

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


On the 24<sup>th</sup> day of May, 2004, South Boulevard Properties, LLC, a Michigan limited liability company, of 44199 Dequindre Road, Suite 108, Troy, MI 48085 entered into with the City of Rochester Hills, MI, whose address is 1000 Rochester Hills Drive, Rochester Hills, MI, 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 847 (the "Agreement"), 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, Wellpointe Medical Properties, LLC, a Michigan limited liability company (successor in title to South Boulevard Properties, LLC) has elected to expand the parking area for its existing medical office building, known as Wellpointe Medical Center, such that it is now necessary to amend the Agreement to provide for the reconfiguration of the storm water detention basin and storm sewer 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 the previous Exhibit B and Exhibit C attached to and included as part of the originally recorded Agreement are hereby superseded and replaced with the revised Exhibit B and Exhibit C attached hereto and the original Exhibit B shall be of no further force or effect.

IN WITNESS HEREOF, the undersigned have hereunto affixed their signatures on the 31<sup>st</sup> day of August, 2016.

**WELLPOINTE MEDICAL PROPERTIES, LLC, a**  
Michigan limited liability company

By:   
Martin McGough, M.D.  
Its: President

**CITY OF ROCHESTER HILLS**

By: \_\_\_\_\_  
Bryan K. Barnett, Mayor

By: \_\_\_\_\_  
Tina Barton, City Clerk

STATE OF MICHIGAN )  
                                  ) SS  
COUNTY OF OAKLAND )

This instrument was acknowledged before me on August 31, 2016, by Martin McGough, M.D. the President of Wellpointe Medical Properties, LLC, a Michigan limited liability company, on behalf of the said limited liability company.

Pamela Oliverio  
\_\_\_\_\_  
Notary Public

Oakland County, Michigan  
My commission expires: 7/21/2020



STATE OF MICHIGAN )  
                                  ) SS  
COUNTY OF OAKLAND )

This instrument was acknowledged before me on \_\_\_\_\_, 2016, by Bryan K. Barnett, Mayor, and Tina Barton, Clerk, of the City of Rochester Hills, on behalf of the City.

\_\_\_\_\_  
Notary Public  
Oakland County, Michigan  
My commission expires:

Drafted by:  
Graham Baxter  
PEA, Inc.  
2430 Rochester Court, Suite 100  
Troy, MI 48083

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

John Staraw  
Approved 11/2/16

**EXHIBIT "A"**

**LEGAL DESCRIPTION:**

Certain property located in the City of Rochester Hills, County of Oakland, and State of Michigan which is legally described as follows:

Part of the Southeast 1/4 of Section 36, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan and being more particularly described as follows: Beginning at a point on the South line of Section 36, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, distance South 87 degrees 52 minutes 49 seconds West, 1065.00 feet as measured along the South line of said Section 36 from the Southeast corner of said section; proceeding thence from said point of beginning South 87 degrees 52 minutes 49 seconds West, along the South line of said section 36, a distance of 743.45 feet to a point; said point distant North 87 degrees 52 minutes 49 seconds East a distance of 848.92 feet, as measured along the South line of said Section 36 from the South 1/4 corner of said Section; thence North 02 degrees 13 minutes 01 seconds West a distance of 365.66 feet to a point on the Southerly Right-of-Way line for the M-59 Expressway; thence the following courses and distances along the Southerly and Westerly Right-of-Way line for said M-59 Expressway, South 89 degrees 28 minutes 52 seconds East, 880.93 feet; thence South 61 degrees 08 minutes 19 seconds East, 297.00 feet; thence South 29 degrees 22 minutes 58 seconds West a distance of 143.36 feet to a point on the North Right-of-Way line of South Boulevard; thence South 87 degrees 52 minutes 49 seconds West, along the North Right-of-Way line of said South Boulevard, said line being 50.00 feet North of, as measured at right angles to and parallel with the South line of said Section 36, a distance of 315.64 feet to a point; thence South 02 degrees 07 minutes 11 seconds East a distance of 50.00 feet to the Point of Beginning.

Commonly known as: 1701 South Boulevard

#15-36-452-010

Mike Tavant  
Approved 11/3/16

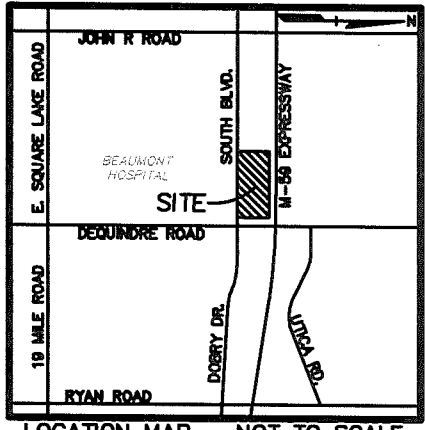
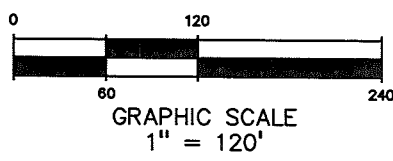
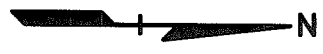
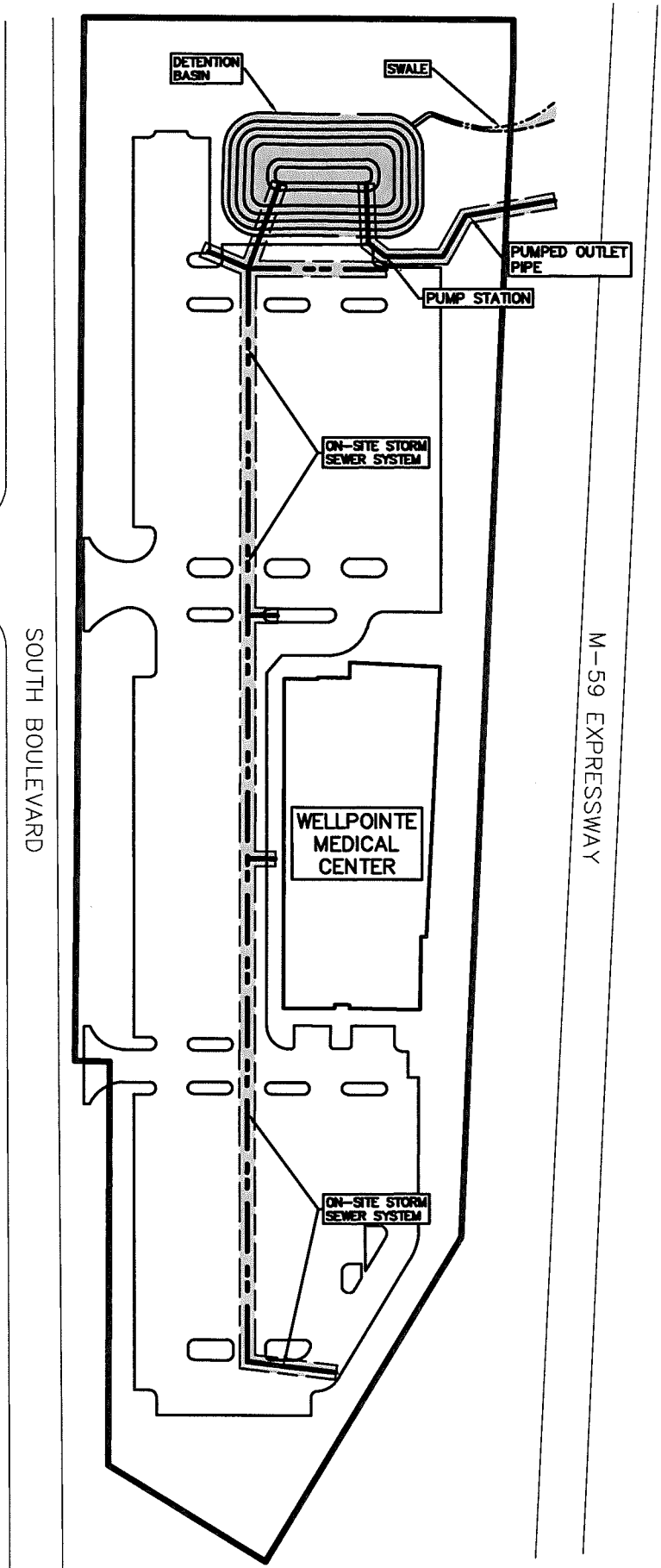


**PEA, Inc.**

2430 Rochester Ct, Ste 100  
Troy, MI 48063-1872  
t: 248.689.9090  
f: 248.689.1044  
www.peainc.com

<b>STORM WATER SYSTEM PLAN WELLPOINT MEDICAL PROPERTIES, LLC 1701 SOUTH BOULEVARD ROCHESTER HILLS, MI 48307</b>	<b>SCALE: NTS</b>	<b>JOB No: 2016-136</b>
	<b>DATE: 8-2-16</b>	<b>DWG. No: 1 of 1</b>

EXHIBIT "B"



LOCATION MAP - NOT TO SCALE

WELLPOINTE MEDICAL  
 PROPERTIES, LLC  
 STORM SEWER  
 SYSTEM MAINTENANCE  
 RESPONSIBILITY



PEA, Inc.

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STORM WATER SYSTEM PLAN  
 WELLPOINTE MEDICAL PROPERTIES, LLC  
 1701 SOUTH BOULEVARD  
 ROCHESTER HILLS, MI 48307

SCALE: 1" = 120'  
 DATE: 8-2-16

JOB No: 2016-136  
 DWG. No: 1 of 1

**EXHIBIT 'C'**

**OPERATIONS AND MAINTENANCE MANUAL**

**WELLPOINTE  
STORMWATER MAINTENANCE PLAN  
ROCHESTER HILLS, MICHIGAN**

**PROPERTY OWNER:  
WELLPOINTE MEDICAL PROPERTIES, LLC  
1701 SOUTH BOULEVARD  
ROCHESTER HILLS, MI, 48307  
Phone: (248) 293-0055  
Contact: Martin McGough, M.D.**

Prepared by:  
PEA, Inc  
2430 Rochester Court, Suite #100  
Troy, Michigan, 48083-1872  
Phone: (248) 689-9090  
Contact: Steven A. Sorensen, PE

August 2, 2016

# **OPERATION AND MAINTENANCE MANUAL**

## **INTRODUCTION:**

This manual identifies the ownership, operation and maintenance responsibilities for all stormwater management systems including the detention basin, underground storm sewer system, and pump station as incorporated into and detailed on the original approved Construction Plans as prepared by HarleyEllis and subsequent approved Construction Plans as prepared by PEA, 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. Martin McGough, M.D.  
President  
Wellpointe Medical Properties, LLC  
1701 South Boulevard  
Rochester Hills, Michigan, 48307  
Phone: (248) 293-0055

## **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.)
- Detention Basin
- Pump Station
- 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 and pump station may need to be inspected by a practicing civil engineer or plumbing 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:**

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 can not 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. 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, 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.

#### Storm Water Discharge Pump Station:

Both the pump station structure 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 pump station structure should be inspected for structural integrity and build up of debris. The operation of the pump station should be inspected during or immediately after a wet weather event to ensure all components, including pumps, valves, float switches, electrical connections, are functioning properly. A civil engineer or plumbing 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 pipes and removal and repair or replacement of any faulty or underperforming mechanical and electrical components.

#### Detention Basin:

The inlet pipes to the basins should be inspected for structural integrity (pipes cracked, broken, spalled) and that the bar grates are free from debris. The area around and immediately downstream of the inlet pipes should be inspected for sediment build-up, erosion and the riprap should be inspected for integrity and sedimentation. Maintenance of the inlet pipes would include removal of any sediment build-up and debris, repair or replacement of any components that are in need of attention and to restore any areas that have eroded.

The basins should be inspected for healthy grass growth, side slope erosion, and excessive sedimentation in both basins. The overflow spillway and swale should be inspected for sedimentation, erosion and overall integrity. The detention basin will need regular inspection and removal of sediment once the total sediment depth is 6" or if sediment re-suspension is observed during a rain event. The basins should be inspected during a wet weather event to ensure all aspects of the basin are functioning correctly. A civil engineer should be retained if problems are thought to exist or if the inspection personnel are not familiar with the operating conditions of the basins.



The planted vegetation within the basins should conform to that shown on the construction plans, and any invasive species should be removed. 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 basins.

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**

POST CONSTRUCTION  MAINTENANCE ACTIVITIES MONITORING/INSPECTION	SYSTEM COMPONENTS	Catch Basins, Inlets, Manholes, and Outlet Control Structures	Storm Sewer Pipes	Rip Rap	Swale	Pump Station	Detention Basin	Overflow Spillways	FREQUENCY	COMMENTS
Inspect for Sediment Accumulation		X	X		X	X	X	X	Annually	
Inspect for Floatables, dead vegetation and debris		X	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 plans		X	X			X	X	X	Annually	
Inspect inside of structures and pipes for cracks, spalling, joint failure, settlement, sagging and misalignment.		X	X			X			Annually	
Inspect for invasive plant species							X		Annually	
<b>PREVENTATIVE MAINTENANCE</b>									Annually or as needed	
Remove accumulated sediment		X	X	X	X	X	X	X	Annually or as needed	
Remove floatables, dead vegetation and debris		X	X	X	X	X	X	X	Annually or as needed	
Professional application of herbicide for invasive species that may be present							X		Annually or as needed	
Repair erosion and/or reseed bare areas				X	X		X	X	Annually or as needed	
<b>REMEDIAL ACTIONS</b>										
Repair/stabilize areas of erosion				X	X		X	X	As Needed	
Structural Repairs		X	X			X		X	As Needed	
Make adjustments/repairs to ensure proper functioning		X	X	X	X	X	X	X	As Needed	
Excavate and reshape Detention Basin after major sediment removal (once sediment accumulates to 6" or re-suspension of sediment is observed) *							X		As Needed	
Remove and repair or replace faulty mechanical and electrical components.						X			As Needed	

\* A civil engineer should be retained to observe basin operation

**SUMMARY:**

INSPECTORS REMARKS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

OVERALL CONDITION OF FACILITY: \_\_\_\_\_

RECOMMENDED ACTIONS NEEDED: \_\_\_\_\_

DATES ANY MAINTENANCE MUST BE COMPLETED BY: \_\_\_\_\_



**PEA, Inc.**

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**STORM WATER SYSTEM PLAN  
WELLPOINTE MEDICAL PROPERTIES, LLC  
1701 SOUTH BOULEVARD  
ROCHESTER HILLS, MI 48307**

SCALE: NTS

JOB No: 2016-136

DATE: 8-2-16

DWG. No: 1 of 1