

Brad Wiseman
Development Services Manager
City of Round Rock, Texas

Re: _____
(Project Name)

Dear Mr. Wiseman,

The purpose of this letter is to set out certain terms and conditions which will allow for the delay of placement of certain landscaping and revegetation requirements pursuant to the Round Rock's Code of Ordinances the ("Code") due to current drought conditions. The City recognizes the need to defer these improvements in order to allow for the best opportunity of survival of said landscaping and vegetation, while still complying with the City's water conservation requirements.

_____, as the owner of a tract of land located at _____,
(Owner) (Address)
and known as the _____ project, respectfully request that the City delay the
(Project Name)
placement of the following required landscaping and vegetative improvements and associated temporary and permanent irrigation (the "Delayed Improvements"), conditioned upon Owners compliance with the terms and conditions as stated herein:

1. \$1,000 plus \$5 per square yard of vegetative cover
2. Trees (including irrigation)
3. Miscellaneous

This delay is allowed only for the Project. Owner, and Owner's agents, assigns and successors, shall remain responsible for maintaining temporary erosion controls within the project until permanent vegetation is established.

Owner shall have forty-five (45) days after receipt of written notice from the Development Services Division of the City to complete the Delayed Improvements. This notice will be provided prior to the beginning of the next planting season.

Owner shall provide a Letter of Credit, Cashiers Check, or Performance Bond as fiscal security to secure the installation of the Delayed Improvements. The fiscal security shall be in an amount determined by the Development Services Manager and shall be posted or deposited with the City on or before _____
(date of this letter)

The City may draw on or deposit the fiscal security and complete the Delayed Improvements if, after forty-five (45) days receipt of written notice, Owner has failed to complete the Delayed Improvements to the satisfaction of the Development Services Manager. By signing this letter, the Owner, his agents, successors and assigns hereby agree to allow the City or its agents a right of access to enter the Owner's property for the purpose of completing the Delayed Improvements.

If all other items are acceptable and all appropriate documentation has been received, the City shall issue the Acceptance Letter and, if applicable, Certificate of Occupancy for the project.

The Owner recognizes that the City's approval of this request is for the benefit of the Owner, his successors and assigns. Therefore the Owner agrees to fully comply with all of the terms and conditions as stated herein.

GENERAL CONTRACTOR

General Contractor Signature

Acknowledgment

STATE OF TEXAS §

§

COUNTY OF _____ §

BEFORE ME, the undersigned, a notary public in and for said county and state, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office on this the _____ day of _____, 2011.

NOTARY PUBLIC in and for the State of Texas

OWNER

Owner Signature

Acknowledgment

STATE OF TEXAS §

§

COUNTY OF _____ §

BEFORE ME, the undersigned, a notary public in and for said county and state, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office on this the _____ day of _____, 2011.

NOTARY PUBLIC in and for the State of Texas

Brad Wiseman
Development Services Manager
City of Round Rock, Texas

Acknowledgment

STATE OF TEXAS §
 §
COUNTY OF _____ §

BEFORE ME, the undersigned, a notary public in and for said county and state, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office on this the _____ day of _____, 2011.

NOTARY PUBLIC in and for the State of Texas