

Property Address: 18706 Cottonwood Drive, Parker, CO 80138 (Boondock's at Crown Point)

Lot: 4A Block: 1 Filing No. 1, Twentieth Amendment, Subdivision: Crown Point

**SITE PLAN LANDSCAPE AGREEMENT
(COMMERCIAL, OFFICE, INDUSTRIAL & MULTI-FAMILY RESIDENTIAL)
CASH**

THIS SITE PLAN LANDSCAPE AGREEMENT (the "Agreement") is entered into this 19th day of DECEMBER 2016, by and between the Town of Parker, Colorado, a home rule municipal corporation (the "Town") and BOONDOCK'S PROPERTIES, LLC (the "Individual Lot Owner").

RECITALS

WHEREAS, the Parker Municipal Code (the "Code") requires an individual site plan/lot owner to comply with the requirements contained in Section 13.06.070 of the Code, prior to the issuance of a certificate of occupancy ("Landscape Improvements");

WHEREAS, due to extreme weather conditions between the months of October and May, an individual lot owner may not be able to complete the Landscape Improvements, which are necessary for the issuance of a certificate of occupancy;

WHEREAS, the Town will issue a temporary certificate of occupancy between the months of October and May, when an individual lot owner is not able to complete the Landscape Improvements because of extreme weather conditions, if the individual lot owner agrees to guarantee the completion of the Landscape Improvements and the payment of the administrative fee; and

WHEREAS, the Town and the Individual Lot Owner desire to agree upon the form of security for the performance and completion of the Landscape Improvements for the real property described in **Exhibit A**, which is attached hereto and incorporated by this reference (the "Property").

NOW, THEREFORE, for and in consideration of the mutual promises and the covenants contained, the sufficiency of which are mutually acknowledged, the parties hereto agree as follows:

1. Site Completion Improvements. The Landscape Improvements describe in a landscape plan shall be completed for an individual lot owner by June 30, 2017 [INSERT ONE HUNDRED EIGHTY (180) DAYS OR JUNE 1ST WHICHEVER OCCURS FIRST] (the "Completion Date").

2. Security. In order to secure the performance and completion of the Landscape Plan Improvements by the Completion Date, the Individual Lot Owner, shall upon the execution of this Agreement, submit to the Town, cash in the amount of 100,600.13 DOLLARS (\$) (the "Security"), [INSERT 120% OF THE CERTIFIED LANDSCAPE ARCHITECT'S ESTIMATE] together with an administrative fee of one hundred dollars (\$100.00). The Town may retain the Security until the Landscape Improvements are completed and the Town issues a final certificate of occupancy for the Property.

3. Remedies. In the event the Individual Lot Owner fails to complete the Landscape Improvements by the Completion Date, the Individual Lot Owner acknowledges and agrees that the Town has the ability to use the Security to complete the Landscape Improvements and shall have no obligations to return the Security and/or issue a final Certificate of Occupancy.

4. Modifications. This Agreement shall not be amended except by subsequent written agreement of the parties.

5. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors, and assigns as the case may be.

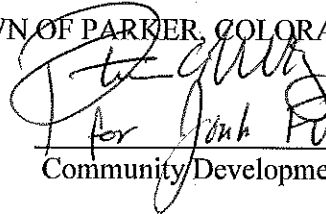
6. Assignment or Assignments. There shall be no transfer or assignment of any of the rights or obligations of the Individual Lot Owner under this Agreement without the prior written approval of the Town. The Individual Lot Owner agrees to provide the Town with at least fourteen (14) days advance written notice of the transfer or assignment of any of the rights and obligations of the Individual Lot Owner under this Agreement.

7. Title and Authority. The Individual Lot Owner, expressly warrants and represents to the Town that it is the record owner of the Property and further represents and warrants that the undersigned individual has full power and authority to enter into this Security Agreement. The Individual Lot Owner understands that the Town is relying on such representations and warranties in entering into this Agreement.

WHEREFORE, the parties hereto have executed this Agreement on the day and year first above-written.

TOWN OF PARKER, COLORADO

By:



Community Development Director

INDIVIDUAL LOT OWNER:

By:



Signature

RANDY FULLMER
Please Print

SIZE	PLANT MATERIAL	QTY	UNIT	UNIT COST	TOTAL COST
1-3/4"	Golden Rain tree	12.0	EA	\$165.00	\$1,980.00
1-3/4"	Thunderchild Crab	11.0	EA	\$165.00	\$1,815.00
1-3/4"	Prairie Crab	14.0	EA	\$165.00	\$2,310.00
2"	Imperial Honeylocust	4.0	EA	\$175.00	\$700.00
2"	Shademaster Honeylocust	22.0	EA	\$175.00	\$3,850.00
2"	Redmond Linden	8.0	EA	\$205.00	\$1,640.00
2"	Crimson Sentry Maple	7.0	EA	\$185.00	\$1,295.00
2"	Bur Oak	4.0	EA	\$195.00	\$780.00
2"	English Oak	4.0	EA	\$215.00	\$860.00
2"	Northern Red Oak	3.0	EA	\$185.00	\$555.00
2"	Texas Red Oak	28.0	EA	\$195.00	\$5,460.00
15 GAL	Trinleaf Alder	85.00		\$95.00	\$570.00
6" CLP	Ginnala Maple	18.0	EA	\$175.00	\$1,710.00
6"	Concolor White Fir	5.0	EA	\$175.00	\$875.00
6"	Austrain Pine	7.0	EA	\$165.00	\$1,155.00
6"	Ponderosa Pine	8.0	EA	\$150.00	\$1,050.00
6"	Baken Spruce	21.0	EA	\$170.00	\$3,570.00
6"	Colorado Blue Spruce	3.0	EA	\$140.00	\$420.00
7 GAL	Medora Juniper	15.0	EA	\$70.00	\$1,050.00
7 GAL	Spartan Juniper	5.0	EA	\$70.00	\$350.00
7 GAL	Wichita Blue Juniper	7.0	EA	\$45.00	\$315.00
	TREE KITS	146.0	EA	\$15.00	\$2,190.00
5 GAL	Crimson Pygmy Barberry	84.0	EA	\$15.85	\$1,331.40
5 GAL	Red Barbery	51.0	EA	\$15.00	\$765.00
5 GAL	Dwarf Burning Bush	106.0	EA	\$16.60	\$1,759.60
5 GAL	Butterfly Bush	27.0	EA	\$19.15	\$517.05
5 GAL	Dwarf American Cranberry	39.0	EA	\$16.95	\$661.05
5 GAL	Red Twig Dogwood	13.0	EA	\$14.80	\$192.40
5 GAL	Common Purple Lilac	3.0	EA	\$17.00	\$51.00
5 GAL	Miss Kim Lilac	39.0	EA	\$17.00	\$663.00
5 GAL	Gold Drop Potentilla	63.0	EA	\$13.95	\$878.85
5 GAL	Goldfinger Potentilla	73.0	EA	\$13.95	\$1,018.35
5 GAL	Russian Sage	75.0	EA	\$15.95	\$1,196.25
5 GAL	Pawnee Buttes Sandcherry	6.0	EA	\$21.95	\$131.70
5 GAL	Blue Mist Spirea	66.0	EA	\$17.95	\$1,184.70
5 GAL	Daphnie Spirea	9.0	EA	\$14.80	\$133.20
5 GAL	Fairy Queen Spirea	97.0	EA	\$13.95	\$1,353.15
5 GAL	Neon Flash Spirea	112.0	EA	\$13.95	\$1,562.40
5 GAL	Little Princess Spirea	26.0	EA	\$13.95	\$362.70
5 GAL	Blue Muffin Viburnum	16.0	EA	\$18.70	\$299.20
5 GAL	Koreanspice Viburnum	23.0	EA	\$23.60	\$542.80
5 GAL	Staghdm Cutleaf Sumac	12.0	EA	\$16.75	\$201.00
5 GAL	Knockout Pink Rose	61.0	EA	\$17.40	\$1,061.40
5 GAL	Knockout Red Rose	55.0	EA	\$17.40	\$957.00
5 GAL	Broom, Scotch Lena	25.0	EA	\$21.75	\$543.75
5 GAL	Broom, Spanish Gold	70.0	EA	\$21.75	\$1,522.50
5 GAL	Tom Thumb Cotoneaster	11.0	EA	\$17.35	\$190.85
5 GAL	Shrub Cotoneaster	27.0	EA	\$15.95	\$430.65
5 GAL	Rock Cotoneaster	4.0	EA	\$13.95	\$55.80
5 GAL	Canadale Gold Euonymus	26.0	EA	\$17.90	\$465.40
5 GAL	Mahonia Oregon Grape	32.0	EA	\$22.00	\$704.00
5 GAL	Compact Mahonia Oregon Grape	17.0	EA	\$24.25	\$412.25
5 GAL	Andora Juniper	9.0	EA	\$18.75	\$168.75
5 GAL	Armstrong Juniper	16.0	EA	\$17.35	\$277.60
5 GAL	Blue Chip Juniper	13.0	EA	\$18.75	\$243.75
5 GAL	Buffalo Juniper	45.0	EA	\$18.95	\$852.75
5 GAL	Huges Juniper	52.0	EA	\$18.75	\$975.00
5 GAL	Sea Green Juniper	3.0	EA	\$18.75	\$56.25
5 GAL	Old Gold Coast Juniper	19.0	EA	\$18.75	\$356.25

5 GAL	Wilson Blue Rug Juniper	40.0 EA	\$18.75	\$750.00			
3 GAL	Mugo Pine, Mops	22.0 EA	\$27.00	\$594.00			
3 GAL	Mugo Pine, Snowmound	7.0 EA	\$13.95	\$97.65			
3 GAL	Globe Blue Spruce	9.0 EA	\$48.00	\$432.00			
1 GAL	Blue Avena Oat Grass	193.0 EA	\$5.65	\$1,090.45			
1 GAL	Feather Reed Grass	218.0 EA	\$5.65	\$1,231.70			
1 GAL	Little Bluestem	111.0 EA	\$5.65	\$627.15			
1 GAL	Maiden Grass, Purple Flame	130.0 EA	\$5.65	\$734.50			
1 GAL	Red Switch Grass	87.0 EA	\$5.65	\$491.55			
1 GAL	Coreopsis, Moonbeam	3.0 EA	\$4.85	\$14.55			
1 GAL	Coneflower, Magnus	8.0 EA	\$4.85	\$38.80			
1 GAL	Gallardia, Burgundy Blanket Flower	3.0 EA	\$4.85	\$14.55			
1 GAL	Hyssop, Sunset	2.0 EA	\$4.85	\$9.70			
1 GAL	English Lavender	5.0 EA	\$4.85	\$24.25			
1 GAL	Red Valerian, Jupiters Beard	3.0 EA	\$4.85	\$14.55			
1 GAL	Rudbeckia, Blackeyed Susan	8.0 EA	\$4.65	\$37.20			
1 GAL	Salvia, May Night	12.0 EA	\$4.85	\$58.20			
1 GAL	Moonshine Yarrow	6.0 EA	\$4.85	\$29.10			
Each	Mixed Annuals & Winter Pansies750	24.0 EA	\$24.00	\$576.00			
1 GAL	Creeping Oregon Grape	85.0 EA	\$6.95	\$590.75			
	warranty	LS		\$6,735.54			
				\$74,090.94			

Site Plan Landscape Agreement
12/16/2016

Landscape Plant Materials	74,090.94	88,909.13
Building Awnings	9,800.00	11,760.00
Sub Total	<u>83,890.94</u>	<u>100,669.13</u>
Administrative Fee		<u>100.00</u>
Total		<u><u>100,769.13</u></u>