

TOWN OF FRISCO

LANDSCAPE MAINTENANCE AGREEMENT

DATE OF AGREEMENT: _____

AGREEMENT ENDS: _____

PARTIES: "Town": Town of Frisco, P.O. Box 4100, Frisco, Colorado, 40443
"Owner": _____

SITE PLAN APPROVAL BY: S / P&Z / BOT

SITE PLAN APPROVAL DATE: _____

LANDSCAPE INSTALLATION BY: Owner/Other: _____

MAINTENANCE AND REPLACEMENT GUARANTY: (Attach Copy)

TYPE GUARANTY: Escrow Account at _____
Bond with _____
LOC issued by _____
Other: _____

AMOUNT OF GUARANTY: \$ _____

OWNER'S OBLIGATIONS:

1. Owner shall install the landscaping on the Property in accordance with the approved site plan.
2. Thereafter, Owner shall maintain the landscaping on the Property in accordance with the approved site plan and in good health at all times during the Agreement.
3. Owner shall replace any landscaping which dies or is in poor health during this Agreement.
4. Owner guaranties performance of Owner's Obligations by the posting of the Maintenance and Replacement Guaranty.

TOWN'S RIGHTS:

1. Town shall have the right to enter the Property during reasonable hours to inspect the landscaping.
2. If Town determines that Owner has failed to perform any of Owner's Obligations under this Agreement, Town may, at its option, draw against the Maintenance and Replacement Guaranty as and when Town determines necessary to secure performance of Owner's Obligations.
3. Town, at its option, may pay any money drawn against the Maintenance and Replacement Guaranty to third parties for performing any Owner Obligation or may reimburse itself for performing any Owner Obligation, or both.

RELEASE OF GUARANTY:

Within ten business days after this Agreement ends, the Town shall authorize release to Owner or his successor in interest of the Maintenance and Replacement Guaranty or so much of the Maintenance and Replacement Guaranty as remains unused under this Agreement.

MISCELLANEOUS:

This Landscape Maintenance Agreement shall be for the benefit of, and be binding upon, the parties, their successors and assigns.

AGREED TO BY OWNER:

AGREED TO BY TOWN:

OWNER

TOWN