

AGREEMENT AMENDMENT

DEP Contract # R-0905

THIS AGREEMENT as entered into on the 2nd day of May, 2005, is between the Department of Environmental Protection, whose headquarters is located at 3900 Commonwealth Blvd., Tallahassee, Leon County, Florida ("Department"), a state agency, and Cayo Hueso Development Inc., organized as a Florida Corporation, whose headquarters is located at 6810 Front Street, Key West, Florida, ("Visitor Service Provider" or "VSP"), is hereby amended as follows:

Paragraph 5 shall be amended to read as follows:

5. The VSP is hereby authorized to conduct the following business and shall provide the following services: all renovations to the existing 1050 sq. foot building; add lighting/fixtures externally around the building; build new structures as needed; construct a storage facility; provide all landscaping and yard maintenance; provide storage racks and equipment storage lockers, and all safety equipment; rent canoes and kayaks (minimum of 12/maximum of 36), bicycles (no fewer than 12 with a mix of 6 adult's and 6 children's must be available for rent), including all safety equipment; and rent other park related equipment as approved by park manager which may include Hobie Cat/Sunfish boats; assist in the recovery of canoes and kayaks including customer supervision and assistance on the water; rent beach chairs, umbrellas, and snorkel equipment; and sell snorkel equipment, snacks, food, groceries, soft drinks, beer and wine (during after hour receptions and private parties only), picnic supplies, Florida Park Service merchandise (such as caps, shirts, cups), gifts, t-shirts, ice, ice cream, souvenirs, recreational equipment, tackle, bait, fishing equipment, sundries, cameras (disposable, underwater) and other park related items such as beach towels, sunscreens and sunglasses; provide services for weddings in the Park VSP shall also provide the following capital improvements :-
- a. 12-foot by 14-foot TIKI structure to be used for sunset services of refreshments and memorabilia during sunset viewing and any special events;
 - b. Storage structure - 8-feet x 10-feet, built in area approved by park manager;
 - c. Deck expansion - 20 feet x 50 feet deck to be added to existing deck (this will allow for the initial expansion of a full service restaurant);
 - d. Gift shop - 12-foot X 14-foot structure;
 - e. Pavilions (2) 20-ft. X 28-ft. to be rented for wedding ceremonies;
 - f. Pavilion - 20-feet X40-feet; and g. canoe and kayak launch. All additional capital improvements are listed in **Exhibit G**.

In all other respects, the Agreement to which this is an Amendment, and attachments and amendments relative thereto, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year last written below.

VISITOR SERVICE PROVIDER

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: [Signature]
President's signature or designee

By: [Signature]
Secretary's signature or designee

Printed Name: Thomas E. Blount Jr.
Title: President

Printed Name: Larry Perry
Title: Asst Director

Date: 11-07-05

Date: 11/29/05

Approved as to form and legality:
[Signature]
DEP Attorney