

Instructions for Preparing, Submitting, and Filing Stormwater Maintenance Agreement and Access Easement

This document is intended to provide the Applicant with the City's requirements for Stormwater agreements. **Failure to comply will result in the documents will be returned for correction or the City may require the applicant to provide the additional information. Either of these occurrences will cause delay in the approval process.** If the applicant requires further direction or legal advice please contact an attorney.

PREPARING THE AGREEMENTS

Content –Do not edit the agreements or make any changes other than the required additions noted below. Please be certain all typographical errors are corrected and the agreements are filled out completely prior to the submission.

- Fill in ALL blank lines on both documents.
- Stormwater Maintenance Agreement – complete the dollar amount in number 7 as advised by Engineering (see “Deposit” below), and complete the section under number 10 by providing the address where notices are to be sent under the Agreement.

Signatures – The Stormwater Maintenance Agreement requires two notarized signatures.

- Facility Owner – an authorized signatory of the Facility Owner must sign, binding them to the terms of the agreement. The Facility Owner signs on the line under the signature line for the City Engineer.
- Fee Owner – the Fee Owner (owner of property where facilities are located) or the authorized signatory of the Fee Owner must sign, authorizing the recordation of the Agreement. In the event the applicant became fee owner within the past three months please provide proof of ownership, i.e. copy of time stamped deed filed with the Onondaga County Clerk.
- If Facility Owner and Fee Owner are the same – the same signature should appear on both lines.

Schedules – Please attach Schedule A and Schedule B to both the Stormwater Maintenance Agreement and the Access Easement. The schedules attached to the Stormwater Maintenance Agreement should mirror the schedules attached to the Access Easement.

- Schedule A – you must provide a narrative description; reference to the Stormwater Pollution Prevention Plan (SWPPP) is insufficient. Typically the Engineer that prepared your SWPPP will complete this section.
- Schedule B – must be a legal description; a survey is not sufficient.

NYS Form TP-584 – Please provide a [New York State form TP-584](#) completed with the applicant's and property's information.

Deposit – Prior to completing number 7 of the Stormwater Maintenance Agreement please contact the Department of Engineering to obtain the amount of bond or deposit check required. If submitting a bond please be sure that the signatures are notarized and the authorization page is included with the submission. Checks are payable to Commissioner of Finance.

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Stormwater Maintenance Agreement and Access Easement**

SUBMITTING THE AGREEMENTS

Agreements are to be brought to the Engineering Department, City Hall Room 401.

Documents with original signatures must be submitted. The quantities stated below are required so that upon completion, the County Clerk, the City and the Applicant each have a complete set.

Three (3) – **Stormwater Control Facility Maintenance Agreement**

Three (3) – **Access Agreement**

Six (6) – **Schedule A**

Six (6) – **Schedule B**

Six (6) – **NYS TP-584s**

One (1) – **Check or Bond**

REVIEW OF THE AGREEMENTS

1. The agreements and attachments are reviewed first by the Engineering Department, and are compared with the approved SWPPP. Engineering will determine the amount of surety required.
2. Engineering will contact the Applicant for missing information, or if agreements are technically satisfactory, they will forward to the Law Department.
3. The agreements are then reviewed by the Law Department. Engineering will contact the Applicant for missing information, or if agreements are legally satisfactory, they will return to Engineering for the City Engineer's final approval and notarized signature.
4. Engineering will contact the Applicant to pick up the agreements.

FILING THE AGREEMENTS

1. Applicant picks up the agreements and brings to the County Clerk's office.
2. The County Clerk will date-stamp all copies, and will keep one set of documents for each agreement.
3. Applicant keeps one set of documents for each agreement, and returns one complete set to the Engineering Department.