

**FOURTH AMENDMENT TO THE SETTLEMENT INTERLOCAL AGREEMENT
BETWEEN ORANGE COUNTY AND THE CITY OF APOPKA**

THIS FOURTH AMENDMENT TO THE SETTLEMENT INTERLOCAL AGREEMENT (this “**Fourth Amendment**”) is made and entered into this ____ day of _____, 2025, by and between the **CITY OF APOPKA**, a Florida municipal corporation (the “**City**”) and **ORANGE COUNTY, FLORIDA**, a political subdivision and charter county of the State of Florida (the “**County**”).

RECITALS

WHEREAS, the City and County entered into that certain Settlement Interlocal Agreement Between the City of Apopka, Florida and Orange County, Florida on October 26, 2004, as amended by that certain First Amendment to the Settlement Interlocal Agreement approved on August 2, 2005, and by that certain Second Amendment to Joint Planning Area Agreement Between Orange County and the City of Apopka approved on October 19, 2010, and by that certain Third Amendment to Settlement Interlocal Agreement between the City of Apopka and Orange County approved on April 23, 2019 (collectively the "Agreement" or the "JPA"); and

WHEREAS, the agreement is set to expire on December 31, 2025, and will automatically extend for an additional five (5) year term, unless either the City or the County delivers a notice of non-renewal; and

WHEREAS, at a public hearing on July 2, 2025, the City of Apopka City Council voted to extend the agreement for an additional two (2) year term to allow the City and the County to renegotiate a Joint Planning Area Agreement; and

WHEREAS, the City and County now desire to further amend the Agreement to extend the term of the agreement, which is set to expire December 31, 2025, for an additional two-year term to expire December 31, 2027; and

WHEREAS, pursuant to Section 163 .3171 (3), Florida Statutes, this Fourth Amendment has been approved by the Orange County Board of County Commissioners and the Apopka City Council at advertised public hearings.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

Section 1. Recitals. The foregoing Recitals are true and correct and are incorporated into and form a part of this Fourth Amendment. All initially capitalized terms not defined herein shall have the meaning set forth in the Agreement.

Section 2. Authority. This Fourth Amendment is entered into pursuant to (1) Chapters 125, 163 and 166, Florida Statutes, (2) the general authority of section 163.01, Florida Statutes, relating to interlocal agreements, (3) the Charters of the County and the City, and (4) the Agreement.

Section 3. Text Amendment. Section 10. Term of Agreement; Termination; Extensions. is amended to read as follows:

- (a) This Agreement shall expire on December 31, ~~2025~~ 2027, unless extended in accordance with the terms of subsection 10(b).

Section 4. Continuing Effect. Except as expressly set forth herein, the Agreement remains unchanged and in full force and effect.

Section 5. Severability. Except as expressly set forth herein, all other provisions of the Agreement remain unchanged and in full force and effect. Should any section, subsection, sentence, clause, phrase or provision of this Fourth Amendment be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed to render the remaining portions of this Fourth Amendment invalid or unconstitutional.

Section 6. Effective Date. This Fourth Amendment to the Agreement shall become effective upon the date of approval by the Board of County Commissioners or the date of approval by the City Council, whichever date is later.

IN WITNESS WHEREOF, the County and the City have executed this Fourth Amendment on behalf of the County and the City, respectively, and have set their seals hereto as of the date set forth above.

Fourth Amendment to the Settlement Interlocal Agreement Between Orange County and the City of Apopka

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

Date: _____

ATTEST: Phil Diamond, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Clerk

Date: _____

CITY OF APOPKA

By: City Council

By: Bryan Nelson
Bryan Nelson, Mayor
Date: 10-2-25

Deputy
Attest: Jodi Wrigley
City Clerk
By: Jodi W
Date: 10/02/25

