley,
Chair

Accepted as to Legal Form and
Sufficiency: _____

Date: _____

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 13th
day of July, 1994, by Tom Staley, as
Vice Chairman. He/She is personally known to me.



TRISHA M. GRENELL
MY COMMISSION # CC316626 EXPIRES
September 16, 1997
BONDED THRU TROY F&N INSURANCE, INC.

Trisha M. Grennell
Notary Public
Print Name: Trisha M. Grennell
Commission No. CC316626
My Commission Expires: September 16, 1997

STATE OF FLORIDA
COUNTY OF OSCEOLA

The foregoing instrument was acknowledged before me this 3rd
day of October, 1994, by Charles Owen, as
Chairman. He/She is personally known to me.

NANCY DAVID
Notary Public, State of Florida
My Comm. Exp. Jan 16, 1995
Commission # CC078010

Nancy David
Notary Public
Print Name: Nancy David
Commission No. CC078010
My Commission Expires: 1-16-95

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 27
day of February, 1994, by William C. Sumner, as
Asst. Exp. Dir. of the Florida Game and Freshwater Fish
Commission. He/She is personally known to me.



ROSEMARY MARA
MY COMMISSION # CC 153182 EXPIRES
October 20, 1995
BONDED THRU TROY F&N INSURANCE, INC.

Rosemary Mara
Notary Public
Print Name: _____
Commission No. _____
My Commission Expires: _____

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 16
day of MARCH, 1994, by MARY ANNE PRICE, as
Acting Chair of Florida Communities Trust. He/She is
personally known to me.



Jane R. Bass
Notary Public
Print Name: Jane R. Bass
Commission No. CC 201689
My Commission Expires: June 24, 1996

EXHIBIT "A"

A PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 24 SOUTH, RANGE 31 EAST; AND IN SECTION 34, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 34 FOR A POINT OF REFERENCE; THENCE RUN SOUTH 1°18'44" EAST, ALONG THE WEST LINE OF SAID SECTION 34, A DISTANCE OF 548.80' TO THE POINT OF BEGINNING; THENCE RUN NORTH 50°58'13" EAST, 293.24'; THENCE RUN NORTH 0°49'58" WEST, 983.60'; THENCE RUN NORTH 90°00'00" EAST, 1258.48'; THENCE RUN SOUTH 3°41'44" EAST, 2110.03'; THENCE RUN SOUTH 42°26'03" EAST, 1240.19'; THENCE RUN SOUTH 23°41'32" EAST, 532.68'; THENCE RUN SOUTH 0°04'43" EAST, 523.30'; THENCE RUN SOUTH 43°30'50" WEST, 730.53'; THENCE RUN SOUTH 90°00'00" WEST, 662.40'; THENCE RUN NORTH 0°00'00" EAST, 475.89'; THENCE RUN NORTH 44°39'47" EAST, 345.52'; THENCE RUN NORTH 6°46'03" WEST, 488.39'; THENCE RUN NORTH 48°31'29" WEST, 509.58'; THENCE RUN NORTH 68°02'54" WEST, 645.91'; THENCE RUN NORTH 0°51'35" WEST, 451.54'; THENCE RUN NORTH 65°20'55" EAST, 790.25'; THENCE RUN NORTH 77°53'12" WEST, 742.03'; THENCE RUN NORTH 61°32'36" WEST, 770.69' TO SAID WEST LINE OF SECTION 34; THENCE RUN NORTH 1°18'44" WEST ALONG SAID WEST LINE, 304.15' TO THE POINT OF BEGINNING.

AND A PARCEL OF LAND LYING IN SECTION 34, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 34 FOR A POINT OF REFERENCE; THENCE RUN SOUTH 89°50'40" WEST, ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 1089.16' TO A POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°50'40" WEST, ALONG SAID SECTION LINE, A DISTANCE OF 1275.16'; THENCE RUN NORTH 0°45'24" WEST, 379.89'; THENCE RUN NORTH 70°24'18" EAST, 155.14'; THENCE RUN SOUTH 55°04'21" EAST, 351.79'; THENCE RUN SOUTH 41°10'37" EAST, 271.29'; THENCE RUN NORTH 19°56'52" EAST, 379.52'; THENCE RUN NORTH 14°21'35" WEST, 499.16'; THENCE RUN NORTH 6°15'00" WEST, 738.21'; THENCE RUN NORTH 64°07'22" EAST, 195.40'; THENCE RUN NORTH 90°00'00" EAST, 291.76'; THENCE RUN SOUTH 48°19'14" EAST, 186.09'; THENCE RUN SOUTH 14°25'49" EAST, 982.47'; THENCE RUN SOUTH 10°14'47" WEST, 616.85' TO THE POINT OF BEGINNING.

AND A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 25 SOUTH, RANGE 31 EAST, OSCEOLA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 3 FOR A POINT OF REFERENCE; THENCE RUN SOUTH 89°50'40" WEST, ALONG THE NORTH LINE OF SAID SECTION 3, A DISTANCE OF 1143.68' TO

THE POINT OF BEGINNING; THENCE RUN SOUTH 47°00'02" EAST, 612.20'; THENCE RUN SOUTH 44°05'56" EAST, 751.48'; THENCE RUN SOUTH 4°18'02" WEST, 264.61'; THENCE RUN SOUTH 54°30'22" WEST, 297.81'; THENCE RUN SOUTH 37°20'47" WEST, 435.79'; THENCE RUN SOUTH 72°02'17" WEST, 422.83'; THENCE RUN NORTH 77°22'10" WEST, 420.80'; THENCE RUN SOUTH 73°14'07" WEST, 504.78'; THENCE RUN NORTH 88°48'53" WEST, 350.58'; THENCE RUN NORTH 81°09'27" WEST, 248.19'; THENCE RUN NORTH 68°26'54" WEST, 119.13'; THENCE RUN NORTH 43°32'09" WEST, 179.86'; THENCE RUN NORTH 35°15'43" WEST, 106.33'; THENCE RUN NORTH 25°10'57" WEST, 137.06'; THENCE RUN NORTH 9°23'14" WEST, 95.11'; THENCE RUN NORTH 4°02'22" EAST, 178.59'; THENCE RUN NORTH 40°55'22" EAST, 662.17'; THENCE RUN NORTH 26°36'21" EAST, 251.18'; THENCE RUN NORTH 9°01'30" EAST, 329.93'; THENCE RUN NORTH 10°35'10" EAST, 122.69'; THENCE RUN NORTH 33°54'44" EAST, 57.23' TO SAID NORTH LINE OF SECTION 3; THENCE RUN NORTH 89°50'40" EAST, 1152.76' TO THE POINT OF BEGINNING.

AND A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 25 SOUTH, RANGE 31 EAST, OSCEOLA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 3 FOR A POINT OF REFERENCE; THENCE RUN NORTH 00°06'49" WEST, ALONG THE EAST LINE OF SAID SECTION 3, A DISTANCE OF 16.50' TO THE NORTH RIGHT-OF-WAY LINE OF CYRILS DRIVE AND THE POINT OF BEGINNING; THENCE RUN SOUTH 89°59'03" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 1023.18'; THENCE RUN NORTH 29°39'09" WEST, 1694.05'; THENCE RUN NORTH 22°05'21" WEST, 957.99'; THENCE RUN NORTH 6°01'34" EAST, 378.36'; THENCE RUN NORTH 66°18'50" EAST, 250.29'; THENCE RUN SOUTH 78°05'33" EAST, 352.47'; THENCE RUN SOUTH 42°43'54" EAST, 508.69'; THENCE RUN NORTH 75°26'22" EAST, 295.46'; THENCE RUN NORTH 65°30'14" EAST, 224.38'; THENCE RUN SOUTH 68°41'18" EAST, 209.14'; THENCE RUN SOUTH 6°20'31" EAST, 275.60'; THENCE RUN SOUTH 18°48'21" WEST, 481.15"; THENCE RUN SOUTH 87°02'52" EAST, 414.43'; THENCE RUN SOUTH 28°49'05" EAST, 231.58'; THENCE RUN NORTH 89°53'12" EAST, 173.71' TO SAID EAST LINE OF SECTION 3; THENCE RUN SOUTH 00°06'49" EAST, ALONG SAID EAST LINE, 1528.06' TO THE POINT OF BEGINNING.

AND A PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 27 FOR A POINT OF REFERENCE; THENCE RUN NORTH 3°45'19" EAST, ALONG THE EAST LINE OF SAID SECTION 27, A DISTANCE OF 397.90' TO A POINT OF BEGINNING; THENCE RUN NORTH 70°07'43" WEST, 2124.44'; THENCE RUN NORTH 1°36'37" WEST, 727.35'; THENCE RUN SOUTH 25°34'58" EAST, 246.37'; THENCE RUN SOUTH 33°26'53" EAST, 154.18'; THENCE RUN SOUTH 68°03'41" EAST, 135.79'; THENCE RUN NORTH 58°59'36" EAST, 157.57'; THENCE RUN NORTH 52°42'32" EAST,

244.28'; THENCE RUN NORTH 64°52'58" EAST, 93.61'; THENCE RUN NORTH 87°44'58" EAST, 39.70'; THENCE RUN NORTH 46°50'06" EAST, 83.00'; THENCE RUN NORTH 5°09'29" EAST, 109.79'; THENCE RUN NORTH 19°53'43" EAST, 136.85'; THENCE RUN NORTH 35°43'03" EAST, 430.45'; THENCE RUN NORTH 86°54'38" EAST, 125.15'; THENCE RUN SOUTH 17°24'34" EAST, 123.72'; THENCE RUN SOUTH 68°23'03" EAST, 180.13'; THENCE RUN SOUTH 40°13'48" EAST, 204.65'; THENCE RUN NORTH 37°32'49" EAST, 213.99'; THENCE RUN NORTH 3°04'43" EAST, 272.56'; THENCE RUN NORTH 34°40'14" EAST, 94.67'; THENCE RUN SOUTH 86°41'39" EAST, 242.57'; THENCE RUN SOUTH 38°27'30" EAST, 173.39' TO SAID EAST LINE OF SECTION 27; THENCE RUN SOUTH 3°45'19" WEST, 2002.67' ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

COPY