**When recorded, mail to:**

Riverton City Recorder

12830 South 1700 West

Riverton City, UT 84065

Parcel No(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*{For residential subdivisions, include at least one lot parcel #. Delete this blue instruction text.}*

**LONG-TERM STORMWATER MANAGEMENT AGREEMENT**

This Long-Term Stormwater Management Agreement (“Agreement”) is made and entered into this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_\_,

by and between Riverton City, a Utah municipal corporation (“City”), and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (“Owner”).

**RECITALS**

WHEREAS, the Owner has elected to own subject property and associated private flood and water quality control system; and

WHEREAS, the Owner is responsible for the property as, identified by EXHIBIT A; and

WHEREAS, the properties water runoff, impacts the City Stormwater system and waters of the State; and

WHEREAS, the City has jurisdiction and obligations for facilitating developments safe runoff management and protection of State waters; and

 NOW, THEREFORE, in consideration of the benefits received and to be received by the Owner, its successors and assigns, as a result of the City’s approval of the Long-Term Stormwater Management Plan, and the mutual covenants contained herein, the parties agree as follows:

**Section 1**

The Owner shall, protect and preserve the site flood and water quality control system as shown by the attached maintenance plan.

**Section 2**

The Owner shall regularly maintain the flood and water control system as intended by the maintenance plan, in accordance to City ordinance and other regulating entities with jurisdiction.

**Section 3**

Owner, of the Subject Property, hereby agree that Riverton City, its officers, employees, agents, representatives, contractors and assigns shall have the right of ingress to and egress on the described property to inspect, measure, and sample said flood and water quality control system for such purpose to verify such conditions as; maintenance, flood control capacity, water quality functions and the overall condition of said flood and water quality control systems intended purpose. Flood and water quality system preservation and maintenance enforcement is authorized by RCC 13.20 and appurtenant code.

**Section 4**

This covenant and agreement shall run with the land and shall be binding upon ourselves, any future owners, their successors, heirs or assignees and shall continue in effect so long as the Subject Property is found to contain buildings and roads in support of the intended use regardless of whether the property(s) are occupied. HOA CC&R’s do not supersede the requirements of this covenant and agreement, and City ordinance. Any exceptions and modifications of this covenant must be approved by the City Engineer.

**Section 5**

Exhibit B. The Long-Term Stormwater Management Plan is allowed to adapt to change in good judgment when site conditions and operations need improvement and when existing programs or systems are ineffective. Exhibit B will not be filed with the agreement at County Recorder but is included by reference and kept on file with the City Recorder. Revision applications must be filed with the City Stormwater Division and amended into the Long-Term Stormwater Management Plan on file with the Riverton City recorder.

 **LONG-TERM STORMWATER MAINTENANCE AGREEMENT**

SO AGREED this \_\_\_\_\_\_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_20\_\_\_\_\_\_\_.

**PROPERTY OWNER**

By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

STATE OF UTAH )

 :ss.

COUNTY OF SALT LAKE )

The above instrument was acknowledged before me by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public

Residing in: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**RIVERTON CITY**

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mayor Trent Staggs

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 City Recorder

STATE OF UTAH )

 :ss.

COUNTY OF SALT LAKE )

The above instrument was acknowledged before me by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public

Residing in: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attachments:

Exhibit A: Plat and Legal Description

Exhibit B: Long-Term Stormwater Management Plan; Filed with Riverton City Recorder

EXHIBIT A

*{Include this EXHIBIT with this agreement document to be recorded. The text below that does not apply will need to be deleted along with the blue instruction text.}*

*{For properties that are not a part of a residential provide the parcel number and a legal description for the property.}*

Replace this text with the new parcel #(s)

Replace this text with the new legal description of the subject parcels

*OR*

*{For residential subdivision, include all new parcel #s, lots and refer to the newly recorded subdivision by the title as it is recorded by in the Salt Lake County Recorder’s Office.}*

Replace this text subdivisions new parcel #(s),

All lots of […or the pertinent lots of]

Replace this text with the plat title and township and range as it is recorded on the plat.

Replace this text with the subdivided legal description of the subject parcel(s)