

FIRST AMENDMENT TO INTERLOCAL AGREEMENT
Between
OSCEOLA COUNTY
and
POLK COUNTY
for
MAINTENANCE
for the
WATERMARK BOULEVARD (A.K.A. SPINE ROAD) PROJECT

This is a First Amendment to an Interlocal Agreement, (the “Amendment”) made and entered into by and between **OSCEOLA COUNTY**, a political subdivision of the State of Florida (“OSCEOLA”) and **POLK COUNTY**, a political subdivision of the State of Florida (“POLK”) (collectively referred to as the “Parties”).

WHEREAS, Chapter 163, Florida Statutes, the “Florida Interlocal Cooperation Act of 1969”, at Subsection 163.01, provides that public agencies of the State of Florida, which by definition includes counties, may exercise, jointly with any other public agency of the State of Florida, any power, privilege, or authority which such agencies share in common, and which each might exercise separately and may be made by contract in the form of an interlocal agreement; and

WHEREAS, OSCEOLA and POLK entered into Interlocal Agreement between Osceola County and Polk County for Maintenance for the Watermark Blvd (A.K.A. Spine Road) Project as recorded in the Official Records Book 6323, Pages 2051-2060, in the Public Records of Osceola County, Florida (the “Agreement”); and

WHEREAS, the Parties seek to amend the Agreement to address the maintenance of two additional sections of roadway that were not included in the Agreement.

NOW THEREFORE, in consideration of the promises, mutual covenants, and conditions hereinafter contained, the parties agree as follows:

SECTION 1: Recitals.

The above recitals are true and correct and incorporated herein.

SECTION 2: Amendment.

A. Section 3, Subsection H is added as follows:

OSCEOLA shall maintain the section of Gingham Drive that breaks off of Lassiter Way and enters into Osceola County as more particularly described in Exhibit “A”, this shall include maintenance of the section of the road that is within Polk County’s jurisdiction.

B. Section 4, Subsection E is added as follows:

POLK shall maintain the section of Lassiter Way that intersects into Watermark Boulevard (the “Spine Road”) as more particularly depicted in Exhibit “B”, this shall include maintenance of the section of the road that is within Osceola County’s jurisdiction.

SECTION 3. No Further Changes.

Except as expressly provided in this Amendment, no other terms, conditions, provisions, or obligations of the Agreement have been amended or altered by this Amendment and, thus, shall remain in full force and effect.

SECTION 4. Conflicts.

If any terms of this Amendment shall conflict with any terms of the Agreement, this this Amendment shall supersede any such conflicting items in the Prior Agreement.

SECTION 5. Counterparts.

This Amendment may be executed in multiple counterparts, each of which shall constitute an original, but all of which taken together shall constitute one and the same instrument, and signature pages from one counterpart may be removed and attached to another counterpart to create a single, integrated counterpart with all necessary signatures. Delivery of an executed signature page of this Amendment by facsimile or electronic transmission shall be as effective as delivery of a manually executed counterpart thereof and may be used for all purposes. Signature of the parties transmitted by facsimile or electronic transmission shall be deemed to be their original signatures for all purposes.

SECTION 6. Effective Date.

Pursuant to Section 163.01(11), Florida Statutes, this Amendment shall become effective upon the filing of the fully executed Amendment in the Official Records of POLK and OSCEOLA.

[Remainder of Page Intentionally Left Blank. Signature Pages Follow.]

IN WITNESS WHEREOF, POLK County has made and executed this Agreement on the date shown below, through its Board of County Commissioners, signing by and through its Chairperson.

ATTEST:

Stacy M. Butterfield, Clerk

POLK COUNTY, a political subdivision of
the State of Florida

By: _____
Deputy Clerk

George Lindsey, III, Chairperson

This _____ day of _____, 2023

Reviewed as to form and legality

County Attorney's Office

IN WITNESS WHEREOF, OSCEOLA County has made and executed this Agreement on the date shown below, through its Board of County Commissioners, signing by and through its Chairperson.

BOARD OF COUNTY COMMISSIONERS,
OF OSCEOLA COUNTY, FLORIDA

By: _____
Chair/Vice Chair

ATTEST:
OSCEOLA COUNTY CLERK OF THE
BOARD

By: _____
Clerk/ Deputy Clerk of the Board

As authorized for execution at the Board of
County Commissioners meeting of:

EXHIBIT "A"

GINGHAM DRIVE SECTION LEGAL DESCRIPTION

SKETCH OF DESCRIPTION

SEE SHEET 2 OF 2 FOR SKETCH

LEGAL DESCRIPTION:

A parcel of land being a portion of Tract A-4, WESTVIEW POD A PHASE 1A, according to the plat thereof, as recorded in Plat Book __, Pages ____ of the Public Records of Polk County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Section 16, Township 27 South, Range 28 East, Polk County, Florida; thence N89°51'26"W, along the North line of said Section 16, a distance of 623.34 feet to the Point of Beginning, said point being the East Right of Way line of Gingham Drive; thence continue N89°51'26"W, along the North line of said Section 16, a distance of 71.69 feet to a point on the Westerly Right of Way line of Gingham Drive, said point also being a Point on a Non-Tangent Curve, Concave to the Northeast, having a Radius of 131.50 feet and a Central Angle of 03°22'24"; thence departing said North line, run the following three (3) courses and distances along the Westerly Right of Way line of said Gingham Drive, thence run Southeasterly along said curve, a distance of 7.74 feet (Chord Bearing = S27°03'24"E, Chord = 7.74 feet); thence S28°44'36"E, a distance of 76.24 feet to the Point of Curvature of a curve, Concave to the West, having a Radius of 25.00 feet and a Central Angle of 82°47'14"; thence run Southerly along the Arc of said curve, a distance of 36.12 feet (Chord Bearing = S12°39'01"W, Chord = 33.06 feet) to a point on the Northerly Right of Way line of Lassiter Way, said point also being a Point on a Non-Tangent Curve, Concave to the Southeast, having a Radius of 425.00 feet and a Central Angle of 14°25'32"; thence departing said Westerly Right of Way line, run Northeasterly along said Northerly Right of Way line, a distance of 107.00 feet (Chord Bearing = N61°15'24"E, Chord = 106.72 feet) to a point on the Easterly Right of Way line of Gingham Drive, said point also being a Point on a Non-Tangent Curve, Concave to the North, having a Radius of 25.00 feet and a Central Angle of 82°47'14"; thence departing said Northerly Right of Way line, run the following two (2) courses and distances along said Easterly Right of Way line, thence run Westerly along the arc of said curve, a distance of 36.12 feet (Chord Bearing = N70°08'13"W, Chord = 33.06 feet); thence N28°44'36"W, a distance of 49.34 feet to the Point of Beginning.

Containing 5,785 square feet or 0.13 acres, more or less.

SURVEYOR'S NOTES:

- 1.) BEARINGS AS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 16, TOWNSHIP 27 SOUTH RANGE 28 EAST, BEING AN ASSUMED BEARING OF N89°51'26"W.
- 2.) THIS DRAWING REPRESENTS A SKETCH OF DESCRIPTION AND IS NOT A BOUNDARY SURVEY.
- 3.) NO CORNERS WERE SET AS A PART OF THIS SKETCH.

REQUESTED BY: LT WESTVIEW, LLC

SHEET 1 OF 2

DATE OF SURVEY	5/16/2023	REVISIONS
SCALE	1" = 50'	
F.B.	PAGE	
SECTION	16	
TWP.	27 S., RNG. 28 E.	
JOB NO.	22-565	

JOHNSTON'S
SURVEYING INC.

900 Shady Lane, Kissimmee, Florida 34744-8695
Tel. (407) 847-2179 Fax (407) 847-6140

R.D.B.

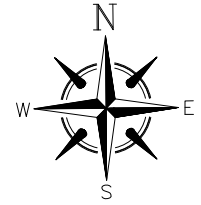
5/17/2023

RICHARD D. BROWN, P.S.M. #5700 (DATE)

NOTE: NOT VALID WITHOUT RAISED SURVEYOR'S SEAL.

SKETCH OF DESCRIPTION

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION

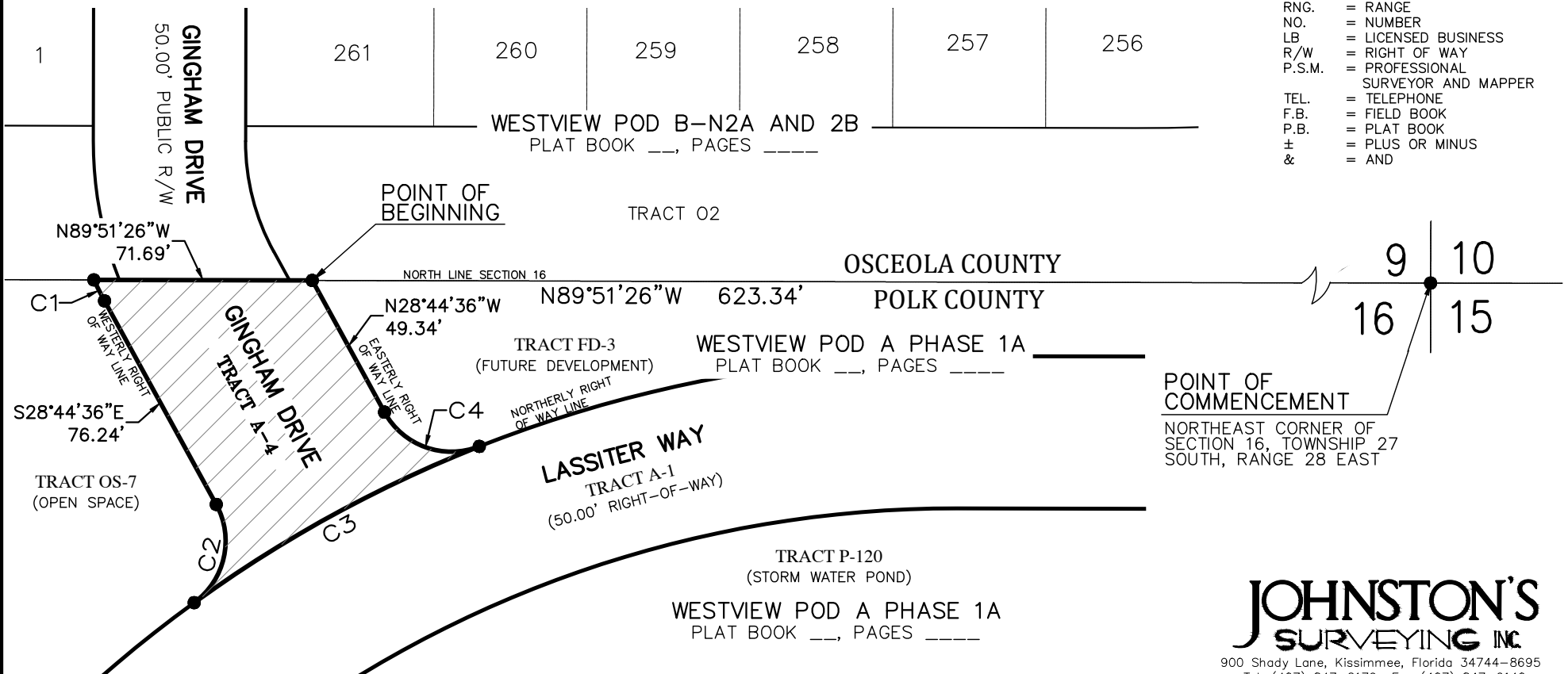


SCALE: 1" = 50'

CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHD. BEARING	CHORD LENGTH
C1	131.50	003°22'24"	7.74	S27°03'24"E	7.74
C2	25.00	082°47'14"	36.12	S12°39'01"W	33.06
C3	425.00	014°25'32"	107.00	N61°15'24"E	106.72
C4	25.00	082°47'14"	36.12	N70°08'13"W	33.06

LEGEND AND ABBREVIATIONS

TWP. = TOWNSHIP
 RNG. = RANGE
 NO. = NUMBER
 LB. = LICENSED BUSINESS
 R/W = RIGHT OF WAY
 P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
 TEL. = TELEPHONE
 F.B. = FIELD BOOK
 P.B. = PLAT BOOK
 ± = PLUS OR MINUS
 & = AND



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EXHIBIT "B"

LASSITER WAY SECTION LEGAL DESCRIPTION

SKETCH OF DESCRIPTION

SEE SHEET 2 OF 2 FOR SKETCH

LEGAL DESCRIPTION:

A parcel of land being a portion of Lassiter Way, WESTVIEW POD B-N2A AND 2B, according to the plat thereof, as recorded in Plat Book __, Pages ____ of the Public Records of Osceola County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Section 9, Township 27 South, Range 28 East, Osceola County, Florida; thence N89°51'26"W, along the South line of said Section 9, a distance of 36.67 feet to the Point of Beginning; thence continue N89°51'26"W, along said South line, a distance of 102.19 feet to the Northerly Right of Way line of Lassiter Way, said point also being a Point on a Non-Tangent Curve, Concave to the Northwest, having a Radius of 325.00 feet and a Central Angle of 10°45'47"; thence departing said South line, run the following three (3) courses and distances along said Northerly Right of Way line, thence Northeasterly along the arc of said curve, a distance of 61.05 feet (Chord Bearing = N62°28'57"E, Chord = 60.96 feet); thence N57°06'03"E, a distance of 189.31 feet to the Point of Curvature of a curve, Concave to the West, having a Radius of 25.00 feet and a Central Angle of 90°00'00"; thence run Northerly along the Arc of said curve, a distance of 39.27 feet (Chord Bearing = N12°06'03"E, Chord = 35.36 feet) to a point on the Westerly Right of Way line of Watermark Boulevard; thence departing said Northerly Right of Way line, run S32°53'57"E, along said Westerly Right of Way line, a distance of 100.00 feet to a point on the Southerly Right of Way line of Lassiter Way, said point also being a Point on a Non-Tangent Curve, Concave to the South, having a Radius of 25.00 feet and a Central Angle of 90°00'00"; thence departing said Westerly Right of Way line, run the following two (2) courses and distances along said Southerly Right of Way line, thence run Westerly along the arc of said curve, a distance of 39.27 feet (Chord Bearing = N77°53'57"W, Chord = 35.36 feet); thence S57°06'03"W, a distance of 164.35 feet to the Point of Beginning.

Containing 0.27 acres, more or less.

SURVEYOR'S NOTES:

- 1.) BEARINGS AS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF SECTION 9, TOWNSHIP 27 SOUTH RANGE 28 EAST, BEING AN ASSUMED BEARING OF N89°51'26"W.
- 2.) THIS DRAWING REPRESENTS A SKETCH OF DESCRIPTION AND IS NOT A BOUNDARY SURVEY.
- 3.) NO CORNERS WERE SET AS A PART OF THIS SKETCH.

REQUESTED BY: LT WESTVIEW, LLC

SHEET 1 OF 2

DATE OF SURVEY	5/16/2023	REVISIONS
SCALE	1" = 50'	
F.B.	PAGE	
SECTION	9	
TWP.	27 S., RNG. 28 E.	
JOB NO.	22-565	

JOHNSTON'S
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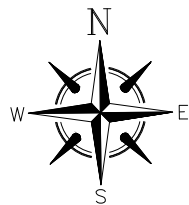
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R.D.B.

5/17/2023

RICHARD D. BROWN, P.S.M. #5700 (DATE)

NOTE: NOT VALID WITHOUT RAISED SURVEYOR'S SEAL.



SCALE: 1" = 50'

SKETCH OF DESCRIPTION

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION

CURVE TABLE

CURVE #	RADIUS	DELTA	LENGTH	CHD. BEARING	CHORD LENGTH
C1	325.00	010°45'47"	61.05	N62°28'57"E	60.96
C2	25.00	090°00'00"	39.27	N12°06'03"E	35.36
C3	25.00	090°00'00"	39.27	N77°53'57"W	35.36

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N89°51'26"W	36.67'
L2	N89°51'26"W	102.19'
L3	N57°06'03"E	189.31'
L4	S32°53'57"E	100.00'
L5	S57°06'03"W	164.35'

WESTVIEW POD B-N2A AND 2B
PLAT BOOK ___, PAGES ____

TRACT 02

OSCEOLA COUNTY

SOUTH LINE SECTION 9

POLK COUNTY

TRACT FD-3
(FUTURE DEVELOPMENT)

WESTVIEW POD A PHASE 1A
PLAT BOOK ___, PAGES ____

TRACT P-120
(STORM WATER POND)

TRACT W-2
(WETLAND PRESERVED AREA)

POINT OF
BEGINNING

POINT OF
COMMENCEMENT
SOUTHEAST CORNER OF
SECTION 9, TOWNSHIP 27
SOUTH, RANGE 28 EAST

LASSITER WAY
50.00' PUBLIC R/W

WATERMARK BOULEVARD
100.00' PUBLIC R/W

LEGEND AND ABBREVIATIONS

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SHEET 2 OF 2