

**AGREEMENT FOR STORM WATER DETENTION
& DISCHARGE RESTRICTION SYSTEM**

SSO LIMITED, LLC AND THE CITY OF ROCHESTER HILLS

(SIGNATURES ON FOLLOWING PAGES)

CITY OF ROCHESTER HILLS

AGREEMENT FOR STORM WATER DETENTION & DISCHARGE RESTRICTION SYSTEM

THIS AGREEMENT is made this 9 day of April 2018, by and between, SSO Limited, LLC, a Michigan Limited Liability whose address is 1959 S Livernois Rd , Rochester Hills, MI 48307 (hereinafter "Owner"), and the City of Rochester Hills, (hereinafter "City"), whose address is 1000 Rochester Hills Drive, Rochester, MI 48309.

WHEREAS, Owner owns and proposes to develop the Property described in attached Exhibit A;

WHEREAS, Owner has proposed, and the City has approved, a storm water drainage and detention system (hereinafter "System") comprised of storm water detention and water quality treatment facilities, storm sewer pipe, catch basins, manholes, and swales for the Property as described and depicted in the Storm Water System Plan attached as Exhibit B; and

WHEREAS, the parties will benefit from the proper operation, use and maintenance of the System and enter into this agreement to provide for the same.

THEREFORE, the parties agree.

1. Use of the System:

Components of the System, including any and all water conveyance, detention and water quality treatment facilities, storm sewer pipe, catch basins, manholes, and swales, shall be used solely for the purpose of conveying, detaining and treating storm and surface drainage on the property until such time as: (i) The City determines and notifies Owner or Owner's successors, grantees or assigns, in writing that it is no longer necessary to convey, detain or treat the storm and surface drainage; and (ii) An adequate alternative for conveying, detaining and treating storm and surface drainage has been provided which is acceptable to the City and which includes the granting of any easements to the City or third parties as may be required or necessary for the alternative drainage system.

2. Maintenance

- A. Owner shall be responsible for the proper maintenance, repair and replacement of the System and all parts thereof as detailed in the Maintenance Plan attached as Exhibit C.
- B. Proper maintenance of the System shall include, but is not limited to: (i) Removing accumulated sediment, trash and debris; (ii) Maintaining storm sewer and structures; (iii) Controlling and effects of erosion; (iv) Inspection of storm sewer structures and pipes for structural integrity; (v) Inspection and cleaning of the storm sewer and catch basins upstream from the detention system; and (vi) Any other maintenance that is reasonable and necessary to facilitate and continue the proper operation and use of the system.

3. Actions by the City

In the event that the Owner shall at any time fail to properly maintain the System, the City may serve written notice upon the Owner. The notice shall list and describe maintenance deficiencies and demand that they be corrected within thirty (30) days.

The notice shall further specify a date and place for a hearing to be held at least fourteen (14) days after the date of the notice before the City Council, or such other board or official as the City Council may designate. At the hearing, the City Council (or other designated board or official) may affirm or modify the list and description of

maintenance deficiencies and, for good cause shown, may extend the time for the deficiencies to be corrected.

Thereafter, if the maintenance deficiencies are not corrected within the time allowed, the City may undertake the necessary corrective actions, and the City may maintain the System for up to one (1) year. Such maintenance of the System by the City shall not be construed to be a trespass or a taking of the Property, nor shall the City's actions vest in the public any right to enter or use the Property. Thereafter, if Owner or Owner's successors, grantees or assigns do not properly maintain the System, the City may, after providing similar written notice, schedule and hold another hearing to determine whether the City should maintain the System for another year, and subject to a similar notice, hearing and determination in subsequent years.

In the event the City determines an emergency condition caused by or relating to the System threatens the public health or general welfare, the City shall have the right to immediately and without notice enter the Property and undertake appropriate corrective action.

4. Charges:

The City shall charge to the current owner of the Property the cost of maintenance of other corrective action undertaken by the City under this agreement, plus a ten percent (10%) administrative fee. If not paid, the City may place the charge on the City's tax roll, which charges shall be a lien on the real property and shall be collectable and enforceable in the same manner general property taxes are collected and enforced.

5. Notice

Any notices required under this agreement shall be sent by certified mail to the address for each party set forth, or such other addresses as such party may notify the other parties in writing.

To SSO Limited, LLC:

1959 S Livernois Road
Rochester Hills, MI 48307

To the City:

City Clerk
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

6. Successors and Assigns:

This agreement shall bind and inure to the benefit of the parties and their respective successors, grantees and assigns. The benefits, burdens, rights, obligations and responsibilities shall run with the land and shall bind all current and future owners of the Property.

7. Recording of Agreement

This agreement shall be recorded at the Oakland County Register of Deeds

SSO Limited, LLC
A Michigan Limited Liability Company

By: [Signature]
Samer Obeid, DMD, member

City of Rochester Hills

By: _____
Bryan Barnett, Mayor

By: _____
Tina Barton, Clerk

STATE OF MICHIGAN)
} SS.
COUNTY OF OAKLAND)

This agreement was acknowledged before me this 9 day of APRIL, 2018, by Samer Obeid, DMD, ~~member~~ of SSO Limited, LLC, a Michigan Limited Liability on behalf of the Company.

KEVIN E. MCKENNA
NOTARY PUBLIC – STATE OF MICHIGAN
COUNTY OF OAKLAND
My Commission expires Jan. 26, 2021
Acting in the County of OAKLAND

[Signature]

Notary Public

County, Michigan
My Commission Expires: _____

STATE OF MICHIGAN)
} SS.
COUNTY OF OAKLAND)

This agreement was acknowledged before me this _____ day of _____, 20____, by Bryan 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:
Matilda Zoto (P78081)
2165 Prescott,
Troy, MI 48083

When recorded, return to:
City Clerk
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

John Staran
Approved 5/21/18

EXHIBIT "A"

PARCEL DESCRIPTION

PARENT PARCEL

A PARCEL OF LAND BEING PART OF THE SOUTHWEST 1/4 OF SECTION 22, TOWN 3 NORTH, RANGE 11 EAST, AVON TOWNSHIP (NOW CITY OF ROCHESTER HILLS), OAKLAND COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22;
THENCE N 89°40'44" E ALONG THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 60.00 FEET; THENCE N 00°00'00" E ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 22 A DISTANCE OF 100.00 FEET TO THE EASTERLY 60.00 FEET RIGHT OF WAY LINE OF LIVERNOIS AVENUE AND TO THE POINT OF BEGINNING;
THENCE N 00°00'00" E ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 22 AND ALONG THE EASTERLY 60.00 FEET RIGHT OF WAY LINE OF LIVERNOIS ROAD, A DISTANCE OF 299.95 FEET;
THENCE N 89°40'00" E, A DISTANCE OF 275.00 FEET;
THENCE S 00°00'00" E, A DISTANCE OF 340.01 FEET TO THE NORTHERLY 60.00 FEET RIGHT OF WAY LINE OF HAMLIN ROAD;
THENCE S 89°40'44" W ALONG A LINE PARALLEL TO THE SOUTH LINE OF SAID SECTION 22 AND ALONG THE NORTHERLY 60 FEET RIGHT OF WAY LINE OF HAMLIN ROAD, A DISTANCE OF 240.84 FEET;
THENCE N 40°37'56" W, A DISTANCE OF 52.45 FEET TO THE POINT OF BEGINNING.

CONTAINS 92809.666243 SQ. FT. OR 2.1306 ACRES OF LAND.
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORDS, IF ANY.

PARCEL NUMBER: 15-22-351-002

Scott W.
Approved 4/18/18



ACCURATE SURVEYING AND MAPPING

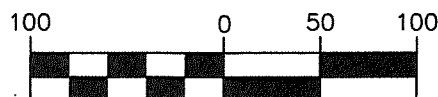
LAND SURVEYORS

DEVELOPMENT CONSULTANTS

19500 Middlebelt Road, Suite 340E
Livonia, MI 48152
www.accurate-surveying.com

PH: 313-506-3160
PH: 734-437-7740
Fax: 734-437-7759

CLIENT: SAMER OBEID



SCALE 1 INCH = 100 FEET

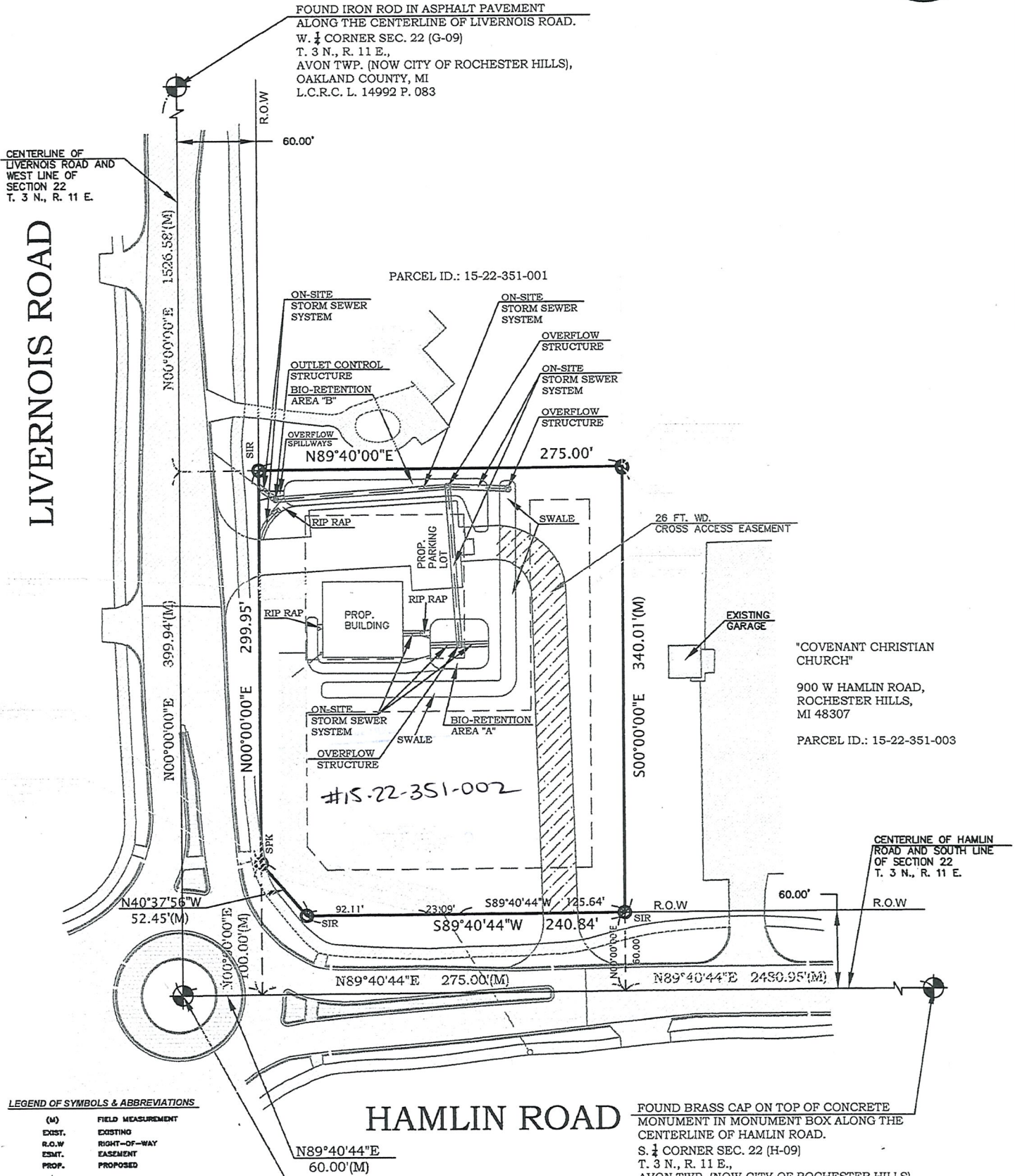
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JOB NO. 017-175

SHEET 1 OF 1

EXHIBIT "B" STORM WATER SYSTEM PLAN



LEGEND OF SYMBOLS & ABBREVIATIONS

- (M) FIELD MEASUREMENT
- EXIST. EXISTING
- R.O.W. RIGHT-OF-WAY
- ESMT. EASEMENT
- PROP. PROPOSED
- ⊕ SECTION CORNER
- FRR FOUND IRON ROD
- SIR SET IRON ROD
- SPK SET PK NAIL
- BOUNDARY LINE

HAMLIN ROAD

POINT OF COMMENCEMENT
 FOUND BRASS CAP ON TOP OF CONCRETE MONUMENT AT THE INTERSECTION OF THE CENTERLINES OF LIVERNOIS ROAD AND HAMLIN ROAD.
 SW. CORNER SEC. 22 (G-09)
 T. 3 N., R. 11 E.,
 AVON TWP. (NOW CITY OF ROCHESTER HILLS),
 OAKLAND COUNTY, MI
 L.C.R.C. L. 14992 P. 084

FOUND BRASS CAP ON TOP OF CONCRETE MONUMENT IN MONUMENT BOX ALONG THE CENTERLINE OF HAMLIN ROAD.
 S. ¼ CORNER SEC. 22 (H-09)
 T. 3 N., R. 11 E.,
 AVON TWP. (NOW CITY OF ROCHESTER HILLS),
 OAKLAND COUNTY, MI
 L.C.R.C. L. 14992 P. 088



*Jason B.
Approved 4/18/18*

REVISION #1



ACCURATE SURVEYING AND MAPPING

LAND SURVEYORS
 DEVELOPMENT CONSULTANTS

19500 Middlebelt Road, Suite 340E
 Livonia, MI 48152
 www.accurate-surveying.com

PH: 313-506-3160
 PH: 734-437-7740
 Fax: 734-437-7759

CLIENT: SAMER OBEID

DATE: 04-11-2018

100 0 50 100



SCALE 1 INCH = 100 FEET

FILE NO. 017-175

JOB NO. 017-175

SHEET 1 OF 1

EXHIBIT "C"

OPERATION AND MAINTENANCE MANUL

OAKRIDGE DENTAL STORM WATER MAINTENANCE PLAN ROCHESTER HILLS, MICHIGAN

PROPERTY OWNER:

SSO Limited, LLC,
1959 S Livernois Road
Rochester Hills, MI
Phone: (248) 895-5383
Contact Mr. Samer Obeid

Prepared by:
Engineering Services Inc.
32232 Schoolcraft,
Livonia, MI 48150
Phone: 734-525-7330
Contact: Ghassan Khalaf, P.E.

April 4, 2018

*OK - JB
4/13/18*

OPERATION AND MAINTENANCE MANUAL

INTRODUCTION:

This manual identifies the ownership, operation and maintenance responsibilities for all stormwater management systems including the sedimentation and detention basins, underground storm sewer system, and bio-detention areas as incorporated into and detailed on the approved Construction Plans as prepared by Engineering Services Inc. 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.

OWNER:

Mr. Samer Obeid
SSO Limited, LLC
1959 S. Livernois Road
Rochester Hills, Michigan
Phone: (248) 895-5383

PROPERTY INFORMATION:

This Operations and Maintenance Manual covers the storm water systems located at the following subject property:

LEGAL DESCRIPTION:

(See Exhibit 'A' of the Storm Water Maintenance Agreement)

STORMWATER MAINTENANCE EXHIBIT:

Exhibit 'B' of the Storm Water Maintenance Agreement is the Storm Water System Plan which provides a clear presentation of all components of the storm water system. This system is subject to the long-term operation and maintenance responsibilities detailed in this manual. The system includes:

- Storm sewer pipes
- Storm sewer structures (manholes, inlets, catch basins etc.)
- Bio-detention areas (bioswales and rain garden) Swales
- Overflow Spillways
- Riprap

INSPECTIONS:

The frequency of system inspections outlined in the manual and attached exhibits should be considered the minimum, if no events warrant additional inspections. The frequency of inspections should be fine-tuned over time as system specific conditions are better known and the rate at which certain maintenance operations need to be performed is better understood. Maintenance Inspection Checklists are provided for each of the BMP's in this system. Inspections should be performed by personnel responsible for maintenance and may need to be certified for confined space entry, depending on the component being inspected. Operation of the detention basin, sediment basin, and outlet control structures may need to be inspected by a practicing civil engineer familiar with their operation.

Records of all routine inspections and any work performed on the system for maintenance, repair or replacement should be maintained by the owner and kept for a minimum of ten {10} years. A copy of all records should be provided to the City of Rochester Hills Engineering Division. The records should include this manual, all inspection sheets, approved construction plans and as-built documents, a maintenance log of work performed to the system(s) and contact information for the system inspector, civil engineer, landscape architect, geotechnical engineer and contractor involved with the system.

STORM WATER SYSTEMS MAINTENANCE:

OAKRIDGE DENTAL BY SSO Limited, LLC
Rochester Hills, Michigan

Regular inspection and maintenance of BMP's are necessary if these facilities are to consistently perform up to expectations. Stormwater systems are expected to perform quality and quantity control functions as long as the land use they serve exists. Failure to maintain these systems can create the following adverse impacts:

- Increased pollutants to surrounding surface water features
Potential loss of life or property resulting from catastrophic failure of the Facility

- Aesthetic or nuisance conditions, such as mosquitoes or reduced property values due to a degraded facility appearance.

Most of these impacts can be avoided through proper and timely inspection and maintenance. A major concern associated with these impacts is the general public's expectations related to the quality of life provided, in part, by construction of these systems. Inadequate maintenance means the general public may have a false sense of security. The most common cause of stormwater system failure is the lack of adequate and proper operation, inspection, maintenance and management.

Good design and construction can reduce subsequent maintenance needs and costs, but they cannot eliminate the need for maintenance altogether. Maintenance requires a long term commitment of time, money, personnel and equipment. Monitoring the overall performance of the stormwater management system is a major aspect of any maintenance program.

The maintenance responsibilities for these systems lie with the current property owner and transfer with the property in perpetuity. If maintenance of the system is not performed, the City of Rochester Hills reserves the right to enter the property and perform all necessary work at the property owners' cost. Refer to the *Agreement for Storm Water System Maintenance* for additional details.

General Maintenance Items:

Parking Lot Sweeping:

Routine sweeping of all paved surfaces provides a more attractive appearance and removes accumulations of sediment and trash that tend to migrate into stormwater management systems during rainfall events. Parking lot sweeping should be performed quarterly or as necessary to limit sediment and trash build- up.

Grass Mowing and Maintenance:

Mowing requirements at a facility should be designed to the specific site conditions, grass types and seasonal variations in climate. Requirements for grasses in bioswales will vary see the applicable section below. Grassed areas require periodic fertilizing, de-thatching and soil conditioning in order to maintain healthy growth. Provisions will need to be made to reseed and reestablish grass cover in areas damaged by sediment accumulation, stormwater flow, and erosion or other causes. Dead turf will need to be replaced after being discovered. Inspection of the grass areas and other landscaping features should be made annually

Trash and Debris Removal:

Removal of trash and debris from all areas of the property should be performed monthly. Removal of these items will prevent damage to vegetated areas and eliminate their potential to inhibit the operation of any of the stormwater management systems. Sediment, debris and trash that are removed and collected should be disposed of according to local, State and Federal regulations at suitable disposal and/or recycling centers.

Stormwater System Maintenance Items:

The following narratives give an overview of the maintenance requirements of the different components of the stormwater system. The inspection checklists attached to this report offer a more complete listing of what should be inspected, when inspection should occur and the likely frequency of maintenance activities.

Storm Sewer and Structures:

Catch basins, inlets, manholes and sewer pipes should be inspected to check for sediment accumulation and clogging, floatable debris, dead vegetation etc. The structures and sewers should also be observed during a wet weather event to ensure their proper operation. Accumulated sediment and debris should be removed on an annual basis or as needed based on observed conditions. Structural repairs or maintenance should occur as needed based on observed conditions such as cracks, spalling, joint failure, leakage, misalignment or settlement of structures. A civil engineer should be retained if problems are thought to exist.

Swales:

The swales should be kept free of trash, debris or any other foreign matter that would inhibit drainage. The swale yard drain structures should be checked for structural integrity as mentioned above for the storm sewer structures, and any visible signs of erosion or flow bypassing the structure.

Bioswales and Rain Garden:

The bioswales and rain garden should be kept free of dead leaves and vegetation, trash, debris or any other foreign matter that would inhibit infiltration of runoff. The outlet control structures should be checked for structural integrity as mentioned above for the storm sewer structures, and any visible signs of erosion or flow bypassing the structures. The bioswales and rain gardens will trap sediment under normal conditions, so the amount of sediment should be monitored over time, and removed when the accumulated depth reaches 3"-4" total. The planted vegetation within the bioswales and rain garden should conform to that shown on the construction plans, and any invasive species should be removed. Regular lawn fertilizing and mowing should not occur within the bioswales or rain garden at all. Mowing should cease at the top of bank for the bioswales and rain garden. The operation of the bioswales and rain garden including the outlet control structures should be observed during a wet weather event to ensure the proper functioning of the systems. A civil engineer should be retained if problems are thought to exist. The vegetation should be inspected for healthy growth by a landscape architect if the inspection personnel are not familiar with the specific plantings inside the bioretention areas.

Detention Basin Outlet Control Structures and Overflow Structure:

Both the outlet control and overflow structures and connecting pipes should be inspected for sediment accumulation, floatable debris, trash and any other foreign matter that may impede flow or restrict the devices from working properly. The stone jacket surrounding the outlet control structure should be inspected for sediment build up, and the holes at the base of the outlet control structure should be inspected to make sure they do not become blocked. The grates of the two structures should be inspected for structural integrity and build up of debris. The outlet control system should be inspected during a wet weather event to ensure all components are functioning properly. A civil engineer should be retained if problems are thought to exist.

Maintenance will include the removal of any debris, trash or sediment from the structures and/or pipe, cleaning of the stone jacket on the outlet control structure and removal of debris from the structure grates. The stone jacket may need replacement if cleaning does not adequately remove sediment build-up.

Any resident complaints regarding the basins' aesthetics or operation should be investigated during inspections and wet weather operations.

The following pages include inspection checklists for the various devices and components listed above

EXHIBIT "C"

STORMWATER MANAGEMENT SYSTEM - PERMANENT MAINTENANCE

DATE / TIME OF INSPECTION: _____

INSPECTOR: _____

STORMWATER MANAGEMENT SYSTEM MAINTENANCE TASKS AND SCHEDULE

MAINTENANCE ACTIVITIES MONITORING / INSPECTION	SYSTEM COMPONENTS	MANHOLES, OVERFLOW STRUCTURES, AND OUTLET CONTROL STRUCTURES	STORM SEWER PIPES	RIP RAP	SWALE	BIORETENTION AREAS	OVERFLOW SPILLWAYS	FREQUENCY	COMMENTS
POST CONSTRUCTION									
INSPECT FOR SEDIMENT ACCUMULATION		X	X		X	X	X	ANNUALLY	
INSPECT FOR FLOATABLES, DEAD VEGETATION AND DEBRIS		X	X	X	X	X	X	ANNUALLY	
INSPECT FOR EROSION				X	X	X	X	ANNUALLY	
INSPECT ALL COMPONENTS DURING WET WEATHER AND COMPARE TO AS-BUILT		X	X				X	ANNUALLY	
INSPECT INSIDE OF STRUCTURES AND PIPES FOR CRACKS, SPACING, JOINT FAILURE, SETTLEMENT, SAGGING AND MISALIGNMENT.		X	X					ANNUALLY	
INSPECT FOR INVASIVE PLANT SPECIES						X		ANNUALLY	
PREVENTATIVE MAINTENANCE									
REMOVE ACCUMULATED SEDIMENT		X	X	X	X	X	X	ANNUALLY OR AS NEEDED	
REMOVE FLOATABLES, DEAD VEGETATION AND DEBRIS		X	X	X	X	X	X	ANNUALLY OR AS NEEDED	
PROFESSIONAL APPLICATION OF HERBICIDE FOR INVASIVE SPECIES THAT MAY PRESENT						X		ANNUALLY OR AS NEEDED	
REPAIR EROSION AND / OR RESEED BARE AREAS.				X	X		X	ANNUALLY OR AS NEEDED	
REMEDIAL ACTIONS									
REPAIR / STABILIZE AREAS OF EROSION				X	X	X	X	AS NEEDED	
STRUCTURAL REPAIRS		X	X				X	AS NEEDED	
MAKE ADJUSTMENTS / REPAIRS TO ENSURE PROPER FUNCTIONING		X	X	X	X	X	X	AS NEEDED	


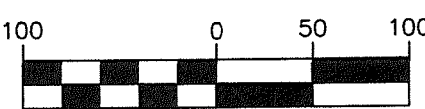
SUMMARY:

INSPECTORS REMARKS: _____

OVERALL CONDITION OF FACILITY: _____

RECOMMENDED ACTIONS NEEDED: _____

DATES ANY MAINTENANCE MUST BE COMPLETED BY: _____

	ACCURATE SURVEYING AND MAPPING LAND SURVEYORS DEVELOPMENT CONSULTANTS	CLIENT: SAMER OBEID	DATE: 04-02-2018
	19500 Middlebelt Road, Suite 340E Livonia, MI 48152 www.accurate-surveying.com	PH: 313-506-3160 PH: 734-437-7740 Fax: 734-437-7759	 SCALE 1 INCH = 100 FEET