

STORMWATER CC&R's RECOMMENDATIONS

Add or modify definitions in the CC&R's:

Add this statement to the CC&R's for the maintenance of storm water facilities:

There is a storm water detention / water quality facility on TRACT A. Pursuant to a recorded Maintenance Covenant and Access Easement for Onsite Storm Water Facilities, Clackamas County Service District No. 1 will maintain the storm water detention facility and assess the cost of such maintenance to each of the Lots. The Association, however, and the owners of the lots shall be jointly and equally responsible for maintaining the surrounding vegetation, fencing and landscaping, the cost of which will be a common expense of the Association. The storm water detention / water quality facilities shall be maintained as follows:

- (a) **Vegetation.** Grass (if applicable) shall be mowed to 4" - 6" high and grass clippings shall be removed. Vegetation, large shrubs or trees that limit access or interfere with access operation shall be pruned or removed. Fallen leaves and debris from deciduous plant foliage shall be raked and removed. Nuisance or prohibited vegetation from the Metro Plant list (such as blackberries or English Ivy) shall be removed when discovered. Invasive vegetation contributing up to 25% of vegetation of all species shall be removed and replaced. Dead vegetation shall be removed to maintain less than 10% of area coverage or when pond function is impaired. Vegetation shall be replaced immediately or within 3 months if required to maintain cover density and control erosion where soils are exposed.
- (b) **Spill Prevention.** Spill prevention measures shall be exercised when handling substances that can contaminate stormwater. Any releases of pollutants shall be corrected as soon as identified
- (c) **Access.** Access to the storm water detention pipe and manholes shall be maintained in a safe manner. Obstacles shall be removed for maintenance equipment and personnel to pass through. Gravel or ground cover shall be added if erosion occurs due to vehicular or pedestrian traffic.
- (d) **Debris Management.** Homeowners shall periodically clean the access to the storm water detention facilities. Debris in quantities sufficient to inhibit access shall be removed upon discovery.
- (e) **Fences.** Property owners shall have gates installed in fences so maintenance personnel and/or equipment can access the stormwater detention facilities. Fences shall be maintained to preserve their functionality and appearance.
- (f) **Development.** Development including grading, filling, vegetation removal, structures, etc., within the storm drainage easement is prohibited without prior consent of CCSD#1. CCSD#1 shall have the power and authority to enforce maintenance access requirements and to charge the Association and/or property owners for any management costs assumed by CCSD#1 incurred because of limited access to the storm water facilities

Add or modify definitions in the CC&R's:

“Common Areas”. means those lots or tracts designated as such on any plat of the Property, or in this Declaration or any declaration annexing Additional Property, including any Improvements thereon, and shall also include Common Easement Areas, Limited Common Areas and any Lots converted to Common Areas as provided in Section _____ below.

“Common Easement Areas”. means those easements established for the benefit of all property within **SUBDIVISION** pursuant to this Declaration or any plat or declaration annexing Additional Property to **SUBDIVISION**.

“Common Maintenance Areas”. means the Common Areas (except Limited Common Areas), Common Easement Areas, and any other areas designated in this Declaration or any declaration annexing Additional Property to **SUBDIVISION** as being maintained by the Association.

Common Easement Areas. Common Easement Areas shall be reserved for signage and associated landscape features. Such areas are to be maintained by the Association, and no changes in landscaping will be permitted within such areas without written authorization by the Board of Directors. No building, wall, fence, paving, landscaping or construction of any type shall be erected or maintained by any Owner so as to trespass or encroach upon the Common Easement Areas.

Title to Common Areas. Title to the Common Areas, except Common Easement Areas, shall be conveyed to the Association by Declarant, free and clear of monetary liens, on or before the Turnover Meeting. Title to Common Easement Areas, subject to the easements set forth in this Declaration, shall rest in the Owners of the respective Lots within which such areas are located.

Maintenance of Utilities. The Association shall perform or contract to perform maintenance of all private utilities within Common Maintenance Areas, such as sanitary sewer service lines, domestic water service lines and storm drainage lines, except to the extent such maintenance is performed by the utilities furnishing such services. The Association shall not be liable for any interruption or failure of such services. Each Owner shall be responsible for maintaining utility lines within his Lot other than serving the Common Maintenance Areas.

Add a Section for the maintenance of storm water facilities:

TRACT A has a storm water infiltration / water quality facilities. Pursuant to a recorded Maintenance Covenant and Access Easement for Onsite Storm Water Facilities, Clackamas County Service District No. 1 will maintain the storm water detention facility and assess the cost of such maintenance to each of the Lots. The Association, however, and the owners of the lots shall be jointly and equally responsible for maintaining the surrounding vegetation, fencing and landscaping, the cost of which will be a common expense of the Association. The storm water detention / water quality facilities shall be maintained as follows: