

STORMWATER MANAGEMENT FACILITIES
INSPECTION AND MAINTENANCE EASEMENT

THIS EASEMENT, made this ___ day of _____, 20__ by _____ having an office at _____, _____, ___ (the “Grantor”) in favor of the **TOWN OF SOUTHEAST**, a municipal corporation having an office at Town Hall, 1360 NYS Route 22, Brewster, New York 10509 (“Grantee”).

WITNESSETH:

WHEREAS, Grantor is the current premises located in the Town of Southeast, County of Putnam and State of New York, commonly known as _____, and shown on the Town of Southeast Tax Map as _____, and described by metes and bounds on **Schedule A** annexed hereto (the “Premises”); and

WHEREAS, site development plan approval for the Premises was granted by the Town for land development activity at the Premises, in connection with which stormwater management facilities (the “Facilities”) as required have been constructed and installed on the Premises in accordance with the Town Code of the Town of Southeast (the “Code”); and

WHEREAS, as a condition to the issuance of such approval the Code further requires Grantor to execute this Easement and record the same in the Office of the Putnam County Clerk.

NOW, THEREFORE, for valuable consideration received, the Grantor hereby agrees as follows:

1. Grantor does hereby grant unto Grantee, its successors and assigns forever, a perpetual easement and right-of-way (but Grantee shall have no obligation), to enter upon the Premises in order to access the Facilities at reasonable times and in a reasonable manner for periodic inspection by Grantee, with notice given to Grantor of periodic inspection a minimum of 24 hours prior to entry, to ensure that the Facilities are maintained in proper working condition to meet design standards and any other provisions established by the Code in effect as of the date of this Easement and as amended hereafter and all applicable New York State Department of Environmental Conservation (“NYSDEC”) regulations, standards and guidelines, as the same may be amended from time to time.

2. The Grantee is further authorized to undertake such steps as are reasonably necessary for the construction, preservation, continuation or maintenance of the Facilities for the Premises in the event the Grantor or current owner has failed to construct or maintain the stormwater control measures in accordance with the project plan for the Facilities, applicable NYSDEC regulations, standards and guidelines, or has failed to undertake corrective action specified by the Town of Southeast Stormwater Management Officer (“SMO”) or his/her duly authorized deputy, agent or representative, all in accordance with a certain Stormwater Management Facilities Maintenance Agreement executed by Grantor and the Grantee of even date herewith.

SCHEDULE A
[Description]