

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

This agreement is made on April 20, 2023, by Joan H. Wiegand, a single woman ("Owner"), whose Address is 37580 Mound Road, Sterling Heights, MI 48310 and the CITY OF ROCHESTER HILLS (the City), whose address is 1000 Rochester Hills Drive, Rochester Hills, MI 48309.

RECITALS:

WHEREAS, the Owner owns and occupies the property described in attached **Exhibit A**; and

WHEREAS, the Owner has proposed, and the City has approved, a storm water drainage and detention system (the system), which includes a detention basin, for the property as described and depicted in the attached **Exhibit B**; and

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

THEREFORE, the parties agree:

1. **Use of the System:** Components of the System, including the detention basin, shall be used solely for the purpose of detaining storm and surface water on the property until such time as: (i) The City may determine and advise Owner or Owner's successors, grantees or assigns, in writing that it is no longer necessary to use the detention basin to detain storm or surface water; and (ii) An adequate alternative for draining storm and surface water has been provided which is acceptable to the City and which includes the granting of such easements to the City or third parties for the alternative drainage system as may be necessary.

2. **Maintenance:**

A. Owner shall be responsible for the proper maintenance, repair and replacement of the System and any part thereof, including the detention basin as detailed in the Maintenance Plan attached as **Exhibit C**.

B. Proper maintenance of the System shall include, but not limited to: (i) Keeping the bottom of the detention basin free from silt and debris; (ii) Removing harmful algae; (iii) Maintaining steel grating across the basin's inlets; (iv) Controlling the effects of erosion; and (v) Any other maintenance that is reasonable and necessary in order to facilitate or accomplish the intended function and purpose of the System.

3. **Action by City:** In the event Owner or Owner's successors, grantees, or assigns, neglects or fails at any time to properly maintain the System or any part thereof, the City may notify Owner or Owner's successors, grantees or assigns, in writing, and the notice shall include a listing and description of maintenance deficiencies and a demand that they must be corrected within thirty (30) days. The notice shall further specify the 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 to whom the City Council may delegate responsibility. At the hearing, the City Council (or other board or official) may endorse or modify the listing and description of deficiencies to be corrected and, for good cause, may extend the time within which the deficiencies must be corrected.

Thereafter, if the maintenance deficiencies are not corrected within the time allowed, the City may undertake and make the necessary corrections, and may maintain the System for a period not to exceed one (1) year. Such maintenance of the System by the City shall not be deemed a taking of the property, nor shall the City's actions be deemed to vest in the public any right to use the property. If the City determines maintenance of the system by the City should continue beyond one year, the City shall hold, and provide advance written notice of, a further hearing at which Owner or Owner's successors, grantees or assigns, will not or cannot properly maintain the System, the City may continue to maintain the System for another year, and subject to a similar 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, safety 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 or other corrective action undertaken by the City in accordance with this agreement, plus a ten percent (10%) administrative fee. If not timely paid, the City may assess the charges 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 below, or to such other addresses as such party may notify the other parties in writing:

To Joan Wiegand

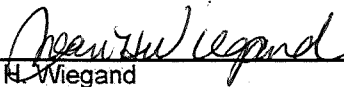
Wiegand's
37580 Mound Road
Sterling Heights, MI 48310

To the 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 rights, obligations and responsibilities hereunder 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.

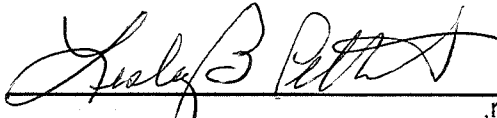
By: 
Joan H. Wiegand

CITY OF ROCHESTER HILLS

By: _____
Bryan K. Barnett, Mayor

STATE OF MICHIGAN
COUNTY OF Macomb

This agreement was acknowledged before me on April 20, 2023,
by Joan H. Wiegand, a Single Woman.


_____, notary public
Macomb County, Michigan

My commission expires: 7-28-2028

STATE OF MICHIGAN
COUNTY OF OAKLAND

This agreement was acknowledged before me on _____, 2023,
by Bryan K. Barnett, Mayor, of the City of Rochester Hills, on behalf of the City.

_____, notary public
_____ County, Michigan

My commission expires:

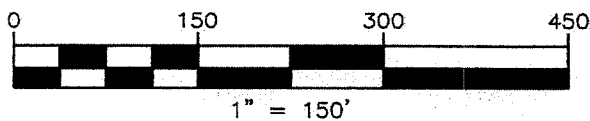
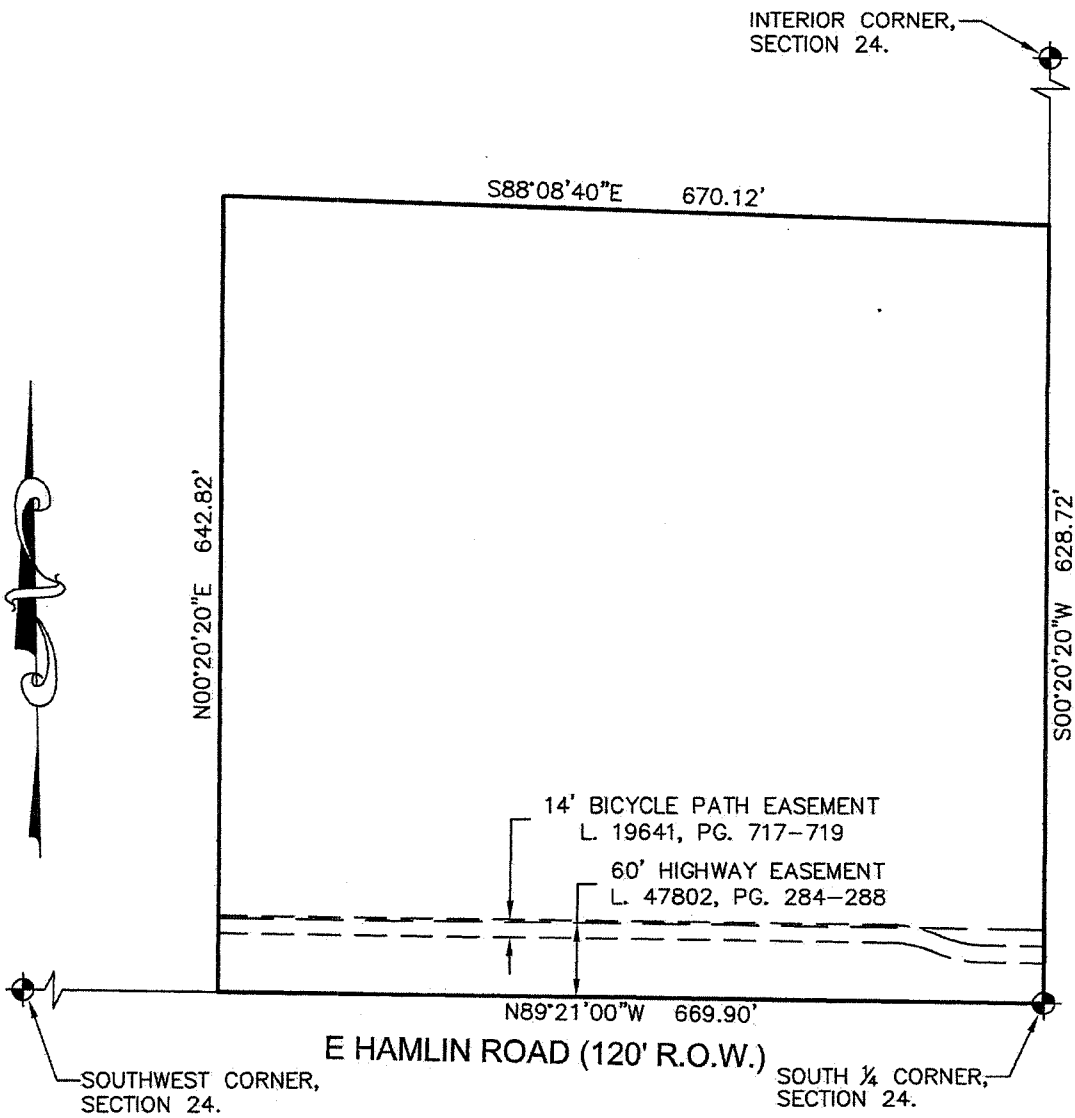
Drafted By:
Joan H. Wiegand
37580 Mound Rd.
Sterling Heights, MI 48310

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

*John Staran
Approved 5/1/23*

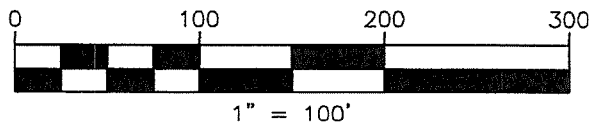
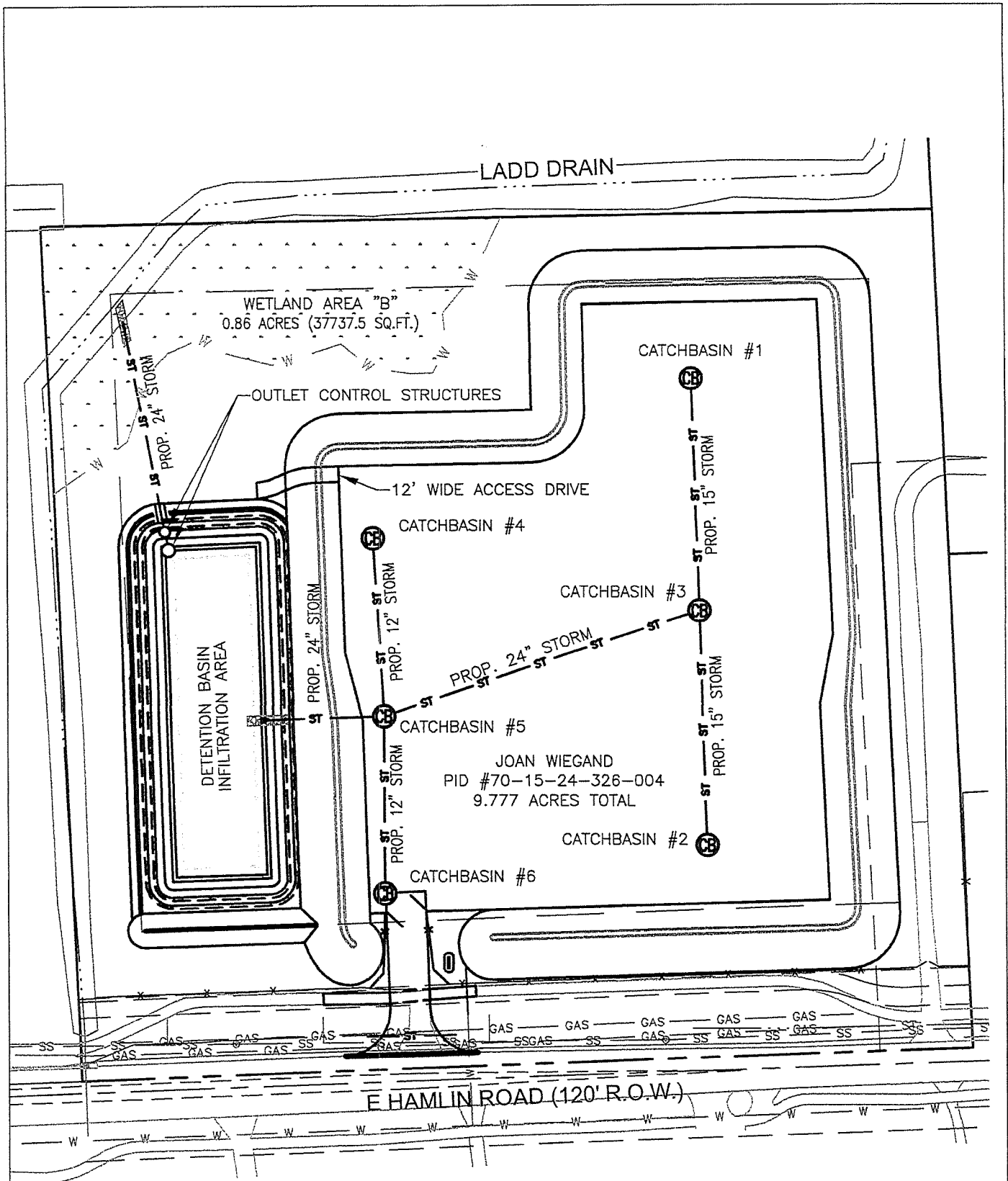
PROPERTY LEGAL DESCRIPTION (TAX ID #70-15-24-326-004):

THE EAST 1/2 OF THE SOUTH 20 ACRES OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 24, T3N, R11E, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 24; THENCE N. 89°21'00" W. 669.90 FEET; THENCE N. 00°20'20" E. 642.82 FEET; THENCE S. 88°08'40" E. 670.12 FEET; THENCE S. 00°20'20" W. 628.72 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 9.777 ACRES TOTAL AND 8.855 ACRES NET.



*Jenny Approved
5/3/23*

1	SCALE: 1" = 150'	WIEGAND DEVELOPMENT 37580 MOUND ROAD STERLING HEIGHTS, MI 48310 CONTACT: MICHAEL KLIEMAN PHONE: 586.939.0840	REVISIONS 5 4 3 2 4/7/23 1 3/28/23	
	PROJECT NO.: 2015-0015			
	FILE NAME: HAMLIN-13.DWG			
	SHEET: 1 OF 1			
EXHIBIT "A" WIEGAND RV STORAGE 1441 E HAMLIN ROAD ROCHESTER HILLS, MI 48307		SHINK ENGINEERING, PLC 4146 PINE GROVE ROAD FORT GRATIOT, MI 48059 lmshink@yahoo.com 586.718.1965	DATE: 11/10/22 DESIGNED BY: LMS DRAWN BY: TLE CHECKED BY: APPROVED BY:	



*Approved
ARS 4/17/23*

1	SCALE: 1" = 100'	WIEGAND DEVELOPMENT 37580 MOUND ROAD STERLING HEIGHTS, MI 48310 CONTACT: MICHAEL KLIEMAN PHONE: 586.939.0840	R	5		
	PROJECT NO.: 2015-0015		E	4		
	FILE NAME: HAMLIN-11-EGLE.DWG		N	3		
	SHEET: 1 OF 1		S	2	4/7/23	
EXHIBIT "B" WIEGAND RV STORAGE 1441 E HAMLIN ROAD ROCHESTER HILLS, MI 48307		SHINK ENGINEERING, PLC 4146 PINE GROVE ROAD FORT GRATIOT, MI 48059 lmshink@yahoo.com 586.718.1965		1	10/06/20	
				DATE:	6/25/20	
				DESIGNED BY:	LMS	
				DRAWN BY:	TLE	
		CHECKED BY:				
		APPROVED BY:				

EXHIBIT C

OPERATIONS AND MAINTENANCE MANUAL

WIEGAND RV STORAGE

STORM SEWER SYSTEM MAINTENANCE PLAN ROCHESTER HILLS, MI

April 10, 2023

DEVELOPER
Wiegand Development
37580 Mound Road
Sterling Heights, MI 48310

OK AKS
4/18/23

OPERATION AND MAINTENANCE MANUAL

INTRODUCTION

This manual identifies the ownership, operation, and maintenance responsibilities for all storm-water management systems including the detention basin, as incorporated into and detailed on the approved Site Plans. 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 BMPs.

DEVELOPER

Wiegand Development
37580 Mound Road
Sterling Heights, MI 48310

PROPERTY INFORMATION

This Operations and Maintenance Manual covers the storm water systems located on the property described in Exhibit A to Wiegand RV Storage Storm Sewer System Maintenance Agreement, dated April 20, 2023.

STORM WATER MAINTENANCE EXHIBIT

Exhibit B of the Storm Sewer System Maintenance Agreement is the construction drawings of Wiegand RV Storage, which sets forth the Storm Water System Plan and provides a clear presentation of all components of the storm sewer 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

INSPECTIONS

The frequency of system inspections outlined in the manual and attached exhibits should be considered the minimum to be conducted if no events warrant additional inspections. The frequency of inspections should be refined 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 BMPs 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 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. Upon request, 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 on the systems, and contact information for the system inspector, civil engineer, landscape architect, geotechnical engineer, and contractor involved with the systems.

STORM WATER SYSTEMS MAINTENANCE

Regular inspection and maintenance of BMP's are necessary if these facilities are to consistently perform up to expectations. Storm-water 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 storm-water 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 storm-water 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 as further described in the Storm Sewer System Maintenance Agreement, dated April 20, 2023.

General Maintenance Items

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 storm-water 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 or recycling centers.

Storm Water System Maintenance Items

The following narratives give an overview of the maintenance requirements of the different components of the storm-water 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.

Detention Basin Outlet Control Structure 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 the buildup 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 or pipes, 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 buildup.

Detention Basin

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

The basin should be inspected for healthy grass growth, side slope erosion, and excessive sedimentation. The basin 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 basin.

The planted vegetation within the basin 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 basin.

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

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

Example Operations and Maintenance Matrix

		Stormwater Management Practices								
		Forebay	Inlet Structure	Bioretention Practices (bioswales, rain gardens)	Pavement Areas	Permeable Pavement	Subsurface Detention	Surface Detention	Catch Basins	Outlet Structure
Maintenance Activities	Frequency									
Inspect for Trash, litter and/or debris accumulation	12 times per year				✓			✓	✓	✓
Inspect For Floatable, Dead Vegetation, and Debris	12 times per year							✓	✓	✓
Overgrown vegetation that interferes with access, line of sight or safety	2-12 times a year				✓					✓
Inspect all components during wet weather and compare to as-builts	2 times per year							✓	✓	✓
Inspect for sediment accumulation	2 times per year							✓	✓	✓
Vacuum/street sweeping	2 times per year									
Erosion stabilization/control	1 time per year				✓			✓	✓	✓
Remove and replace dead vegetation	1 time per year									
Remove floatables, dead vegetation and debris	1 time per year								✓	✓
Sweeping of paved and pervious pavement surfaces	As Needed				✓			✓		
Replacement of mulch layer and top 6 inches of bioretention soil	1 time every 2-3 years									
Fertilization for first year of vegetation	1 time Initially									
Remove accumulated solids by vactoring	2-4 times per year or as recommended by vendor								✓	✓

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Repair and Replacement	Frequency								
Replace fill material for permeable pavement	As Needed								
Structural repairs	As Needed				✓		✓	✓	✓
Structural replacement	As Needed							✓	✓
Wildlife management	As Needed								
Replace stone filter material around outlet structure	Every 3 to 5 years								✓

Note(s):

Mechanical separators follow the manufacturer's guidelines for operation and maintenance.

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