

MAINTENANCE AGREEMENT FOR STORMWATER MANAGEMENT SYSTEM

A. The property is Erie County Index No. _____ located at _____ in Summit Township, Erie County, and site of development know as _____. The property is owned by _____.

B. The Stormwater Management System is designed to meet the requirements of the Stormwater Management Ordinance adopted on 18 February 1997 by Summit Township, as may be amended from time to time.

C. The permanent Stormwater Management System maintenance will be the responsibility of _____. The maintenance required will be periodic inspection and cleaning of the catch basins, storm piping system and stormwater detention pond, including the outlet structure. At a minimum, the catch basins shall be cleaned every spring and fall and inspected and cleaned, if necessary, after every heavy rainstorm. The storm piping system and the stormwater detention pond shall be inspected yearly and cleaned, if necessary, and maintained in a safe and attractive manner.

D. _____ grants Summit Township an easement for access to the site for the purpose of performing periodic inspections and maintenance, if required, per Item F. The Township will notify _____ when said inspections will take place.

E. _____ will be the contact person for Stormwater Management System Maintenance. The address and telephone number is:

name _____
address _____
address _____
phone # _____
fax # _____
email _____

If this information changes, Summit Township will be notified within ten days of the change.

F. _____ understands that Summit Township may perform necessary maintenance work, or corrective work, following due notice by Summit Township to _____, to correct the problem(s). _____ is responsible for any costs incurred by Summit Township.

G. _____ shall retain a qualified professional engineer to inspect and submit a certified report to _____ and Summit Township, per the following schedule.

- Annually for the first five (5) years.
- Every five (5) years thereafter.
- Within thirty (30) days of a one hundred (100) year storm event. The one hundred (100) year storm event shall be determined by _____ based upon data of the National Oceanic Atmospheric Administration (NOAA) - National Weather Service (Erie International Airport).

This report will state the storage facility conditions and recommendations for maintenance.

- H. The estimated cost of the Stormwater Management System is _____. A bond or certified check is posted in this amount in the name of Summit Township. When the system is complete, Summit Township agrees to release the bond or certified check in the manner prescribed by the Pennsylvania Municipalities Planning Code.
- I. This paragraph shall constitute a covenant running with the land, and all successors, assigns and subsequent owners of the land referenced above are obligated to comply with this Agreement.
- J. The developer agrees to place the following covenant in all deeds conveying the property or a portion of the property set forth above: "This property is subject to the restrictive covenants running with the land set forth in the Maintenance Agreement for Storm Water Management System with Summit Township".
- K. The developer agrees to hold harmless, indemnify and defend Summit Township from any and all claims, causes of action, injuries or damages arising out of the design, installation, maintenance or failure to maintain the Stormwater Management System on the above referenced property.
- L. This Agreement is binding on the successors and assigns of the parties.

