

inspection is to follow-up on reported or observed deficiencies, to respond to citizen complaints, or to make an inspection if a significant time has passed after the last inspection. The Town shall provide the Landowner a copy of the inspection findings and a directive to commence with the repairs if necessary. In the case of multiple Landowners of a single property, notice to one shall suffice as notice to all.

No Duty on the Town:

This Agreement creates no affirmative duty on the Town to inspect, and it imposes no liability of any kind whatsoever on the Town for omissions in inspecting. The Landowner agrees to hold the Town harmless from any liability in the event the Facility fails to operate properly due to the Landowner's failure to abide by the terms of this Agreement.

Landowner Covenants:

The Landowner accepts responsibility for ownership and proper maintenance of the stormwater system, the Facility (pond, swales, etc.) on the _____ site located at _____, Town of Fort Mill, South Carolina, per the approved maintenance plan. Landowner will complete any necessary repairs and/or preventive maintenance procedures in a timely manner to ensure proper functioning as a stormwater management device(s).

Landowner understands that the maintenance plan may be amended or revised at any time by the Town in order to address changed conditions or to address conditions not being effectively met by the Facility. Following the Town's sending notice, Landowner will abide by any prescribed changes.

This covenant to maintain the Facility shall run with the land. Landowner will continue to own and maintain the Facility until the Town is notified in writing of a transfer in ownership and maintenance responsibility. The notification will include a date for the transfer of responsibility which will become effective upon the Town's receipt of a letter of acceptance from the new owner. Notwithstanding the provision for a letter of acceptance, any new Landowner shall be responsible for all duties and obligations created by this Permanent Stormwater Facility and Maintenance Responsibility Agreement upon it being executed and filed in the Register of Deeds Office for York County.

Landowner understands that failure to adhere to the signed Maintenance Agreement may result in fines of up to \$1,000.00 per day, per violation and /or the institution of a court action, or such other and additional penalties, fines, or assessments as shall be enacted and provided for by the general law of the state or by local regulation lawfully enacted.

(Signatures contained on the next page)

