

ADDENDUM TO SUBDIVISION IMPROVEMENTS AGREEMENT

(STORMWATER DETENTION FACILITY MAINTENANCE)

This Addendum shall be incorporated in and become a part of the _____, Subdivision Improvements Agreement for _____ and enforceable as provided in said Subdivision Improvements Agreement.

1. Subdivider will construct and install as part of the required public improvements for _____ the stormwater detention facility (the "Facility") and associated improvements in accordance with the plans and specifications prepared by Subdivider, approved by, and on file with the City. Subdivider shall replace the top soil after construction of the Facility and re-vegetate by seeding the entire area with a drought tolerant grass mix approved by the City. Subdivider will provide a temporary irrigation system for, and irrigate the re-vegetated area after planting until the grasses are well established. Subdivider will be responsible for all costs associated with the construction of the Facility and associated improvements as well as the temporary irrigation system, revegetation, and irrigation including fees payable to the Board of Water Works and charges for water.
2. Subdivider will maintain in good condition and repair the Facility, associated improvements and revegetation (including irrigation and mowing) until (i) the Facility, associated improvements, and revegetation are accepted for maintenance in writing by the City's Director of Public Works (the "City's Acceptance") and (ii) Subdivider pays the Maintenance Contribution to the City.
3. Subdivider will pay to City the sum of \$ _____ as a one time contribution for future Facility maintenance (the "Maintenance Contribution") on or before the earlier (i) the date of City's Acceptance, or (ii) the date Subdivider requests release from the Subdivision Improvements Agreement for the last lot or lots in the subdivision, or (iii) the date of issuance of a Certificate of Occupancy for the last structure in the subdivision.
4. Subdivider will be released from all obligations under this Addendum after City's Acceptance and receipt by City of the Maintenance Contribution. Thereafter, City will assume the obligation to maintain the Facility, associated improvements and revegetation.

