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Fee Amt: \$26.00 Page 1 of 6
Workflow# 0000290171-0001
Buncombe County, NC
Drew Reisinger Register of Deeds
BK 5333 PG 3-8

Operations and Maintenance

TYPE OF DOCUMENT

GRANTOR: Windsor Built Homes

GRANTEE: _____

PREPARED BY: WGLA Engineering

MAIL TO: 2141 King St Hendersonville NC 28792

Return to: County of Buncombe
 Stormwater Administrator
 46 Valley Street
 Asheville, North Carolina, 28801

**STATE OF NORTH CAROLINA
 COUNTY OF BUNCOMBE**

**OPERATIONS AND MAINTENANCE AGREEMENT
 FOR STORMWATER FACILITIES**

Project Name: Lakeside Meadows Subdivision
 Permit Number: STW2014-00008

THIS OPERATIONS AND MAINTENANCE AGREEMENT is made this _____ day of _____, 2015, between the **County of Buncombe, North Carolina**, a body politic ("County"), and **Windsor Built Homes, Inc.** a South Carolina corporation ("Owner") under the following circumstances:

- A. Owner is the fee simple owner of a tract of real property located in the County of Buncombe, State of North Carolina, identified on the County tax maps as P.I.N. Number 9742-15-4666 and described in a deed recorded in Deed Book 5146 at Page 1890, Buncombe County, North Carolina Register of Deed's Office (the "Property").
- B. Owner desires, pursuant to the terms of Section 5 of County's stormwater ordinance to agree to certain operations, maintenance and repair of a stormwater facility which has been installed on the Property by Owner, and to grant County access to such facility.

TERMS

NOW, THEREFORE, Owner does hereby declare that all of the Property described in a deed recorded in Book 5146 at Page 1890, Buncombe County Registry, shall be held, sold and conveyed subject to the following restrictions, which shall run with the Property and be binding on all parties having any right, title or interest in the Property, or any part thereof, their heirs, successors and assigns, for the term of these covenants as set forth below, and shall inure to the benefit of each holder thereof.

1. **PURPOSE:** The purpose of this Declaration is to ensure that future development and redevelopment of the Property maintains the Property consistent with the County's stormwater management requirements.
2. **STORMWATER PLAN:** There is an approved stormwater management plan for the property attached as an exhibit. Owner agrees to comply with the provisions of the Plan.
3. **OPERATION AND MAINTENANCE MANUAL:** There is an approved operation and maintenance manual for the on site stormwater system attached as an exhibit.
4. **FUTURE ACTIVITY:** Any activity not already approved in the Plan, including without limitation any change in use of the Property, any development or redevelopment of the Property, or any increase in the impervious surface on the Property, shall require an amendment to the Plan consistent with the requirements of Article VII of Chapter 26 of the Code of Ordinances, Buncombe County, North Carolina, applicable to such new activity, and the issuance of a new stormwater permit prior to undertaking such new activity.
5. **ACCESS:** Owner hereby gives to County permission to access the Property at reasonable times for inspection by County and/or its agent or representatives.
6. **DEFAULT:** If an order directing the correction, repair replacement or maintenance of the facility or any portion thereof is not satisfactorily complied with by the owner within the time period specified in the notice, County, or its designee, may after notice to owner, enter the Property and perform all necessary work to place the Facility in proper working condition, and may assess the Owner with the cost of said work which cost shall be a lien on such property and may be collected as provided in N.C. Gen. Stat. § 153A-140. Notice shall be provided five (5) business days prior to entry and performance of necessary work by the County. Notice shall be in writing and shall be delivered to Owner by hand delivery; certified mail, return receipt requested; or by any means allowed by Rule 4 of the North Carolina Rules of Civil Procedures. Owner shall be responsible to County for any costs incurred by County pursuant to this agreement, and the property shall be subject to the imposition of liens if owner does not reimburse the County for all such costs incurred by the County, if Owner

does not pay such costs to County within thirty (30) days of Owner's receipt of a statement for all such costs incurred.

7. **BINDING AGREEMENT:** The restrictions set forth herein shall run with the land and shall be binding upon Owner, its successors and assigns, and all other persons whomsoever claiming under or through Owner.
8. Grantor shall submit at least every three years an inspection report on the operation and maintenance of the stormwater management system to the Buncombe County Stormwater Administrator on a form or forms designated by the Stormwater Administrator. The inspection will be performed by a engineer, surveyor or a landscape architect.

NOW, THEREFORE, for valuable consideration, the sufficiency of which is hereby acknowledged, Owner hereby agrees to the following:

1. **STORMWATER FACILITY:** The Stormwater Facility consists of the following (the "Facility"):
 - A. The stormwater facility to serve the Lakeside Meadows subdivision consists of a storm drainage collection system transporting stormwater to an underground detention system. The detention systems consist of inlet and outlet control structures and a chamber system. See attached as-built drawings as an exhibit.
2. **OPERATION AND MAINTENANCE:** Owner agrees to comply with the following operations and maintenance provisions:

- A. Underground Detention System:
 - (1) Monthly, check sump at all inlet control structures to confirm the depth of sediment in the sump. If the sediment depth has accumulated in the sump to a depth of greater than 12", the sediment and debris must be removed.
 - (2) Monthly, confirm all inlet and outlet orifices are open and operational. If any areas are blocked or clogged, they should be cleaned immediately.
 - (3) Monthly or following a 1" rain event, confirm that the detention systems complete the drawdown of stormwater over 2 – 5 days. If water remains in the system, check all inlets and outlet.
- B. Groundcover of turf, plants and mulch:
 - (1) Each time the grounds maintenance crew visits the Property, but not less than once per month, check all areas for soil erosion and make repairs by adding mulch and/or re-seeding.
 - (2) Each time the grounds maintenance crew visits the Property, but not less than once per month, correct conditions where mulch or other debris may be washing into the system's inlets and basins.

3. **TRI ANNUAL INSPECTION AND REPORT:** Owner shall cause a visual inspection to be made of the Facility once every three (3) years on or before the anniversary of this Agreement. The inspection shall be conducted by an individual or company authorized by County in writing. The report shall be submitted to County in writing, and shall include, but not be limited to, the following:

- A. The name and address of the landowner;
- B. The recorded book and page number of the Property;
- C. A statement that an inspection was made of the entire Facility;
- D. The date the inspection was made;
- E. A statement that all inspected controls and features are performing properly and are in compliance with the terms and conditions of the ordinance.
- F. The signature of the engineer, surveyor, or landscape architect who made the inspection and prepared the report.

If an inspection reveals repairs are needed to the Facility, Owner shall cause such repairs to be made within thirty (30) days after the inspection or within such lesser period of time if circumstances warrant. Owner shall contact the Buncombe County Stormwater Administrator prior to initiation of any repairs to the stormwater management system.

1. **NOTICES:** All notices required herein shall be delivered by personal delivery to be evidenced by a signed receipt, or by certified mail, return receipt requested to the addresses set forth below

If to the County:

Stormwater Administrator
 County of Buncombe
 Stormwater Administrator
 46 Valley Street
 Asheville, North Carolina, 28801

If to Owner:

Windsor Built Homes, Inc.
 40 South Broad Street, Suite 500
 Greenville, SC 29601

2. **BINDING AGREEMENT:** The agreements set forth herein shall run with the land and shall be binding upon Owner, its successors and assigns, and all other persons whomsoever claiming under or through Owner.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

Windsor Built Homes, Inc.

By: F.A. Norwood
 F.A. Norwood
 Chairman

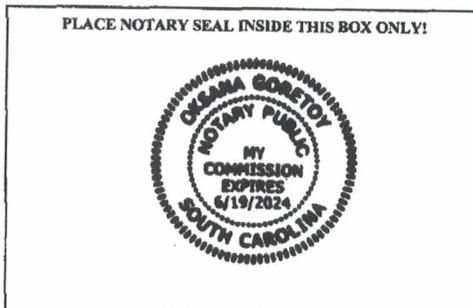


STATE OF NORTH CAROLINA
 COUNTY OF BUNCOMBE

I certify that the following person personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: F.A.Norwood, Windsor Built Homes, Inc.

Date: 6-29-15

Oksana Goretoy
 Notary Public
Oksana Goretoy
 (Printed Name of Notary)
 My Commission Expires: 6-19-24

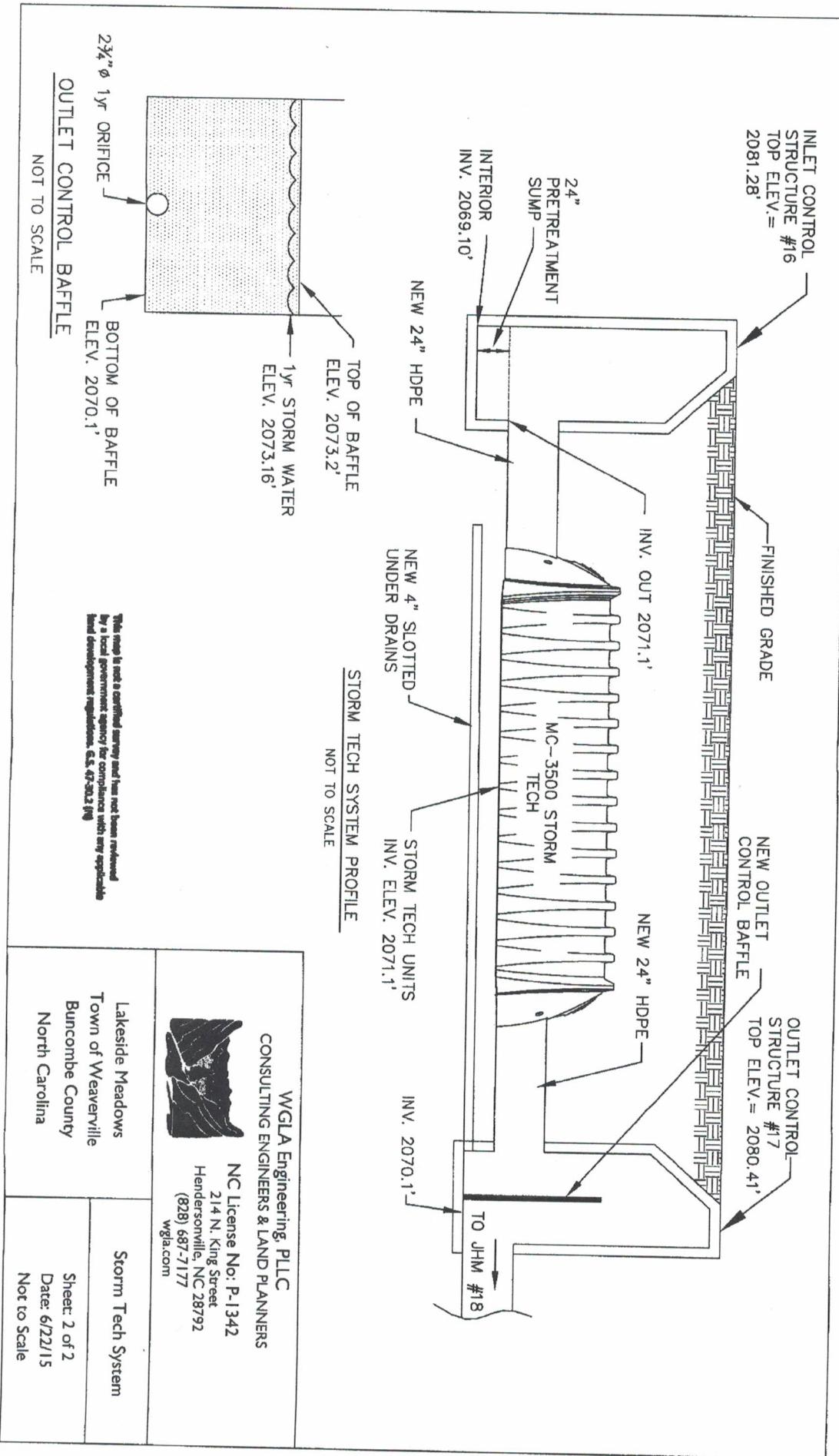


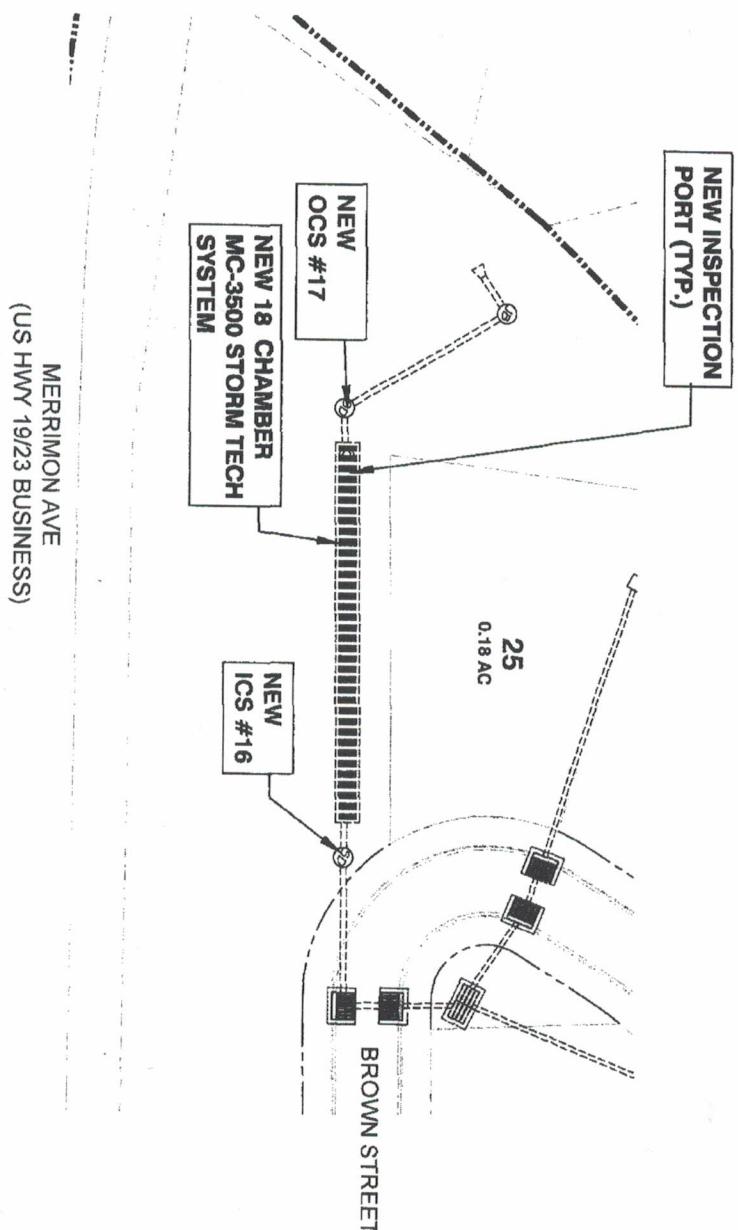
Approved:

COUNTY OF BUNCOMBE

By: Milw Goodson

Title: STORMWATER ADMINISTRATOR





This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations. G.S. 40-76.2 (b)

 <p>WGLA Engineering, PLLC CONSULTING ENGINEERS & LAND PLANNERS NC License No: P-1342 214 N. King Street Hendersonville, NC 28792 (828) 697-7177 wbla.com</p>	<p>Lakeside Meadows Town of Weaverville Buncombe County North Carolina</p>	<p>Storm Tech System</p>
	<p>Sheet: 1 of 2 Date: 6/22/15 Scaler: 1" = 50'</p>	



Buncombe County Assessment Property Record Search

974215237600000
99999 BROWN STLAKESIDE MEADOWS HOMEOWNERS
ASSOCIATION INC
40 W BROAD ST STE 500, GREENVILLE,
SC, 29601Total Appraised Value
\$0

KEY INFORMATION

Zoning	R-1	Neighborhood	LMDA
Land Use Code	COMMON AREA	Municipality	CWV
Fire District	-	Special District	-
Present Use	-		
Appraisal Area	Zachary Price (828) 250-4955 zachary.price@buncombecounty.org		
Exemption	-		
Legal Description	Deed Date:03/07/2017 Deed:5526-1688 SubDiv:LAKESIDE MEADOWS Lot:COMMON AREA 1 Plat:0146-0013		
Plat Reference	<u>146-13</u>		

ASSESSMENT DETAILS

Land Value	\$0
Building Value	\$0
Features	\$0
Total Appraised Value	\$0
Deferred Value	\$0
Exempt Value	\$0
Total Taxable Value	\$0

LAND INFORMATION

ZONING	LAND USE CODE	SIZE	NEIGHBORHOOD	ASSESSED VALUE	FLOODPLAIN
RESIDENTIAL	COMMON AREA	2.00 acres	LMDA	\$0	NO

BUILDING INFORMATION

IS THE BUILDING INFORMATION ON YOUR PROPERTY RECORD CARD CORRECT?

Please confirm that the information below is correct for all buildings, via the 'Confirm property record card data is correct' button. If any of the information is **incorrect on any building** please report the changes via the 'I want to update my property record' button for the building that needs to be updated.

Confirm Property Record Card Data is correct.

BUILDING(S)

TRANSFER HISTORY

TRANSFER DATE	TRANSACTION PRICE	VALID SALE	BOOK / PAGE	DEED INSTRUMENT
2017-03-07	\$0	Not Qualified	5526-1688	WDT
2016-03-10	\$0	Not Qualified	5404-149	WDT

VALUE CHANGE HISTORY

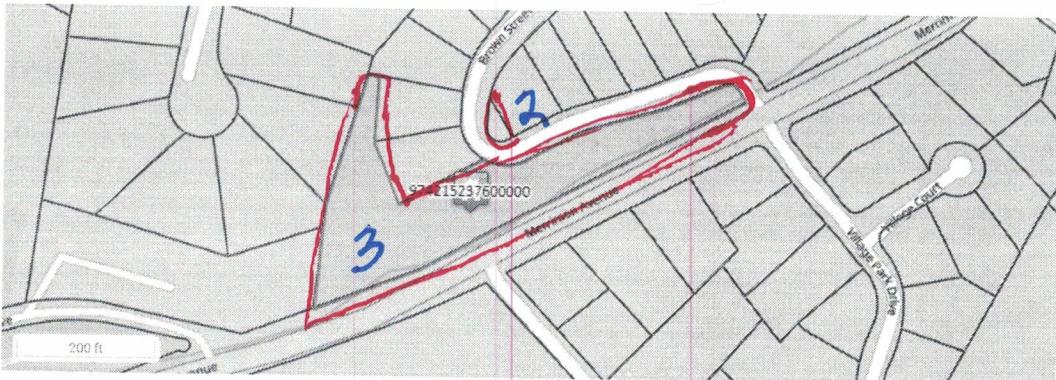
DATE OF VALUE CHANGE	EFFECTIVE TAX YEAR	REASON FOR CHANGE	LAND VALUE	BUILDING VALUE	FEATURES VALUE	NEW VALUE
2016-03-04	2016	NEW PARCEL RESULT OF SPLIT	\$78500	\$0	\$0	\$78,500
2017-01-27	2017	RAPP REAPPRAISAL NOTICE	\$0	\$0	\$0	\$0
2021-02-01	2021	RAPP REAPPRAISAL NOTICE	\$0	\$0	\$0	\$0

RECENT PERMIT ACTIVITY

PERMIT DATE	PERMIT TYPE	PERMIT STATUS
No items to display		

APPEALS

No recent appeal information



No Photo Available

