

Commercial Subdivisions Deed Restrictions and Protective Covenants

In accordance with Title 15 NCAC 2H.1000, the Management Regulations, deed restrictions and protective covenants are required for Commercial Subdivisions where lots will be subdivided and sold and runoff will be treated in an engineered stormwater control facility. 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 lot 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 The covenants pertaining to stormwater may not be altered or rescinded without the express written consent of the Town of Hope Mills, Stormwater Department.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 per lot is _____ square feet. This allotted amount includes any built-upon area constructed within the lot 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. All runoff from the built-upon areas on the lot must drain into the permitted system. This may be accomplished through a variety of means including roof drain gutters which drain to the street, grading the lot to drain toward the street, or grading perimeter swales to collect the lot runoff and directing them into a component of the stormwater collection system. Lots that will naturally drain into the system are not required to provide these additional measures.
8. The owner of each lot, whose ownership is not retained by the permittee, is required to submit a separate 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: _____