

**PERMIT FOR LANDSCAPING ON STATE ROAD RIGHT OF WAY
(TURNPIKE AND NON-LIMITED ACCESS ROADWAY ONLY)**

THIS SECTION TO BE COMPLETED BY PERMITTEE

Date _____

Permittee: Name _____ Telephone No. _____
Address _____
City _____ State _____ Zip Code _____

1. Location of proposed portion of right of way to be landscaped:
State Road No. _____ County _____ Street Name _____
Address _____
Section _____ Sub-Section _____ Milepost _____

2. Is proposed site to be landscaped within corporate limits of municipality?
Yes No
If yes, name the municipality _____

3. Permittee declares that prior to filing this application for permit, he/she has ascertained the location of all existing utilities, both aerial and underground, and the accurate locations are shown on the landscape plans.
A letter of notification was mailed on _____ to the following utilities/municipalities:

4. Landscaped areas will not be permitted on state road limited access facilities except on Florida's Turnpike as allowed in Rule 14-40.003(3)(f), Florida Administrative Code.

5. It is expressly stipulated that this permit is a license for permissive use only and that the construction within and/or upon public property pursuant to this permit shall not operate to create or vest any property right in said holder. This permit does not relieve the permittee of local or other jurisdictional requirements.

6. The project shall meet the requirements of Rule 14-40.003, Florida Administrative Code. The Permittee shall construct and maintain according to the attached landscape plans, maintenance plans and maintenance of traffic plans.

7. The Permittee shall be responsible for all maintenance of the landscaped area, as described in this permit, for the duration of time the landscaped area exists on Department right of way. The maintenance shall be performed in accordance with Department procedures under the direction of the Area Maintenance Engineer or designee.

8. Whenever it is determined by the Department that it is necessary for the construction, repair, improvement, maintenance, safe and/or efficient operation, alteration or relocation of any portion or all of said highway and/or public transportation facility; any and all landscaping installed by the Permittee shall be immediately removed from said highway or reset or relocated thereon as required by the Department, all at the expense of the Permittee.

9. All material and equipment shall be subject to inspection by the Maintenance Engineer or his/her authorized representative.

10. During construction of landscape project, all safety regulations of the Department shall be observed and the holder must take measures, including placing and displaying of safety devices, that may be necessary in order to safely conduct the public through the project area in accordance with approved plans as required in Rule 14-40.003(3)(a)7, Florida Administrative Code.

PERMITTEE CONT'D

- 11. The Permittee shall notify the appropriate Area Maintenance Engineer or designee 48 hours prior to starting work and again immediately upon completion of work.
- 12. In case of non-compliance with the Department's requirements in effect as of the approved date of this permit, this permit is void and the work will have to be brought into compliance or removed from the right of way at no cost to the Department. Any false information supplied on this form renders this permit null and void.
- 13. The Permittee, shall indemnify, defend, and hold harmless the Department and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of any acts, actions, neglect, or omission by the Permittee, its agents, employees, or subcontractors during the performance of the landscape project as approved by this permit, whether direct or indirect, and whether to any person or property to which the Department or said parties may be subject, except that neither the Permittee nor any of its subcontractors will be liable under this Article for damages arising out of the injury or damage to persons or property directly caused or resulting from the negligence of the Department or any of its officers, agents or employees.
- 14. I, the undersigned, do hereby agree to comply with all requirements established by this permit and Rule 14-40.003, Florida Administrative Code.

Submitted By:

(SIGNATURE OF PERMITTEE)

(NAME TYPED OR PRINTED)

THIS SECTION TO BE COMPLETED BY DEPARTMENT PERSONNEL

The above landscape project is: Approved Not Approved

If not approved, the reason is: _____

The Permittee shall commence work within _____ days of permit approval date and shall be completed by _____

Special conditions/instructions by the Department:

A copy of Rule 14-40.003, Florida Administrative Code, is attached hereto and made a part of this permit.

(SIGNATURE OF AUTHORIZED DEPARTMENT OFFICIAL)

Date Issued: _____

(TYPED OR PRINTED NAME)

Permit No.: _____

(TYPED OR PRINTED TITLE)