

SECTION: 86039000
COUNTY: BROWARD
STATE RD: 814
PERMIT: 2024-L-491-00013

**AMENDMENT NUMBER ELEVEN (11) TO
FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 4
LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT**

THIS AMENDMENT Number Eleven (11) to the Original Agreement dated May 27, 2009, made and entered into this _____ day of _____ 2025 by and between the **DEPARTMENT OF TRANSPORTATION** hereinafter called the **DEPARTMENT** and the **CITY OF COCONUT CREEK**, 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 Memorandum of Agreement dated, May 27, 2009 ("Original Agreement") for the purpose of the **AGENCY** maintaining landscape improvements on various state roads within the **AGENCY'S** jurisdiction, including **State Road 814 (W. Atlantic Boulevard)**; and,

WHEREAS, the **DEPARTMENT** and the **AGENCY** have agreed to add additional landscape on **State Road 814 (W. Atlantic Boulevard)** from **M.P. 0.769 to M.P. 1.098**, in accordance with the Original Agreement; 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; and,

WHEREAS, the **AGENCY** by Resolution No. _____ dated _____, 2025 attached hereto as **Exhibit "C"** and by this reference made a part hereof, desires to enter into this Agreement and authorizes its officers to do so,

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

1. The parties herein agree to modify the Original Agreement accordingly:
2. Pursuant to Page 7, Section 8 of the Original Agreement, the **DEPARTMENT** will allow an Adjacent Property Owner to construct additional landscape improvements or to modify an improvement located as indicated in **Exhibit "A"** of this Amendment, State Road 814 (W. Atlantic Boulevard) from M.P. 0.796 to 1.098.

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3. The Additional Improvements, more fully described in the plans attached to this Amendment as **Exhibit "B"** and incorporated into the Original Agreement, will include the following non-standard items: groundcover plants, shrubs, and irrigation system, within the FDOT right of way. The Additional Improvements shall be installed in accordance with the aforementioned plans.
4. The AGENCY agrees to maintain the Additional Improvements in accordance with Part I of Exhibit "E" Maintenance Plan for Landscape Improvements, of the Original Agreement, and in compliance with:

II. SPECIFIC PROJECT SITE MAINTENANCE REQUIREMENTS AND RECOMMENDATIONS

1. Green Buttonwood and Silver Buttonwood trees are intended to be maintained with 8.5' clear trunk vertical clearance over sidewalks.
2. Remove suckering growth from base and clear trunk areas for single trunked trees on a quarterly basis.
3. To maintain the intended appearance of all groundcover or turf grass, apply the latest fertilizer recommended by the University of Florida IFAS Extension per the manufacturer's specifications.
4. 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 a 4" setback from the foliage to the edge of curb, pavement, sidewalk and/or other hardscape improvements.
5. Maintain the vertical height of:
 - Green Island Ficus at 18".
 - St. Augustine Grass mature height trim down to 4" on an as-needed basis.
6. Maintain full ground coverage for groundcover at all times.
7. 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.
8. Inspect the irrigation system performance on a monthly basis 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.

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LIST OF EXHIBITS FOR AMENDMENT #11:

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.

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

CITY OF COCONUT CREEK

By: _____
Sheila Rose, City Manager

Date: _____

Attest:

Joseph J. Kavanagh, City Clerk

(SEAL)

Legal Review:

Terrill C. Pyburn, City Attorney

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

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

Date: _____

(SEAL)

Alia Channel, (or designee)
Executive Secretary

Legal Review:

Pamela G. Eidelberg, (or designee)
Office of the General Counsel, District 4