

Developments with Outparcels Deed Restrictions and Protective Covenants

In accordance with Title 15 NCAC 2H.1000, the Management Regulations, deed restrictions and protective covenants are required for Developments with Outparcels where outparcel lots will be subdivided from the main tract and sold. Deed restrictions and protective covenants are necessary to ensure that the development maintains a built-upon area consistent with the design criteria used to size the stormwater control facility.

I, _____, acknowledge, affirm, and agree by my signature below that I will cause the following deed restrictions and covenants to be recorded prior to the sale of any outparcel or future development area within the project known as _____:

1. The following covenants are intended to ensure ongoing compliance with Hope Mills Stormwater Management Permit Number _____, as issued by the Town of Hope Mills.
2. The Town of Hope Mills is made a beneficiary of these covenants to the extent necessary to maintain compliance with the stormwater management permit.
3. These covenants are to run with the land and be binding on all persons and parties claiming under them.
4. The covenants pertaining to stormwater may not be altered or rescinded without the express written consent of the Town of Hope Mills, Stormwater Department.
5. Alteration of the drainage as shown on the approved plan may not take place without the concurrence of the Town of Hope Mills Stormwater Department.
6. The maximum allowable built-upon area for the outparcel(s) shown on the approved plans is as follows:

<u>Outparcel #</u>	<u>BUA</u>	<u>Outparcel #</u>	<u>BUA</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

These allotted amounts include any built-upon area constructed within the property boundaries, and that portion of the right-of-way between the front lot line and the edge of the pavement. Built-upon area includes, but is not limited to, structures, asphalt, concrete, gravel, brick, stone, slate, coquina and parking areas, but does not include raised, open wood decking, or the water surface of swimming pools.

7. The runoff from all built-upon area within the outparcel or future development area must be directed into the permitted stormwater control system.
8. Built-upon area in excess of the permitted amount will require a permit modification.
9. The connection from the outparcel's collection system into the stormwater control shall be made such that short-circuiting of the system does not occur.

10. For those outparcels or future development areas whose ownership is not retained by the permittee, the new owner shall submit a separate offsite stormwater permit application to the Town of Hope Mills and receive a permit prior to construction.

Signature: _____ Date: _____

I, _____, a Notary of _____ County, State of _____, do hereby certify that _____

personally appeared before me this day and acknowledge the due execution of the forgoing instrument.

Witness my hand and official stamp or seal, on the _____ day of _____, 20____.

Notary

My commission expires: _____