

STORMWATER SYSTEM MAINTENANCE AGREEMENT

THIS AGREEMENT is made and entered into this day of _____ >
2023, (the “Effective Date”) by and between FOREST GLEN HOMEOWNERS
ASSOCIATION, INC., a non-profit Vermont corporation with a place of business in the
Town of Georgia, County of Franklin and State of Vermont (the “Forest Glen HOA”);
HIDDEN WOODS HOMEOWNERS ASSOCIATION, INC., a non-profit Vermont
corporation with a place of business in the Town of Georgia, County of Franklin and State of
Vermont; (the “Hidden Woods HOA” and collectively with Forest Glen HOA, the
“Associations” herein) and the TOWN OF GEORGIA, a Vermont municipality in the County
of Franklin and State of Vermont, acting by and through its Selectboard (the “Town” herein)
(collectively, the “Parties”).

WHEREAS, the Associations are comprised of the owners of certain real property and
improvements thereon known as the Forest Glen and Hidden Woods subdivisions, so-called,
which comprise of 55 acres of land, more or less, located off Woods Hollow Drive (Town
Highway #75) and Ledgewood Lane (Town Highway #76), in the Town of Georgia, Vermont
(hereinafter the “Subdivisions”), which are shown on a two-sheet survey plat entitled, “Plan
of Lands of Forest Glen, Old Stage Road, Georgia, Vermont, A Common Interest Ownership
Community, Phase I” Sheet Nos. 19 and 20, both dated December 12, 2003, prepared by
Lamoureux & Dickinson Consulting Engineers, Inc., and of record at Map Slide 83, Map #
577A and #577B of the Town of Georgia Land Records and on a survey plat entitled, “Plan of
Lands of Stuart Homes, Inc., Old Stage Road, Georgia, Vermont, Subdivision Plat,” Sheet
No.

18, dated April 16, 2002, last revised December 2, 2005, and recorded in Map Slide 130 of the Town of Georgia Land Records (the “Plats”); and

WHEREAS, on ~~March 24, 2025~~January 2, 2018, the Vermont Agency of Natural Resources (“Agency” herein) issued stormwater Permit No. 5472*90~~510~~1R, (the “90~~510~~ Permit”) authorizing a discharge of stormwater runoff from the impervious surfaces of the Subdivision, including its roads, parking areas and roofs, to an unnamed tributary of Stone Bridge Brook! and

WHEREAS, the 90~~510~~ Permit was necessary in order to construct the Subdivision and required construction and maintenance of certain improvements within the Subdivision to manage the discharge of stormwater, as shown on a site plan entitled “Overall Site Area Plan, Fuller Property, Old Stage Road, Georgia, Vermont,” Sheet No. 1, dated November 11, March 22, 2024~~02~~, prepared by ~~Krebs and Lansing Lamoureux & Dickinson~~ Consulting Engineers, Inc., and on file with the Town of Georgia. Said improvements within the Subdivision that manage the discharge of stormwater are referred to herein as the “Stormwater System”; and

WHEREAS, the Town has accepted ownership of portions of the Subdivision, comprised of roadway right-of-way known as Woods Hollow Drive and a portion of Ledgewood Lane as evidenced by the Warranty Deed of Stuart Homes, Inc., to the Town, dated August 9, 2004, and recorded in Book 187, Page 96 of the Town of Georgia Land Records (Woods Hollow Drive), and by the Warranty Deed of Stuart Homes, Inc., to the Town, dated August 9, 2004, and recorded in Book 207, Page 586 of the Town of Georgia Land Records (for a portion of Ledgewood Lane); and

WHEREAS, there is approximately 5.796-49 acres of impervious surface area draining

to and through the Stormwater System that is covered by the 90~~510~~ Permit.’ and

WHEREAS, upon acceptance of the right-of-way for Woods Hollow Drive and Ledgewood Lane, the Town acquired approximately 1.912.0 acres of impervious surface area within the area covered by the Permit, which is thirty-~~three and eight tenths~~ percent (~~330.8~~%) of the total 90~~510~~ Permit area! and

WHEREAS, the Associations own approximately 3.884.49 acres of impervious surface area within the area covered by the Permit, which is sixty-~~sevensix and two tenths~~ percent (~~679.2~~%) of the total 90~~510~~ Permit area with the Forest Glen HOA owning approximately 1.972.33 acres of impervious surface area within the area covered by the Permit, which is thirty-~~fourfive and nine tenths~~ percent (~~345.9~~%) of the total 90~~510~~ Permit area, and with the Hidden Woods HOA owning approximately 1.912.16 acres of impervious surface area within the area covered by the Permit, which is thirty-three ~~and three tenths percent~~ (~~33.3~~%) of the total 90~~510~~ Permit area; and

~~WHEREAS, the 9010 Permit will soon expire and needs to be renewed; and~~

WHEREAS, on September 1, 2020, the Agency determined that the previous 9010 Permit is to be superseded by Stormwater General Permit 3*9050 (effective December 1, 2020); and

WHEREAS, following the Agency’s issuance of an authorization for coverage of the Stormwater System under Stormwater General Permit 3-9050, all references to the “Permit” hereinafter shall refer to the authorization for coverage issued for the Stormwater System under Stormwater General Permit 3-9050; and

WHEREAS, the Parties wish to define their respective responsibilities for the