

MAINTENANCE AGREEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that the City of Sunset Hills, for and in consideration of the approval of sewer plans and of the issuance of a sewer permit by The Metropolitan St. Louis Sewer District for storm water management facilities according to plans to be approved by said District for a development known as I44/Meramec River Crossing (21MSD-00038) in Sunset Hills, Missouri, at I-44/ Meramec River, and other good and valuable considerations, do hereby agree and promise, as follows:

1. To build and construct stormwater management facilities, including Best Management Practices (BMP), basins, drainage facilities, appurtenances and sewer lines, in accordance with the design, plans and report, submitted to and approved by The Metropolitan St. Louis Sewer District.
2. To maintain and operate the stormwater management facilities in conformity with the approved Stormwater Management Facilities Report.
3. To maintain all pipes and drains in good working order and maintain all walls, dikes, vegetation, filter media, and any other requisite appurtenances and improvements for the retention and management of stormwater in good repair.
4. That in the event or their successor in title to said property shall fail to maintain the stormwater management facilities, BMP, basins, drainage facilities, appurtenances and sewer lines in accordance with this agreement, The Metropolitan St. Louis Sewer District shall be permitted to enter onto the property and make the repairs and corrections and perform such maintenance as it deems necessary and bill the owners of said property for the services performed. It is further agreed that in the event said bill or charge for the services performed shall not be paid within a period of thirty (30) days said sum shall become a lien on the real property and shall accrue interest at a rate of eight percent (8%) per annum until paid in full.

5. This agreement is irrevocable and shall continue forever unless notified in writing by the Metropolitan St. Louis Sewer District whose consent to modification shall not be unreasonably withheld.

6. The individual and any organization executing this document represent and warrant that the individual and as applicable the organization are fully authorized to do so.

Execution by Electronic Signature, Telefax or Electronic Transmission. The parties agree that they will be bound by an electronic sound, symbol or process, executed or adopted by the party with the intent to sign the document. This document may be executed by telefax, or by electronic mail as a portable digital format (.pdf) document, either of which shall constitute an original signature for all purposes.

Reproduction of Document. This document may be stored &/or reproduced by each party by electronic format in lieu of an original.

IN WITNESS WHEREFORE, the said

_____ has caused these presents to be signed by its _____
_____ and its corporate seal to be affixed this _____ day
_____, 20__ _

BY _____

Signature & Title

BY _____

Signature & Title

ATTEST:

Signature & Title

Print Name & Title

STATE OF MISSOURI

_____) ss.
OF ST. LOUIS)

On this _____ day of _____, 20__ before me
appeared _____
personally known, who being by me duly sworn, did say he/she is

_____ of

----- and that the seal
affixed to the foregoing instrument is the Corporate Seal of said Corporation and that said Corporation by
authority of its Board of Directors, and said

_____ acknowledged said instrument to be the
free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year
first above written.

My Commission expires _____

Notary Public

IN WITNESS WHEREOF, the parties hereto have duly executed these presents to be signed by the Director of Engineering for The Metropolitan St. Louis Sewer District.

THE METROPOLITAN ST. LOUIS SEWER DISTRICT

By _____
Richard Unverferth
Director of Engineering

STATE OF MISSOURI)
 SS.
__ OF ST. LOUIS)

On this ____ day of _____, 20____, before me personally appeared Richard Unverferth to me personally known, who being by me duly sworn, did say that he is the Director of Engineering, of THE METROPOLITAN ST. LOUIS SEWER DISTRICT and that said instrument was signed and sealed in behalf of said THE METROPOLITAN ST. LOUIS SEWER DISTRICT by authority of its Board of Trustees and said Richard Unverferth acknowledged said instrument to be the free act and deed of said THE METROPOLITAN ST. LOUIS SEWER DISTRICT.

TN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this _____ day of _____, 20____

My Commission expires _____

Notary Public