STATE ROAD: 5 (No Federal Hwy)

COUNTY: BROWARD PERMIT: 2025-L-491-00007

AMENDMENT NUMBER THIRTY-FOUR (34) TO FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 4 INCLUSIVE LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT

This is AMENDMENT NUMBER THIRTY-FOUR (34)	to the Agreement dated December 5, 2007.
made and entered into this day of	_ 2025, by and between the DEPARTMENT
OF TRANSPORTATION, a component agency of the	State of Florida, hereinafter called the
DEPARTMENT, and the CITY OF POMPANO BEACH, a r	municipal corporation of the State of Florida.
hereinafter called the AGENCY .	

WHEREAS, the parties entered into the Inclusive Landscape Maintenance Memorandum of Agreement dated December 5, 2007 (Original Agreement) for the purpose of the AGENCY maintaining the landscape improvements on various State Road(s) including State Road 5 (No. Federal Highway); and

WHEREAS, the DEPARTMENT and the AGENCY have agreed to amend the Original Agreement for the purpose of adding additional landscape improvements **State Road 5 (No. Federal Highway) in** accordance with the Original Agreement; and

WHEREAS, the AGENCY seeks to install by permit and maintain certain landscape and hardscape improvements within the right of way on State Road 5 (No. Federal Highway) from M.P. 11.408 to M.P. 11.518, as described in Exhibit "A"; and

WHEREAS, the AGENCY is agreeable to maintaining the landscape improvements within the AGENCY'S limits, including plant materials, irrigation systems and/or hardscape (such as specialty surfacing, site furnishings, or other nonstandard items (if applicable), but excluding standard concrete sidewalk). The AGENCY agrees that such improvements shall be maintained by periodic mowing, fertilizing, weeding, litter pick-up, pruning, necessary replanting, irrigation repair and/or repair/replacement of the specialty surfacing, as needed; and

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

 Pursuant to paragraph 1, page 1 of Amendment Number Six (6) dated August 9, 2013, the DEPARTMENT will allow an adjacent property owner to construct additional landscape improvements or to modify an improvement located as indicated in **Exhibit "A"** on State Road 5 (No. Federal Highway) from M.P. 11.408 to M.P.11.518, in accordance with the plans attached as **Exhibit "B"**.

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The Original Agreement, as previously modified by Amendment #21, shall be modified as
follows to revise the limits for State Road 5 (No. Federal Highway) as reflected in Exhibit "A" of
this Amendment:

- a. Previous limits: M.P. 7.262 to M.P. 11.025
- b. New Limits as included in Amendment #34:
 - a. M.P. 7.262 to M.P. 10.811 (North and Southbound)
 - b. M.P. 10.811 to M.P. 11.518 (Southbound only)
- 3. The AGENCY shall agree to maintain the additional landscape improvements according to Exhibit "F" Maintenance Plan of the Original Agreement, and Amendment #34, as follows:

PART II.

SPECIFIC PROJECT SITE MAINTENANCE REQUIREMENTS AND RECOMMENDATIONS:

- Plan provides small accent street trees along the right of way in planter cutouts in paved plaza area. Low ground cover is proposed under each individual tree within planter cutouts in plaza area. Additional small accent trees and sod to be planted in right of way landscape areas that are not paved.
- 2. Canopy trees are intended to be maintained at mature height and spread with a 8.5' vertical clearance along sidewalk and a 14.5 vertical clearance along roadway. (Refer to Part I Pruning, for clear sight window and vertical clear zone pruning requirements.)
- 3. Remove suckering growth from base and clear trunk areas for single trunked trees on a quarterly basis.
- 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. Groundcover and shrub horizontal growth shall be maintained to prevent foliage from growing beyond the limits of the planting areas shown on the plan.
- Juniperus chinensis 'Parsonii' shall be planted in planter cutouts within plaza area.
 Maintain the vertical height of juniper at 14" maximum.
 St Augustine sod shall be planted in right of way outside of paved walk and plaza areas. Grass to be maintained at 3"-4" in height
- 7. Inspect groundcovers and shrubs every 3 months to ensure full ground coverage.

STATE ROAD: 5 (No Federal Hwy)

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8. Evaluate plant material every 3 months for pests, diseases, drought stress or general decline. If required, follow the integrated pest management program established by the Agency to ensure healthy plants.

- 9. Concrete pavers shall be inspected every 4 months 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 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 every 4 months to keep those areas free of weeds.
- 10. 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.

SECTION: 86020000 STATE ROAD: 5 (No Federal Hwy) COUNTY: BROWARD

PERMIT: 2025-L-491-00007

	<u>"CITY"</u>		
	CITY OF POMPANO BEACH Signed by:		
	By: REX HARDIN, MAYOR		
	By:GREGORY P. HARRISON, CITY MANAGER		
	Date:		
Attest:			
KERVIN ALFRED CITY CLERK	_		
Approved As To Form:	(SEAL)		
	Signed by:		
MARK E. BERMAN CITY ATTORNEY			

STATE ROAD: 5 (No Federal Hwy)

COUNTY: BROWARD PERMIT: 2025-L-491-00007

FLORIDA DEPARTMENT OF TRANSPORTATION SIGNATURE PAGE

3y : John P. Krane (or designee)	Date:
Director of Transportation Development	
Attest:	-
Alia Chanel (or designee) Executive Secretary	
_egal Review:	
Pamela G. Eidelberg (or design	ee)

Office of the General Counsel

STATE ROAD: 5 (No Federal Hwy)

COUNTY: BROWARD PERMIT: 2025-L-491-

2025-L-491-00007

EXHIBIT A

LANDSCAPE IMPROVEMENTS MAINTENANCE BOUNDARIES

I. LANDSCAPE MAINTENANCE LIMITS FOR AMENDMENT #34:

> State Road 5 (No. Federal Highway) approximately 300' south of NE 33rd Street from (M.P. 11.408) to (M.P. 11.518)

See Attached Map*

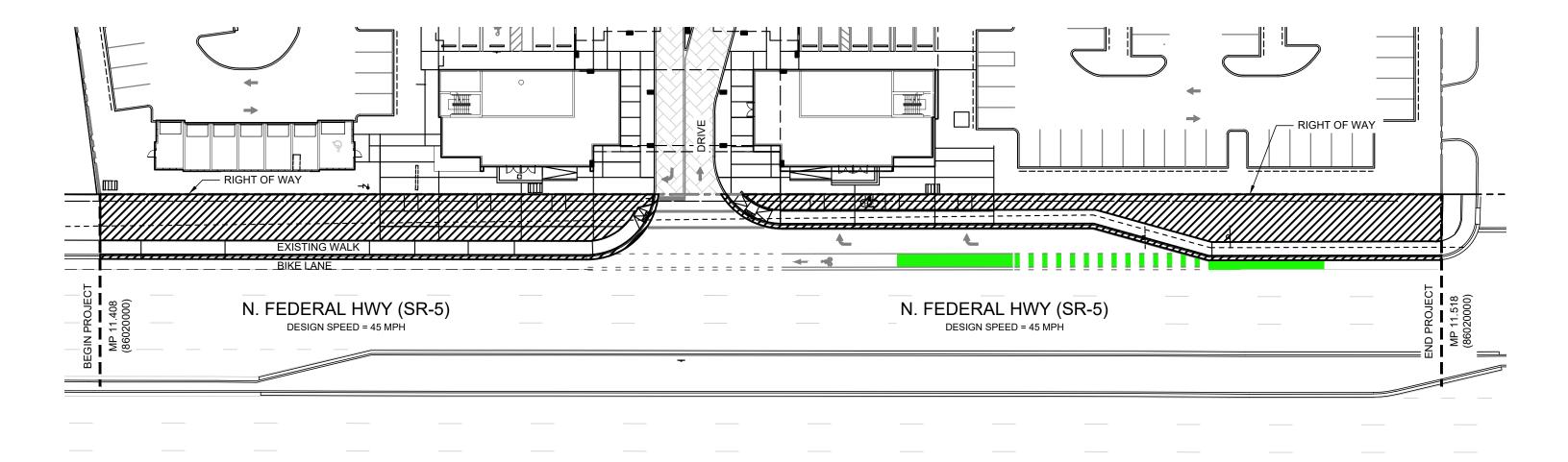
MODIFIED INCLUSIVE AGREEMENT LIMITS FOR STATE ROAD 5 II. (No. Federal Highway) AS AMENDED HEREIN:

State Road 5 (No. Federal Highway) North and Southbound from M.P. 7.262 (South of McNab Road) to M.P. 10.811 (NE 24th Street)

AND

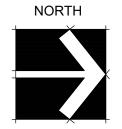
State Road 5 (No. Federal Highway) Southbound only from M.P. 10.811 to M.P. 11.518

*All other limits and Amendments of the Original Agreement shall apply.





LANDSCAPE IMPROVEMENTS
MAINTENANCE BOUNDARY MAP
CITY OF POMPANO BEACH



FDOT LANDSCAPE PERMIT #2025-L-491-00007 OCTOBER 6, 2025

STATE ROAD: 5 (No Federal Hwy)

COUNTY: PERMIT: **BROWARD**

2025-L-491-00007

EXHIBIT B

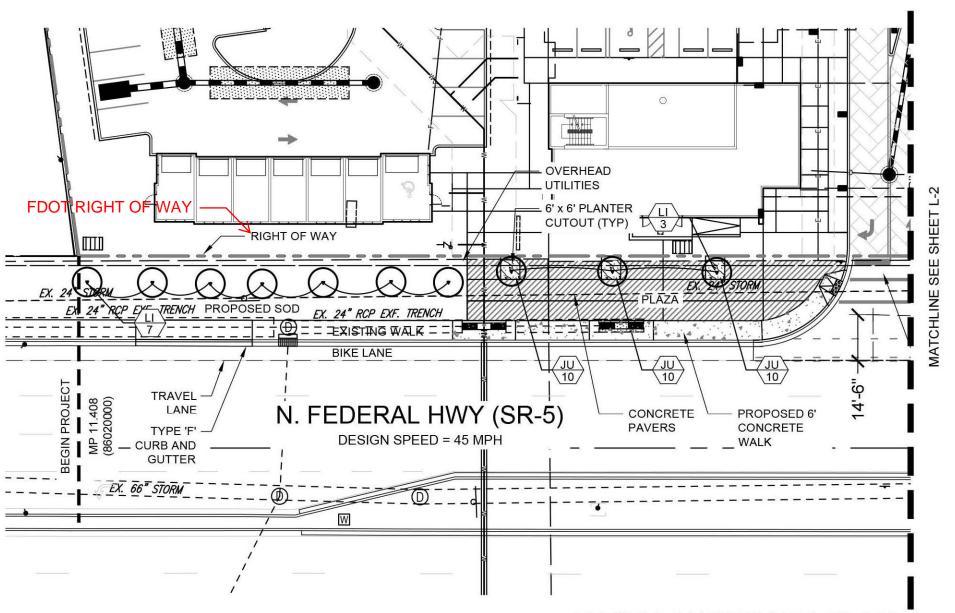
LANDSCAPE IMPROVEMENT PLANS

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: Kimberly Moyer

AMAC Holdings.

Date: September 10, 2025



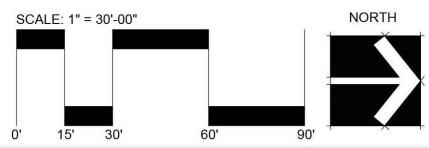


Project Location



FDOT LANDSCAPE PLAN





FDOT LANDSCAPE PERMIT #2025-L-491-00007

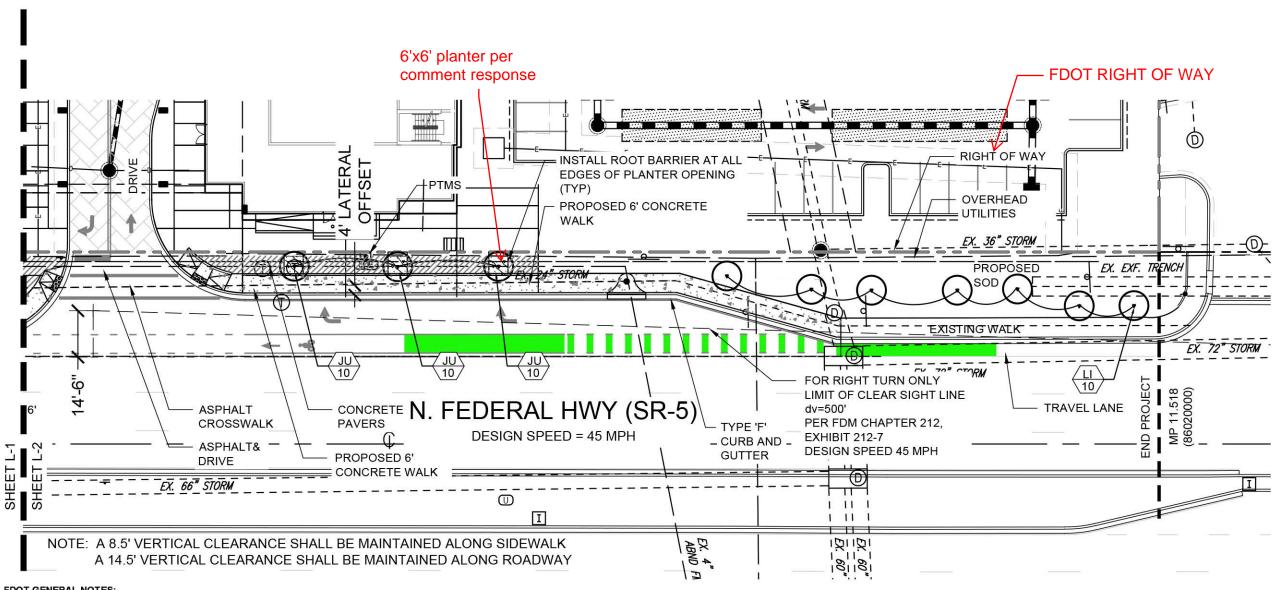
Plant List Right of Way

<u>Sym</u>	Total Qty	Botanical Name	Common Name	Size	<u>Native</u>	Drought Tolerance
Trees/ Palms						
Ц	20	Lagerstroemia indica 'Tuscarora'	Crape Myrtle	16' Ht. x 4' Spr, single trunk	No	High
Shrubs/Groun	ndcovers					
IJ	60	Juniperus chinensis 'Parsonii'	Juniper	6" x 14", 18" O.C.	No	High
Sod			St. Augustine			
Mulch			Shredded Melaleuca or Eucalyptus			



3151 N. FEDERAL PROPOSED MIXED USE PROJECT

ARCH. LICENSE date: 07-11-2025 scale: As Show drawn by: EC



FDOT GENERAL NOTES:

1. GOVERNING STANDARD PLANS

Florida Department of Transportation, FY 2025-26 Standard Plans for Road and Bridge Construction and applicable Interim Revisions (IRs) are available at the following website: Standard Plans-FY 2025-26

2. GOVERNING STANDARD SPECIFICATIONS:

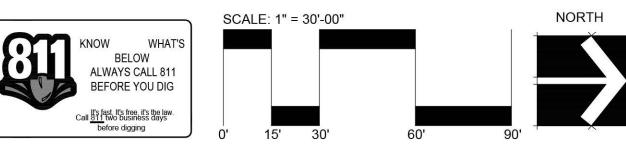
Florida Department of Transportation, FY2025-26 Standard Specifications for Road and Bridge Construction at the following website: 2025-26-ebook-compressed.pdf

- 3. Contractor shall repair all damage done to FDOT property during demolition, relocation and/ or installation activities at his sole expense.
- 4. Any plant material substitution within or impacting the FDOT Right of Way whether requested by Contractor, Owner, Landscape Architect or other will need to obtain approval from the FDOT District Landscape Architect.
- 5. Architectural Pavers installation for sidewalks and/or driveways within the FDOT right of way shall comply with the current FDOT Standard Specification 526. Online
- 6. Ownership of all suitable excavated materials, as determined by the Department, shall remain in the Department until a final acceptance of the permitted project is fulfilled. Excavated materials shall be hauled by the Permittee, at their cost & expense from the site to the Broward Operations Center or stockpiled in those areas as directed by the Department, including asphalt millings.

FDOT PLANTING NOTES:

- For the portion of landscape plant material that will be installed within the FDOT Right of Way, landscape installation shall comply with current applicable FDOT Maintenance Specification 580. Online reference: Section 580
- 2 For the portion of landscape material that will be installed within the FDOT Right of Way refer to the FDOT Standard Plans Index 580-001 Landscape Installation.
- 3. Cypress mulch is not permitted on FDOT 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.
- 4. Sodded areas will be in accordance with Standard Plans Index 570-010 and Standard Specification Sections 570,981,982,983 and 987 of the Department's latest edition of Governing Design Standards and Standard Specifications. All disturbed areas will be sodded within one (1) week of installation of said permitted work.

FDOT LANDSCAPE PLAN



FDOT LANDSCAPE PERMIT #2025-L-491-00007

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FEDERAL Z 51

ARCH. LICENSE AA 26003571 date: 07-11-2025 scale: As Show drawn by: EC

L-2 **FDOT** Florida Department of Transportation, FY 2025-26 Standard Plans for Road and Bridge Construction and applicable Interim Revisions (IRs) are available at the following website: Standard Plans-FY 2025-26

2. GOVERNING STANDARD SPECIFICATIONS:

Florida Department of Transportation, FY2025-26 Standard Specifications for Road and Bridge Construction at the following website: 2025-26-ebook-compressed.pdf

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IMBERLY MOYER, RLA ANDSCAPE ARCHITECTUR 1541 582-3895 .MOYERLA@GMAIL.COM

revisions: 09-10-2025

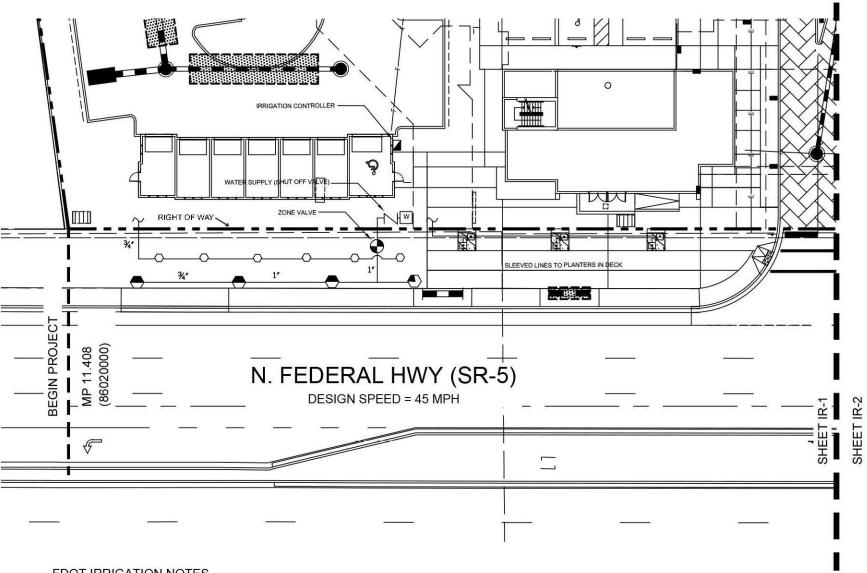
3191 coral way, suite 400 m i a m i, fl. 33 14 5 tel: (35) 854-4070 architets@architecture.com

A N I L L O T O L E D O L O P E Z



3151 N. FEDERAL
PROPOSED MIXED USE PROJECT
3151-3251 N FEDERAL HIGHWAY, POMPANO BEAC

ARCH. LICENSE AR 0016093 AA 26003571 date: 07-11-2025 scale: As Showr drawn by: EC



FDOT IRRIGATION NOTES

- 1. The irrigation system shall use the lowest quality water available which adequately and safely meets the water needs of the system . Storm water, reclaim water or grey water irrigation shall be used whenever possible.
- 2. The FDO requires 24 hour emergency access to water source.
- Contractor shall provide the FDOT District Operations Manager with a set of As Built Irrigation plans.

LEGENDS - SYMBOLS



ZONE VALVES



POP UP ROTOR SPRINKLERS



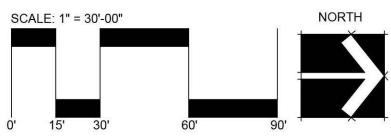
6" POP UP SPRAY SPRINKLERS



12" POP UP SPRAY SPRINKLERS

TREE FLOOD BUBBLERS

FDOT IRRIGATION PLAN



WHAT'S

BELOW ALWAYS CALL 811

BEFORE YOU DIG

Call <u>811</u> two business days before digging

FDOT Ladscape Permit #2025-L-491-00007

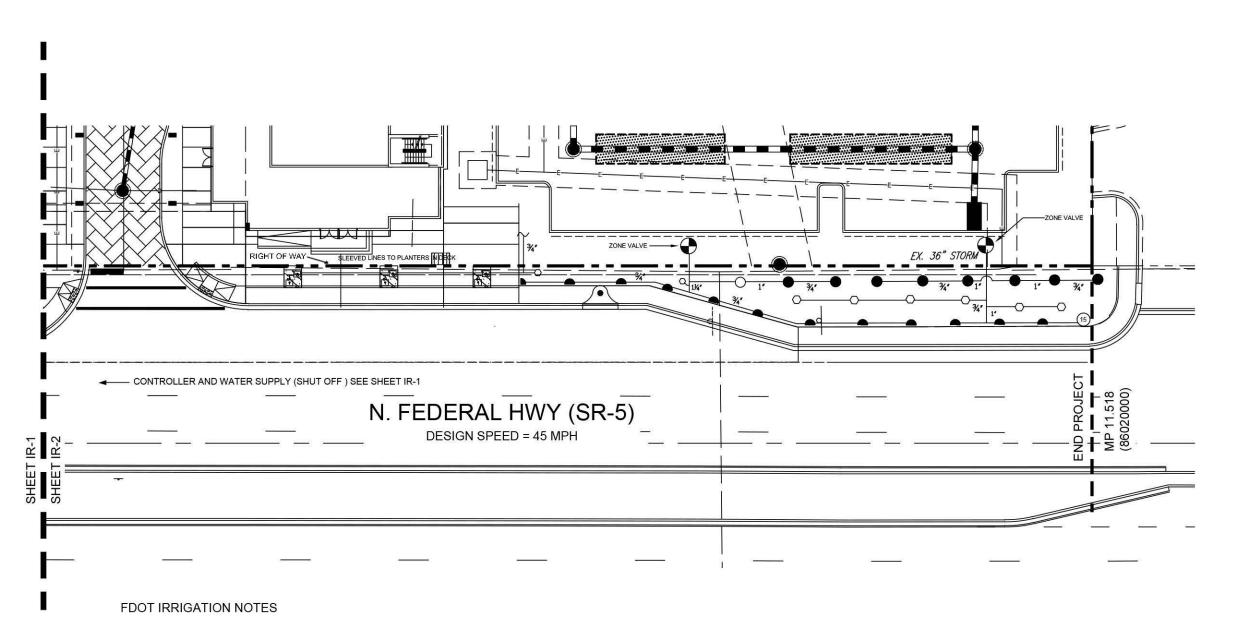
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3151 N. FEDERAL
PROPOSED MIXED USE PROJECT
3151-3251 N FEDERAL HIGHWAY, POMPANO B

ARCH. LICENSE AR 0016093 AA 26003571 date: 07-11-2025 scale: As Show rawn by: EC

IR-1 **FDOT**



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LEGENDS - SYMBOLS

ZONE VALVES

POP UP ROTOR SPRINKLERS



6" POP UP SPRAY SPRINKLERS

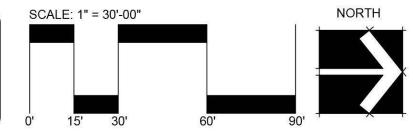


12" POP UP SPRAY SPRINKLERS

 $\langle \rangle$

TREE FLOOD BUBBLERS

FDOT IRRIGATION PLAN



WHAT'S

BELOW ALWAYS CALL 811

BEFORE YOU DIG

Call B11 two business days before digging

FDOT Ladscape Permit #2025-L-491-00007



3151 N. FEDERAL PROPOSED MIXED USE PROJECT

ARCH. LICENSE AR 0016093 AA 26003571 date: 07-11-2025 scale: As Shown drawn by: EC

IR-2 **FDOT**

STATE ROAD: 5 (No Federal Hwy)

COUNTY: BROWARD PERMIT: 2025-L-491-

2025-L-491-00007

EXHIBIT C

RESOLUTION

This Exhibit forms an integral part of the LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT between the FLORIDA DEPARTMENT OF TRANSPORTATION and the AGENCY.

*Please see attached