

LANDSCAPE SURETY AGREEMENT

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; 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 of the Harford County Zoning Code, said Developer is responsible for successfully installing the approved landscape plantings shown on the project 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 267-29 of the Harford County Zoning Code, the surety will be held until the successful completion of the landscape plantings. If all components of the plantings meet or exceed the standards as determined by an on site inspection by the Department of Planning and Zoning, the Developer shall be notified in writing and the surety returned.

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

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

7. 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.

8. That the Developer shall comply with all other applicable State, County and Federal laws.

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

WITNESS:

Harford County, Maryland

BY: _____

Barry Glassman
County Executive

WITNESS:

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.

Meaghan Alegi date
Senior Assistant County Attorney

Bradley F. Killian date
Director of Planning and Zoning