

**AMENDMENT TO AGREEMENT  
FOR MAINTENANCE OF STORM WATER DETENTION SYSTEM**

On the October 11, 2002, Rochester Community Schools of 501 W. University, Rochester, MI 48307, entered into with the City of Rochester Hills, whose address is 1000 Rochester Hills Drive, Rochester Hills, MI 48309 (the "City"), an Agreement for Maintenance of Storm Water Detention System (the "Agreement"), as recorded by the Oakland County Register of Deeds on March 22, 2004 in Liber 32550, Page 336, specifically pertaining to certain property located in the City of Rochester Hills, Oakland County, Michigan, more particularly described as Exhibit A attached hereto.

Subsequent to the Agreement, Rochester Community Schools has elected to make improvements to North Hill Elementary School, such that it is now necessary to amend the Agreement to provide for the location of additional storm water system components required to accommodate the additional on-site storage required per the approved construction plan.

Based on these facts and circumstances, the parties agree to and by this document do hereby amend the existing Agreement so that the previous Exhibit B attached to and included as part of the originally recorded Agreement is hereby superseded and replaced with the revised Exhibit B, attached hereto and the original Exhibit B shall be of no further force or effect. In addition, an Exhibit C, consisting of the maintenance plan, is attached hereto and made a part of the Agreement.

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on the 20<sup>th</sup> day of February, 2019.

**ROCHESTER COMMUNITY SCHOOLS**

By: Robert Shaner  
Printed Name: Robert Shaner  
Its: Superintendent

**CITY OF ROCHESTER HILLS**

By: \_\_\_\_\_  
Bryan K. Barnett, Mayor  
By: \_\_\_\_\_  
Tina Barton, City Clerk

STATE OF MICHIGAN  
COUNTY OF Oakland

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of February, 2019, by Robert Shaner, Superintendent, of Rochester Community Schools, a Public School District on behalf of the District.

Christina Lee Whitmore  
Christina Lee Whitmore, Notary Public  
Oakland County, Michigan  
My Commission Expires: 09-23-23

John Staran  
Approved 2/27/18

STATE OF MICHIGAN  
COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by Bryan K. Barnett, Mayor, and Tina Barton, Clerk, of the City of Rochester Hills, on behalf of the City.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public  
\_\_\_\_\_ County, Michigan

My commission expires:

Drafted By:

Adele Swann  
City of Rochester Hills  
1000 Rochester Hills Dr.  
Rochester Hills, MI 48309

When Recorded Return to:  
Clerks Dept.  
City of Rochester Hills  
1000 Rochester Hills Drive  
Rochester Hills, MI 48309

# EXHIBIT "A"

## LEGAL DESCRIPTION

PER OAKLAND COUNTY EQUALIZATION

NORTH HILL ELEMENTARY SCHOOL  
1385 MAHAFFY AVE.  
ROCHESTER HILLS, MI  
48307

TAX PARCEL NO: 15-11-101-018

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 11, T.3N., R.11E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11, THENCE S01°28'06"E 650.09' (RECORDED AS SOUTH 650.00') TO THE POINT OF BEGINNING; THENCE N88°00'23"E 864.81' (RECORDED AS EAST 866.48'); THENCE ALONG THE BOUNDARY LINE OF "JUNCTION LAND CO.'S SUBDIVISION" (RECORDED IN L.22, P.28 OF PLATS, OAKLAND COUNTY RECORDS) THE FOLLOWING 2 COURSES: (1) THENCE S02°01'43"E (RECORDED AS SOUTH) 133.24'; AND (2) THENCE N88°05'01"E (RECORDED AS EAST) 224.92'; THENCE ALONG THE BOUNDARY LINE OF "NORTH HILL GARDENS" (RECORDED IN L.48, P.49 OF PLATS, OAKLAND COUNTY RECORDS) THE FOLLOWING 3 COURSES: (1) THENCE ALONG THE WESTERLY LINE OF COURTLAND BLVD. (60' WIDE), S01°54'59"E (RECORDED AS SOUTH) 60.00'; (2) THENCE ALONG THE SOUTH LINE OF RED OAK LANE (60' WIDE), N88°05'01"E (RECORDED AS EAST) 60.00' AND (3) THENCE S01°54'59"E 320.57' (RECORDED AS SOUTH 319.72'); THENCE ALONG THE NORTH LINE OF "HILL CREST NO. 2" (RECORDED IN L.57, P.12 OF PLATS, OAKLAND COUNTY RECORDS), S88°02'23"W (RECORDED AS WEST) 1154.01' (RECORDED AS 1154.07'); THENCE ALONG THE WEST LINE OF SAID SECTION 11, N01°28'06"W 513.55' (RECORDED AS N00°27'E 513.50') TO THE POINT OF BEGINNING. CONTAINING 12.6339 ACRES, SUBJECT TO MICHIGAN DEPARTMENT OF TRANSPORTATION EASEMENT FOR HIGHWAY PURPOSES, AND SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, EXCEPTIONS, CONDITIONS, RESERVATIONS, AND RESTRICTIONS CONTAINED IN PRIOR CONVEYANCES OF RECORD OR OTHERWISE.

*JK Approved  
Jm & AS  
2/26/19*

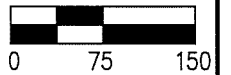


**SPALDING DeDECKER**  
Engineers | Surveyors

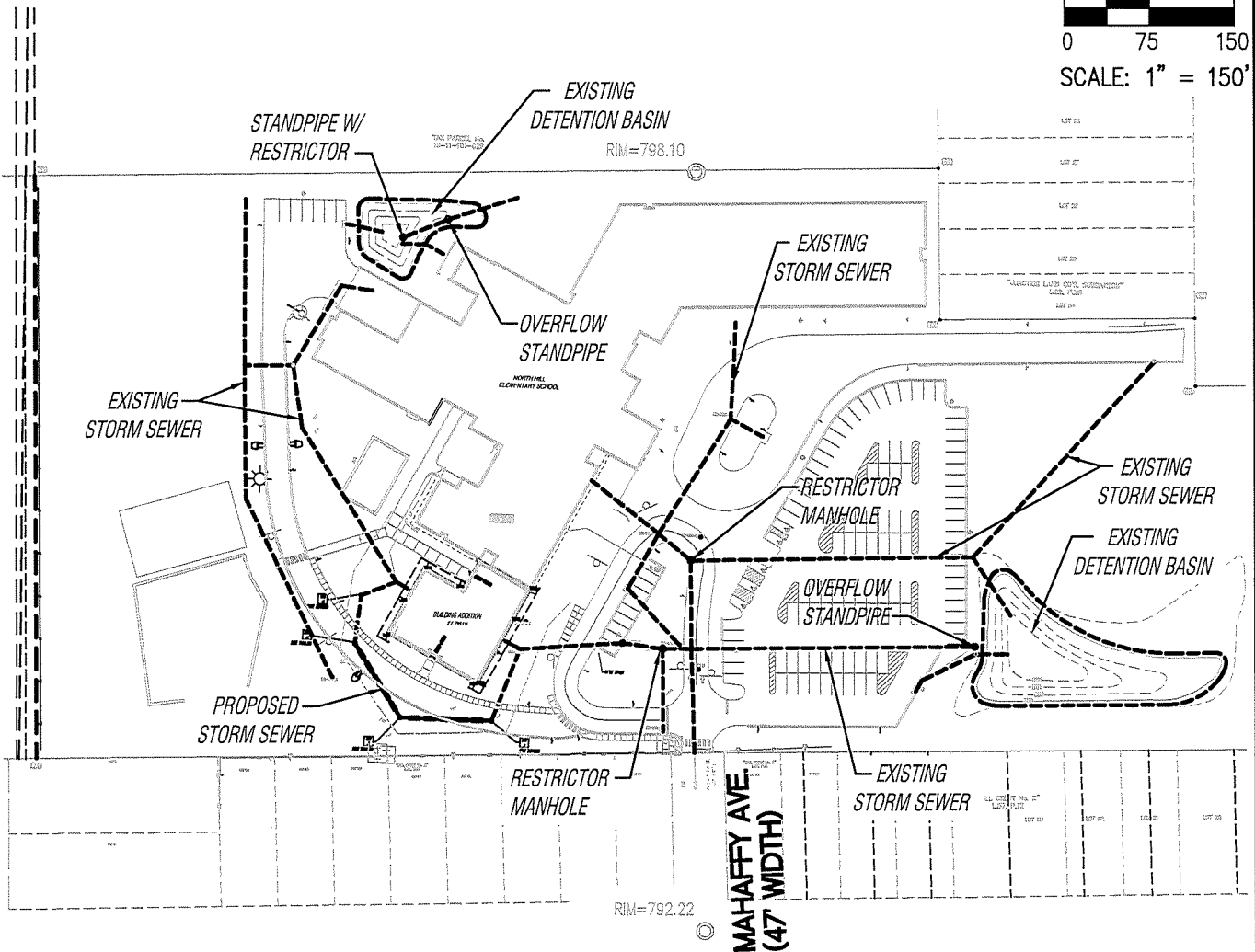
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Rochester Hills, MI 48307 Fax: (248) 844-5404  
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| DRAWN: CY                                  | DATE: 01-30-19 |
| CHECKED: TJS                               | DATE: 01-30-19 |
| MANAGER: TJS                               | SCALE: NTS     |
| JOB No. NP16020                            | SHEET: 1 OF 1  |
| SECTION 11 TOWN 03 NORTH RANGE 11 EAST     |                |
| CITY OF ROCHESTER HILLS OAKLAND COUNTY, MI |                |

# EXHIBIT "B"



SCALE: 1" = 150'



*pk ARS 2/12/19*

REVISED 02-12-19



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# EXHIBIT "C"

EXHIBIT "C"  
PAGE 1 OF 2

## A. PHYSICAL LIMITS OF THE STORM WATER MANAGEMENT SYSTEM

THE STORM WATER MANAGEMENT SYSTEM (SWMS) SUBJECT TO THIS LONG-TERM MAINTENANCE PLAN IS DEPICTED ON EXHIBIT "B" AND INCLUDES WITHOUT LIMITATION THE STORM SEWERS, SWALES, MANHOLES, CATCH BASINS, STORM WATER INLETS, CLOSED CONDUITS, DETENTION SYSTEMS, FLOW RESTRICTOR STRUCTURE AND OUTLET PIPE THAT CONVEY FLOW ON THE PROPERTY.

FOR PURPOSES OF THIS SWMS, THIS STORM WATER MANAGEMENT SYSTEM AND ALL OF ITS COMPONENTS AS SHOWN ON EXHIBIT A IS REFERRED TO AS STORM SEWER.

## B. TIME FRAME FOR LONG-TERM MAINTENANCE RESPONSIBILITY

DISTRICT IS RESPONSIBLE FOR MAINTAINING THE STORM SEWER SYSTEM, INCLUDING COMPLYING WITH APPLICABLE REQUIREMENTS OF THE LOCAL SOIL EROSION AND SEDIMENTATION CONTROL PROGRAM, UNTIL THE COUNTY RELEASES THE CONSTRUCTION PERMIT. LONG-TERM MAINTENANCE RESPONSIBILITY FOR THE STORM SEWER COMMENCES WHEN UPON SUBSTANTIAL COMPLETION OF CONSTRUCTION. LONG-TERM MAINTENANCE CONTINUES IN PERPETUITY.

THE OPERATION OF THE STORM WATER MANAGEMENT SYSTEM, INCLUDING DETENTION BASIN, AND PIPES SHALL BE MONITORED TO VERIFY THAT THE SYSTEM IS PERFORMING AS INTENDED AND WILL BE REPAIRED OR MODIFIED AS REQUIRED TO INSURE THAT THE SYSTEM OPERATES AS INTENDED AND AS REQUIRED.

MAINTENANCE OF STORM WATER COLLECTION SYSTEM CONSISTS OF THE FOLLOWING ITEMS, WHICH ARE TO BE DONE AT LEAST TWICE PER YEAR AS FOLLOWS:

1. CLEAN THE COVER OF ALL CATCH BASINS AND INLETS.
2. CHECK THE DEPTH OF ACCUMULATED SEDIMENT IN EACH STORM STRUCTURE AND REMOVE THE SEDIMENT IF IT IS 12 OR MORE INCHES DEEP.
3. IF WHILE CHECKING THE SEDIMENT IN THE STORM STRUCTURES, IT BECOMES APPARENT THAT THE SEDIMENT HAS ENTERED THE CONNECTING PIPES, THE PIPES SHALL BE JETTED TO REMOVE THE SEDIMENT.
4. IF ANY SETTLING AROUND THE STORM STRUCTURES OR ALONG THE ROUTE OF THE PIPES IS EVIDENT, THE STRUCTURES AND THE PIPES SHALL BE CHECKED FOR OPEN JOINTS AND CRACKS WHICH, IF FOUND, SHALL BE REPAIRED.

MAINTENANCE OF THE DETENTION SYSTEM, OUTLET CONTROL STRUCTURE AND OUTLET PIPES MUST BE PERFORMED AT LEAST TWICE PER YEAR AS FOLLOWS:

1. THE DETENTION SYSTEM IS TO BE INSPECTED AND CLEANED OF ANY ACCUMULATED DEBRIS AND SEDIMENT WHEN SEDIMENT DEPTH REACHES 6".
2. THE DETENTION SYSTEM MUST BE CLEANED IF ITS VOLUME IS REDUCED BY MORE THEN 10% DUE TO THE ACCUMULATION OF SILT AND SEDIMENT.
3. THE OUTLET CONTROL STRUCTURE AND OUTLET PIPES SHALL BE MAINTAINED IN ACCORDANCE WITH MAINTENANCE SCHEDULE FOR THE COLLECTION SYSTEM AS MENTIONED ABOVE.

## D. LONG-TERM MAINTENANCE PLAN AND SCHEDULE

TABLE 1 (ON PAGE 2 OF EXHIBIT "C") IDENTIFIES THE MAINTENANCE ACTIVITIES TO BE PERFORMED, ORGANIZED BY CATEGORY (MONITORING/INSPECTIONS, PREVENTATIVE MAINTENANCE, AND REMEDIAL SECTIONS). TABLE 1 ALSO IDENTIFIES SITE-SPECIFIC WORK NEEDED TO ENSURE THAT THE STORM WATER MANAGEMENT SYSTEM FUNCTIONS PROPERLY AS DESIGNED.

*pk AFS 2/11/19*



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Engineers | Surveyors

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# EXHIBIT "C"

## MAINTENANCE SCHEDULE

| Maintenance Activities  | Underground Detention System | Above ground Detention Basin | Catch Basins, Inlets & Storm Sewers | Inlets to Detention Systems | Flow Restrictors, Overflow Structures & Outlet Pipes | Rip-rap | Other | Frequency                                     |
|---|------------------------------|------------------------------|-------------------------------------|-----------------------------|--|---------|-------|---|
| Monitoring/Inspection   | X                            | X                            | X                                   | X                           | X  |         |       | Annually                                      |
| Inspect for sediment accumulation*/clogging of stone filter             | X                            | X                            | X                                   | X                           | X  |         |       | Annually and after major events               |
| Inspect for floatables, dead vegetation and debris                      | X                            | X                            | X                                   | X                           | X  | X       |       | Annually and after major events               |
| Inspect for erosion and integrity of banks and berms                    | X                            | X                            | X                                   | X                           | X  | X       |       | Annually                                      |
| Inspect all components during wet weather and compare to as-built plans | X                            | X                            | X                                   | X                           | X  | X       |       | Annually                                      |
| Ensure means of access for maintenance remain clear/open                | X                            | X                            | X                                   | X                           | X  | X       |       | Annually                                      |
| Preventative Maintenance  |                              |                              |                                     |                             |  |         |       |   |
| Remove accumulated sediment   | X                            | X                            | X                                   |                             | X  |         |       | As needed***,****                             |
| Remove floatables, dead vegetation and debris                           | X                            | X                            | X                                   | X                           | X  | X       |       | As needed                                     |
| Replace or wash/reuse stone riser filters                               |                              |                              |                                     |                             | X  | X       |       | Every 3 years; more frequently as needed **** |
| Sweeping of paved surfaces (streets and parking lots)                   |                              |                              |                                     |                             |  |         | X     | 2 times per year                              |
| Other - (Recommended By Manufacturer)                                   |                              | X                            |                                     |                             |  |         | X     |   |
| Remedial Actions  |                              |                              |                                     |                             |  |         |       |   |
| Repair/stabilize areas of erosion                                       |                              | X                            | X                                   | X                           | X  | X       |       | As needed                                     |
| Structural repairs  | X                            | X                            | X                                   | X                           | X  | X       |       | As needed                                     |
| Make adjustments/repairs to ensure proper functioning                   | X                            | X                            | X                                   | X                           | X  | X       |       | As needed                                     |

\* Not to exceed length allowed by local community ordinance.  
 \*\* Forebays, open detention basins and retention basins to be cleaned whenever sediment accumulates to a depth of 6-12 inches or if sediment resuspension is observed.  
 \*\*\* Manufactured treatment system and underground detention systems to be cleaned according to manufacturer's recommendations:  
 at a minimum, whenever sediment accumulates to a depth of 6-12 inches or if sediment resuspension is observed.  
 \*\*\*\* Replace stone if it can not be adequately cleaned



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