



HENDRY COUNTY
Board of County Commissioners
P.O. Box 2340
LaBelle, Florida 33975-2340

Charles T. Chapman IV
County Administrator

Mark F. Lapp
County Attorney

Barbara Butler
Clerk of the Courts

(863) 675-5295
April 10, 2014

Mary Jo Wilson, Deputy City Clerk
City of LaBelle
via hand delivery

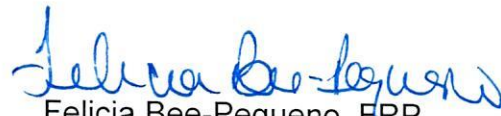
RE: Second Amendment to Second Amended and Restated Interlocal Recreation Agreement

Dear Mary Jo:

Enclosed herewith are two originals of the Second Amendment to Second Amended and Restated Interlocal Recreation Agreement approved by Hendry County. If approved by your Commission at their meeting this evening, please have the appropriate officials execute both originals and return one original to the County Attorney's office for our records.

Thank you for your attention to this matter. Please feel free to contact Mark Lapp at (863) 675-5295 if you have any questions.

Sincerely,


Felicia Bee-Pequeno, FRP
Legal Assistant to Mark Lapp
Hendry County Attorney

FBP
encl.

**SECOND AMENDMENT TO SECOND AMENDED
AND RESTATED INTERLOCAL RECREATION AGREEMENT**

THIS AGREEMENT made and entered into this 10th day of April 2014, amends that certain agreement made and entered into on May 17, 2012, and amended on March 13, 2014, between HENDRY COUNTY, a political subdivision of the State of Florida, hereinafter called "County", and the CITY OF LABELLE, a municipal corporation existing under the laws of Florida, hereinafter called "City", to provide for recreational programs and management and maintenance of recreational facilities for the residents of the City and unincorporated areas in the western part of the County.

WHEREAS, the parties entered into the Second Amended and Restated Interlocal Recreation Agreement on May 17, 2012, hereinafter called "Agreement", to govern the joint provision of recreational programs and management and maintenance of recreational facilities for the residents of the City and unincorporated areas in the western part of the County; and

WHEREAS, the parties entered into the First Amendment to the Second Amended and Restated Interlocal Recreation Agreement on March 13, 2014, to make certain changes to the Agreement; and

WHEREAS, the parties wish to amend the Agreement to clarify the parties' funding obligations with respect to the Hendry-LaBelle Recreation Board.

NOW, THEREFORE, COUNTY AND CITY HEREBY AGREE AS FOLLOWS:

1. The parties accept and adopt the foregoing recitals.
2. Section 8 of the Second Amended and Restated Interlocal Recreation Agreement is modified to read as follows (new text is underlined and deleted text is ~~stricken~~):
 8. The City shall assess and collect a special assessment of \$100.00 from each residence within the City of LaBelle, and the County shall assess and collect a special assessment of \$100.00 from each residence within the West Hendry County Recreation Municipal Service Benefit Unit as established by Hendry County Resolution No. 88-71, and the proceeds from such special assessments shall be jointly appropriated each year, along with such other moneys as determined by City and County, for recreational expenditures consistent with this agreement. Notwithstanding the above, City and County may assess a lesser amount or provide rebates, as each may choose, for recreational vehicle park sites. These special assessments may be amended from year to year by subsequent agreement of the City and County, provided, however, that the special assessments adopted by the City and County shall be of an equal amount and shall be adequate to fund the operations of the Board. Operations of the Board shall include scheduled payment of debt, liabilities or other obligations incurred for those purposes set forth in Section 4 above. Nothing in this agreement shall preclude either the City or the County from appropriating funds (in addition to the special assessment) to the Board for any recreational facility included in, or

subsequently added to, this agreement. Additionally, the City retains the right to increase the special assessment relative to the City independent of the County for City purposes, however, the City hereby agrees to continue the pledge of special assessment revenue relative to the LaBelle Recreational Park – Forrey Drive project.

In all other ways the Second Amended and Restated Interlocal Recreation Agreement is unmodified.

ATTEST:

A blue ink signature of Barbara Butler, written in a cursive style.

Barbara Butler, Clerk

HENDRY COUNTY

A blue ink signature of Karson Turner, written in a cursive style.

Karson Turner, Chairman, County Commission

ATTEST:

A blue ink signature of Thomas A. Smith, written in a cursive style.

Clerk

CITY OF LABELLE

A blue ink signature of David Lyons, written in a cursive style.

David Lyons, Mayor