

**FIRST AMENDMENT TO
INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF SUMTER, FLORIDA
AND WILDWOOD UTILITY DEPENDENT DISTRICT**

THIS FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN SUMTER COUNTY, FLORIDA AND WILDWOOD UTILITY DEPENDENT DISTRICT (the “First Amendment”) is entered into by and between SUMTER COUNTY, FLORIDA and WILDWOOD UTILITY DEPENDENT DISTRICT on this ___ day of _____, 2023.

RECITALS:

A. Pursuant to Section 163.01, *et seq.*, Florida Statutes (a/k/a the “Florida Interlocal Cooperation Act”), the Sumter County, Florida (the “County”) and Wildwood Utility Dependent District (the “District”) may provide by interlocal agreement for the District to exercise powers outside its geographic boundaries and within the County.

B. The County and the District and entered into an interlocal agreement dated July 27, 2021 (the “Agreement”) pursuant to the Florida Interlocal Cooperation Act which provided for the District’s provision of potable water service and sanitary sewer service to certain property located outside the District’s geographic boundaries and within the unincorporated areas of Sumter County as more fully described on Exhibit “A” attached to the Agreement and incorporated by reference herein (the “Unincorporated Service Area”).

C. The District intends to exercise those powers conferred upon it pursuant to Chapter 189, Florida Statutes, and the Enabling Ordinance (as defined in the Agreement) to provide, in addition to potable water and sanitary sewer services, non-potable water supply and distribution for irrigation and fire protection services to the Unincorporated Service Area for a specified term and desires to amend the Agreement accordingly.

D. The County is a political subdivision of the State of Florida authorized by Chapter 125, Florida Statutes to provide for the health, safety, and welfare of its citizens.

NOW THEREFORE, the County and the District agree as follows:

1. **Authority.** This Agreement is entered into pursuant to the authority set forth in Chapters 163 and 189, Florida Statutes (2022).

2. **Definitions.** Capitalized terms used and not otherwise defined in this Agreement shall have the meaning ascribed to such term in Chapter 189, Florida Statutes.

3. **Additional Powers and Duties of the District.**

a. In addition to any powers that the District may have including those set forth in the Agreement, the District shall have and is hereby granted the right and authority to provide non-potable water supply and distribution for irrigation and fire protection services

and to exercise all of the powers necessary or incidental thereto, including the right to set and collect fees, in that area of the County described and depicted on **Exhibit "A,"** as though the area was included within the geographic boundaries of the District.

4. ***Matters Unaffected.*** In all other respects, the Agreement (as defined in Paragraph B above) shall remain in full force and effect and is amended by this First Amendment solely for the purposes of adding provision of non-potable water service to the District powers to be exercised in the Unincorporated Service Area. No right or obligation that may currently or subsequently exist respecting the parties and their relationship one to the other shall be deemed waived or otherwise affected by this First Amendment unless such right or obligation is specifically addressed herein.

5. ***Term.*** Unless earlier terminated or extended by mutual agreement of the parties, the Agreement shall expire forty-years (40) from the Effective Date of this First Amendment.

6. ***Effective Date.*** This First Amendment shall become immediately effective once it has been executed by both of the parties hereto.

[Signatures on following page]

IN WITNESS WHEREOF, the County and the District have executed this Agreement by their duly authorized representative.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
SUMTER COUNTY**

Name: _____
Title: _____

By: _____

Name: Craig A. Estep

Title: Chairman

Approved as to Form

_____, County Attorney

STATE OF FLORIDA
COUNTY OF SUMTER

Before me, the undersigned Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity as _____ of the BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA, a political subdivision of the State of Florida by [___] physical presence or [___] online notarization, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public, State of Florida
My Commission expires:

ATTEST:

WILDWOOD UTILITY DEPENDENT DISTRICT

Name: _____
Title: _____

By: _____
Name: _____
Title: _____

STATE OF FLORIDA
COUNTY OF SUMTER

Before me, the undersigned Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity as _____ of the WILDWOOD UTILITY DEPENDENT DISTRICT, a dependent district of the City of Wildwood, Florida by [] physical presence or [] online notarization, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public, State of Florida
My Commission expires:

EXHIBIT "A"
Legal Description / Depiction

THE SOUTH 150 FEET OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 36, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA.

AND:

THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA.

AND:

THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA.

AND:

ALL THAT PORTION OF THE WEST 1/2 OF THE SOUTHWEST 1/4, LYING EASTERLY OF THE SEABOARD AIR LINE RAILWAY CO. (NOW CSX TRANSPORTATION, INC.) RIGHT OF WAY AS SHOWN ON THE RIGHT OF WAY AND TRACK MAP AND LYING EASTERLY OF THE RIGHT OF WAY FOR US. 301, LESS THE NORTH 793-3/4 FEET THEREOF, IN SECTION 36, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA.

AND:

THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 LYING BETWEEN HIGHWAY 301 AND THE SEABOARD AIR LINE RAILWAY CO. (NOW CSX TRANSPORTATION, INC.) RIGHT OF WAY AS SHOWN ON THE RIGHT OF WAY AND TRACK MAP, IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA.

AND:

ALL THAT PART OF SECTION 1, LYING EASTERLY OF THE SEABOARD AIR LINE RAILWAY CO. (NOW CSX TRANSPORTATION, INC.) RIGHT OF WAY AS SHOWN ON THE RIGHT OF WAY AND TRACK MAP, AND LYING NORTH AND WEST OF THE CENTERLINE (THREAD) OF SHADY BROOK, LESS THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 IN TOWNSHIP 20 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA.

AND:

ALL THAT PORTION OF THE NORTH 1/2 OF THE NORTHEAST 1/4, LYING EASTERLY OF THE SEABOARD AIR LINE RAILWAY CO. (NOW CSX TRANSPORTATION, INC.) RIGHT OF WAY AS SHOWN ON THE RIGHT OF WAY AND TRACK MAP, AND LYING NORTH AND WEST OF THE CENTERLINE (THREAD) OF SHADY BROOK, IN SECTION 12, TOWNSHIP 20 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA.

LESS ANY PORTIONS THEREOF LYING WITHIN THE FOLLOWING DESCRIBED LANDS:

BEGIN AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA. THENCE RUN NORTH 89°46'01" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 666.14 FEET TO THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION

6, TOWNSHIP 20 SOUTH, RANGE 23 EAST; THENCE SOUTH 00°25'14" WEST ALONG THE EAST LINE THEREOF A DISTANCE OF 517.80 FEET, MORE OR LESS, TO THE THREAD (CENTERLINE) OF SHADY BROOK; THENCE ALONG SAID CENTERLINE THE FOLLOWING 21 COURSES AND DISTANCES 1) THENCE RUN SOUTH 30°39'11" WEST, A DISTANCE OF 206.13 FEET; 2) THENCE RUN SOUTH 36°48'33" WEST, A DISTANCE OF 143.00 FEET; 3) THENCE RUN SOUTH 34°04'51" WEST, A DISTANCE OF 43.09 FEET; 4) THENCE RUN SOUTH 63°06'48" WEST, A DISTANCE OF 108.78 FEET; 5) THENCE RUN SOUTH 72°59'03" WEST, A DISTANCE OF 51.27 FEET; 6) THENCE RUN SOUTH 80°53'56" WEST, A DISTANCE OF 47.52 FEET; 7) THENCE RUN SOUTH 86°58'55" WEST, A DISTANCE OF 99.28 FEET; 8) THENCE RUN SOUTH 63°14'45" WEST, A DISTANCE OF 238.03 FEET; 9) THENCE RUN SOUTH 64°37'12" WEST, A DISTANCE OF 183.19 FEET; 10) THENCE RUN SOUTH 54°17'50 WEST, A DISTANCE OF 178.15 FEET; 11) THENCE RUN SOUTH 36°57'57" WEST, A DISTANCE OF 104.22 FEET; 12) THENCE RUN SOUTH 64°03'19" WEST, A DISTANCE OF 91.46 FEET; 13) THENCE RUN SOUTH 79°02'43" WEST, A DISTANCE OF 121.33 FEET; 14) THENCE RUN SOUTH 49°27'14" WEST, A DISTANCE OF 52.20 FEET; 15) THENCE RUN SOUTH 34°24'56" WEST, A DISTANCE OF 39.92 FEET; 16) THENCE RUN SOUTH 59°44'16" WEST, A DISTANCE OF 154.04 FEET; 17) THENCE RUN SOUTH 30°49'44" WEST, A DISTANCE OF 144.25 FEET; 18) THENCE RUN NORTH 87°27'56" WEST, A DISTANCE OF 58.62 FEET; 19) THENCE RUN SOUTH 85°40'21" WEST, A DISTANCE OF 48.94 FEET; 20) THENCE RUN SOUTH 18°42'44" EAST, A DISTANCE OF 63.68 FEET; 21) THENCE RUN SOUTH 14°30'36" WEST, A DISTANCE OF 130.54 FEET; THENCE DEPARTING SAID THREAD (CENTERLINE) OF SHADY BROOK, RUN NORTH 83°38'24" WEST, A DISTANCE OF 421.03 FEET; THENCE RUN SOUTH 82°17'56" WEST, A DISTANCE OF 330.46 FEET; THENCE RUN NORTH 32°32'27" WEST, A DISTANCE OF 828.14 FEET; THENCE RUN NORTH 54°21'38" EAST, A DISTANCE OF 318.72 FEET; THENCE RUN NORTH 31°28'06" EAST, A DISTANCE OF 320.37 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1; THENCE RUN SOUTH 89°46'19" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 1114.38 FEET TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1; THENCE DEPARTING SAID LINE, RUN NORTH 00°25'16" EAST, ALONG THE EAST LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1, A DISTANCE OF 664.79 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE SOUTH 89°46'01" EAST A DISTANCE OF 1998.43 FEET TO THE POINT OF BEGINNING.

THAT PART OF THE SE 1/4 OF THE NE 1/4 LYING WEST OF THE SEABOARD AIR LINE RIGHT-OF-WAY, TAMPA MAIN LINE, SECTION 35, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA.

AND

BEGINNING AT THE NW CORNER OF THE SE 1/4 OF THE NE 1/4, OF SECTION 35, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, RUN WEST 107 FEET, RUN SOUTH 04°8'45" WEST, 1035.72 FEET, THENCE SOUTH 67°01'30" EAST, 144.60 FEET TO THE ROAD, RUN NORTHERLY ALONG THE ROAD TO THE WEST LINE OF THE SE 1/4 OF THE NE 1/4, RUN NORTH ALONG FORTY LINE, 968.94 FEET TO THE POINT OF BEGINNING, LESS BEGIN AT THE NW CORNER OF THE SE 1/4, OF THE NE 1/4, RUN SOUTH 223 FEET, RUN WEST 91.97 FEET; RUN NORTH 221.35 FEET TO THE NORTH LINE OF THE SW 1/4 OF THE NE 1/4, THENCE EAST TO THE POINT OF BEGINNING, IN SECTION 35, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA.

AND

THAT PART OF THE NORTH 3/4 OF SECTION 34, TOWNSHIP 19 SOUTH, RANGE 22 EAST, LYING EAST OF 1-75 RIGHT-OF-WAY;

LESS:

THE NORTH 1543.15 FEET, THEREOF;

ALSO LESS:

ANY PORTIONS THEREOF LYING WITHIN THE RIGHT OF WAY FOR PERKINS AVENUE;

ALSO LESS:

ANY PORTIONS THEREOF LYING WITHIN THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2724, PAGE 76 AND/OR OFFICIAL RECORDS BOOK 2724, PAGE 73, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA;

AND

THAT PORTION OF THE SOUTH 3/4 OF SECTION 35, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA, LYING WESTERLY OF THE RAILROAD RIGHT-OF-WAY AND LYING EAST OF INTERSTATE 75;

LESS:

THE NORTH 1543.15 FEET OF THE WEST 1/2 OF SAID SECTION 35;

ALSO LESS:

ANY PORTIONS THEREOF LYING WITHIN THE RIGHT OF WAY FOR PERKINS AVENUE;

ALSO LESS:

THAT PART OF THE SE 1/4 OF THE NE 1/4 LYING WEST OF THE SEABOARD AIR LINE RIGHT-OF-WAY, TAMPA MAIN LINE, SECTION 35, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA.

AND LESS:

BEGINNING AT THE NW CORNER OF THE SE 1/4 OF THE NE 1/4, OF SECTION 35, TOWNSHIP 19 SOUTH, RANGE 22 EAST, SUMTER COUNTY, RUN WEST 107 FEET, RUN SOUTH 04°8'45" WEST, 1035.72 FEET, THENCE SOUTH 67°01'30" EAST, 144.60 FEET TO THE ROAD, RUN NORTHERLY ALONG THE ROAD TO THE WEST LINE OF THE SE 1/4 OF THE NE 1/4, RUN NORTH ALONG FORTY LINE, 968.94 FEET TO THE POINT OF BEGINNING.

ALSO LESS:

ANY PORTIONS OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2436, PAGE 208, OFFICIAL RECORDS BOOK 2724, PAGE 76, OFFICIAL RECORDS BOOK 2724, PAGE 73 AND OFFICIAL RECORDS BOOK 3102, PAGE 23, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA;

ALSO LESS:

THAT PORTION OF SAID SECTION 35 DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 35; THENCE RUN EAST ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 181.33, MORE OR LESS, TO A POINT ON THE WESTERLY RAILROAD RIGHT-OF-WAY, HEREBY REFERRED TO AS POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING AND RUN WEST ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 35, A DISTANCE OF 200.00 FEET TO THE WEST BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1185, PAGE 423, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE NORTH, PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 1981.86; THENCE DEPARTING SAID PARALLEL LINE, RUN S67°33'00"E, 1,103.02 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF COUNTY ROAD

CR-525; THENCE SOUTHWESTERLY ALONG THE WESTERLY RIGHT-OF-WAY OF SAID CR-525 AND THE WESTERLY RAILROAD RIGHT-OF-WAY TO POINT "A".

AND

THAT PORTION OF THE NORTH 3/4 OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 22 EAST, SUMTER COUNTY, FLORIDA, LYING WESTERLY OF THE RAILROAD RIGHT-OF-WAY AND LYING EAST OF INTERSTATE 75;

LESS:

THAT PORTION OF SAID SECTION 2 DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 2, THENCE S89°55'42"E, ALONG THE NORTH LINE THEREOF A DISTANCE OF 181.33 FEET TO THE WESTERLY RAILROAD RIGHT-OF-WAY; THENCE DEPARTING SAID NORTH LINE AND ALONG SAID WESTERLY RIGHT-OF-WAY, RUN S22°27'00"W, 1,096.47 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY, RUN N02°06'44"E, 1,014.54 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE ALONG SAID NORTH LINE, S89°55'42"E, 200.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

S:\SURVEY NEWS\UPDATES\INTERVILLAGES OF SOUTHERN OAKS\OVERALL\INTERVILLAGES\WOOD - MIDWOOD UTILITY DEPENDENT DISTRICT\INTERLOCAL AGREEMENT\FINSTAFF - INTERMAY\2010\INTERLOCAL FINSTAFF - INTERMAY\2010\20100221 120146 PLO.DWG TO PDF.plt

