SIDEWALK PERFORMANCE AGREEMENT

THIS AGREEMENT is hereby made and entered into this 14th day of December, 2004 between **LINDERAND, INC.** hereinafter called "the Developer," and **LEON COUNTY,** a political subdivision of the State of Florida, hereinafter called "the County."

WHEREAS, **LINDERAND, INC.** has presented to the Board of County Commissioners of Leon County, Florida, a certain map or plat of a subdivision named and designated Hampton Creek which map or plat is hereby attached as Exhibit "A" and made a part hereof by reference, and

WHEREAS, as a condition to the acceptance and recording of said map or plat, the County has required that the Developer enter into an agreement to construct sidewalks in said subdivision in accordance with plans and specifications approved by the County within a period of 2 years or 75% build out whichever comes first from date hereof, and to further agree to maintain sidewalks aforesaid for a period of two (2) years after completion of such construction, or to reimburse the County for all expenses incurred in repair or defects in materials and/or workmanship that become apparent within two (2) years after completion of such construction, and acceptance, and to post bond in the amount of $74,600.00 conditioned for the faithful performance of said agreement, said bond to have as surety thereon some surety company authorized to do business under the laws of the State of Florida.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Developer hereby agrees to construct sidewalks in Hampton Creek in accordance with plans and specifications approved by the County, within a period of 2 years from date hereof, or 75% build out, whichever comes first, and upon completion of said construction and acceptance thereof by the County to maintain said sidewalks for a period of two (2) years, or to reimburse the County for all expenses incurred in repair of any defects in materials and/or workmanship that become apparent within two (2) years after completion of construction of said sidewalks and acceptance thereof by the County.

PERFORMANCE OF THIS AGREEMENT by the Developer shall be secured by surety

bond in the amount of $74,600.00 with surety thereon approved by the County.

IN WITNESS WHEREOF, Linderand Inc. has hereunto caused its name to be signed and its corporate seal affixed by its appropriate officers and Leon County Commissioners and its seal affixed by the Clerk of said Board, the day and year first above written.

BY: _____ (SEAL)
Its President

ATTEST:

_____
Witness Signature

Bobbie Tyer
Typed or Printed Name

LEON COUNTY, FLORIDA

By: _____
Cliff Thaell, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

ATTEST:
BOB INZER, CLERK OF THE COURT
LEON COUNTY, FLORIDA

BY: _____

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