

## LEVEL SPREADER SYSTEM OPERATION AND MAINTENANCE AGREEMENT (1/2007)

A level spreader system includes: a forebay, diverter box, level spreader, riparian buffer/vegetated filter strip, and flow bypass channel.

Name of Project: Heritage East Phases I-III

Address: ~5,000' east along Rogers Road from intersection with Forestville Road

Maintenance activities shall be performed as follows:

| MAINTENANCE ACTIVITY                                                                                                                                                                                                                                                                                                                                                                                                                                             | FREQUENCY                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| Post-construction monitoring—inspect for vegetation, settling, erosion, or concentrated flow.                                                                                                                                                                                                                                                                                                                                                                    | Check after every heavy rainfall for first 6 months following construction. |
| Inspect Diverter Box and clean and/or make repairs. Look for: <ul style="list-style-type: none"><li>• Clogged inlet or outlet pipes.</li><li>• Trash/debris in the box.</li></ul>                                                                                                                                                                                                                                                                                | Once a month and after heavy rainfalls/storms.                              |
| Inspect Forebay + Level Spreader. Clean and/or make repairs. Look for: <ul style="list-style-type: none"><li>• Sediment in forebay and along level spreader lip;</li><li>• Trash and/or leaf buildup.</li><li>• Scour, undercutting of level spreader.</li><li>• Settlement of level spreader structure (no longer level; you see silt downhill below level spreader).</li><li>• Fallen trees on level spreader.</li><li>• #57 stone washing downhill.</li></ul> | Once a month and after heavy rainfalls/storms.                              |
| Inspect the Riparian Buffer and the Bypass Swale and make repairs as needed <sup>1</sup> . Look for: <ul style="list-style-type: none"><li>• Damaged turf reinforcement or riprap rolling downhill.</li><li>• Erosion within the buffer or swale.</li><li>• Concentrated flows downhill of level spreader—look for gullies or sediment flows.</li></ul>                                                                                                          | Once a month and after heavy rainfalls/storms.                              |
| Mow grass to a 6" height.                                                                                                                                                                                                                                                                                                                                                                                                                                        | As needed during growing season.                                            |
| Remove any weeds/shrubs growing on level spreader or in swale.                                                                                                                                                                                                                                                                                                                                                                                                   | Once a year.                                                                |

<sup>1</sup> NOTE: Contact NC Division of Water Quality, 401/Wetlands Unit at 919-733-1786 BEFORE any work in Protected Riparian Buffers.

| <b>LEVEL<br/>SPREADER NO.</b> | <b>LOCATION ON SITE (DESCRIBE)</b>                                                                       | <b>HOW WILL IT BE ACCESSED?</b> |
|-------------------------------|----------------------------------------------------------------------------------------------------------|---------------------------------|
| 1                             | East of Lord Granville Way, south of Pomona Avenue                                                       | 20' Storm Drainage Easement     |
| 2                             | East of Lord Granville Way, northeast of Wandering Way                                                   | 20' Storm Drainage Easement     |
| 3                             | South of cul-de-sac of Lord Granville Way                                                                | 20' Storm Drainage Easement     |
| 4                             | South of cul-de-sac of Roles Saddle Drive                                                                | 20' Storm Drainage Easement     |
| 5                             | REMOVED                                                                                                  | N/A                             |
| 6                             | South of Corner Rock Drive, north side of stream                                                         | 20' Storm Drainage Easement     |
| 7                             | West of Heritage Gates Drive, south of stream crossing                                                   | 20' Storm Drainage Easement     |
| 8                             | North of Freeman Farm Way, east of intersection with Heritage Gates Drive                                | 20' Storm Drainage Easement     |
| 9                             | North of Freeman Farm Way, between intersections of Wellspring Farms Lane & Ambrose Drive                | 20' Storm Drainage Easement     |
| 10                            | North of Freeman Farm Way, north side of streams convergence, northeast of Heritage Gates Drive culverts | 20' Storm Drainage Easement     |
| 11                            | West of cul-de-sac, Shadrack Way                                                                         | 20' Storm Drainage Easement     |

I acknowledge and agree by my signature below that I am responsible for the performance of the maintenance procedures listed above. I agree to notify DWQ of any problems with the system or prior to any changes to the system or responsible party.

Print name: Rob Weintraub

Title: Project Manager

Address: PO Box 1615; Wake Forest, NC 27588

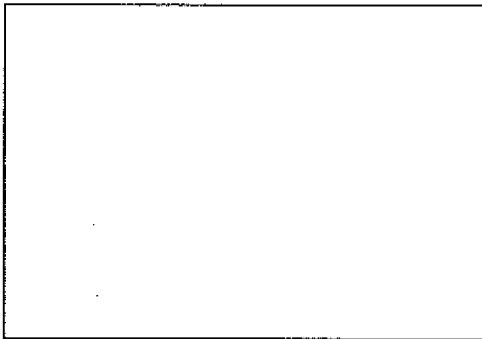
Phone: (919) 562-1322

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Note: The legally responsible party should not be a homeowners association unless more than 50% of the lots have been sold.

I, \_\_\_\_\_, a Notary Public for the State of \_\_\_\_\_,  
County of \_\_\_\_\_, do hereby certify that \_\_\_\_\_  
personally appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and acknowledge the due  
execution of the forgoing level spreader maintenance requirements. Witness my hand and official seal,



SEAL

My commission expires \_\_\_\_\_