

Storm Water Operation & Maintenance Agreement

for

Hawk's Nest Apartments

CT Real Estate Investments

La Crosse, Wisconsin

1.0 Site Name

Hawk's Nest Apartments
1440 State Road 16
La Crosse, WI 54601

2.0 Property Legal Description

CSM NO. 148 VOL. 16 LOT 1 DOC NO. 1678576
La Crosse County, Wisconsin

3.0 Owner

Tom Coleman, President
CT Real Estate Investments
W5864 State Road 33
La Crosse, WI 54601

4.0 Responsible Party

Implementing the erosion control measures and maintaining all permanent storm water BMP's is an indefinite permit requirement. The Owner of this parcel is responsible for satisfying this Agreement throughout construction and for long term maintenance of the site. If Owner sells the property, that responsibility is passed to the new owner.

5.0 Compliance

Compliance requirements of the City of Onalaska are satisfied by execution of this agreement, implementation of erosion control measures, inspection and maintenance of erosion control measures, construction of permanent storm water BMP's, and long term, continued maintenance of those permanent BMP's.

6.0 Permanent Components of Storm Water System

The storm water system consists of the permanent components shown on the approved plans which are included as the attached Figure 1. These components include:

- Drainage swales & ditches
- Storm Pipes
- Bio-infiltration areas
- Concrete Curb & Gutter

7.0 Inspection & Maintenance

All components of the storm water system shall be inspected at least semi-annually in early Spring and early Autumn. Repairs will be made whenever the performance of a storm water feature is compromised. Inspection and repairs shall be made as follows:

Storm Pipes

When storm pipes become blocked, preventing the flow, pipes shall be cleaned with a higher velocity jetter to clear the obstruction.

Bio-infiltration Areas

Water plantings at least weekly during first three months of establishment. Inspect planting area at least annually. Maintenance is required when standing water is visible 48 hours after a rainfall event. Maintenance shall consist of removal of all sediment and sub-cutting to a depth of two feet. The subcut material shall be disposed of and replaced with a mix of 70-85% sand and 15-30% compost, and finished with three inches shredded wood mulch. The bed shall be replanted with native perennial plugs (seeding not allowed) placed 12" on center. In the spring of each year, dead vegetation shall be removed to allow for new growth. Twice per growing season, the planting bed shall be weeded and mulch replenished.

Lawn & Landscape Areas

All grading shall be maintained according to the plans. All lawn areas shall be kept clear of debris and material that prevents flow of runoff to the designed grading location.

8.0 Mowing, Fertilizer & Chemical Application

Mowing of the biofilters is not allowed. Trees, shrubs, and plants planted in the biofilter are not to be mowed. Fertilizers, herbicides, pesticides or other chemicals should not be applied within biofilters.

9.0 Duty to Provide Maintenance

It is the responsibility of the Owner to maintain inspection and maintenance records, and keep on file an annual report documenting the inspection and maintenance of the storm water system. Proof of maintenance is required upon request with each annual report.

In the event the facility owner fails to perform its obligations under this agreement, the City of Onalaska shall have the authority to inspect and maintain all components of the storm water system. In such an event, all associated costs will be assessed back as a special charge against the property pursuant to Sec. 66.0627 Wis. Statutes. Said charge shall be a lien on the property and shall be collected with the real estate taxes.

10.0 Signatures

The undersigned agrees to the provisions set forth in this agreement.



Tom Coleman
President
CT Real Estate Investments LLC



Date