

FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN NASSAU COUNTY AND THE THREE RIVERS COMMUNITY DEVELOPMENT DISTRICT REGARDING CERTAIN PARK IMPROVEMENTS

THIS AMENDMENT made and entered into this 25th day of April, 2022 by and between the **NASSAU COUNTY, FLORIDA**, a political subdivision of the State of Florida (the "County") and **THREE RIVERS COMMUNITY DEVELOPMENT DISTRICT**, an independent special district created and existing pursuant to the provisions of Chapter 190, Florida Statutes and located within Nassau County, Florida (the "District" and, together with the County, the "Parties").

WHEREAS, the County and Three Rivers Timber, LLC, a Delaware limited liability company entered into that certain Development Agreement – Community Park, dated February 25, 2019, recorded in the Official Records Book 2260, Page 452 of the Public Records of Nassau County, Florida, as assigned to Three Rivers Developers, LLC a Delaware limited liability company ("Developer"), pursuant to that certain Assignment and Assumption Agreement recorded in the Official Records Book 2283, Page 1471 of the Public Records of Nassau County, Florida (together, the "Development Agreement"); and

WHEREAS, at the request of Developer, the District, agreed to finance and enter into a Construction Contract for the construction of certain amenity infrastructure improvements, including a public park with ball fields and related improvements required to be provided by the Developer under the Development Agreement; and

WHEREAS, the County requested additional improvements which are not required to be provided by the Developer pursuant to the Development Agreement (the "County Improvements"); and

WHEREAS, in order to minimize duplication, confusion, and inefficiency in construction of related facilities, the Parties entered into *Interlocal Agreement between Nassau County and the Three Rivers Community Development District Regarding Certain Park Improvements* (the "Interlocal Agreement") on or about January 19, 2022, to provide for the County funding of the County Improvements;

WHEREAS, Section 3 of the Interlocal Agreement contemplated amendment to provide, with specificity, the final version and the construction costs of the Park and the County Improvements as such improvements are phased; and

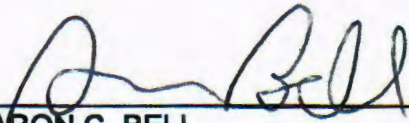
WHEREAS, the Phase 1 Improvements and construction costs have been provided and approved by the County; and

WHEREAS, the Parties are in agreement to amend the Interlocal Agreement, as contemplated by Section 3 to include Exhibit "C" – *County Improvements to be Completed by Developer, Phase 1*.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual covenants and agreements herein contained, the parties hereto agree as follows:

1. The Interlocal Agreement is amended to include Exhibit "C" – *County Improvements to be Completed by Developer, Phase 1*, a copy of which is attached hereto and incorporated herein.
2. All other provisions of the original Interlocal Agreement not in conflict with this Amendment shall remain in full force and effect.

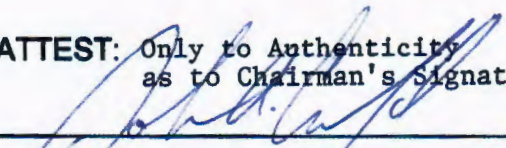
**NASSAU COUNTY, FLORIDA, a political
Subdivision of the State of Florida**



AARON C. BELL
Chairman, Board of County Commissioners

Date: April 25, 2022

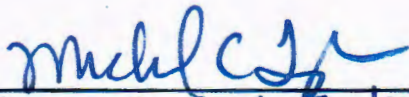
ATTEST: Only to Authenticity
as to Chairman's Signature:



Name: John A. Crawford

Title: Ex-Officio Clerk

**THREE RIVERS COMMUNITY
DEVELOPMENT DISTRICT**



Name: Michael Taylor
Vice-Chairman, Board of Supervisors

Date: April 29, 2022

ATTEST:



Name: GREG KERN

Title: _____

Exhibit "C"

County Improvements to be Completed by Developer, Phase 1

Auld & White Constructors LLC**SCHEDULE OF VALUES****TRIBUTARY REGIONAL PARK****EDWARDS ROAD, NASSAU COUNTY, FL****1/6/22**

ITEM	ITEM DESCRIPTION	COST
	<u>COUNTY PORTION</u>	
36	GENERAL CONDITIONS	27,325
37	GENERAL REQUIREMENTS	23,975
40	BASEBALL FIELDS - UPGRADE TO SOD	22,900
41	SPRAY FOAM INSULATION	13,400
42	SITE SIGNAGE - ALLOWANCE	20,000
43	FINISHES & FURNISHES (I.E. APPLIANCES)	50,500
44	BENCHES & BIKE RACKS	34,700
45	PLAYGROUND EQUIPMENT	197,800
46	PLAYGROUND FENCE	14,600
47	BATTING CAGES	25,000
48	SCOREBOARDS	24,600
49	BLEACHERS & SHADE COVERS	65,200
50	SOCCER FIELD ITEMS	10,300
51	LIGHTNING PREDICATION SYSTEM - ALLOWANCE	7,500
53	ELECTRICAL - SITE CONDUIT FOR FUTURE	86,700
52	ELECTRICAL - SITE LIGHTING	260,700
	SUB TOTALS #3	885,200
54	CONTINGENCY	26,556
38	BUILDERS RISK & GEN. LIABILITY INSURANCE	20,369
39	PERFORMANCE & PAYMENT BOND	8,344
	SUB TOTALS #4	940,469
55	CONSTRUCTION MANAGER'S FEE	77,414
	COUNTY TOTAL	1,017,883