Appendix C
Maintenance Declaration

MAINTENANCE DECLARATION
Low Impact Development & Green Infrastructure Design Criteria for Storm Water Management

This Maintenance Declaration (this "Declaration") is made as of the ___ day of ___________, 20__, by ___________[INSERT NAME OF OWNER OF PROPERTY COVERED BY APPLICABLE PLAT]_______ ("Owner").

RECITALS

A. Owner is a _____[INSERT TYPE OF ENTITY]___ and has the legal authority to construct {water, sewer, and drainage facilities, road facilities and related road improvements, and recreational and landscaping improvements} (Specify those that apply) within the Property (hereinafter defined).

B. Owner owns that certain real property described on Exhibit A attached to this Declaration and incorporated herein for all purposes (the "Property").

C. In accordance with the Low Impact Development & Green Infrastructure Design Criteria for Storm Water Management (the "LID Criteria"), certain enhancements to public improvements are required. Owner intends to submit to Harris County, Texas (the "County") for approval a plat covering the Property (the "Plat"), which, among other things, includes enhancements to certain public improvements to be constructed within the Plat boundaries pursuant to the LID Criteria as are identified below (collectively, the “Enhancements”).

D. Owner desires to declare its obligation to construct and maintain the Enhancements.

NOW, THEREFORE, Owner hereby declares that, upon acceptance of the Plat by the County and construction of the Enhancements, Owner will be responsible for all maintenance for the following Enhancements [check as applicable]:

- Drainage, including ditches, swales and storm sewers
- Storm water quality and drainage features, including green infrastructure and low impact development practices
- Water and sanitary sewer lines
- Upgraded crosswalks and intersections
- Pedestrian underpasses and overpasses
- Conduit
- Recreational improvements
□ Enhanced landscaping

□ Lighting improvements (excluding traffic signals)

□ Other __________________________________________________________

__________________________________________________________________

□ Other __________________________________________________________

__________________________________________________________________

□ Other __________________________________________________________

__________________________________________________________________

This Declaration shall be governed by, construed and interpreted in accordance with, and enforceable under, the laws of the State of Texas.

IN WITNESS WHEREOF, Owner has caused this Declaration to be executed as of the date and year first set forth above.

[INSERT NAME OF OWNER]

__________________________________________

(name and title of Owner’s representative)

ATTEST:

__________________________________________________________________

(add in if appropriate)

Add standard notary acknowledgement

Attachment:  
Exhibit A – Description of Property  
After recording, return to:  [insert Owner’s address]