

**FIRST AMENDMENT TO AGREEMENT FOR CONSTRUCTION OF PARK
AND RECREATIONAL FACILITIES FOR REGIONAL PARK AND
PARK IMPACT FEE CREDITS**
(Western Grove/Regional Park)

This First Amendment to Agreement for Construction of Park and Recreational Facilities for Regional Park and Park Impact Fee Credits (this "Amendment") is entered into as of this _____ day of _____, 2025, by and between the City of Port St. Lucie, a Florida municipal corporation, whose address is 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida 34984 ("City"), and Mattamy Palm Beach, LLC, a Delaware limited liability company, whose mailing address is 4901 Vineland Road, Orlando, Florida 32811 ("Mattamy" or "Developer").

WHEREAS, the City and Mattamy entered into the Agreement for the Construction of Park and Recreational Facilities for Regional Park and Park Impact Fee Credits on May 21, 2024 (the "Agreement"); and

WHEREAS, Section D of the Agreement established the estimated cost for the Park Improvements, identified the funding sources for the Park Improvements, and established the City's maximum financial contribution toward the Park Improvements; and

WHEREAS, Section D.1 of the Agreement indicated that the estimated cost of the Park Improvements was approximately \$22,847,418.36, less any amounts reimbursed to the Developer pursuant to a previously executed Early Site Work Agreement and that parties acknowledged the amount was an estimate and subject to change ("Initial Estimate"); and

WHEREAS, Section D.1.A provided the City's maximum contribution would be \$18,727,418.00 in cash contribution, less the Earthwork Funds, and up to \$2,100,000.00 in City Park Credits; and

WHEREAS, Section D.1.b indicated a County park impact fee credit agreement with St. Lucie County was being negotiated, and if successful, the County Credit Agreement would provide an additional \$2,750,00.00 of funds through impact fee credits for the Developer to utilize; and

WHEREAS, after execution of the Agreement the County Credit Agreement was executed by the Developer, City and County on June 4, 2024; and

WHEREAS, Section D.1.c of Agreement also provided that if the actual cost of the Park Improvements went above and beyond the City and County funding source amounts identified in the Agreement the Developer would be responsible for those costs; and

WHEREAS, the Initial Estimate was memorialized in Section of D of the Agreement and through a schedule of values attached as Exhibit "B" to the Agreement and labeled "Scopes and Specs"; and

WHEREAS, the Initial Estimate has increased since the Agreement was executed; and

WHEREAS, the full amount of available County Credit was not allocated to the Park Improvements on the “Scope and Specs”; and

WHEREAS, the Parties acknowledge that \$750,000 of County Impact Fee Credits were available but not allocated in the original Schedule of Values, and now desire to revise the Schedule of Values to reflect a total of \$23,597,418.36; and

WHEREAS, the additional \$750,000 shall be allocated as follows: \$360,500 for the gravel blanket for the natural fields, \$373,250 for the sub-drainage for the natural fields, and \$16,250 for contingency; and

WHEREAS, the Parties desire to modify Exhibit “B” to the Agreement, the “Scope and Specs”, to include the full value of the County Credits to particular Park Improvement components to clarify which components will be funded with the City and County funds identified in the Agreement and how much of the City and County funds are attributable to each identified component; and

WHEREAS, the intent of this Amendment is to clarify financial responsibilities between the Parties; and

WHEREAS, the City and Mattamy desire to amend the Agreement as set forth in this Amendment.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged by both parties hereto, the parties hereby agree as follows:

1. Incorporation of Recitals. The recitals as set forth above are hereby incorporated into the substantive body of this Amendment.

2. Amendment to Funding Sources. Section D.1. of the Agreement is hereby amended to provide that the estimated cost of the Park Improvements is approximately \$23,597,418.36.

3. Amendment to Project Scope. Exhibit “B” to the Agreement is to be replaced with Exhibit “B-1” attached hereto.

4. Capitalized Terms. Each capitalized term used herein but not defined shall have the meaning ascribed thereto in the Agreement.

5. Effect of Amendment. Except as modified herein, the Agreement remains unchanged. In the event of a conflict between the Agreement and this Amendment, this Amendment shall control and govern.

6. Counterparts. This Amendment may be executed in any number of counterparts, all of which taken together, shall constitute one and the same instrument, and any of the parties hereto may execute this Second Amendment by signing any such counterpart.

CITY OF PORT ST. LUCIE, a Florida municipal corporation

By: _____
Jesus Merejo, City Manager

Date: _____

Mattamy Palm Beach, LLC, a Delaware limited liability company

By:  _____
Print: Kari Kari Albertson
Title: Vice President
Date: 10/31/25

Exhibit "B-1"
Scope and Specs

DESCRIPTION OF WORK	QUANTITY	PRICE
Regional Park		
Sitework	1 LS	\$1,791,790.00
Environnemental Services (Gopher Tortoise Relocation) Allowance	1 LS	\$400,000.00
Drainage	1 LS	\$1,614,438.05
Sanitary Sewer (Includes LS)	1 LS	\$1,038,107.95
Potable Water	1 LS	\$486,419.20
Roads/Parking Lot/Curbs	1 LS	\$1,934,639.00
Internal Sidewalks	1 LS	\$1,189,000.00
Fields	1 LS	\$7,949,450.00
Natural Grass Fields		
Site Irrigation and Landscape	1 LS	\$1,356,000.00
Aluminum Bleachers	1 LS	\$48,500.00
FFE Dugouts	1LS	\$40,000.00
Site Furnishings Allowance	1LS	\$50,000.00
Restrooms	1LS	\$750,000.00
AV Low Voltage Allowance	1LS	\$100,000.00
Site Electric Allowance	1LS	\$300,000.00
Maintenance Building Allowance	1LS	\$550,000.00
Design for Maintenance Bldg		
Bonding	1LS	\$97,991.72
Contingency (10%)	1LS	\$1,959,834.42
Field Grading Items		
Drone		
24": Pipe		
Design Costs (2%)	1 LS	\$433,123.41
Permitting and Impact Fee (3%)	1 LS	\$649,685.11
Insurance (1%)	1 LS	\$108,439.50
CHANGE ORDER		
GRAND TOTALS		\$22,847,418.36
Agreement Adjustment - County Contribution		\$750,000.00
		\$23,597,418.36