AMENDMENT TO AGREEMENT FOR MAINTENANCE OF STORM WATER DETENTION SYSTEM

On the 27th day of March, 2003, North Troy Properties, LLC, a Michigan limited liability company at 29199 Ryan, Warren, MI 48092, entered into with the City of Rochester Hills, Ml, whose address is 1000 Rochester Hills Drive, Rochester Hills, Ml 48307 (the "City"), an Agreement for Maintenance of Storm Water Detention System, as recorded by the Oakland County Register of Deeds on January 13, 2005 in Liber 34762, Page 843 (the "Agreement"), specifically pertaining to certain property located in the City of Rochester Hills, Oakland County, Michigan, more particularly described as Exhibit B attached hereto.

Subsequent to the Agreement, Crooks Road Condominium Complex Owners Association, a Michigan nonprofit corporation, has elected to expand the parking area for its existing co-owners, such that it is now necessary to amend the Agreement to provide for the location and type of storm water detention system needed to accommodate the additional parking area.

Based on these facts and circumstances, the parties agree to and by this document do hereby amend the existing Agreement so that Exhibit A attached hereto replaces and supersedes Exhibit A of the originally recorded Agreement which shall be of no further force or effect. The operation and maintenance manual is attached as Exhibit C.

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on the 17 day of April, 2015.

Crooks Road Condominium Complex Owners Association, a Michigan nonprofit corporation

Ronald G. Bellisario, MD, President

CITY OF ROCHESTER HILLS

By: Bryan K. Barnett, Mayor

By: Tina Barton, Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF Oakland)

This Agreement was acknowledged before me on the 17 day of April, 2015, by Ronald G. Bellisario, MD., President of and on behalf of Crooks Road Condominium Complex Owners Association a Michigan nonprofit corporation

GEORGEANN GRESS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires Dec. 21, 2020
Acting in the County of Oakland

Georgeann Gress
_____, Notary Public
Macomb County, Michigan
My commission expires 12-21-20

STATE OF MICHIGAN)
) ss.
COUNTY OF Oakland)

This Agreement was acknowledged before me on the ___ day of _____ 2015, by Byran K. Barnett, Mayor, and Tina Barton, Clerk, for and on behalf of the City of Rochester Hills.

.

_____
_____, Notary Public
_____ County, Michigan
My commission expires _____.

Prepared by:

David G. Johnston, Esq.
17251 W. 12 Mile Rd., Ste. 202
Southfield, MI 48076

and when recorded return to:

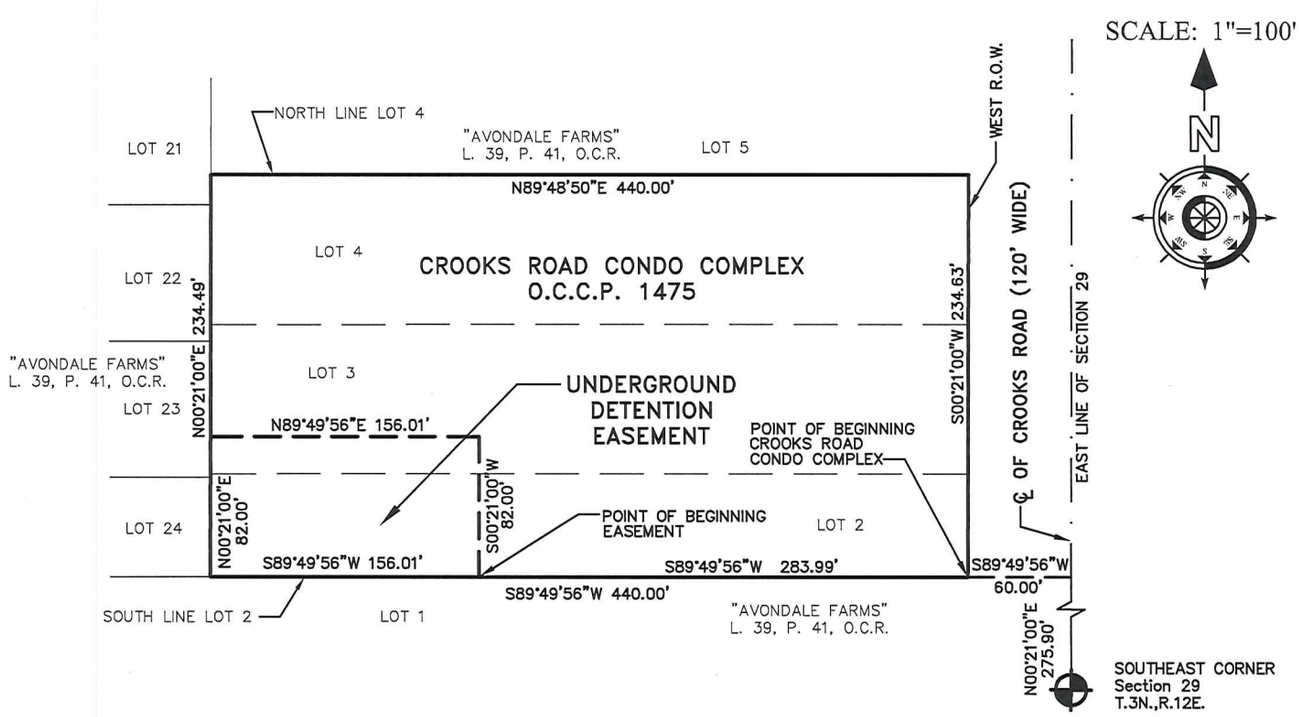
City of Rochester Hills
1000 Rochester Hills Dr.
Rochester Hills, MI 48309

John Staran
Approved 5/14/15

EXHIBIT A

EXHIBIT "A"

"CROOKS ROAD CONDO COMPLEX"
UNDERGROUND DETENTION EASEMENT



DESCRIPTION: CROOKS ROAD OFFICE COMPLEX

Part of Lots 2, 3 and 4 of "Avondale Farms", a part of the Southeast Quarter of Section 29, Town 3 North, Range 11 East, Avon Township (now City of Rochester Hills), Oakland County, Michigan as recorded in liber 39 of plats, page 41, Oakland County records being described as:

Commencing at Southeast corner of Section 29; thence N.00°21'00"E. 275.90 feet along the East line of Section 29, also being the centerline of Crooks Road (120.00 feet wide); thence S.89°49'56"W 60.00 feet to the point of beginning, said point being on the South line of Lot 2 of said "Avondale Farms"; thence continuing S.89°49'56"W. 440.00 feet along the South line of said lot 2; thence N.00°21'00"E. 234.49 feet along the West lone of Lots 2, 3 and 4 of said "Avondale Farms"; thence N.89°48'50"E. 440.00 feet along the North line of said lot 4 to the West right of way line of Crooks Road; thence S.00°21'00"W. 234.63 feet along the West right of way line of Crooks Road to the point of beginning. Containing 2.37 acres, more or less.

Subject to any and all easements and rights of way record or otherwise.

DESCRIPTION: UNDERGROUND DETENTION EASEMENT

Part of Lots 2 and 3 of "Avondale Farms", a part of the Southeast Quarter of Section 29, Town 3 North, Range 11 East, Avon Township (now City of Rochester Hills), Oakland County, Michigan as recorded in liber 39 of plats, page 41, Oakland County records being described as:

Commencing at the Southeast corner of Section 29; thence N.00°21'00"E. 275.90 feet along the East line of Section 29, also being the centerline of Crooks Road (120.00 feet wide); thence S.89°49'56"W 60.00 feet to the point of beginning, said point being on the South line of Lot 2 of said "Avondale Farms"; thence S. 89°49'56"W 283.99 feet along the South line of Lot 2 to the point of beginning; thence continuing S.89°49'56"W. 156.01 feet along the South line of said lot 2; thence N.00°21'00"E. 82.00 feet along the West line of Lots 2 and 3 of said "Avondale Farms"; thence N.89°49'56"E. 156.01 feet; thence S.00°21'00"W. 82.00 feet to the point of beginning.

Mike Taunt
Approved 5/8/15

LEGAL DESCRIPTION BASED ON EXHIBIT "B" TO THE MASTER DEED OF CROOKS ROAD CONDOMINIUM COMPLEX, OAKLAND COUNTY SUBDIVISION PLAN NO. 1475 CREATED BY FENN & ASSOCIATES, INC DATED 10-9-02

D'Anna Associates
Architecture | Engineering
1055 SOUTH BLVD. E, SUITE 200
ROCHESTER HILLS, MI 48307
P 248-852-7702 F 248-852-7707
dannaassoc.com

EXHIBIT B

EXHIBIT B

Part of Lots 2, 3 and 4 of "Avondale Farms", a part of the Southeast Quarter of Section 29, Town 3 North, Range 11 East, Avon Township (now City of Rochester Hills), Oakland County, Michigan as recorded in liber 39 of plats, page 41, Oakland County records being described as:

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Tax Identification No.: 15-29-477-000 OT
Commonly known as: 2940 Crooks Road

EXHIBIT C

OPERATIONS AND MAINTENANCE MANUAL

INTRODUCTION:

This manual identifies the ownership, operation, and maintenance responsibilities for all stormwater management systems, including the underground storm sewer system, and the stormwater treatment structure and device as incorporated into and detailed on the approved Site Construction Plans as prepared by D'Anna Associates of Rochester Hills, M. In order to comply with the local best management practices (BMP) and requirements, this manual should serve as a minimum performance standard. This manual should be retained intact and read in its entirety by all parties responsible for the operations and maintenance of the on-site BMP's.

PROPERTY OWNER:
Crooks Road Condominium Complex Owners Association
c/o Ronald Bellisario, MD
2940 Crooks
Rochester Hills, MI 48309
248-997-9700
E-mail: ronbellmd@gmail.com;

PROPERTY MANAGER:
Crooks Road Condominium Complex Owners Association
c/o Ronald Bellisario, MD
2940 Crooks
Rochester Hills, MI 48309
248-997-9700
E-mail: ronbellmd@gmail.com;

PROPERTY INFORMATION:
This Operations and Maintenance Manual covers the stormwater system located at the following subject property:

LEGAL DESCRIPTION OF PROPERTY:

THE LAND REFERRED TO IN THIS COMMITMENT, SITUATED IN THE COUNTY OF OAKLAND, CITY OF ROCHESTER HILLS, STATE OF MICHIGAN, IS DESCRIBED AS FOLLOWS:

Part of Lots 2, 3 and 4 of "Avondale Farms", a part of the Southeast Quarter of Section 29, Town 3 North, Range 11 East, Avon Township (now City of Rochester Hills), Oakland County, Michigan as recorded in liber 39 of plats, page 41, Oakland County records being described as:

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Maintenance of StormChamber® Systems

StormChambers provide great flexibility in facilitating maintenance tasks through different arrangements of StormChamber system components. These can be used individually, or in combination, to best accommodate local requirements, hydrologic parameters, and engineering design constraints. Each is discussed individually below:

1) Pre-treatment devices.

Under normal circumstances, a pre-treatment device is not necessary. However, under certain conditions, or local requirements, pre-treatment devices can be useful. Filtering, swirl concentrators, or other types of pre-treatment devices can be installed up-stream of the StormChamber system for removal of sediment, floatables, oil and grease, etc. Their use is particularly helpful for stormwater "hot spot" areas, such as automobile repair shops, where abnormally high concentrations of pollutants such as oil and grease can be expected.

2) Vacuum truck tube through 10 inch clean-out riser.

The StormChambers are designed with a defined top portal area at the "down-flow" end of the chamber that can be cut out to accept up to a 10 inch diameter riser pipe (see drawings in this section). The 10 inch riser can be used as an observation well and for access of a vacuum truck tube that can be used to remove sediment. The "down-flow" ends of the StormChambers have end walls that are closed on the bottom (see enclosed drawings). The closed bottom functions similar to a coffer dam, with most of the sediment depositing prior to flowing into the next chamber, facilitating its removal through the riser pipe, which is positioned directly above this area. It is recommended, at a minimum, that clean-out risers be placed at the last chamber of each row of StormChambers which receive the flow from the stormwater inlet(s).

3) Sacrificial StormChamber row (in accommodation of the commonly utilized management practice of benign neglect).

An additional row of StormChamber can be added for accumulation of sediment with minimal effect on the stormwater storage requirements of the system. This would be utilized as the "first row" of chambers – the row that accepts the stormwater flow from the inlet structures. Because the flow from the first row of chambers will have to make 90 degree turns through connecting pipes into the adjacent row, velocity of flow will decrease and most of the transported sediment load deposits within the first row of StormChambers.

4) Grated inlet structures.

The use of fully grated inlet structures will keep the vast majority of debris out of the StormChamber system. (It is suggested that these be placed near the entrance to the establishment being constructed as an incentive for owner maintenance).

5) Inlet structures with sumps.

The use of inlet structures with a 2-4 foot sump is recommended. This will allow for additional capture of sediment that can easily be removed with a vacuum truck or other device before it gets into the StormChamber system. A sumped inlet structure placed at both ends of the first row of StormChambers can also be used to facilitate sediment removal within the StormChamber system. Under this alternative, one or more additional chamber(s) is added to the beginning and end of the first row, the end of each being inserted directly into the sumped inlet structures. This provides for physical access into the first row for maintenance (see "Example Configurations" section).

6) Protected stormwater inlets during construction.

It is highly recommended that, under any of the above alternatives, the StormChamber system not be opened to receive stormwater flows until construction of the site has been completed. Even then, all stormwater inlets must be protected from sediment loading until the site is completely stabilized. Complete stabilization implies that the construction site has been cleared of construction-related debris and has incurred at least two storm events sufficient to wash most soil and other particulate matter off impervious surfaces.

Inspection and Maintenance Schedule

Inspect through the risers quarterly and after each large storm event. It is recommended that a log book be maintained showing the depth of water in the StormChamber at each observation in order to determine the rate at which the StormChamber system dewaters after runoff producing storm events. Once the performance characteristics of the StormChamber have been verified, the monitoring schedule can be reduced to an annual basis, unless the performance data suggests that a more frequent schedule is required. Sediment should be removed when deposits approach within six inches of the invert heights of connecting pipes between StormChamber rows, or in sumped inlet structures.

Contact HydroLogic Solutions for technical assistance at 1.877.426.9128

or email us at info@stormchambers.com

STORMWATER SYSTEM INSPECTION CHECKLIST

Date/Time of Inspection: _____

Inspector: _____

MAINTENANCE TASKS AND SCHEDULE

POST CONSTRUCTION MAINTENANCE ACTIVITIES	SYSTEM COMPONENTS						
	Catch Basins and Manholes	Snout Oil/ Debris Stop (DS2)	Storm Sewer & Root Drain Pipes	Parking Lot	Greenbelts & Land-scaping	FREQUENCY	COMMENTS
Inspect for floatables, sediment, oil, grease, dead vegetation, & debris	X	X	X			Annually	
Inspect for sediment and debris accumulation				X	X	Every grass mowing	
Inspect for soil erosion	X		X		X	Annually and after major rainfall	
Inspect all components during wet weather and compare to as-built plans					X	Annually	
Inspect inside of structures and pipes for cracks, spalling, joint failure, settlement, sagging and	X		X			Anually	
PREVENTATIVE MAINTENANCE							
Remove accumulated sediment	X		X			Annually or as needed	
Remove floatables, sediment, oil, grease, dead vegetation, & debris	X	X	X			Annually or as needed	
REMEDIAL ACTIONS							
Repair/stablilize areas of erosion					X	As needed	
Structural repairs	X		X			As needed	
Make adjustments/repairs to ensure proper functioning	X		X	X		As needed	

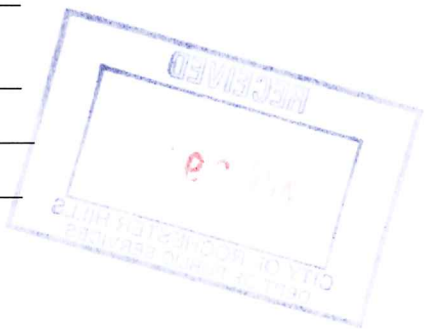
SUMMARY:

Inspector's Remarks: _____

Overall Condition of Facility: _____

Recommended Actions Needed: _____

Dates Any Maintenance Must Be Completed By: _____



D'Anna Associates, LTD
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Rochester Hills, MI 48307
(248) 852-7702