

STATE OF NORTH CAROLINA  
CATAWBA COUNTY

STORMWATER AGREEMENT

THIS AGREEMENT, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between The City of Conover, hereinafter referred to as City, and \_\_\_\_\_, hereinafter referred to as Owner;

WITNESSETH

THAT WHEREAS, Owner is this day accepting responsibility for the stormwater best management practice (BMP) device(s) installed on that certain real property known as \_\_\_\_\_, as described in the deed and as shown on the plat thereof recorded in the Deed Book \_\_\_\_\_, Page \_\_\_\_\_, and/or Plat Book \_\_\_\_\_, Page \_\_\_\_\_, Catawba County Register of Deeds; and

WHEREAS, as a part of the construction of the development, the City of Conover Phase II Stormwater Ordinance required that a stormwater BMP device(s) be constructed; and

WHEREAS, the owner accepts responsibility for the maintenance of the stormwater BMP device(s) listed below as prescribed in the attached minimum maintenance measures addendum/addenda; and

WHEREAS, the Owner grants access to The City of Conover to inspect the stormwater BMP devices(s); and

WHEREAS, the Owner understands that this Agreement shall endure to the benefit of his successors in title, whomsoever they may be in the future.

NOW, THEREFORE, it is understood and agreed by and between the parties:

1. The maintenance of the stormwater bmp device(s) listed below shall be the sole responsibility of the Owner
2. The responsibility for the maintenance of the stormwater BMP device(s) shall pass in the chain of title to the Owner's successor in interest.
3. Access is granted to The City of Conover to carry out all provisions of the City's Phase II Stormwater Ordinance, including but not limited to inspections of the stormwater BMP device(s).
4. Annually, The Owner shall provide an inspection report for each stormwater BMP device listed below from a qualified professional in accordance with Article V: Section 50.1 (B) of Appendix C of the Conover Code of Ordinances. The annual inspection shall occur before the first and each subsequent anniversary of the as-built certification. This report should be submitted to City of Conover Planning Department at 101 First Street East or mailed to the City's Planning Department, PO Box 549, Conover, NC, 28613.
5. Owners shall establish financial security to insure perpetual maintenance of the following stormwater BMP device(s) listed below:

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Owner:

\_\_\_\_\_

Owner

Date: \_\_\_\_\_

STATE OF NORTH CAROLINA  
 CATAWBA COUNTY

I, \_\_\_\_\_ THE UNDERSIGNED notary Public of the County and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

Notary Public

(SEAL)

My Commission Expires: \_\_\_\_\_