

SECTION No.: 86110000
S.R. No.: 838
PERMIT No(s): 2018-L-491-010
COUNTY: BROWARD

**DISTRICT FOUR (4) AMENDMENT NUMBER THREE (3) TO STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION LANDSCAPE INCLUSIVE
MEMORANDUM OF AGREEMENT**

THIS AMENDMENT Number Three (3) to the Agreement dated December 12, 2007, made and entered into this _____ day of _____, 20____ by and between the State of Florida Department of Transportation hereinafter called the DEPARTMENT and the **CITY OF FORT LAUDERDALE**, a municipal subdivision of the State of Florida, hereinafter called the AGENCY.

W I T N E S S E T H

WHEREAS, the parties entered into the Landscape Inclusive Maintenance of Agreement dated, December 12, 2007 for the purpose of maintaining the landscape improvements by the AGENCY on various roads including State Road 838 (Sunrise Boulevard); and,

WHEREAS, the DEPARTMENT and the AGENCY have agreed to add additional landscape to be installed per permit #2018-L-491-010 located at State Road 838 (Sunrise Boulevard) and State Road 845 (Powerline Road) to be issued to Circle K, in accordance with the above referenced Agreement; and,

WHEREAS, the parties hereto mutually recognize the need for entering into an Amendment designating and setting forth the responsibilities of each party, and

NOW THEREFORE, for and in consideration of mutual benefits that flow each to the other, the parties covenant and agree as follows:

1. Pursuant to page 1, paragraph 1 of the Landscape Inclusive Maintenance Memorandum of Agreement Amendment Number Two (2) for State Road 838 (Sunrise Boulevard) dated January 3, 2014, the DEPARTMENT will allow the Adjacent Property Owner to construct additional landscape improvements or to modify an improvement located as indicated in **Exhibit "A"**, State Road 838 (Sunrise Boulevard) from M.P. 6.996 to M.P. 7.051 and State Road 845 (Powerline Road) from M.P. 0.000 to M.P. 0.062, in accordance with the plans attached as **Exhibit "B"**.
2. The AGENCY shall agree to maintain the additional landscape improvements in the Inclusive Agreement described above according the **Exhibit "C"** Maintenance Plan, of the original agreement.

Except as modified by this Amendment, all terms and conditions of the original Agreement and all Amendments thereto shall remain in full force and effect.

LIST OF EXHIBITS

Exhibit A - Landscape Improvements Maintenance Boundaries and Location Map

Exhibit B - Landscape Improvement Plans

In Witness whereof, the parties hereto have executed with this Amendment effective the ____ day _____ year written and approved.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____
Transportation Development Director

Attest: _____ (SEAL)
Executive Secretary

Legal Review _____ Date _____

Office of the General Counsel

CITY OF FORT LAUDERDALE

By: _____
Chairperson/Mayor/Manager

Attest: _____ (SEAL)
Clerk

Legal Review _____ Date _____

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year provided below.

AGENCY

ATTEST:

CITY OF FORT LAUDERDALE

Jeffrey A. Modarelli, City Clerk

By: _____
Christopher J. Lagerbloom, ICMA-CM
City Manager

_____ day of _____, 20____

Approved as to form:
Alain E. Boileau, City Attorney

By: _____
Kimberly Cunningham Mosley
Assistant City Attorney

SECTION No.: 86110000
S.R. No.: 838
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COUNTY: BROWARD

EXHIBIT A

LANDSCAPE IMPROVEMENTS MAINTENANCE BOUNDARIES AND LOCATION MAP

- I. PERMIT LANDSCAPE PROJECT LIMITS:
State Road 838 (Sunrise Boulevard) from M.P. 6.996 to M.P. 7.051
And
State Road 845 (Powerline Road) from M.P. 0.000 to M.P. 0.062
- II. INCLUSIVE LANDSCAPE MAINTENANCE AGREEMENT LIMITS:
State Road 838 (Sunrise Boulevard) Section 86110000
M.P. 5.789 (east of N.W. 24th Avenue) to M.P. 8.161 (State Road 5/US 1)
Entire right of way

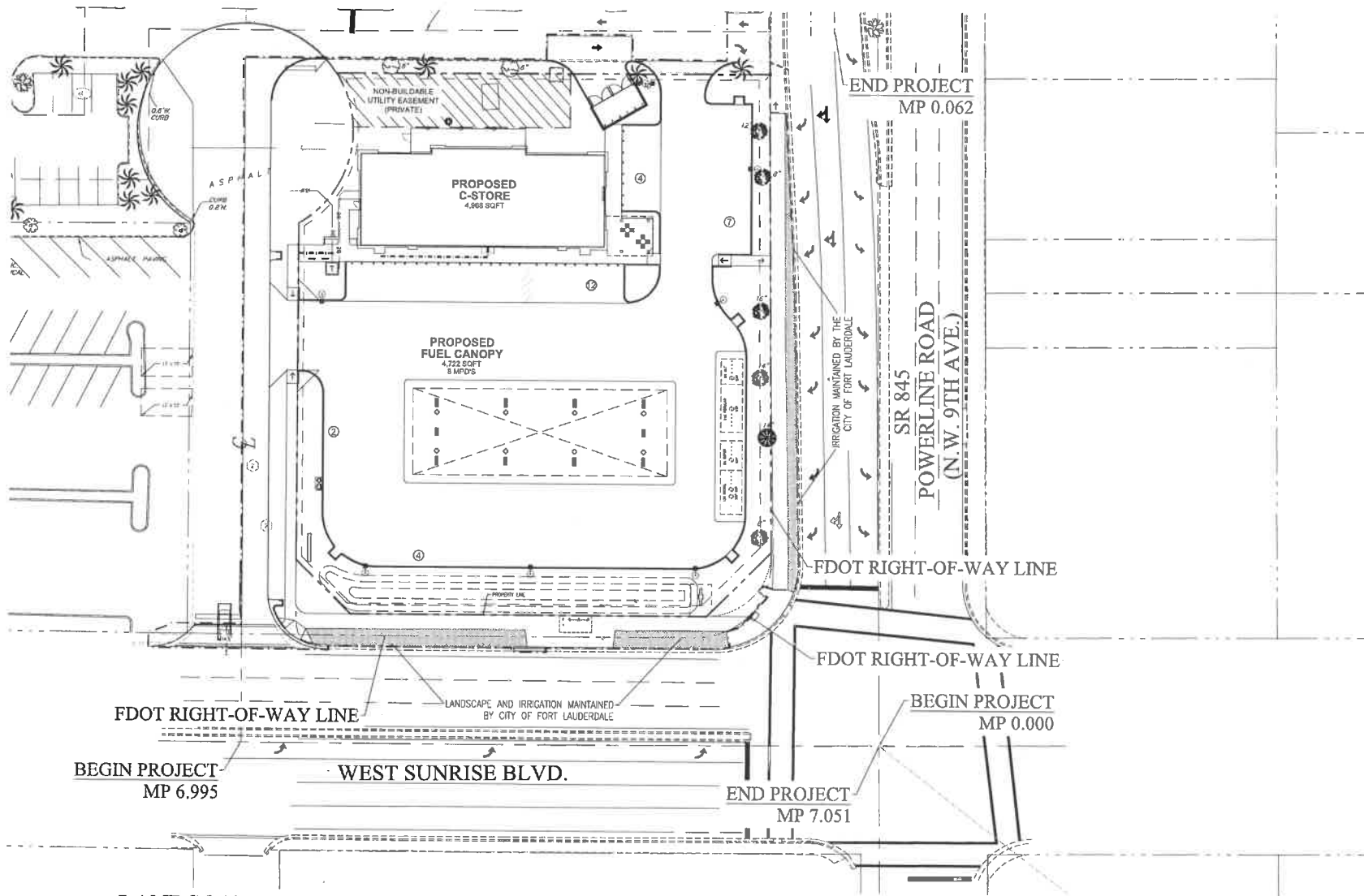
State Road 838 (Sunrise Boulevard) / State Road 5 (US 1/Federal Highway) Section
86020000
M.P. 1.060 (State Road 838/Sunrise Boulevard) to M.P. 1.911 (N.E. 18th Avenue)
Entire right of way

State Road 838 (Sunrise Boulevard) Section 86005000
M.P. 0.000 (N.E. 18th Avenue) to M.P. 1.191 (State Road A1A)
Entire right of way

State Road 845 (Powerline Road) from M.P. 0.000 to M.P. 0.062
- III. LANDSCAPE IMPROVEMENTS MAINTENANCE BOUNDARY LIMITS MAP:

**All limits of the original agreement and amendments shall apply*

Please See Attached



**LANDSCAPE IMPROVEMENT MAINTENANCE
BOUNDARY MAP**
CITY OF FORT LAUDERDALE
FDOT PERMIT 2018-L-491-010

10 0 20 40
1 inch = 20 ft.

LIMITS OF MAINTANANCE BY CITY OF FORT LAUDERDALE

SECTION No.:	86110000
S.R. No.:	838
PERMIT No(s).:	2018-L-491-010
COUNTY:	BROWARD

EXHIBIT B

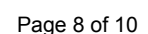
LANDSCAPE IMPROVEMENT PLANS

The AGENCY agrees to install the landscape improvements in accordance with the plans and specifications attached hereto and incorporated herein.

Please see attached plans prepared by: Bowman Consulting
Jeffrey W. Smith, RLA.

Date: September 7, 2018

Sheets: L-1 to L-3



[illegible]

Agribon 25-10-5 binary-one gram planting tablets may be substituted for granular fertilizer. If utilized, the following rates shall be utilized: Pushdown plant in hole. Backfill halfway up the rootball. Place tablet(s) beside rootball about 1" from root tips. Do not place tablet(s) in bottom of hole.

- 1 Gallon 1 Tablet
3 Gallon 2 Tablets
25 Gallon & BSB Trees 2 per 1" caliper

11. Maintain trees, shrubs, and other plants and shrubs to proper grade or vertical position. Contractor shall continue maintenance through final

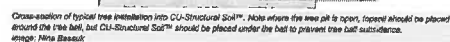
- [illegible]



Not in Scale



Not to Scale



Not in Scope



Table 1



Free P!

1. For the portion of landscape plant material that will be installed within the FDOT Right of Way for landscape installation shall comply with current FDOT Maintenance Specifications 560-2.1. Online Reference: <http://www.fdot.gov/programsandservices/maintenance/2018MaintenanceIndex.shtml>.
2. The portion of landscape plant material that will be installed within the FDOT Right of Way (not within the FDOT Standard Plans Section 560-001 Landscape Installation) shall comply with the following:
<http://www.fdot.gov/docs/default-source/landscape/2018-03-30-001.pdf>
3. Plant material is not to be installed in the Right of Way. Plant material to be used are Handwood and Shrub (containing no Cypress roots), and must be certified to the FDOT District Operations Permit and Soil Council (MISC) subject proof of certification to the FDOT District Operations Permit and Soil Council for use in the Right of Way.
4. Soddied areas will be installed in accordance with Design Standard Index 105 and Standard Specifications Sections 162, 570, 581, 682, 683, 687 of the Department's latest edition of Governing Design Specifications. All disturbed areas will be sodded within one (1) week of installation of erodible permitted work.

ELECTRONIC REPLY/YES AND NO
 Reply/Yes/No
 Jeffrey M. Smith, Esq.
 1999-1999
 Phys. BSc. Cambridge & Supplied By
 Cambridge College, 1999, 1999.
 900 East Ocean Boulevard, Suite 100
 West Florida 33594
 (727) 344-2342 L.F. 2000/1999

Digitally signed by Jeffrey W Smith
Date: 2018.09.07 11:19:37 -04'00'

FDOT LANDSCAPE PERMIT NUMBER 2018-L-491-010

Landscape Architecture - Site Planning

900 East Owen Boulevard, Suite 130d
Stuart, Florida 34994
(772) 344-2340
LC: 28000188

These drawings are the property of the landscape architect and are not to be used for other projects except by written permission from the landscape architect. Report any discrepancies immediately to the landscape architect.



Bowman
CONSULTING

Boyman Consulting Group, Ltd.
4450 W. Eau Gallie Blvd
Suite 232
Melbourne, FL 32934
Phone: (321) 255-5434
Fax: (321) 256-7751
www.boymanconsulting.com

LANDSCAPE PLAN
CIRCLE K STORE
901 WEST SUNRISE BLVD.
FT. LAUDERDALE, FLORIDA 33311



Prepared, Reviewed & Supervised by
Conceptual Designs Group, Inc.
900 East Cowan Boulevard, Suite 11
Stuart, Florida 34994
(772) 544-9526 • (7-63367100

Nome : Jeffrey W Smith, JR.
Licença # : LA0001625

PLAN STATUS	
DATE	
CITY	
STATE	
COUNTY	

[illegible]

NAME	[REDACTED]		
DATE	[REDACTED]		
NAME	IC	NAME	

DESIGN	DRAWN	CHK
SCALE AS SHOWN		

DOB No. BOWMAN / CD
DATE: 5/1/2107

FILE _____

L-2 OF 3

