

PERMIT: 2024-L-491-00010
COUNTY: BROWARD
ROAD I.D.: 86014000
STATE ROAD: 870

**AMENDMENT NUMBER NINE (9) TO
FLORIDA DEPARTMENT OF TRANSPORTATION, DISTRICT 4
INCLUSIVE LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT**

THIS AMENDMENT Number Nine (9) to the Agreement dated December 6th, 2010, was made and entered into this _____ day of _____ 20____, by and between the **DEPARTMENT OF TRANSPORTATION**, hereinafter called the **DEPARTMENT** and the **CITY OF OAKLAND PARK**, a municipal corporation 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 Inclusive Landscape Maintenance Memorandum of Agreement on December 6th, 2010 ("Original Agreement") for the purpose of the AGENCY maintaining the landscape improvements on various roads including **State Road 870 (Commercial Boulevard)**; and

WHEREAS, the DEPARTMENT and the AGENCY agree to amend the Original Agreement for the purpose of adding additional landscape improvements ("Additional Improvements") on **State Road 870 (Commercial Boulevard)** in accordance with the above referenced Original Agreement; and

WHEREAS, the AGENCY by Resolution _____ dated, _____ attached hereto and by this reference made a part hereof, desires to enter into this Agreement and authorizes its officers to do so; and

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

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 7, Paragraph 9 of the Original Agreement, dated December 6th, 2010, and amended as such, the DEPARTMENT will allow an Adjacent Property Owner to construct additional landscape improvements or modify an improvement, located as indicated in **Exhibit "A"**, on **State Road 870 (Commercial Boulevard) from M.P. 7.837 to M.P. 7.866**, and in accordance with the plans attached as **Exhibit "B"**.
2. The AGENCY shall agree to maintain the additional landscape improvements in the Agreement described above according to Exhibit "C", Part I of the Maintenance Plan referenced in the Original Agreement, and as follows in Part II:

PERMIT: 2024-L-491-00010
COUNTY: BROWARD
ROAD I.D.: 86014000
STATE ROAD: 870

PART II. Specific Project Site Maintenance Requirements and Recommendations:

1. Canopy Trees are intended to be maintained at mature height and spread. (Refer to Part I Pruning, for clear sight window and vertical clear zone pruning requirements.)
2. Remove suckering growth from base and clear trunk areas for: single trunked and/or multi-trunked) trees on a monthly schedule.
3. To maintain the intended appearance of all palms, apply the latest palm fertilizer recommended by the University of Florida IFAS Extension per the manufacturer's specifications.
4. To maintain the intended appearance of all shrubs or turf grass apply the latest fertilizer recommended by the University of Florida IFAS Extension per the manufacturer's specifications.
5. Do not remove fronds from self-cleaning palms, unless damaged. Palms with persistent fronds shall only have dead fronds removed, do not remove any green fronds. If it is deemed necessary to prune a palm's fronds, no fronds shall be trimmed above 3 o'clock and 9 o'clock on the horizontal plain.
6. Groundcover and shrub horizontal growth shall be maintained to prevent foliage from growing beyond the limits of the planting areas shown on the plan. Maintain plants 6" setback from the foliage to the edge of curb, pavement, sidewalk and/or other hardscape improvements.
7. Groundcovers and shrubs

Maintain the vertical height of:
 - (Dwarf Ixora) between (12") and (18"), full to ground
 - (St Augustine Floritam) mature height do not trim down to below (2")
8. Inspect groundcovers and shrubs on a monthly basis for maintaining full ground coverage.
9. Evaluate plant material on a monthly basis for pests, diseases, drought stress or general decline. If required, follow the integrated pest management program established by the Agency to ensure healthy plants.
10. Concrete pavers shall be inspected on a monthly basis for the aesthetic appearance and safety conditions. Address any issues identified by repairing or replacing those specific locations. To maintain the overall aesthetic appearance and safety of the concrete pavers they shall be cleaned on a twice-yearly basis to prevent mold, dirt, oil, and gum build up. Joints and cracks in concrete, patterned concrete or asphalt, concrete pavers, concrete curbs, expansion joints, catch basins, gutter areas, etc. shall be inspected on a monthly to keep those areas free of weeds.

PERMIT: 2024-L-491-00010
COUNTY: BROWARD
ROAD I.D.: 86014000
STATE ROAD: 870

Inspect the irrigation system performance on a monthly to ensure the system is providing 100% coverage, does not have sections of low pressure, heads and valves are clean and clear of debris and any damaged irrigation components (i.e., spray nozzles, spray heads, valve boxes, etc.) are repaired or replaced.

LIST OF EXHIBITS FOR AMENDMENT #9:

Exhibit A - Landscape Improvements Maintenance Boundaries
Exhibit B - Landscape Improvement Plans
Exhibit C – Resolution

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.

PERMIT: 2024-L-491-00010
COUNTY: BROWARD
ROAD I.D.: 86014000
STATE ROAD: 870

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

CITY OF OAKLAND PARK

By: _____
Chairperson / Mayor / Manager

Date: _____

Attest: _____
Renee M. Shrout, City Clerk

(SEAL)

Legal Approval: _____

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____
John P. Krane, P.E. (or designee)
Director of Transportation Development

Date: _____

Attest: _____
Alia Chanel (or designee)
District 4 Secretary

Legal Review: _____
Pamela G. Eidelberg (or designee)
Assistant General Counsel, District 4

PERMIT: 2024-L-491-00010
COUNTY: BROWARD
ROAD I.D.: 86014000
STATE ROAD: 870

EXHIBIT A

LANDSCAPE IMPROVEMENTS MAINTENANCE BOUNDARIES

I. LANDSCAPE MAINTENANCE LIMITS FOR AMENDMENT #9:

State Road 870 (Commercial Boulevard) from M.P. 7.837 to 7.866

**See Exhibit A Map attached*

II. ORIGINAL INCLUSIVE LANDSCAPE MAINTENANCE AGREEMENT (DECEMBER 6, 2010) LIMITS FOR STATE ROAD 870 (Commercial Boulevard):

State Road. 870 (Commercial Boulevard) Original Agreement

M.P. 6.384 (approximately 75 feet east of the Seaboard Coast Line Railroad) to M.P. 8.016 (N.E. 15th Terrace.) which includes the entire right-of-way area.

***All limits of the Original Agreement and Amendments thereto, not otherwise referenced herein, remain in full force and effect.*

PERMIT: 2024-L-491-00010
COUNTY: BROWARD
ROAD I.D.: 86014000
STATE ROAD: 870

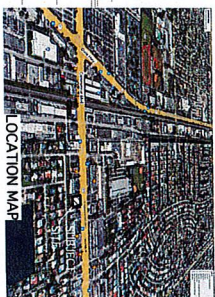
EXHIBIT B

LANDSCAPE IMPROVEMENT PLANS

The AGENCY (via Adjacent Property Owner) agrees to install the landscape improvements in accordance with the plans and specifications attached hereto and incorporated herein.

Please see attached plans prepared by: James McClure.
MLA Landscape Architecture

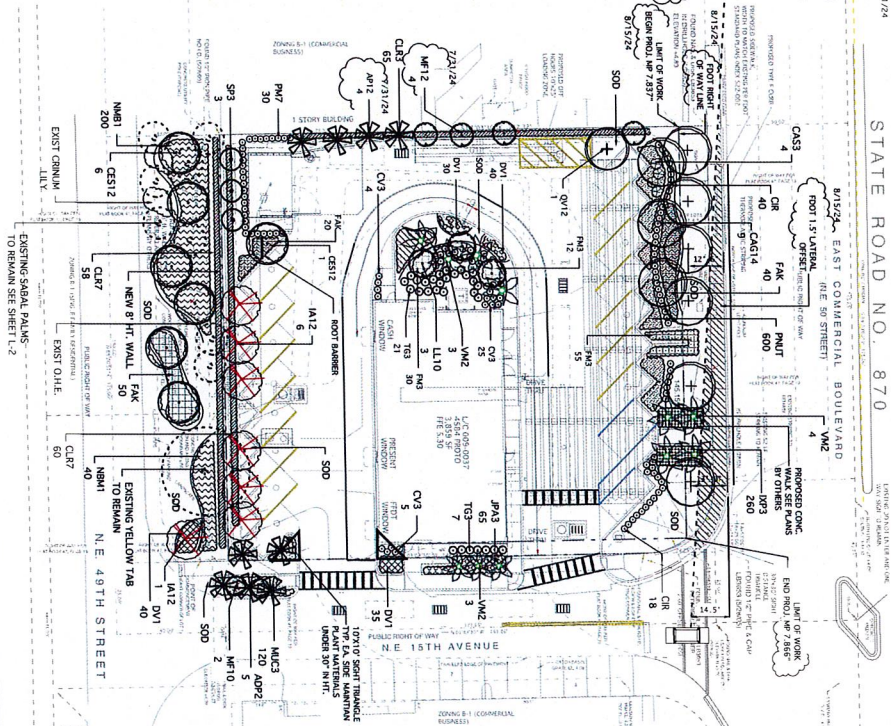
Dated: November 21, 2024

[illegible][illegible]

8/15/24

STATE ROAD NO. 870

MASTER PLANT LIST			QUANTITY
KEY	PLANT NAME	SPECIFICATION	
C201	ORANGE PINK VIVIER	12" X 18" 36" 42" 48" 54" 60" 66" 72" 78" 84" 90" 96" 102" 108" 114" 120" 126" 132" 138" 144" 150" 156" 162" 168" 174" 180" 186" 192" 198" 204" 210" 216" 222" 228" 234" 240" 246" 252" 258" 264" 270" 276" 282" 288" 294" 300" 306" 312" 318" 324" 330" 336" 342" 348" 354" 360" 366" 372" 378" 384" 390" 396" 402" 408" 414" 420" 426" 432" 438" 444" 450" 456" 462" 468" 474" 480" 486" 492" 498" 504" 510" 516" 522" 528" 534" 540" 546" 552" 558" 564" 570" 576" 582" 588" 594" 600" 606" 612" 618" 624" 630" 636" 642" 648" 654" 660" 666" 672" 678" 684" 690" 696" 702" 708" 714" 720" 726" 732" 738" 744" 750" 756" 762" 768" 774" 780" 786" 792" 798" 804" 810" 816" 822" 828" 834" 840" 846" 852" 858" 864" 870" 876" 882" 888" 894" 900" 906" 912" 918" 924" 930" 936" 942" 948" 954" 960" 966" 972" 978" 984" 990" 996" 1002" 1008" 1014" 1020" 1026" 1032" 1038" 1044" 1050" 1056" 1062" 1068" 1074" 1080" 1086" 1092" 1098" 1104" 1110" 1116" 1122" 1128" 1134" 1140" 1146" 1152" 1158" 1164" 1170" 1176" 1182" 1188" 1194" 1200" 1206" 1212" 1218" 1224" 1230" 1236" 1242" 1248" 1254" 1260" 1266" 1272" 1278" 1284" 1290" 1296" 1302" 1308" 1314" 1320" 1326" 1332" 1338" 1344" 1350" 1356" 1362" 1368" 1374" 1380" 1386" 1392" 1398" 1404" 1410" 1416" 1422" 1428" 1434" 1440" 1446" 1452" 1458" 1464" 1470" 1476" 1482" 1488" 1494" 1500" 1506" 1512" 1518" 1524" 1530" 1536" 1542" 1548" 1554" 1560" 1566" 1572" 1578" 1584" 1590" 1596" 1602" 1608" 1614" 1620" 1626" 1632" 1638" 1644" 1650" 1656" 1662" 1668" 1674" 1680" 1686" 1692" 1698" 1704" 1710" 1716" 1722" 1728" 1734" 1740" 1746" 1752" 1758" 1764" 1770" 1776" 1782" 1788" 1794" 1800" 1806" 1812" 1818" 1824" 1830" 1836" 1842" 1848" 1854" 1860" 1866" 1872" 1878" 1884" 1890" 1896" 1902" 1908" 1914" 1920" 1926" 1932" 1938" 1944" 1950" 1956" 1962" 1968" 1974" 1980" 1986" 1992" 1998" 2004" 2010" 2016" 2022" 2028" 2034" 2040" 2046" 2052" 2058" 2064" 2070" 2076" 2082" 2088" 2094" 2100" 2106" 2112" 2118" 2124" 2130" 2136" 2142" 2148" 2154" 2160" 2166" 2172" 2178" 2184" 2190" 2196" 2202" 2208" 2214" 2220" 2226" 2232" 2238" 2244" 2250" 2256" 2262" 2268" 2274" 2280" 2286" 2292" 2298" 2304" 2310" 2316" 2322" 2328" 2334" 2340" 2346" 2352" 2358" 2364" 2370" 2376" 2382" 2388" 2394" 2400" 2406" 2412" 2418" 2424" 2430" 2436" 2442" 2448" 2454" 2460" 2466" 2472" 2478" 2484" 2490" 2496" 2502" 2508" 2514" 2520" 2526" 2532" 2538" 2544" 2550" 2556" 2562" 2568" 2574" 2580" 2586" 2592" 2598" 2604" 2610" 2616" 2622" 2628" 2634" 2640" 2646" 2652" 2658" 2664" 2670" 2676" 2682" 2688" 2694" 2700" 2706" 2712" 2718" 2724" 2730" 2736" 2742" 2748" 2754" 2760" 2766" 2772" 2778" 2784" 2790" 2796" 2802" 2808" 2814" 2820" 2826" 2832" 2838" 2844" 2850" 2856" 2862" 2868" 2874" 2880" 2886" 2892" 2898" 2904" 2910" 2916" 2922" 2928" 2934" 2940" 2946" 2952" 2958" 2964" 2970" 2976" 2982" 2988" 2994" 3000" 3006" 3012" 3018" 3024" 3030" 3036" 3042" 3048" 3054" 3060" 3066" 3072" 3078" 3084" 3090" 3096" 3102" 3108" 3114" 3120" 3126" 3132" 3138" 3144" 3150" 3156" 3162" 3168" 3174" 3180" 3186" 3192" 3198" 3204" 3210" 3216" 3222" 3228" 3234" 3240" 3246" 3252" 3258" 3264" 3270" 3276" 3282" 3288" 3294" 3300" 3306" 3312" 3318" 3324" 3330" 3336" 3342" 3348" 3354" 3360" 3366" 3372" 3378" 3384" 3390" 3396" 3402" 3408" 3414" 3420" 3426" 3432" 3438" 3444" 3450" 3456" 3462" 3468" 3474" 3480" 3486" 3492" 3498" 3504" 3510" 3516" 3522" 3528" 3534" 3540" 3546" 3552" 3558" 3564" 3570" 3576" 3582" 3588" 3594" 3600" 3606" 3612" 3618" 3624" 3630" 3636" 3642" 3648" 3654" 3660" 3666" 3672" 3678" 3684" 3690" 3696" 3702" 3708" 3714" 3720" 3726" 3732" 3738" 3744" 3750" 3756" 3762" 3768" 3774" 3780" 3786" 3792" 3798" 3804" 3810" 3816" 3822" 3828" 3834" 3840" 3846" 3852" 3858" 3864" 3870" 3876" 3882" 3888" 3894" 3900" 3906" 3912" 3918" 3924" 3930" 3936" 3942" 3948" 3954" 3960" 3966" 3972" 3978" 3984" 3990" 3996" 4002" 4008" 4014" 4020" 4026" 4032" 4038" 4044" 4050" 4056" 4062" 4068" 4074" 4080" 4086" 4092" 4098" 4104" 4110" 4116" 4122" 4128" 4134" 4140" 4146" 4152" 4158" 4164" 4170" 4176" 4182"	



FDOT PLANTING NOTES

FOR THE PORTION OF LANDSCAPE MATERIAL THAT WILL BE INSTALLED WITHIN THE FOOT RIGHT OF WAY LANDSCAPE INSTALLATION SHALL COMPLY WITH CURRENT APPLICABLE FDOT MAINTENANCE SPECIFICATIONS 580 REFER TO SHEET L-4 AND FDOT STANDARD PLANS INDEX 580-001 LANDSCAPE INSTALLATION

CYPRESS MULCH IS NOT PERMITTED ON FOOT RIGHT OF WAY MULCH PERMITTED TO BE USED ARE HARDWOOD MULCH CONTAINING NO CYPRESS PRODUCTS, RECYCLED MULCH OR APPROVED EQUAL, CERTIFIED BY THE MULCH AND SOIL COUNCIL (MSC). SUBMIT PROOF OF CERTIFICATION TO THE FDOT DISTRICT OPERATIONS PERMIT LANDSCAPE INSPECTOR UPON INSPECTION

SODDED AREAS WILL BE IN ACCORDANCE WITH STANDARD PLANS INDEX 570-010 AND STANDARD SPECIFICATIONS SECTIONS 162, 570, 981.1, 983, 987 OF THE DEPARTMENTS LATEST EDITION OF GOVERNING DESIGN STANDARDS AND STANDARD SPECIFICATIONS. ALL DISTURBED AREAS WILL BE SODDED WITHIN ONE WEEK OF INSTALLATION OF SAID PERMITTED WORK.

CONTRACTOR SHALL REPAIR ALL DAMAGE DONE TO PROPERTY DURING DEMOLITION, RELOCATION AND INSTALLATION ACTIVITIES AT HIS SOLE EXPENSE.

OWNERSHIP OF ALL SUITABLE EXCAVATED MATERIALS AS DETERMINED BY THE DEPT. SHALL REMAIN IN THE DEPT. UNTIL A FINAL ACCEPTANCE OF THE PERMITTED PROJECT IS FULFILLED. EXCAVED MATERIALS SHALL BE HAULED BY THE PERMITEE, AT THEIR COST, AND EXPENSE FROM THE SITE TO THE SITE TO THE FOOT ROADWAY OPERATIONS CENTER OR STOCKPILED IN THOSE AREAS AS DIRECTED BY THE DEPT., INCLUDING ASPHALT MIXINGS.

STREET TREES SHALL MAINTAIN A 6' OFFSET FROM EDGE OF ROAD WHERE CURBING IS NOT PRESENT
CONTRACTOR SHALL BE AWARE OF ALL UNDERGROUND UTILITY LOCATIONS PRIOR TO STARTING WORK
REFER TO SHEET L-2 FOR EXISTING TREE DISPOSITION INFORMATION
REFER TO SHEET L-3 FOR LANDSCAPE PLANS AND DETAILS

NOTE: ALL STREET TREES SHOWN OFF SET FROM E.O.P. BY 6'-0" PROVIDE ROOT BARRIER BETWEEN SIDEWALK SEE DETAIL

NOTE: ALL LANDSCAPE MATERIAL WITHIN THE SIGHT TRIANGLES SHALL BE MAINTAINED BELOW IN HEIGHT. TREES SHALL MAINTAIN CLEAR TRUNK OF 8'

FDOT LA PERMIT NO. 2024-L-491-00010
DESIGN SPEED = 35 MPH

I-1

SCALE: 1"=20'
DATE DRAWN: 4-18-24
SHEET NO.

mccl Date: 2024.09.09

James S. McClure
LANDSCAPE ARCHITECT
JAMES S. MCCLURE & ASSOCIATES
1000 15th St. N.E.
Washington, D.C. 20002
(202) 691-1100

Digitally signed by jame

PI

13
OAM
EA
ANDCD
ST C
PARON
OMIAL
ER

'S
IAL
FLO

LV
IDA

AN

LANDSCAPE

1000

COMMENTS: 07/13/21

COMMENTS: 7/23/24

7

car

South St
part of
603-10
603-10
couple
line no
hit

02271
334
Hoo. 90
et u

PERMIT: 2024-L-491-00010
COUNTY: BROWARD
ROAD I.D.: 86014000
STATE ROAD: 870

EXHIBIT C

RESOLUTION

This Exhibit forms an integral part of the DISTRICT FOUR (4) LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT between the DEPARTMENT and the AGENCY.

Please see attached

(To be provided by the Agency)