

FIRST AMENDMENT

This Amendment made and entered into this _____ day of _____, 20_____, by and between Pinellas County, a political subdivision of the State of Florida, hereinafter referred to as "County," and the CITY OF CLEARWATER, FLORIDA, a municipal corporation within said Pinellas County, hereinafter referred to as "CITY" (individually referred to as "Party", collectively "Parties").

WITNESSETH:

WHEREAS, the County and the CITY entered into an agreement on September 27, 2005 (hereinafter "Agreement") pursuant to which the County agreed to provide wholesale potable water to the City and the City purchase water to insure an adequate supply of potable water for distribution to its citizens.

WHEREAS, the CITY approached the County to remove two (2) wholesale meters located at "Belleair & Belcher" and "Gulf to Bay Blvd & Belcher"; and the County requested to update the wholesale meter sizes contained within the Agreement:

WHEREAS, Item 22 of the Agreement permits modification by mutual written agreement of the Parties, in writing; and

WHEREAS, the County and the CITY now wish to modify the Agreement in order to REMOVE two (2) wholesale meter locations and update the size of four (4) existing meters from Exhibit "A" of the original agreement;

NOW THEREFORE, the Parties agree that the Agreement is amended as follows:

1. The Parties hereby agree to remove two wholesale meters located at "Belleair & Belcher" and "Gulf to Bay Blvd & Belcher". Moreover, the parties hereby agree to update the size of all adjusted wholesale meters. The Exhibit "A" table in the original contract shall be modified to the EXHIBIT "A" in this amendment.

EXHIBIT "A"

METER LOCATION & SIZE

METER LOCATION	SIZE
Druid & Belcher	10"
SR580 Treatment Plant	06"
Countryside Mall #1	12"
Countryside Mall #2	12"
Sand Key	8"
U.S. 19 #1 Mazda	04"
U.S. 19 #2 Mazda	10"

Each Party to this Amendment represents and warrants that: (i) it has the full right and authority and has obtained all necessary approvals to enter into this Amendment; (ii) each person executing this Amendment on behalf of the Party is authorized to do so; (iii) this Amendment constitutes a valid and legally binding obligation of the Party, enforceable in accordance with its terms.

IN WITNESS WHEREOF the Parties herein have executed this First Amendment as of the day and year first written above.

PINELLAS COUNTY, a political subdivision
of the State of Florida:

Signature

Printed Name

Printed Title

Date

Countersigned :

CITY OF CLEARWATER, FLORIDA

Bruce Rector
Mayor

By:

Jennifer Poirrier
City Manager

Approved as to form:

Attest:

Jerrold Simpson
Senior Assistant City Attorney

Rosemarie Call
City Clerk