

LANDSCAPE SURETY AGREEMENT - CBCA

THIS LANDSCAPE PLANTING AGREEMENT made this _____ day of _____, 20 ___, by and between HARFORD COUNTY, MARYLAND, a body corporate and politic of the State of Maryland (hereinafter referred to as the "County"), and _____ (hereinafter referred to as "Developer").

WHEREAS, Developer is constructing a development/project known as;

_____, and

WHEREAS, the Harford County Zoning Code requires landscape planting for development within the County; and

WHEREAS, the Harford County Zoning Code further provides that the Developer shall deposit a surety with Harford County to ensure all project landscaping is complete and that the approved planting areas are adequately maintained after installation as found in Section(s) 267-29, 267-63 and the Floodplain ordinance – Chapter 131 of the Harford County Code; and

WHEREAS, Developer is desirous of providing said surety to the County.

WITNESSETH that for and in consideration of the mutual promise and covenants set forth herein below, and other good and valuable consideration, the parties hereto, their successors and assigns, agree as follows:

1. That pursuant to Section(s) 267-29 and 267-63 of the Harford County Zoning Code, said Developer is responsible for successfully installing the approved landscape plantings shown on the project CBCA Landscape Plan concurrent with the completion of the construction of the project/development. The amount of the surety shall be based upon the estimated cost(s) provided in writing by a qualified contractor to the Harford County Department of Planning and Zoning. The cost estimate shall be reviewed by the Department of Planning and Zoning prior to the installation of the plantings.

2. That the applicable estimated cost is therefore;

_____ (\$ _____)

and the required surety shall be one hundred percent of this amount.

3. That either a Cash Escrow, Bond or Irrevocable Letter of Credit in the amount of

_____ (\$ _____)

shall be submitted to the County prior to the approval of a grading or building permit. The bond or letter of credit must be in a form approved by the County.

4. That pursuant to Section 267-63. F (3) (b) [5] [d] of the Harford County Zoning Code, the surety will be held until the forested area established meets or exceeds standards specified in the Forest Conservation Manual. If, after two complete growing seasons from the time of planting, all components of the project meet or exceed the standards as determined by an inspection by the Department of Planning

and Zoning, two-thirds (2/3) of the surety will be returned. The remainder will be released if, after the third growing season, all standards are met.

5. No grading permit or building permit will be issued until said surety is posted with the County.

6. That all required CBCA landscaping shall be planted in accordance with approved Landscaping Plan # _____

7. In accordance with the CBCA Landscaping Plan, **(acreage of planting or planting description)** shall be planted in the locations as shown on the approved plan.

8. That the Developer further agrees to comply with all applicable sections of the Harford County Code as it relates to the construction of this development.

9. That the Developer shall comply with all applicable State, County and Federal law.

AS WITNESS our hands and seals as of the date first above written.

WITNESS:

Harford County, Maryland

BY: _____

Robert G. Cassilly
County Executive

ENTITY NAME: _____

_____ BY: _____

Authorized Representative

Name/Title of Authorized Representative _____

Mailing Address: _____

E-Mail Address: _____

Approved as to form and legal sufficiency.

Reviewed and concur.

_____ Margaret Hartka _____
Deputy County Attorney date

_____ Matt Kropp _____
Director of Planning and Zoning date