STORMWATER MANAGEMENT INSPECTION AND MAINTENANCE AGREEMENT Town of Tyrone, Georgia

THIS AGREEMENT, made and entered into this 7th day of March

20 24, by and between (insert full name of owner)

EastGroup Properties, L.P.

his/her successors and assigns, including but not limited to any homeowners association,

commercial developer, holder of any portion of the below described property, and/or similar

(hereinafter the "Property Owner"), and the Town of Tyrone, Georgia (hereinafter the "Town").

WITNESSETH

WHEREAS, the Property Owner is the owner of certain real property described as

(Fayette County Tax Map/Parcel Identification Number) 0726 068

and recorded by deed in the land records of Fayette County, Georgia, Deed Book 5553 page

318-322 , and Plat Book 100 , page 566 , and more particularly described on the

attached Exhibit "A" (hereinafter the "Property"); and

WHEREAS, the Property Owner is proceeding to build on and develop the property; and

WHEREAS, the Site Plan/Construction Drawings/Subdivision Plan/Development known as (insert name of plan/development)

Greenway Commerce Park

(hereinafter the "Plan"), which is expressly made a part hereof, as approved or to be approved by the Town, provides for detention and/or management of stormwater within the confines of the Property; and

WHEREAS, the Town and the Property Owner agree that the health, safety, and welfare of the residents of the Town of Tyrone, Georgia, require that on-site stormwater management facilities be constructed and maintained on the Property; and WHEREAS, the Land Development Regulations for the Town of Tyrone require that onsite stormwater management facilities as shown on the Plan be constructed and adequately maintained by the Property Owner.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1.

The on-site stormwater management facilities shall be constructed by the Property Owner in accordance with the plans and specifications identified in the Plan.

2.

The Property Owner shall maintain the facility or facilities in good working condition acceptable to the Town and in accordance with the schedule of long term maintenance activities agreed hereto and attached as Exhibit "B".

3,

The Property Owner hereby grants permission to the Town, its authorized agents and employees, to enter upon the property and to inspect the facilities whenever the Town deems necessary. Whenever possible, the Town shall provide notice prior to entry. The Property Owner shall execute an access easement in favor of the Town to allow the Town to inspect, observe, maintain, and repair the facility as deemed necessary. A fully executed original easement is attached to this Agreement as Exhibit "C" and by reference made a part hereof.

4,

In the event the Property Owner fails to maintain the facility or facilities as shown on the approved plans and specifications in good working order acceptable to the Town and in accordance with the maintenance schedule incorporated in this Agreement, the Town, with due

notice, may enter the property and take whatever steps it deems necessary to return the facility or facilities to good working order. This provision shall not be construed to allow the Town to erect any structure of a permanent nature on the property. It is expressly understood and agreed that the Town is under no obligation to maintain or repair the facility or facilities and in no event shall this Agreement be construed to impose any such obligation on the Town.

5.

In the event the Town, pursuant to this Agreement, performs work of any nature, or expends any funds in the performance of said work for labor, use of equipment, supplies, materials, and the like, the Property Owner shall reimburse the Town within thirty (30) days of receipt thereof for all the costs incurred by the Town hereunder. If not paid within the prescribed time period, the Town shall secure a lien against the real property in the amount of such costs. The actions described in this section are in addition to and not in lieu of any and all legal remedies available to the Town as a result of the Property Owner's failure to maintain the facility or facilities.

6.

It is the intent of this Agreement to insure the proper maintenance of the facility or facilities by the Property Owner; provided, however, that this Agreement shall not be deemed to create or effect any additional liability of any party for damage alleged to result from or caused by stormwater runoff.

7.

Sediment accumulation resulting from the normal operation of the facility or facilities will be catered for. The Property Owner will make accommodation for the removal and disposal of all accumulated sediments. Disposal will be provided onsite in a reserved area(s) or will be

removed from the site. Reserved area(s) shall be sufficient to accommodate for a minimum of two dredging cycles.

8.

The Property Owner shall use the standard BMP Operation and Maintenance Inspection Report, attached to this Agreement as Exhibit "D" and by this reference made a part hereof, for the purpose of a minimal annual inspection of the facility or facilities by a qualified inspector.

9,

The Property Owner hereby indemnifies and holds harmless the Town and its authorized agents and employees for any and all damages, accidents, casualties, occurrences or claims which might arise or be asserted against the Town from the construction, presence, existence or maintenance of the facility or facilities by the Property Owner or the Town. In the event a claim is asserted against the Town or its authorized agents or employees, the Town shall promptly notify the Property Owner and the Property Owner shall defend at its own expense any suit based on such claim. If any judgment or claims against the Town or its authorized agents or employees shall be allowed, the Property Owner shall pay for all costs and expenses in connection herewith.

10.

This Agreement shall be recorded among the deed records of the Clerk of the Superior Court of Fayette County and shall constitute a covenant running with the land and shall be binding on the Property Owner, its administrators, executors, heirs, assigns and any other successors in interest.

11.

This Agreement may be enforced by proceedings at law or in equity by or against the parties hereto and their respective successors in interest.

Invalidation of any one of the provisions of this Agreement shall in no way effect any other provisions and all other provisions shall remain in full force and effect.

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[SIGNATURES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have executed, or caused to be executed by their

duly authorized official, this Agreement.

PROPERTY OWNER PARTNERSHIP

Name of Partnership: EastGroup Properties, L.P., a Delaware limited partnership

By: EastGroup Properties General Partners, Inc., a Delaware corporation, its general partner

By: Zon C Signature

Row COFFET Typed or Printed Name

Title: CONSTRUCTION MONGORP

Attest: Signature of Witness

John P-ATLIFF Typed or Printed Name

Title: Vice President

(CORPORATE SEAL) Notary Public: Guit Bran My Commission Expires: January 3, 2025

(NOTARIAL SEAL)

(NOTARIAL SEAL)



TOWN OF TYRONE, GEORGIA

Ru	
DY	

Mayor

Attest: _

Town Clerk

(TOWN SEAL)

Notary Public: _____

My Commission Expires: _____

Attachments:

Exhibit A.	Plat and Legal Description
Exhibit B.	Maintenance and Inspection Schedule
Exhibit C.	Permanent Water Quality BMP and Access Easement Agreement
Exhibit D.	Example Operation and Maintenance Inspection Report

EXHIBIT A

SURVEY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 110 & 115, 7TH DISTRICT, CITY OF TYRONE, FAYETTE COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

<u>BEGINNING</u> AT A 5/8 INCH REBAR ON THE COMMON CORNER OF LAND LOTS 110, 111, 114, & 115;

THENCE, ALONG THE NORTHERLY LINE OF LAND LOT 110, NORTH 88 DEGREES 57 MINUTES 48 SECONDS EAST, 917.14 FEET TO A 5/8 INCH REBAR;

THENCE, LEAVING SAID LAND LOT LINE, SOUTH 00 DEGREES 22 MINUTES 04 SECONDS WEST, 1,514.68 FEET TO A 1/2 INCH REBAR;

THENCE, SOUTH 89 DEGREES 53 MINUTES 22 SECONDS WEST, 429.12 FEET TO A 1/2 INCH REBAR;

THENCE, SOUTH 00 DEGREES 11 MINUTES 42 SECONDS WEST, 1,336.50 FEET TO A 3/8 INCH REBAR ON THE NORTHERLY RIGHT-OF-WAY LINE OF JENKINS ROAD (RIGHT-OF-WAY WIDTH VARIES);

THENCE, ALONG SAID RIGHT-OF-WAY LINE, NORTH 89 DEGREES 04 MINUTES 13 SECONDS WEST, 67.72 FEET TO A 1/2 INCH REBAR;

THENCE, 237.71 FEET ALONG A CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 882.28 FEET AND A CHORD BEARING NORTH 81 DEGREES 21 MINUTES 07 SECONDS WEST, 236.99 FEET) TO A POINT;

THENCE, NORTH 75 DEGREES 13 MINUTES 35 SECONDS WEST, 417.34 FEET TO A RIGHT-OF-WAY MONUMENT;

THENCE, NORTH 14 DEGREES 41 MINUTES 06 SECONDS EAST, 20.00 FEET TO A RIGHT-OF-WAY MONUMENT;

THENCE, NORTH 75 DEGREES 11 MINUTES 57 SECONDS WEST, 175.86 FEET TO A RIGHT-OF-WAY MONUMENT;

THENCE, NORTH 75 DEGREES 30 MINUTES 56 SECONDS WEST, 275.06 FEET TO A 1/2 INCH REBAR AND CAP SET AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY OF JENKINS ROAD AND THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 74 (RIGHT-OF-WAY WIDTH VARIES);

THENCE, ALONG SAID RIGHT-OF-WAY OF STATE HIGHWAY 74, NORTH 20 DEGREES 43 MINUTES 51 SECONDS EAST, 49.62 FEET TO A POINT;

THENCE, NORTH 31 DEGREES 48 MINUTES 02 SECONDS EAST, 59.38 FEET TO A RIGHT-OF-WAY MONUMENT;

THENCE, 292.55 FEET ALONG A CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 3,010.39 FEET AND A CHORD BEARING NORTH 35 DEGREES 10 MINUTES 23 SECONDS EAST, 292.43 FEET) TO A RIGHT-OF-WAY MONUMENT;

THENCE, SOUTH 60 DEGREES 54 MINUTES 37 SECONDS EAST, 12.14 FEET TO A RIGHT-OF-WAY MONUMENT;

THENCE, 138.89 FEET ALONG A CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 3,029.00 FEET AND A CHORD BEARING NORTH 25 DEGREES 22 MINUTES 38 SECONDS EAST, 138.88 FEET) TO A RIGHT-OF-WAY MONUMENT;

THENCE, NORTH 63 DEGREES 02 MINUTES 13 SECONDS WEST, 15.82 FEET TO A RIGHT-OF-WAY MONUMENT;

THENCE, 295.89 FEET ALONG A CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 2,999.14 FEET AND A CHORD BEARING NORTH 19 DEGREES 03 MINUTES 28 SECONDS EAST, 295.77 FEET) TO A 1/2 INCH REBAR AND CAP SET;

THENCE, NORTH 69 DEGREES 20 MINUTES 15 SECONDS WEST, 16.42 FEET TO A 1/2 INCH REBAR AND CAP SET;

THENCE, NORTH 19 DEGREES 21 MINUTES 53 SECONDS EAST, 171.48 FEET TO A POINT;

THENCE, 974.57 FEET ALONG A CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 2,904.79 FEET AND A CHORD BEARING NORTH 09 DEGREES 03 MINUTES 57 SECONDS EAST, 970.01 FEET) TO A POINT;

THENCE, NORTH 00 DEGREES 32 MINUTES 45 SECONDS WEST, 477.81 FEET TO A POINT;

THENCE, 212.44 FEET ALONG A CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 3,225.22 FEET AND A CHORD BEARING NORTH 02 DEGREES 25 MINUTES 58 SECONDS WEST, 212.40 FEET) TO A 1/2 INCH REBAR AND CAP SET;

THENCE, LEAVING SAID RIGHT-OF-WAY LINE, NORTH 89 DEGREES 15 MINUTES 16 SECONDS EAST, 112.55 FEET TO THE *POINT OF BEGINNING*.

SAID TRACT OR PARCEL CONTAINING 60.90 ACRES (2,652,892 SQUARE FEET).

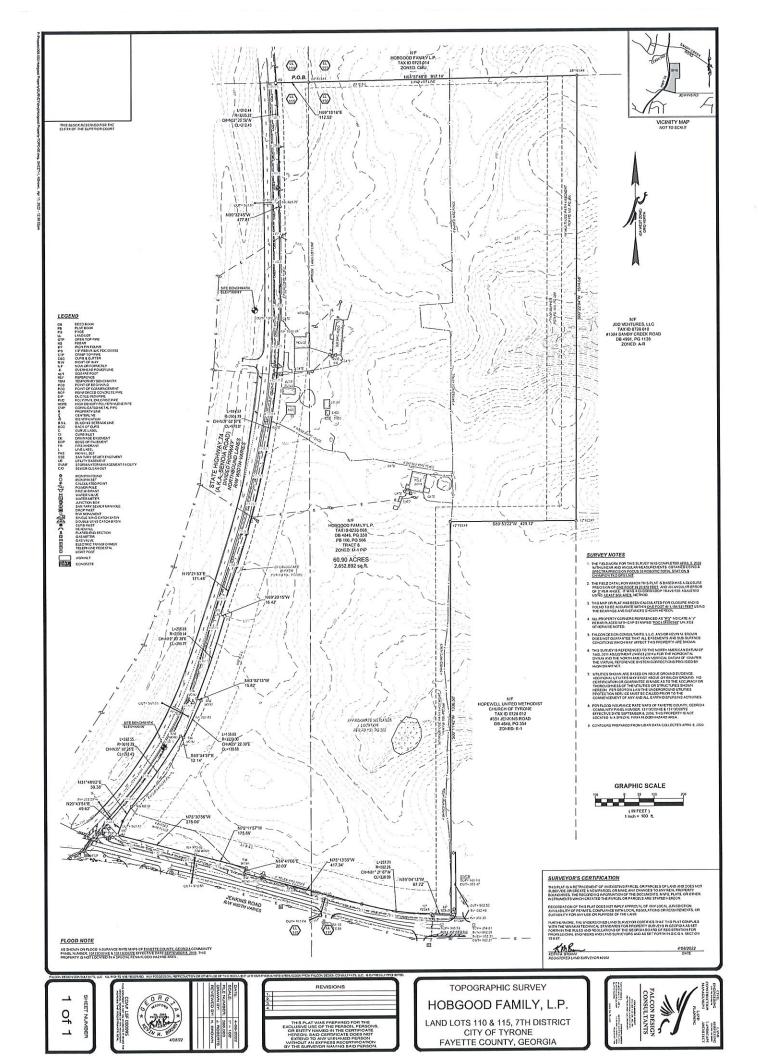


EXHIBIT B

EXHIBIT "B"

STORMWATER FACILITY INSPECTION AND MAINTENANCE SCHEDULE Town of Tyrone, Georgia

STORMWATER FACILITY	INSPECTION PREQUENCY		
Wet Pond	Once per Year		
Dry Pond	Once per Year		
Constructed Wetlands	Once per Year		
Filtration Facility	Once per Year		
Enlanced Swales, Grass Channels and Filter Strips	Once per Year		

Required maintenance – All stormwater structural control facilities will be maintained, at a minimum, according to the guidelines and procedures provided in Volume 2 of the Georgia Stormwater Management Manual. (Maintenance requirements are detailed for each structural control. Sce <u>www.georgiastormwater.com</u> for more information.) In general, the Town is responsible for maintenance of all stormwater infrastructure located on public property and in the right of way. Commercial, industrial and residential property owners are responsible for maintenance of stormwater infrastructure located on private property.

Inspections – The Property Owner shall inspect all stormwater facilities at least once each year using the BMP Operation and Maintenance Inspection Report attached to the Stormwater Management Inspection and Maintenance Agreement as Bxhibit "D". Upon completion of each inspection, the Property Owner shall submit the completed Report to the Town.

Bioretention Areas

A bioretention area is a shallow stormwater basin or landscaped area with well-draining soils, generally composed of sand, fines, and organic matter, and vegetation to capture and treat stormwater runoff. The basin or main treatment area of the bioretention area includes plants to aid in the filtration and infiltration of the stormwater flowing through the practice. An underdrain may be placed in the bioretention area to collect runoff that has filtered through the soil layers and pipe it to the storm sewer system or a nearby water body.



There are some common problems to be aware of when maintaining a bioretention area. They include, but are not limited to, the following:

- Sediment build-up
- Clogging in the inlet and outlet structure
- Establishing vegetation within the bioretention area
- Clogging the underdrain (if applicable)
- Mosquitoes breeding in the practice
- Ant mounds
- Maintaining the proper pH levels for plants
- Pruning and weeding to maintain appearance

Routine maintenance should be performed on the bioretention areas to ensure that the structure is functioning properly. Note that during the first year the bioretention area is built, maintenance may be required at a higher frequency to ensure the proper establishment of vegetation in the practice.

In addition to routine maintenance, bioretention areas have seasonal and intermittent maintenance requirements. For example, the following are maintenance activities and concerns specific to winter months. Planting material should be trimmed during the winter, when the plants are dormant. In the event of snow, ensure that snow does not pile up in the bioretention area. Accumulated snow adds additional weight and may compact the bioretention area soil, which would reduce its infiltration capacity. In addition, check to make sure that the materials used to de-ice the surrounding areas stay out of the practice to avoid clogging and further pollution.

Bioretention areas should be inspected after a large rainstorm. Keep drainage paths, both to and from the BMP, clean so that the water can properly infiltrate into the ground. Note that it might take longer for the water to infiltrate into the ground during the winter months and early spring. Mulch the practice

as needed to keep a thickness of 3-4 inches. Shredded hardwood mulch is preferred, and care should be taken to keep the mulch from piling on the stems of the plants. For more information on vegetation in bioretention areas, see Appendix D: Planting and Soil Guidance.

If the bioretention area is not draining properly, check for clogging of the inflow and outflow structures as well as the infiltration rate of the soil media. If the soil is not draining properly, it could be clogged or over-compacted. In a bioretention area, the media is likely to become clogged at the mulch or upper layer of the soil first. If the media is clogged or over-compacted, then the media should be replaced. Potential sources of excessive sediment that could clog the media include ant mounds and unstable soil upstream of the practice. Possible sources of compaction are vehicles, such as tractors, traveling through the practice. If the practice includes an underdrain, a structural repair or cleanout to unclog the underdrain may be necessary.

In order to keep the water that exits the bioretention area clean, fertilizers should only be used sparingly during the establishment of the practice. Once the vegetation in the practice has been established, fertilizers should not be used. While vegetation in the bioretention area is important, the primary purpose of a bioretention area is to act as a water quality device and introducing fertilizers into the bioretention area introduces nutrients such as phosphorus and nitrogen that can pollute downstream waters. In addition, bioretention areas should already be a nutrient rich environment that does not require fertilization. To control animal nuisances and invasive species, pesticides (including herbicides, fungicides, insecticides, or nematode control agents) should be used sparingly and only if necessary.

If designed correctly, there is no danger of bioretention areas becoming a breeding ground for mosquitoes. A mosquito egg requires 24-48 hours to hatch. In addition, it takes 10-14 more days for the larvae to develop and become an adult. By having a bioretention area that drains properly, it is unlikely that a bioretention area would provide a habitat that could become a breeding area for mosquitoes. Should the bioretention area become a breeding ground for mosquitoes, the problem is likely with the soil media or the overflow structure which may need to be addressed.

The table below shows a schedule for when different maintenance activities should be performed on the bioretention area.

Schedule
as needed or 4 times uring growing season

Bioretention Area Typical Routine Maintenance Activities and Schedule

	Activity	Schedule
•	Inspect for erosion, rills, or gullies and repair. Inspect filter strip/grass channel for erosion or gullying, if applicable. Re-seed or sod as necessary. Inspect trees and shrubs to evaluate their health, and remove and replace any dead or severely diseased vegetation. Obtain a mulch depth of at least 3 to 4 inches should be inspected and obtained. Additional mulch should be added as necessary.	Semi-annually in spring and fall
•	Trim planting material. Inspect for snow accumulation.	As needed or during winter months
•	Test the planting soils for pH levels. Consult with a qualified licensed Professional to determine and maintain the proper pH levels.	Annually
•	Replace/repair inlets, outlets, scour protection or other structures as needed. Implement plant maintenance plan to trim and divide perennials to prevent overcrowding and stress. Check soil infiltration rates to ensure the bioretention area soil is draining the water at a proper rate. Re-aerate or replace soil and mulch layers as needed to achieve infiltration rate of at least 0.5 inches per hour.	2 to 3 years

Dry Enhanced Swales/Wet Enhanced Swales

An enhanced swale is a vegetated open channel designed to capture and treat stormwater runoff within dry or wet cells formed by check dams or other means. Enhanced swales are generally shallow, wide, and vegetated to help slow and filter stormwater runoff.

There are two different types of enhanced swales. The first is a dry swale which includes a filter bed of prepared soil that overlays an underdrain system. They are designed to let stormwater be filtered or infiltrated through the



bottom of the swale. Because they are dry most of the time, they are often the preferred option in residential settings. The second type of enhanced swale is a wet swale. Wet swales are designed to retain water or marshy conditions that support wetland vegetation. Because this practice is meant to retain water, they are generally used in areas with a high water table or poorly drained soils. Wet swales achieve pollutant removal both from sediment accumulation and biological removal.

There are some common problems to be aware of when maintaining an enhanced swale. They include, but are not limited to, the following:

- Sediment build-up
- Clogging in the inlet and outlet structure
- Establishing vegetation
- Clogging in the underdrain (if applicable)
- Mosquitoes breeding in the practice
- Ant mounds
- Maintaining the proper pH levels for plants
- Pruning and weeding to maintain appearance

Routine inspection and maintenance should be performed on the dry or wet enhanced swale to ensure that the practice is properly functioning. Note that during the first year the enhanced swale is built, maintenance may be required at a higher frequency to ensure the proper establishment of vegetation in the practice. For more information on vegetation within a swale, see Appendix D: Planting and Soil Guidance. Enhanced swales should be inspected after a large rainstorm. Keep drainage paths, both to and from the BMP, clean so that the water can properly flow in and out of the practice.

In addition to routine maintenance, dry or wet enhanced swales have seasonal and intermittent maintenance requirements. For example, during the winter months, the enhanced swale should be inspected after a snow event (this is specific to northern areas of Georgia). Accumulated snow adds

additional weight and may compact the dry enhanced swale soil, which would reduce its infiltration capacity. In addition, check to make sure that the materials used to de-ice the surrounding areas stay out of the practice to avoid clogging and further pollution. Note that it might take longer for the water to infiltrate into the ground during the winter months and early spring.

If the dry enhanced swale is not draining properly, check for clogging in the inflow and outflow structures. Another consideration would be the permeable soil layer, which could be clogged or overcompacted. In a dry enhanced swale, the media is likely to become clogged at the upper layer of the soil first. Potential sources of excessive sediment that could clog the media include ant mounds and unstable soil upstream of the practice. Possible sources of compacted, then the media should be replaced. If the practice includes an underdrain, a structural repair or cleanout to unclog the underdrain may be necessary.

In order to keep the water that exits the dry or wet enhanced swale clean, fertilizers should only be used sparingly during the establishment of the practice. Once the vegetation in the practice has been established, fertilizers should not be used. While vegetation in the enhanced swale is important, the primary purpose of an enhanced swale is to act as a water quality device, and introducing fertilizers into the enhanced swale introduces nutrients such as phosphorus and nitrogen that can pollute downstream waters. In addition, enhanced swales should already be nutrient rich environments that do not require fertilization. To control animal nuisances and invasive species, pesticides (including herbicides, fungicides, insecticides, or nematode control agents) should be used sparingly and only if necessary.

If designed and maintained correctly, there is no danger of dry enhanced swales becoming a breeding ground for mosquitoes. A mosquito egg requires 24-48 hours to hatch. In addition, it takes 10-14 more days for the egg to develop and become an adult. By having a dry enhanced swale that drains properly (within 24-48 hours), it is unlikely that a dry enhanced swale would provide a habitat that could become a breeding area for mosquitoes. Should the dry enhanced swale become a breeding ground for mosquitoes, the problem is likely with the soil media or the overflow structure which may need to be addressed.

The table below shows a schedule for when different maintenance activities should be performed on an enhanced swale.

	Activity	Schedule
•	Prune and weed to maintain appearance. Dissipate flow when erosion is evident.	
•	Remove trash and debris. Remove sediment and debris from inlets and outlets.	As needed or 4 times during growing season
•	Remove sediment build-up within the bottom of the swale once it has accumulated to 25% of the original design volume.	during growing season
•	Remove and replace dead or damaged plants.	

Enhanced Swale Typical Routine Maintenance Activities and Schedule

	Activity	Schedule
•	Mow the dry enhanced swale as necessary to maintain a grass height of 4-6 inches, ensuring grass clippings are not placed in the practice. Observe infiltration rates after rain events. Dry enhanced swales should have no standing water within 48 hours of a storm event (though 24 hours is more desirable).	
• • • • • • • • • • • • • • • • • • • •	Inspect for evidence of animal activity. Inspect for erosion, rills, or gullies and repair. Replant wetland species (for wet swale) if not sufficiently established. Test the planting soils for pH levels. Consult with a qualified licensed Professional to determine and maintain the proper pH levels. Inspect pea gravel diaphragm for clogging.	Annually (Semi-annually the first year)
•	Trim planting material. Inspect for snow accumulation.	As needed or during winter months
•	Replace/repair inlets, outlets, scour protection or other structures as needed. Implement plant maintenance plan to trim and divide perennials to prevent overcrowding and stress. Check soil infiltration rates to ensure the dry enhanced swale soil is draining the water at a proper rate. Roto-till or cultivate the surface of the sand/soil bed of dry swales if the swale does not draw down within 48 hours.	2 to 3 years

Stormwater Ponds

A stormwater pond is a constructed, shallow stormwater retention basin or landscaped area with a permanent pool of water. Stormwater runoff collected in the pool is treated through settling. In addition, the aquatic bench (fringe wetlands), safety bench, side slopes, and shallow areas of the pond include plants to aid in the filtration and infiltration of the stormwater runoff flowing through the practice.



There are some common problems to be aware of when maintaining a stormwater pond. They include, but are not limited to, the following:

- Sediment build-up
- Clogging in the inlet and outlet structure
- Establishing vegetation within the stormwater pond
- Pruning and weeding to maintain appearance
- Eutrophic conditions indicated by excessive algae growth or fish kills
- Creating a mosquito habitat

Routine inspection and maintenance should be performed on stormwater ponds to ensure that the structure is functioning properly. Note that during the first year the stormwater pond is built, maintenance may be required at a higher frequency to ensure the proper establishment of vegetation in the practice. For more information on vegetation in stormwater ponds, see Appendix D: Planting and Soil Guidance.

In addition to routine maintenance, stormwater ponds have seasonal and intermittent maintenance requirements. During the winter months, the stormwater pond should be inspected after a snow event (this is specific to northern areas of Georgia) to make sure that the materials used to de-ice the surrounding areas stay out of the practice to avoid further pollution. In addition, planting material should be trimmed during the winter, when the plants are dormant.

Inspect the stormwater pond after a large rainstorm. Keep drainage paths (both to and from the BMP) clean so that the water can properly flow into the stormwater pond. If the stormwater pond is not draining properly, check for clogging in the inflow and outflow structures.

If the forebay or stormwater pond has received a significant amount of sediment over a period of time, then the sediment at the bottom of the forebay or pond may need to be removed. Accumulated sediment in the practice decreases the available storage volume and affects the pond's ability to function as it was designed. A sediment marker should be placed in the forebay to determine when sediment removal is required. It important to note that sediment excavated from stormwater ponds

that does not receive stormwater runoff from stormwater hotspots are typically not considered to be toxic and can be safely disposed through either land application or landfilling. Stormwater hotspots are areas that produce higher concentrations of metals, hydrocarbons, or other pollutants than normally found in urban runoff. Examples of operations performed in potential stormwater hotspots include vehicle maintenance and repair, vehicle washing, landscaping/grounds care, and outdoor material and product storage. Check with the local development review authority to identify any additional constraints on the disposal of sediments excavated from stormwater ponds.

Periodic mowing of the pond buffer is only required along maintenance right-of-way and the embankment. The remaining buffer can be managed as a meadow (mowing every other year) or a forest.

In order to keep the water that exits the stormwater pond clean, fertilizers should be used sparingly during establishment. Once the vegetation in the practice has been established, fertilizers should not be used. While vegetation in the stormwater pond is important, the primary purpose of a stormwater pond is to act as a water quantity and quality device, and introducing fertilizers into the stormwater pond introduces nutrients such as phosphorus and nitrogen that can pollute downstream waters. In addition, stormwater ponds should already be nutrient rich environments that do not require fertilization. To control animal nuisances and invasive species, pesticides (including herbicides, fungicides, insecticides, or nematode control agents) should be used sparingly and only if necessary.

Stormwater ponds create a challenge for controlling mosquitos, because some types of vegetation, such as cattails, can create an environment that allows mosquitoes to breed both in the pond and along the shoreline. Keeping the practice free of trash will help the practice from becoming a mosquito habitat. Another method to control mosquitoes is to place fish, such as the mosquitofish (Gambusia affinis), in the pond to help with controlling the mosquitoes. Animals such as dragonflies, diving beetles, birds, and bats may aid on controlling mosquitoes, however it is likely that additional measures, such as chemicals, may be required to control the mosquitoes (using chemicals should be a last resort). Keeping the pond at a depth of four feet or greater can aid in mosquito control by limiting vegetation growing around the pond. If mosquitoes begin to pose a problem, consult a qualified professional.

Pond dam inspection and maintenance is also very important. The pond dam should be inspected for seepage and structural integrity. Look for saturated soil, sediment deposits, and flowing water at the base of an earthen dam and on the rear face of the dam. On concrete dams, look for seepage, cracks, leaks and rust stains, or bulges. If any signs of seepage are found, consult a Professional Engineer. Pests such as burrowing animals and fire ants can pose a major threat to dam safety. Fire ant tunnels and animal burrows can weaken the dam structure and create an undesired water pathway through the dam. In addition, tree roots are another source of potential damage and failure. Woody vegetation may not be planted on the embankment or allowed to grow within 15 feet of the toe of the embankment and 25 feet from the principal spillway structure. If you have a large dam that is subject to regulations by the state, other maintenance items may be required. Please consult a Professional Engineer for additional guidance.

Ponds can be an attractive nuisance, so security and safety should be taken into consideration. Fencing requirements are at the discretion of the local government. If security measures such as a fence and gate are present, ensure that they are functional and locked.

It is important that the embankment for a pond be inspected regularly for trees and animal activity. Trees growing on the top or sides of the embankment should be removed. The roots of trees grow into the embankment and will weaken the structure of the embankment by creating passage ways that allow water to flow through the embankment. Trees that are blown over or damaged by storms can loosen or remove soil which weakens the strength of the embankment. In the same way animals can burrow holes weakening the structure of the embankment. These holes act as a passage way for the water to travel through the embankment, increasing the potential for the embankment to fail.

Geese are attracted to open water, clean lines of sight, and grass. They can become a nuisance to stormwater ponds if they are causing damage to plants or the banks, or if they are 'loading' the pond with nutrients and bacteria. Geese can be discouraged from using a stormwater pond by planting the buffer with shrubs and native ground covers or installing an aquatic shelf, but ensure that access points are maintained.

The table below shows a schedule for when different maintenance activities should be performed on a stormwater pond.

	Activity	Schedule
• • •	Inspect inlets, outlets and overflow spillway to ensure good condition and no evidence of erosion. Clean and remove debris from inlet and outlet structures. Mow side slopes. Inspect pond dam for structural integrity. Remove trash from the area around the pond.	Monthly
•	If wetland components are included, inspect for invasive vegetation.	Semiannual Inspection
• • • •	Inspect for damage, paying particular attention to the control structure. Check for signs of eutrophic conditions (e.g., algal blooms and fish kills). Note signs of hydrocarbon build-up (e.g., an oil sheen), and remove appropriately. Monitor for sediment accumulation in the facility and forebay. Check all control gates, valves, or other mechanical devices.	Annual Inspection
•	Repair undercut or eroded areas.	As Needed
•	Perform wetland plant management and harvesting.	Annually (if needed)
•	Remove sediment from the forebay.	5 to 7 years or after 50% of the total forebay capacity has been lost

Stormwater Ponds Typical Routine Maintenance Activities and Schedule

	Activity	Schedule		
•	Monitor sediment accumulations, and remove sediment when the pool volume has become reduced significantly, or the pond becomes eutrophic.	10 to 20 years or after 25% of the permanent pool volume has been lost		

(Source: WMI, 1997)

EXHIBIT "C"

PERMANENT WATER QUALITY BMP AND ACCESS EASEMENT AGREEMENT Town of Tyrone, Georgia

THIS EASEMENT granted this <u>7th</u> day of <u>March</u>, 20<u>24</u>, between the Property Owner <u>EastGroup Properties</u>, L.P. as party of the first part, hereinafter referred to as Grantor, and the TOWN OF TYRONE, a political subdivision of the State of Georgia, as party of the second part, hereinafter referred to as Grantee.

WITNESSETH

That Grantor, for and in consideration of the sum of ONE DOLLAR (\$1.00) in hand paid at and before the sealing and delivery of this easement and in consideration of the agreements and covenants contained in this document and the Stormwater Management Inspection and Maintenance Agreement between Grantor and Grantee, hereby grants unto the Grantee an easement in and to that portion of the property shown on Exhibit "A" to the Stormwater Management Inspection and Maintenance Agreement, as shown and identified on the plat attached hereto as Exhibit "1".

The purpose of this easement is to allow Grantee, or its agents, access for maintenance activities to the Water Quality Best Management Practice (BMP) facility, and to prevent development of the property within the casement following issuance of the Certificate of Occupancy or in the case of a residential subdivision, the approval of the Final Plat, without written permission from the Town of Tyrone, Georgia. This easement is required by the provisions of the Stormwater Management Inspection and Maintenance Agreement executed by and between the Grantor and Grantee.

[SIGNATURES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have executed, or caused to be executed by their duly authorized official, this Agreement.

PROPERTY OWNER PARTNERSHIP

Name of Partnership: EastGroup Properties, L.P., a Delaware limited partnership

By: EastGroup Properties General Partners, Inc., a Delaware corporation, its general partner

By: 2m Cort Signature

Typed or Printed Name

Attest: Signature of Witness

Typed or Printed Name

Title: CONSTRUCTION MANAGER Title: Via President

(CORPORATE SEAL) Notary Public: Guite Brayn My Commission Expires: Toroory 3, 2025

(NOTARIAL SEAL)



TOWN OF TYRONE, GEORGIA

By:	
	Mayor

Attest:

Town Clerk

(TOWN SEAL)

Notary Public:

My Commission Expires:

Attachments:

Exhibit 1. Plat of Easement (NOTARIAL SEAL)

EXHIBIT C1

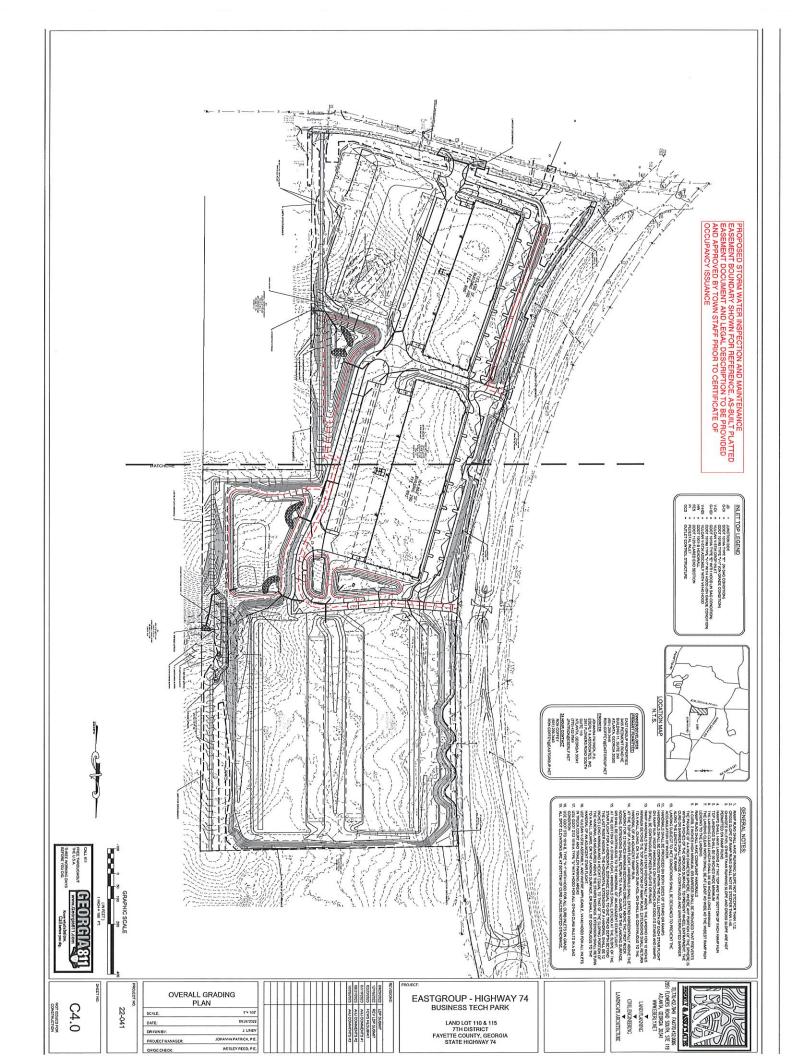


EXHIBIT D

Ві	oreten	tion Area			
	Condition				
Maintenance Item	Good	Marginal	Poor	N/A*	Comment
	General I	nspection			
Access to the site is adequately maintained					
for inspection and maintenance.					
Area is clean (trash, debris, grass clippings, etc. removed).					
	Inlet St	ructure			
Drainage ways (overland flow or pipes) to the practice are free of trash, debris, large branches, etc.					
Area around the inlet structure is mowed and grass clippings are removed.					
No evidence of gullies, rills, or excessive erosion around the inlet structure.					
Water is going through structure (i.e. no evidence of water going around the structure).					
Diversion structure (high flow bypass structure or other) is free of trash, debris, or sediment. Comment on overall condition of diversion structure and list type.					
	eatment	(choose one	2)		
Forebay – area is free of trash, debris, and sediment.					
Weir – area is free of trash, debris, and sediment is less than 25% of the total depth of the weir.					
Filter Strip or Grass Channels – area is free of trash debris and sediment. Area has been mowed and grass clippings are removed. No evidence of erosion.					
Rock Lined Plunge Pools – area is free of trash debris and sediment. Rock thickness in pool is adequate.					
	Main Tre	atment			
Main treatment area is free of trash, debris, and sediment.					
Erosion protection is present on site (i.e. turf reinforcement mats). Comment on types of erosion protection and evaluate condition.					

Ві	oreten	tion Area			
	Condition				
Maintenance Item	Good	Marginal	Poor	N/A*	Comment
No evidence of long-term ponding or					
standing water in the ponding area of the					
practice (examples include: stains, odors,					
mosquito larvae, etc).					
Structure seems to be working properly. No					
settling around the structure. Comment on					
overall condition of structure.					
Vegetation within and around practice is					
maintained per landscaping plan. Grass					
clippings are removed.			_		
Mulching depth of 3-4 inches is maintained.					
Comment on mulch depth.					
Native plants were used in the practice					
according to the planting plan.					
No evidence of use of fertilizer on plants					
(fertilizer crusting on the surface of the soil,					
tips of leaves turning brown or yellow,					
blackened roots, etc.).					
Plants seem to be healthy and in good					
condition. Comment on condition of plants.					
	nergency	Overflow			
Emergency overflow is free of trash, debris,					
and sediment.					
No evidence of erosion, scour, or flooding					
around the structure.					
	Outlet St	tructure			
Outlet structure is free of trash, debris, and sediment.					
No evidence of erosion, scour, or flooding					
around the structure.					
	Resu	ults			
Overall condition of Bioretention Area:					
Ad	ditional	Comments	1.5.1		
Notes: [*] If a specific maintenance item was not checked, please check N/A and explain why in the appropriate comment box.					

Maintenance Item		Conditi			
	Good	Marginal	Poor	N/A*	Comment
	General In	spection			
Access to the site is adequately maintained					
for inspection and maintenance.					
Area is clean (trash, debris, grass clippings, etc. removed).					
	Inlet Str	ucture			
Drainage ways (overland flow or pipes) to					
the practice are free of trash, debris, large					
branches, etc.					
Area around the inlet structure is mowed					
and grass clippings are removed (for dry					
enhanced swale).					
No evidence of gullies, rills, or excessive erosion around the inlet structure.					
Water is going through structure (i.e. no					
evidence of water going around the					
structure).					
	eatment (choose one)	A DEC 19		
Forebay – area is free of trash, debris, and	catificati	choose oney	N. 1. 1.		
sediment.					
Weir – area is free of trash, debris, and					
sediment is less than 25% of the total depth					
of the weir.					
Filter Strip or Grass Channels – area is free of					
trash debris and sediment. Area has been					
mowed and grass clippings are removed. No					
evidence of erosion.					
Rock Lined Plunge Pools – area is free of					
trash debris and sediment. Rock thickness in					
pool is adequate.					
	Vlain Trea	itment			
Main treatment area is free of trash, debris, and sediment.					
Erosion protection is present on site (i.e. turf					
reinforcement mats). Comment on types of					
erosion protection and evaluate condition.					
For dry enhanced swale, no evidence of					
ong-term ponding or standing water in the					
bonding area of the practice (examples					
nclude: stains, odors, mosquito larvae, etc).					
Plants were used in the practice according to					
he planting plan.					

Maintenance Item		Conditi			
	Good	Marginal	Poor	N/A*	Comment
Vegetation within and around practice is					
maintained per landscaping plan. Grass					
clippings are removed.					
Structure seems to be working properly. No					
settling around the structure. Comment on					
overall condition of structure.					
No evidence of undesirable vegetation.					
No evidence of use of fertilizer on plants					
(fertilizer crusting on the surface of the soil,					
tips of leaves turning brown or yellow,					
blackened roots, etc.).					
Plants seem to be healthy and in good					
condition. Comment on condition of plants.					
No evidence of erosion around the sides of					
the check dam.					
Cleanout caps are in place and in good					
condition (for dry enhanced swale).					
The underdrain appears to be unclogged					
evidenced by water exiting the practice					
freely (for dry enhanced swale).					
Pea gravel diaphragm or other flow spreader					
is clean and working properly.					
	nergency	Overflow			
Emergency overflow is free of trash, debris,	ici geney	overnow			
and sediment.					
No evidence of erosion, scour, or flooding					
around the structure.					
	Outlet Str	ucture	27 KI 28		
Outlet structure is free of trash, debris, and					
sediment.					
No evidence of erosion, scour, or flooding					
around the structure.					
	Resu	te	18-18-1-18-		
Overall condition of Enhanced Swale:	Nesu	13			
	ditional C	omments	n garanoo	a using hours	an a
Au		onnents			

Si	tormwa	ter Pond			
Maintenance Item		Conditi			
	Good	Marginal	Poor	N/A*	Comment
	General In	spection	1.1.1.1		
Access to the site is adequately maintained					
for inspection and maintenance.					
Area is clean (trash, debris, grass clippings,					
etc. removed).					
	Inlet Str	ucture	他们和同		
Drainage ways (overland flow or pipes) to					
the practice are free of trash, debris, large					
branches, etc.					
Area around the inlet structure is mowed					
and grass clippings are removed.					
No evidence of gullies, rills, or excessive					
erosion around the inlet structure.					
Inlet pipe is in good condition, and water is					
going through the structure (i.e. no evidence					
of water going around the structure).					
Diversion structure (high flow bypass					
structure or other) is free of trash, debris, or sediment. Comment on overall condition of					
diversion structure and list type.					
	antmont (choose one)			
Forebay – area is free of trash, debris, and	catilient	choose one			
sediment.					
Filter Strip or Grass Channels – area is free of					
trash debris and sediment. Area has been					
mowed and grass clippings are removed. No					
evidence of erosion.					
Rock Lined Plunge Pools – area is free of					
trash debris and sediment. Rock thickness in					
pool is adequate.					
	Main Trea	atment			
Main treatment area is free of trash, debris,					
and sediment.					R1
Erosion protection is present on site (i.e. turf					
reinforcement mats). Comment on types of					
erosion protection and evaluate condition.					
No algal growth along or within the pond.					
Native plants were used in the practice					
according to the planting plan. No					
undesirable vegetation.					
Practice seems to be working properly. No					
settling around the stormwater pond.					

Maintenance Item		Conditi			
	Good	Marginal	Poor	N/A*	Comment
Comment on overall condition of					
stormwater pond.					
Vegetation within and around practice is					
maintained per landscaping plan. Grass					
clippings are removed.					
No significant sediment accumulation within					
the practice.					
No evidence of use of fertilizer on plants					
(fertilizer crusting on the surface of the soil,					
tips of leaves turning brown or yellow,					
blackened roots, etc.).					
Plants seem to be healthy and in good					
condition. Comment on condition of plants.					
	nergency	Overflow	1.		
Emergency overflow is free of trash, debris,		N.			
and sediment.					
No evidence of erosion, scour, flooding, or					
animal activity around the structure.					
No evidence of erosion, scour, or flooding					
around the structure.					
	Outlet St	ructure		ne "El de s	
Outlet structure is free of trash, debris, and					
sediment.					
No evidence of erosion, scour, or flooding					
around the structure.					
Outlet structure does not appear to be					
blocked.					
No evidence of animal activity.					
No evidence of seepage on the downstream					
face.					
	Resu	lts	1.10		
Overall condition of Stormwater Pond:					
٨d	ditional C	omments	1. J. T. F.		

appropriate comment box.