

Operation and Maintenance Agreement  
SWF Parcel No. 15-773-182X-5  
Approved by Attorney: \_\_\_\_\_

**FIFTH AMENDMENT TO  
OPERATION AND MAINTENANCE AGREEMENT  
BETWEEN THE  
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT AND THE DISTRICT  
SCHOOL BOARD OF HERNANDO COUNTY  
FOR THE  
SPRINGS COAST ENVIRONMENTAL EDUCATION CENTER**

This Fifth Amendment to Operation and Maintenance Agreement between the Southwest Florida Water Management District and the District School Board of Hernando County for the Springs Coast Environmental Education Center (Fifth Amendment) is made and entered into by and between the Southwest Florida Water Management District, a public corporation, having an address of 2379 Broad Street, Brooksville, Florida 34604-6899 (District), and Board of Public Instruction of Hernando County, a public corporation of the State of Florida, having an address of 919 North Broad Street, Brooksville, Florida 34601 (School Board).

**WHEREAS**, the Springs Coast Environmental Education Center (Education Center) is located on property owned by the District known as the Weekiwachee Preserve (Property) and is operated and maintained by the School Board to provide students of Hernando County the opportunity to learn about the water resources of the Weekiwachee River Basin and to experience environmental education in an outdoor setting; and

**WHEREAS**, the District and the Board entered into the Agreement for Construction, Operation and Maintenance of the Springs Coast Environmental Center at the Weekiwachee Property with the Board of Public Instruction of Hernando County, Florida on May 31, 2002 (Agreement) that authorized the School Board to use the Property for the construction, operation, and maintenance of the Education Center; and

**WHEREAS**, the Agreement was subsequently amended on September 7, 2004, September 12, 2005, March 20, 2007, and December 31, 2012, which Agreement, as amended, is attached hereto as "Exhibit A", and

**WHEREAS**, the Agreement provides that it may be extended for three (3) additional ten (10) year terms in accordance with the provisions of Paragraph 19. TERM; and

**WHEREAS**, the School Board has met the conditions required to extend the Agreement and is not in default hereunder.

**NOW THEREFORE**, the District and the School Board, in consideration of the mutual terms, covenants, and conditions set forth herein, hereby agree to further amend the Agreement as set forth below:

1. Except as otherwise provided herein, the terms, covenants, and conditions of the Agreement, as amended, are incorporated herein by reference and are hereby ratified, approved, and confirmed, and are binding upon the parties hereto.

2. Pursuant to paragraph 19 titled TERM, the Agreement is extended for the first of three additional ten (10) years. The extension will commence on the date of execution by the last party to sign hereto.
3. Counterparts and Authority to Sign. In accordance with the Electronic Signature Act of 1996, electronic signatures, including facsimile transmissions, may be used and shall have the same force and effect as a written signature. Each person signing this Agreement warrants that he or she is duly authorized to do so and to bind the respective party to the Agreement.

***[Signature page follows]***

**IN WITNESS WHEREOF**, the parties hereto, or their authorized representatives, have executed this License Agreement on the day and year set forth next to their signatures below.

SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT

\_\_\_\_\_  
By: Ed Armstrong, Vice Chair

Date\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
By: Michelle Williamson, Secretary

BOARD OF PUBLIC INSTRUCTION OF  
HERNANDO COUNTY FLORIDA  
(Hernando County School Board)

Approved as to Form

*Nancy McClain Alfonso*

General Counsel, HCSB

\_\_\_\_\_  
By: Gus Guadagnino, Board Chair

Date\_\_\_\_\_

Approved as to Form

*Nancy McClain Alfonso*

General Counsel, HCSB

\_\_\_\_\_  
By: John Stratton, Superintendent of Schools

Date\_\_\_\_\_