

**DECLARATION OF
TRANSFER OF INSPECTION/MAINTENANCE
RESPONSIBILITIES OF STORMWATER
SCM FACILITIES**

THIS DECLARATION, made this _____ day of _____, 20____, between _____, hereinafter referred to as the “Property Owner,” of the following property: _____, (the “Property”) and _____, hereinafter referred to as the “Transferee” of said Property.

WITNESSETH:

The Property Owner, having fulfilled all necessary recordation requirements of a Post-Construction Stormwater Best Management Practices Operation and Maintenance Agreement and Easement Agreement (“Agreement”) recorded with the Mecklenburg County Register of Deeds office at Book ____, Page ____, for one or more stormwater Best Management Practices facility or facilities (collectively, the “SCM Facilities”) for the Property listed above, does hereby transfer inspection and maintenance responsibilities of said SCM Facilities to the Transferee as required by the Agreement when ownership of the property is transferred. By acknowledgement below, the Transferee acknowledges its assumption of the responsibilities of the SCM Facilities as required of the Property Owner and subsequent owners in the Agreement.

Upon the transfer or conveyance of the Property by the transferring Property Owner, all obligations of the transferring Property Owner automatically are transferred and assigned to, and assumed by Transferee and such Transferee becomes the “Property Owner” under the Agreement.

The Transferee agrees to indemnify and hold harmless the City of Charlotte, its authorized agents and employees (“City,”), from any and all claims for damages to persons or property arising from inspection and/or maintenance of the SCM Facilities as set forth in the Agreement.

The Property Owner must promptly notify the City when the Property Owner transfers any of the Property Owner’s responsibilities for the SCM Facilities. The Property Owner must submit to the Stormwater Administrator a certified copy of any fully executed revised Declaration of Transfer for the SCM Facilities.

Declaration of Transfer of Inspection/Maintenance Responsibilities of Stormwater SCM Facilities (Page 2)

IN WITNESS WHEREOF, the Property Owner and the Transferee have executed this Declaration of Transfer on the date first above written.

Signature

Printed Name

Title
Property Owner

Signature

Printed Name

Title
Transferee

STATE OF _____
COUNTY OF _____ : ss

I hereby certify that on this _____ day of _____, 20____, before the subscriber, a Notary Public of the State of _____, and for the County of _____, personally appeared _____, known to me (or satisfactorily proven) to be the person(s) described in the foregoing instrument, who did acknowledge that (he)(she)(they), having been properly authorized, executed the same in the capacity therein stated and for the purposes therein contained.

IN TESTIMONY WHEREOF, I have affixed my hand and official seal.

NOTARY PUBLIC
My Commission Expires _____

STATE OF _____
COUNTY OF _____ : ss

I hereby certify that on this _____ day of _____, 20____, before the subscriber, a Notary Public of the State of _____, and for the County of _____, personally appeared _____, Chief Administrative Officer, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, who did acknowledge that (he) (she), having been properly authorized, executed the same on behalf of Town of [Insert Town], North Carolina in the capacity therein stated and for the purposes therein contained.

IN TESTIMONY WHEREOF, I have affixed my hand and official seal.

NOTARY PUBLIC
My Commission Expires _____