

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 30th day of May, 2019 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 30th day May year written and approved.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: [Signature]
Transportation Development Director

Attest: [Signature] (SEAL)
Executive Secretary

Legal Review _____ Date _____
[Signature] 5/29/2019
Office of the General Counsel

CITY OF FORT LAUDERDALE

- See Attached

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.

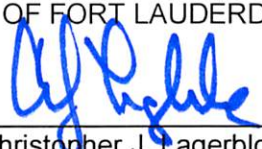
AGENCY

ATTEST:



Jeffrey A. Modarelli, City Clerk

CITY OF FORT LAUDERDALE

By: 

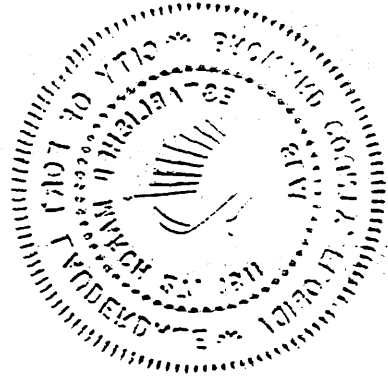
Christopher J. Lagerbloom, ICMA-CM
City Manager

14 day of May, 2019

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

By: 

Kimberly Cunningham Mosley
Assistant City Attorney



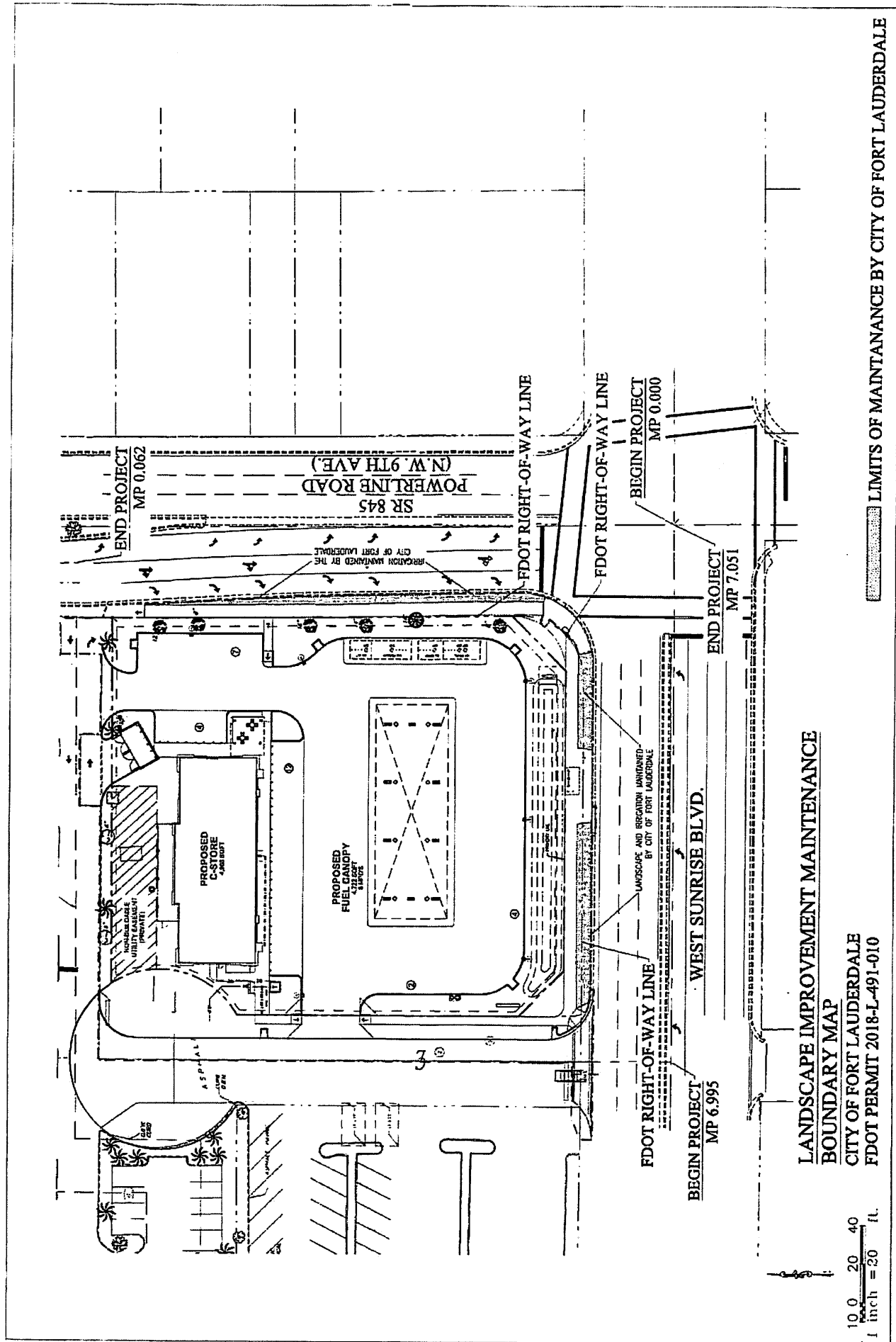
SECTION No.: 86110000
S.R. No.: 838
PERMIT No(s).: 2018-L-491-010
COUNTY: BROWARD

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



10.0 20 40
1 inch = 20 ft.

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

LIMITS OF MAINTENANCE 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

Circle K Store
 901 West Sunrise Blvd.
 Ft. Lauderdale, Florida 33311



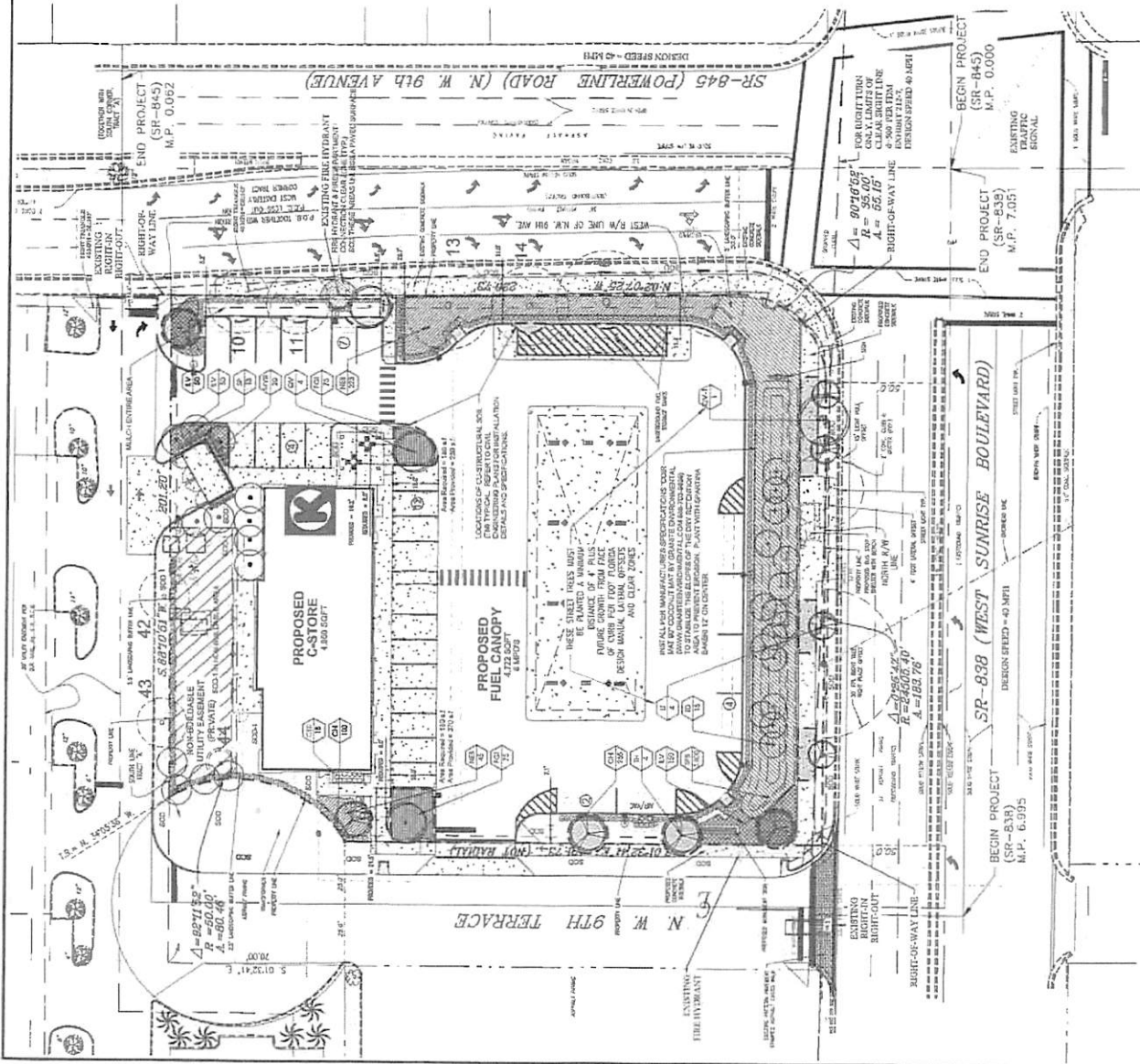
Landscape Plan

Broward County
 Ft. Lauderdale, Florida

Bowman Consulting
 1800 NW 13th Street, Suite 200
 Ft. Lauderdale, FL 33311
 Phone: (772) 755-4241
 Fax: (772) 755-7751
 E-mail: info@bowmanconsulting.com

Circle K

Broward County
 Ft. Lauderdale, Florida

[illegible]

[illegible][illegible]

77-18-6

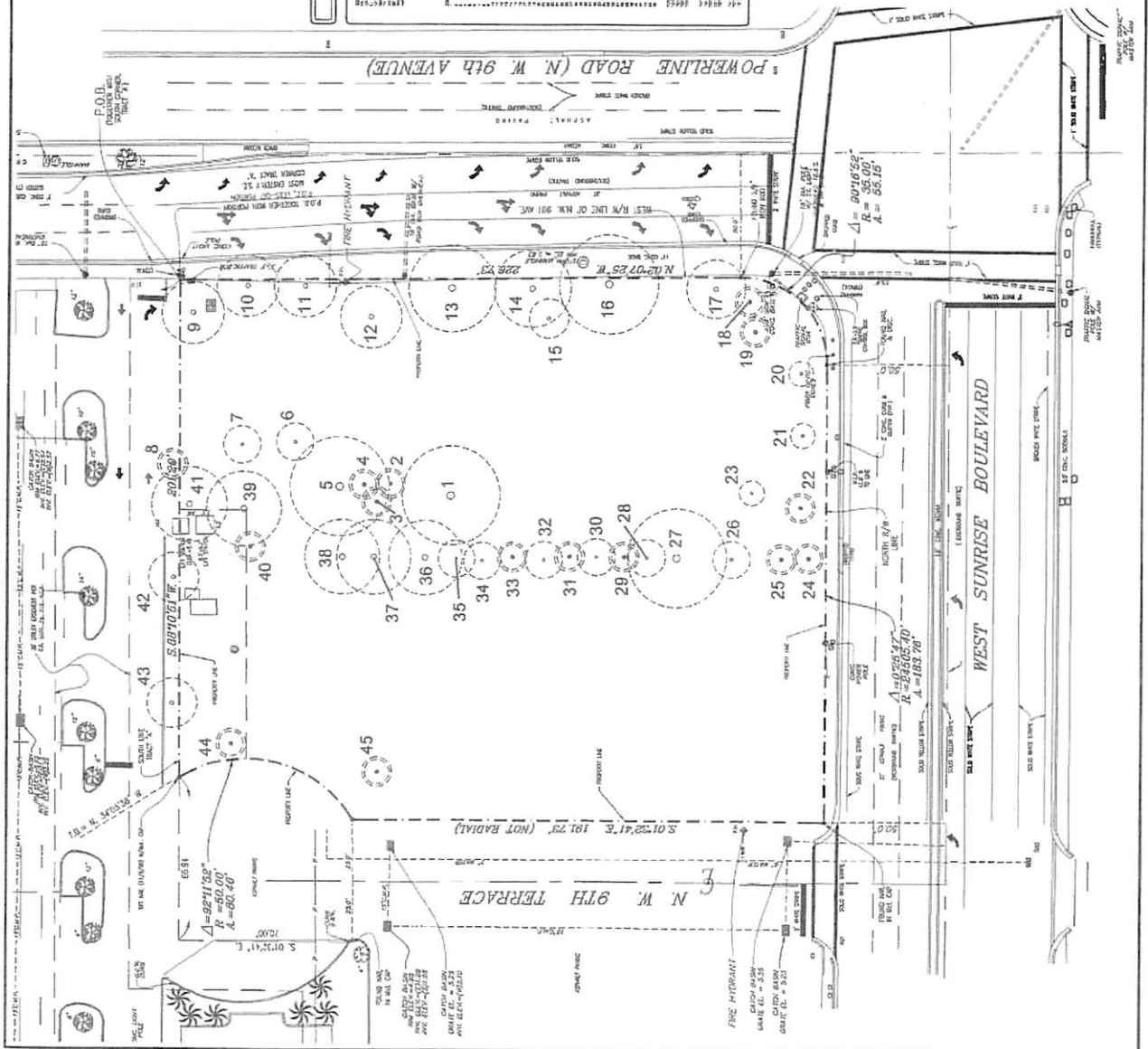
(5) 2' x 4' x 1/2" wood battens to be evenly spaced around North end of wall. Attachment of 2" fire ratings of battens will be given within the limits of project. Curving battens to the base of wall.

Parental Involvement Detail

Tree Planting Detail

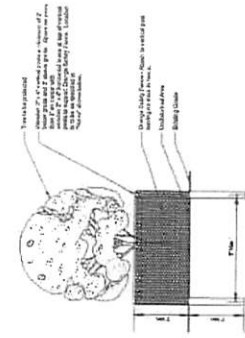
[illegible]

FDOT LANDSCAPE PERMIT NUMBER 2018-L-491-010



MITIGATION DATA

NO.	DATE	DESCRIPTION	BY	CHECKED	APPROVED
1	08/16/13	Initial Design	JWS	JWS	JWS
2	08/16/13	Revised Design	JWS	JWS	JWS
3	08/16/13	Final Design	JWS	JWS	JWS
4	08/16/13	As-Built	JWS	JWS	JWS
5	08/16/13	Final As-Built	JWS	JWS	JWS



Existing Tree Protection Barricade Detail
 The barricade shall be constructed of 4x4 posts and 2x4 rails, with a minimum height of 4 feet. The barricade shall be placed around the tree trunk, with a minimum clearance of 6 feet from the trunk to the barricade. The barricade shall be maintained at all times, and any damage shall be repaired immediately.

Conceptual Design Group, Inc.
 Landscape Architecture - Site Planning
 800 First Street, Suite 100
 Fort Lauderdale, FL 33304
 Phone: (954) 551-1111
 Fax: (954) 551-1112
 Email: info@conceptualdesigngroup.com
 Website: www.conceptualdesigngroup.com

Digitally signed by Jeffrey W Smith
 Date: 2018.09.07 11:19:56 -04'00'

Jeffrey W Smith
 Principal
 License No. 12,000,001
 State of Florida

Bowman Consulting
 800 First Street, Suite 100
 Fort Lauderdale, FL 33304
 Phone: (954) 551-1111
 Fax: (954) 551-1112
 Email: info@bowmanconsulting.com
 Website: www.bowmanconsulting.com

CIRCLE K STORE
 901 WEST SUNRISE BLVD.
 FT. LAUDERDALE, FLORIDA 33311
 BROWARD COUNTY

LANDSCAPE PLAN
 SCALE: AS SHOWN
 DATE: 8/16/13
 PROJECT: CIRCLE K STORE
 LOCATION: 901 WEST SUNRISE BLVD., FT. LAUDERDALE, FL 33311
 DRAWN BY: JWS
 CHECKED BY: JWS
 APPROVED BY: JWS

FOOT LANDSCAPE PERMIT NUMBER 2018-L-491-010
 L-3 OF 3



COMMISSION AGENDA ITEM
DOCUMENT ROUTING FORM

P 3L
5/15/19

Today's Date: 5/14/2019

DOCUMENT TITLE: FDOT – DISTRICT (4) AMENDMENT NUMBER THREE (3) TO STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION LANDSCAPE INCLUSIVE MEMORANDUM OF AGREEMENT

COMM. MTG. DATE: 5/7/2019 CAM #: 19-0120 ITEM #: CR-5 CAM attached: ☒ YES ☐ NO

Routing Origin: CAO Router Name/Ext: K.Nembhard/5001 Action Summary attached: ☒ YES ☐ NO

CIP FUNDED: ☐ YES ☒ NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, or real.

1) Dept.: TAM Router Name Laura M X3764 # of originals routed: 3 Date to CAO: 5/10/2019

2) City Attorney's Office: Documents to be signed/routed? ☒ YES ☐ NO # of originals attached: 3

Is attached Granicus document Final? ☒ YES ☐ NO

Approved as to Form: ☒ YES ☐ NO

Date to CCO: 5/14/2019

Kimberly Mosley
Attorney's Name

5001
Initials

3) City Clerk's Office: # of originals: 3 Routed to: MJ Matthews/CMO/X5364 Date: 5/14/19

4) City Manager's Office: CMO LOG #: May-64 Document received from: CCO
Assigned to: CHRIS LAGERBLOOM ☒ LINDA LOGAN-SHORT ☐ RHODA MAE KERR ☐
CHRIS LAGERBLOOM as CRA Executive Director ☐

☐ APPROVED FOR C. LAGERBLOOM'S SIGNATURE ☐ N/A FOR C. LAGERBLOOM TO SIGN

PER ACM: PER ACM: L. L-SHORT (Initial/Date) R. KERR (Initial/Date)

☐ PENDING APPROVAL (See comments below)

Comments/Questions: _____

Forward 3 originals to ☐ Mayor ☒ CCO Date: 5/14/19

5) Mayor/CRA Chairman: Please sign as indicated. Forward _____ originals to CCO for attestation/City seal (as applicable) Date: _____

6) City Clerk's Office: Forwards 3 Originals to: Laura Morton/TAM/Ext. 3764 for routing to Florida Dept. of Transportation

PLEASE EMAIL FULLY EXECUTED AGREEMENT TO KATHRYN NEMBHARD

Attach _____ certified Reso # _____ ☐ YES ☒ NO

Original Route form to CAO/K. Nembhard

Rev. 12/22/16