TOWN OF BLACKSBURG, VIRGINIA
DECLARATION OF COVENANTS

INSPECTION/MAINTENANCE OF DRAINAGE SYSTEM

THIS DECLARATION OF COVENANTS, made this day _______ of ____________,
20____ , between, __________________________________________________________ and
all successors in interest, ("COVENANTOR(S)" and for indexing purposes, “Grantor”),
owner(s) of the following property:

Parcel Identification Number: __________________________________________________
Legal Description: __________________________________________________________

Project or Subdivision Name: _________________________________________________
Document No. _______________________________________________________________
OR Deed Book __________________, Page No. ________________, and the TOWN OF
BLACKSBURG, VIRGINIA (“TOWN” and for indexing purposes, “Grantee”).

WITNESSETH:

I (We), the COVENANTOR(S), with full authority to execute deeds, mortgages, other
covenants, and all rights, titles and interests in the property described above, do hereby covenant
with the TOWN as follows:

1. The COVENANTOR(S) shall provide maintenance for the drainage system
including any runoff control facilities, conveyance systems and associated easements, hereinafter
referred to as the "SYSTEM," located on and serving the above-described property to ensure that
the SYSTEM is and remains in proper working condition in accordance with approved design
standards and applicable laws, ordinances and regulations. The SYSTEM shall not include any
elements located within any Virginia Department of Transportation rights-of-way.

2. If necessary, the COVENANTOR(S) shall levy regular or special assessments
against all present or subsequent owners of property served by the SYSTEM to ensure that the
SYSTEM is properly maintained.

3. The COVENANTOR(S) shall provide and maintain perpetual access from public
right-of- ways to the SYSTEM for the TOWN, its agent and its contractor.

4. The COVENANTOR(S) shall grant the TOWN, its agent and its contractor a right
of entry to the SYSTEM for the purpose of inspecting, monitoring, operating, installing,
constructing, reconstructing, maintaining or repairing the SYSTEM.

5. If, after reasonable notice by the TOWN, the COVENANTOR(S) shall fail to
maintain the SYSTEM in accordance with the approved design standards and with and
applicable laws, ordinances and regulations, the TOWN may perform all necessary repair or
maintenance work, and the TOWN may assess the COVENANTOR(S) and/or all property
served by the SYSTEM for the cost of the work and any applicable penalties.

C:\Documents and Settings\ameadows\Desktop\Stormwater inspection maintainence form.doc
6. The COVENANTOR(S) shall indemnify and save the TOWN harmless from any and all claims for damages to persons or property arising from the installation, construction, maintenance, repair, operation or use of the SYSTEM.

7. The COVENANTOR(s) shall promptly notify the TOWN when the COVENANTOR(S) legally transfers any of the COVENANTOR’S responsibilities for the SYSTEM. The COVENANTOR(S) shall supply the TOWN with a copy of any document of transfer, executed by both parties.

8. The covenants contained herein shall run with the land and shall bind the COVENANTOR(S) and the COVENANTOR(S)’ heirs, executors, administrators, successors and assignees, and shall bind all present and subsequent owners, ground lessees and sub-ground lessees of any portion of property served by the SYSTEM, until and unless these covenants are superseded by subsequent maintenance covenants or revoked in writing by all parties.

9. This DECLARATION OF COVENANTS shall be recorded in the Land Records of Montgomery County, Virginia.

IN WITNESS WHEREOF, the COVENANTOR(S) has executed this DECLARATION OF COVENANTS as of the date first above written.

COVENANTOR(S)

____________________________________________
Print Name
Title

ACKNOWLEDGMENT

COMMONWEALTH OF VIRGINIA
COUNTY OF ________________, to wit:

I hereby certify that on this _______ day of ____________, 20___, before the subscribed, a Notary Public for the Commonwealth of Virginia, personally appeared __________________________ and did acknowledge the foregoing instrument to be his/her Act.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this ______ day of __________, 20__.

_________________________________________
Notary Public
Registration Number: ______________________
My Commission expires: ____________________
Approved as to form:

________________________________________
Town Attorney

Accepted pursuant to Resolution 8-H-08:

TOWN OF BLACKSBURG

By: _________________________________
For use only if the property has additional more than one owner

COVENANTOR

____________________________________________
Print Name
Title

ACKNOWLEDGMENT

COMMONWEALTH OF VIRGINIA
COUNTY OF ________________, to wit:

I hereby certify that on this _______ day of ____________, 20___, before the
subscribed, a Notary Public for the Commonwealth of Virginia, personally appeared
___________________________________and did acknowledge the foregoing instrument to be
his/her Act.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this ______ day
of ____________, 20____.

_________________________________________
Notary Public

Registration Number: ______________________
My Commission expires: ____________________