

Operation and Maintenance of Stormwater Measures.

The Developer assumes sole responsibility for the operation and maintenance of stormwater management control measures associated with this development until such time as a Homeowners Association is formed. A written agreement between Developer, Homeowners Association and the County shall be executed to attest that all components of the approved stormwater management plan have been installed and operating properly. Subsequent to this written agreement responsibility for operation and maintenance shall be transferred with title as each property is conveyed.

Joint and Several Liability.

Each Owner of any portion of the Properties served by this development is jointly and severally responsible for maintenance of stormwater control measures and associated costs. Each Owner of any portion of the Development has a right of contribution against all other Owners for payment of such costs and expenses to the extent that the Owner having such right of contribution pays more than such Owner's prorata share thereof, such prorata share being determined either by other assessment provisions of the covenants or by dividing the acreage of such Owner's portion of the development by the total acreage of the development.

Stormwater Management Plan.

This development is bound by an approved stormwater management plan on file with the Buncombe County Stormwater Management Program. Any changes in land cover, additional development or redevelopment that would increase stormwater runoff will require submittal of an amended stormwater management plan.

This development is in compliance with the Buncombe County Stormwater Management Ordinance.

Buncombe County Stormwater Administrator

Date