

County Administrator
Verdenia C. Baker

Palm Beach County Zoning Division
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LANDSCAPE PERPETUAL MAINTENANCE AGREEMENT
(Lease Parcels – Commercial Communication Towers, ULDC Article 4.B.9)

THIS DECLARATION is made this ____ day of _____, 20__ by and between _____ (“Property Owner”), having an address of _____, and _____ (“Lessee”) having an address of _____.

WITNESSETH

WHEREAS, Property Owner is the owner in fee simple of the real property (the “Property”) described on attached Exhibit A and the leased parcel described on attached Exhibit B.

WHEREAS, Property Owner, pursuant to Article 4.B.9, of the Palm Beach County Unified Land Development Code (ULDC), intends to maintain required landscaping for the leased parcel, as shown on attached Exhibit C.

NOW, THEREFORE, in consideration of the premises and mutual covenants herein contained, Property Owner hereby declares the following:

1. Pursuant to Article 4.B.9.B.7, of the ULDC, Property Owner agrees to maintain the required landscape buffer, as shown on Exhibit C, which is located outside leased parcel.
2. All required buffer landscaping shall be installed at the expense of the Lessee. All landscape shall be the perpetual maintenance obligation of the Property Owner and its successors, heirs and assignees. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, replacement of dead and dying plants, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material, installation, and maintenance requirement shall be subject to the standards set forth by Article 7 of the ULDC.
3. This declaration shall be recorded in the Public Records of Palm Beach County and shall run with the land.

IN WITNESS WHEREOF, this Declaration of Maintenance Agreement has been signed by the **Property Owner** and the **Lessee** the day and year first above set forth.

OWNER:

Witnesses:

Signature

Printed Name

Signature

Printed Name

OWNER:

Signature

Printed Name

Company

Phone No.

NOTARY PUBLIC INFORMATION:

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this _____ day of _____, 20____ by _____ (*name of person acknowledging*). He/she is personally known to me or has produced _____ (*type of identification*) as identification and did/did not take an oath (*circle correct response*).

(Name - type, stamp or print clearly)

(Signature)

My Commission Expires on: _____ **NOTARY'S SEAL OR STAMP**

LEESEE:

Witnesses:

Signature

Printed Name

Signature

Printed Name

LEESEE:

Signature

Printed Name

Company

Phone No.

NOTARY PUBLIC INFORMATION:

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

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(Name - type, stamp or print clearly)

(Signature)

My Commission Expires on: _____ **NOTARY'S SEAL OR STAMP**

EXHIBIT A
THE PROPERTY

EXHIBIT B
LEASED PARCEL

EXHIBIT C
LANDSCAPING FOR LEASED PARCEL