

**FIRST AMENDMENT AND RATIFICATION TO THE HATCHINEHA RANCH  
MITIGATION BANK CREDIT PURCHASE AND DEPOSIT AGREEMENT**

THIS FIRST AMENDMENT AND RATIFICATION TO THE HATCHINEHA RANCH MITIGATION BANK CREDIT PURCHASE AND DEPOSIT AGREEMENT (the "Amendment") is made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_ 2024, by and between Polk County, a political subdivision of the State of Florida (the "Permittee"), and The Nature Conservancy, a nonprofit conservation organization (the "Owner").

WHEREAS, the Permittee and the Owner entered into that certain Hatchineha Ranch Mitigation Bank Credit Purchase and Deposit Agreement dated September 19, 2024 (the "Agreement"), regarding the purchase of Three and Forty-Seven Hundredths (3.47) State Only Forested UMAM Credits from the Hatchineha Ranch Mitigation Bank; and

WHEREAS, the parties desire to amend the Agreement to extend the Payment Date as provided herein.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

**1. Amendment to Section 2 (Payment Date):**

Section 2 of the Agreement is hereby amended to extend the Payment Date. The Payment Date, as defined in the Agreement, is now extended to **February 7, 2025**. All other terms related to the Payment Date shall remain unchanged, except as modified herein.

**2. Effect of Amendment:**

Except as expressly amended by this Amendment, all other terms and conditions of the Agreement are hereby ratified and confirmed as applicable and binding upon the parties and shall remain unchanged and in full force and effect. In the event of a conflict between the Agreement and this Amendment, the latter will control. Any recital or preliminary statement in this Amendment is an integral part of and are incorporated by reference into this Amendment.

**3. Miscellaneous:**

This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Amendment shall be governed by and construed in accordance with the laws of the State of Florida. Time is of the essence with respect to this Amendment and the Agreement.

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IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year first above written.

**POLK COUNTY, a political subdivision of the State of Florida**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**THE NATURE CONSERVANCY**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

LEGAL REVIEW: LPR 10/17/2024