



Instrument #: 2025007432
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Fee Amt: \$26.00 Page 1 of 11

Harnett County, North Carolina
Matthew S. Willis, Register of Deeds
BK **4282** PG **1525 - 1535 (11)**

COVER SHEET

**STORMWATER TREATMENT OPERATION AND
MAINTENANCE AGREEMENT & DEED
RESTRICTIONS FOR DUCKS LANDING**

**RECORDED IN HARNETT COUNTY
MATTHEW S. WILLIS
REGISTER OF DEEDS**

**STORMWATER TREATMENT
OPERATION AND MAINTENANCE AGREEMENT
&
DEED RESTRICTIONS
FOR
DUCKS LANDING

HARNETT COUNTY, NORTH CAROLINA**

**D&L ENGINEERING, PLLC
150 S. PAGE STREET
SOUTHERN PINES, NORTH CAROLINA
FIRM No. P-1275**

MARCH 2025

High Density Residential Subdivisions
Deed Restrictions & Protective Covenances

In accordance with Title 15 NCAC 2H.1000 and S.L. 2006-246, the Stormwater Management Regulations, deed restrictions and protective covenants are required for **High Density Residential Subdivisions** where lots will be subdivided and sold and runoff will be treated in an engineered stormwater control facility. Deed restrictions and protective covenants are necessary to ensure that the development maintains a "built-upon" area consistent with the design criteria used to size the stormwater control facility.

I, Travis Greene, acknowledge, affirm and agree by my signature below, that I will cause the following deed restrictions and covenants to be recorded prior to the sale of any lot:

1. *The following covenants are intended to ensure ongoing compliance with State Stormwater Management Permit Number _____, as issued by the Division of Energy, Mineral and Land Resources under the Stormwater Management Regulations.*
2. *The State of North Carolina is made a beneficiary of these covenants to the extent necessary to maintain compliance with the stormwater management permit.*
3. *These covenants are to run with the land and be binding on all persons and parties claiming under them.*
4. *The covenants pertaining to stormwater may not be altered or rescinded without the express written consent of the State of North Carolina, Division of Energy, Mineral and Land Resources.*
5. *Alteration of the drainage as shown on the approved plan may not take place without the concurrence of the Division of Energy, Mineral and Land Resources.*
6. *The maximum allowable built-upon area per lot is 4,000 square feet. This allotted amount includes any built-upon area constructed within the lot property boundaries, and that portion of the right-of-way between the front lot line and the edge of the pavement. Built upon area includes, but is not limited to, structures, asphalt, concrete, gravel, brick, stone, slate, coquina and parking areas, but does not include raised, open wood decking, or the water surface of swimming pools.*

OR, if the proposed built-upon areas per lot will vary, please REPLACE #6 above with the following:

6. *The maximum built-upon area per lot, in square feet, is as listed below:*

<u>Lot #</u>	<u>BUA</u>	<u>Lot #</u>	<u>BUA</u>	<u>Lot #</u>	<u>BUA</u>	<u>Lot #</u>	<u>BUA</u>
_____	_____	_____	_____	_____	_____	_____	_____

This allotted amount includes any built-upon area constructed within the lot property boundaries, and that portion of the right-of-way between the front lot line and the edge of the pavement. Built upon area includes, but is not limited to, structures, asphalt, concrete, gravel, brick, stone, slate, coquina and parking areas, but does not include raised, open wood decking, or the water surface of swimming pools.

7. *Each lot will maintain a 30** foot wide vegetated buffer between all impervious areas and surface waters.*

****50 foot for projects located in the 20 coastal counties.**

8. *All runoff from the built-upon areas on the lot must drain into the permitted system. This may be accomplished through a variety of means including roof drain gutters which drain to the street, grading the lot to drain toward the street, or grading perimeter swales to collect the lot runoff and directing them into a component of the stormwater collection system. Lots that will naturally drain into the system are not required to provide these additional measures.*

High Density Residential Subdivisions
Deed Restrictions & Protective Covenances

Signature: [Signature] Date: 1-26-23

I, Melissa G Wahl, a Notary Public in the

State of North Carolina, County of Moore,

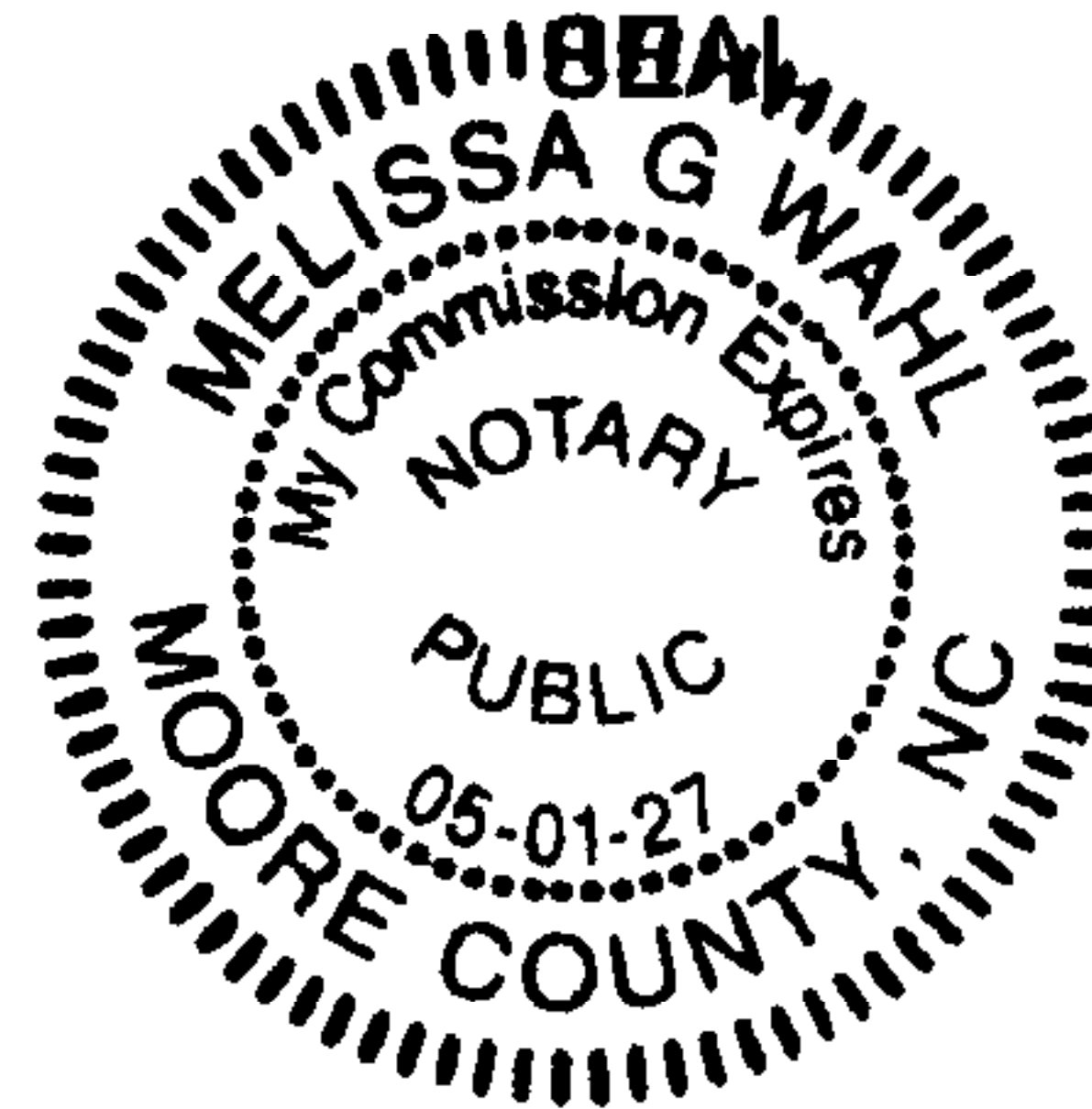
do hereby certify that Travis A Greene personally appeared

before me this the 26 day of January, 20 23, and acknowledge

the due execution of the foregoing instrument. Witness my hand and official seal,

[Signature]
 Signature

My Commission expires 05-01-2027



Project Name: Ducks Landing**Project Location: Darroch Road, Lillington, Harnett County, NC**

Maintenance records shall be kept on the following SCM(s). This maintenance record shall be kept in a log in a known set location. Any deficient SCM elements noted in the inspection will be corrected, repaired, or replaced immediately. These deficiencies can affect the integrity of structures, safety of the public, and the pollutant removal efficiency of the SCM(s).

The SCM(s) on this project include (check all that apply & corresponding O&M sheets will be added automatically):

Infiltration Basin	Quantity: 3	Location(s): 1: Lot 94 / 2: Lot 88 / 3: Lot 62
Infiltration Trench	Quantity:	Location(s):
Bioretention Cell	Quantity:	Location(s):
Wet Pond	Quantity: 2	Location(s): 4: Lot 46 / 5: Lot 25
Stormwater Wetland	Quantity:	Location(s):
Permeable Pavement	Quantity:	Location(s):
Sand Filter	Quantity:	Location(s):
Rainwater Harvesting	Quantity:	Location(s):
Green Roof	Quantity:	Location(s):
Level Spreader - Filter Strip	Quantity:	Location(s):
Proprietary System	Quantity:	Location(s):
Treatment Swale	Quantity:	Location(s):
Dry Pond	Quantity:	Location(s):
Disconnected Impervious Surface	Present: No	Location(s):
User Defined SCM	Present: No	Location(s):
Low Density	Present: No	Type:

I acknowledge and agree by my signature below that I am responsible for the performance of the maintenance procedures listed for each SCM above, and attached O&M tables. I agree to notify NCDEQ of any problems with the system or prior to any changes to the system or responsible party.

Responsible Party: **Travis Greene**
 Title & Organization: **President / Legacy Home Construction, Inc.**
 Street address: **4200 Niagara Carthage**
 City, state, zip: **Whispering Pines, NC 28327**
 Phone number(s): **910-725-1371**
 Email: **CarolinaBuilder@gmail.com**

Signature: *Melissa G Wahl*Date: 1-24-23

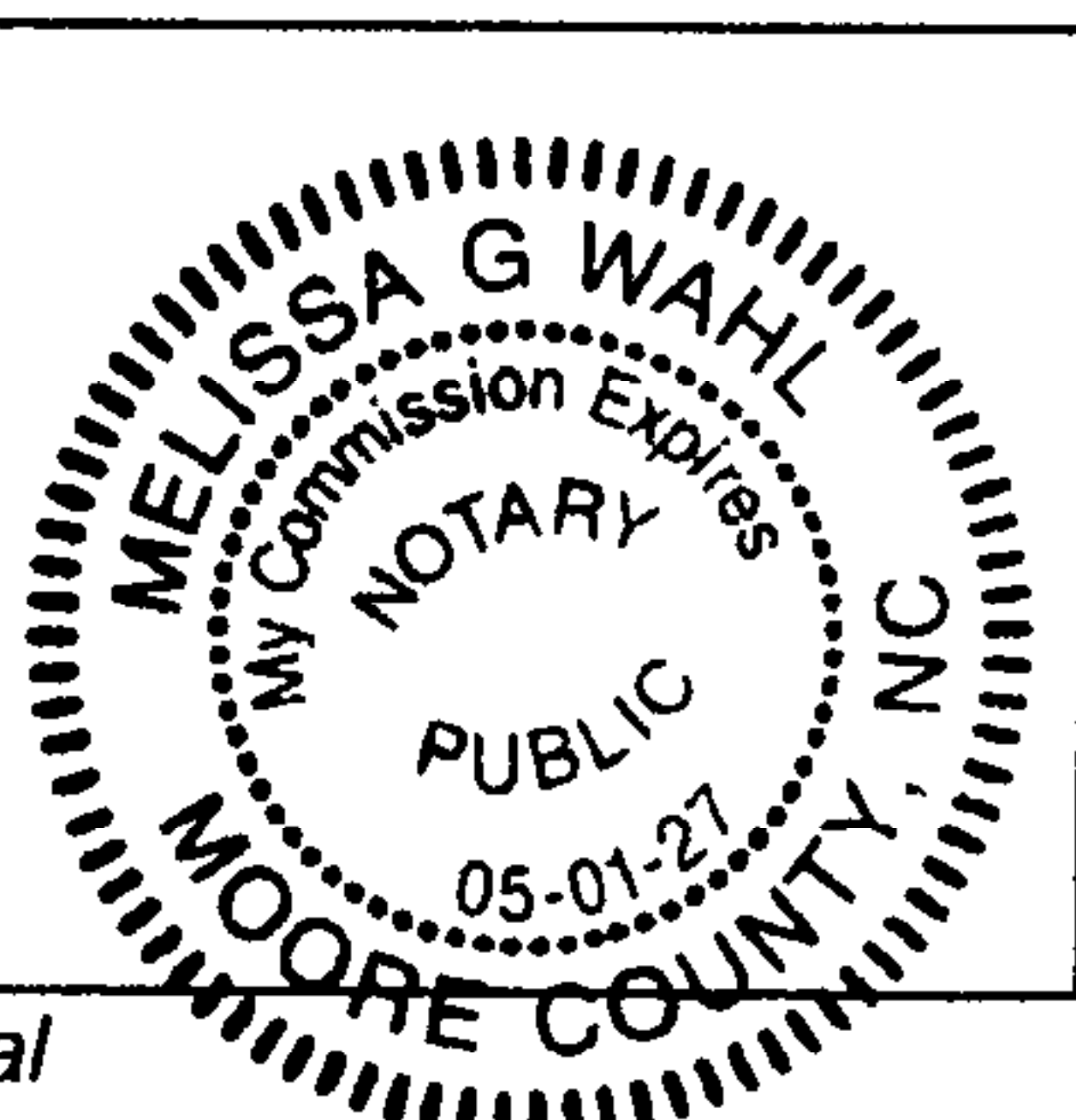
Melissa G Wahl, a Notary Public for the State of North Carolina

County of Moore, do hereby certify that Travis A Greene

personally appeared before me this 26 day of January, 2023 and

acknowledge the due execution of the Operations and Maintenance Agreement.

In witness my hand and official seal, *Melissa G Wahl*



My commission expires

05-01-2027

Important operation and maintenance procedures:

- The drainage area will be carefully managed to reduce the sediment load to the infiltration basin.
No portion of the infiltration basin will be fertilized after the initial fertilization that is required to establish the vegetation. Lime may be allowed if vegetation is planted on the surface of the infiltration basin and a soil test shows that it is needed.
- The vegetation in and around the basin will be maintained at a height of four to six inches.

After the infiltration basin is established, it will be inspected **quarterly and within 24 hours after every storm event greater than 1.0 inches (or 1.5 inches if in a Coastal County)**. Records of operation and maintenance shall be kept in a known set location and shall be available upon request.

Inspection activities shall be performed as follows. Any problems that are found shall be repaired immediately.

CM element:	Potential problem:	How to remediate the problem:
The entire infiltration basin	Trash/debris is present.	Remove the trash/debris.
The grass filter strip or other pretreatment area	Areas of bare soil and/or erosive gullies have formed.	Regrade the soil if necessary to remove the gully, plant ground cover and water until it is established. Provide lime and a one-time fertilizer application.
	Sediment has accumulated to a depth of greater than three inches.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the SCM.
The flow diversion structure (if applicable)	The structure is clogged.	Unclog the conveyance and dispose of any sediment in a location where it will not cause impacts to streams or the SCM.
	The structure is damaged.	Make any necessary repairs or replace if damage is too much for repair.
The inlet device	The inlet pipe is clogged (if applicable).	Unclog the pipe and dispose of any sediment in a location where it will not cause impacts to streams or the SCM.
	The inlet pipe is cracked or otherwise damaged (if applicable).	Repair or replace the pipe.
	Erosion is occurring in the swale (if applicable).	Regrade the swale if necessary and provide erosion control devices such as reinforced turf matting or riprap to avoid future erosion problems.
	Stone verge is clogged or covered in sediment (if applicable).	Remove sediment and clogged stone and replace with clean stone.
The basin	More than four inches of sediment has accumulated.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the SCM.
	Erosion of the basin surface has occurred or riprap is displaced.	Provide additional erosion protection such as reinforced turf matting or riprap if needed to prevent future erosion problems.
	Water is standing more than three days after a storm event.	Replace the top few inches of soil to see if this corrects the standing water problem. If not, consult an appropriate professional for a more extensive repair.

CM element:	Potential problem:	How to remediate the problem:	
he embankment	Shrubs or trees are growing on the embankment.	Remove shrubs and trees immediately.	
	An annual inspection by an appropriate professional shows that the embankment needs repair.	Make needed repairs immediately.	
he outlet device	Clogging has occurred.	Clean out the outlet device and dispose of sediment in a location where it will not cause impacts to streams or the SCM.	
	The outlet device is damaged	Repair or replace the outlet device.	
The receiving water	Erosion or other signs of damage have occurred at the outlet.	Repair the damage and improve the flow dissipation structure.	
	Discharges from the infiltration basin are causing erosion or sedimentation in the receiving water.	Contact the local NCDEQ Regional Office.	

Important operation and maintenance procedures:

- Immediately after the wet detention basin is established, the plants on the vegetated shelf and perimeter of the basin should be watered twice weekly if needed, until the plants become established (commonly six weeks).
- No portion of the wet pond should be fertilized after the initial fertilization that is required to establish the plants on the vegetated shelf.
- Stable groundcover will be maintained in the drainage area to reduce the sediment load to the wet pond.
- If the pond must be drained for an emergency or to perform maintenance, the flushing of sediment through the emergency drain will be minimized as much as possible.
- At least once annually, a dam safety expert will inspect the embankment. Any problems that are found will be repaired immediately.
- The measuring device used to determine the sediment elevation shall be such that it will give an accurate depth reading and not readily penetrate into accumulated sediments.

After the wet pond is established, it will be inspected **quarterly and within 24 hours after every storm event greater than 1.0 inches (or 1.5 inches if in a Coastal County)**. Records of operation and maintenance shall be kept in a known set location and shall be available upon request.

Inspection activities shall be performed as follows. Any problems that are found shall be repaired immediately.

CM element:	Potential problem:	How to remediate the problem:
the entire wet pond	Trash/debris is present.	Remove the trash/debris.
the perimeter of the wet pond	Areas of bare soil and/or erosive gullies have formed.	Regrade the soil if necessary to remove the gully, plant ground cover and water until it is established. Provide lime and a one-time fertilizer application.
the inlet device	The inlet pipe is clogged (if applicable).	Unclog the pipe. Dispose of the sediment off-site.
	The inlet pipe is cracked or otherwise damaged (if applicable).	Repair or replace the pipe.
	Erosion is occurring in the swale (if applicable).	Regrade the swale if necessary and provide erosion control devices such as reinforced turf matting or riprap to avoid future problems with erosion.
the forebay	Sediment has accumulated to a depth greater than the original design depth for sediment storage.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the SCM.
	Erosion has occurred.	Provide additional erosion protection such as reinforced turf matting or riprap if needed to prevent future erosion problems.
	Weeds are present.	Remove the weeds, preferably by hand. If pesticide is used, wipe it on the plants rather than spraying.

SCM element:	Potential problem:	How to remediate the problem:
The main treatment area	Sediment has accumulated to a depth greater than the original design sediment storage depth.	Search for the source of the sediment and remedy the problem if possible. Remove the sediment and dispose of it in a location where it will not cause impacts to streams or the SCM.
	Algal growth covers over 50% of the area.	Consult a professional to remove and control the algal growth.
	Cattails, phragmites or other invasive plants cover 50% of the basin surface.	Remove the plants by wiping them with pesticide (do not spray).
The vegetated shelf	Best professional practices show that pruning is needed to maintain optimal plant health.	Prune according to best professional practices.
	Plants are dead, diseased or dying.	Determine the source of the problem: soils, hydrology, disease, etc. Remedy the problem and replace plants. Provide a one-time fertilizer application to establish the ground cover if a soil test indicates it is necessary.
	Weeds are present.	Remove the weeds, preferably by hand. If pesticide is used, wipe it on the plants rather than spraying.
The embankment	Shrubs have started to grow on the embankment.	Remove shrubs immediately.
	Evidence of muskrat or beaver activity is present.	Consult a professional to remove muskrats or beavers and repair any holes or erosion.
	A tree has started to grow on the embankment.	Consult a dam safety specialist to remove the tree.
	An annual inspection by an appropriate professional shows that the embankment needs repair.	Make all needed repairs immediately.
The outlet device	Clogging has occurred.	Clean out the outlet device and dispose of any sediment in a location where it will not cause impacts to streams or the SCM.
	The outlet device is damaged.	Repair or replace the outlet device.
Floating wetland island (if applicable)	Weeds or volunteer trees are growing on the mat.	Remove the weeds or trees.
	The anchor cable is damaged, disconnected or missing.	Restore the anchor cable to its design state.

SCM element:	Potential problem:	How to remediate the problem:
The receiving water	Erosion or other signs of damage have occurred at the outlet.	Repair the damage and improve the flow dissipation structure.
	Discharges from the wet pond are causing erosion or sedimentation in the receiving water.	Contact the local NCDEQ Regional Office.

Wet Pond Diagram

WET POND ID

4

Pretreatment other
than forebay?
Has Veg. Filter?

No

No

FOREBAY

Permanent Pool El.
Temporary Pool El:
Clean Out Depth:
Sediment Removal El
Bottom Elevation:

185

185.7

3

182

181

MAIN POND

Permanent Pool El.
Temporary Pool El:
Clean Out Depth:
Sediment Removal El
Bottom Elevation:

185

185.7

5

180

179

WET POND ID

5

Pretreatment other
than forebay?
Has Veg. Filter?

No

No

FOREBAY

Permanent Pool El.
Temporary Pool El:
Clean Out Depth:
Sediment Removal El
Bottom Elevation:

210

210.5

3

207

206

MAIN POND

Permanent Pool El.
Temporary Pool El:
Clean Out Depth:
Sediment Removal El
Bottom Elevation:

210

210.5

5

205

204

ATTACH ADDITIONAL SHEETS IF NECESSARY