

STATE OF ILLINOIS )

) SS:

COUNTY OF \_\_\_\_\_ )

### STORMWATER MANAGEMENT MAINTENANCE COVENANT

\_\_\_\_\_, fee owner of the following described real property located in the City of Aurora, County of \_\_\_\_\_, State of Illinois, such property being the real property

- 1. now duly platted as \_\_\_\_\_, as such plat is now recorded as Document No. \_\_\_\_\_, in the office of the Recorder of Deeds; or
- 2. now identified by Parcel Identification Number \_\_\_\_\_.

The fee owner makes the following declarations as to the maintenance requirements for stormwater management measures and specifies that such declarations shall constitute covenants to run with all the land, as provided by law, and shall be binding on all parties and their successors, and all persons claiming under them, and for the benefit of and limitations on all future owners in such parcel/subdivision and the surrounding and downstream and upstream areas, this declaration being in compliance with applicable stormwater and drainage rules, regulations, and ordinances as specified herein:

- 1. Purpose: The purpose of this covenant is to establish a Maintenance Plan for the permitted stormwater management measures. The obligations established by City Case File # \_\_\_\_\_ shall run with the land and remain in effect in perpetuity, or until said permit is modified, altered or terminated by a subsequently issued permit for the Subject Property. Minor modifications to the type and frequency of maintenance activities may be made without City approval, but may not include delegation of the maintenance responsibility to another party without approval by the City Engineer.
- 2. Maintenance Plan. Exhibit A is the approved Maintenance Plan for the Subject Property.
- 3. Term. This covenant is to run with the land and shall be binding on all parties and their successors and all persons claiming under them, and all public agencies, for a perpetual period from the date these covenants are recorded.
- 4. Enforcement. Enforcement shall be by proceedings at law or in equity against any person violating or threatening to violate any covenant either to restrain violation or to recover damages. Enforcement may be undertaken by any grantor or grantee in the chain of title, any property owner in the subdivision, any property owner lying downstream or upstream adversely effected by any violation or threat to violate this covenant, or the City of Aurora.

In Witness Whereof \_\_\_\_\_, the fee owner, has caused these presents to be signed and acknowledged, this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

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Owner

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

Notary Public