


STATE OF ALABAMA)
COUNTY OF SHELBY)


20150818000287660 1/1 \$14.00
Shelby Cnty Judge of Probate, AL
08/18/2015 02:34:00 PM FILED/CERT

RETENTION POND
MAINTENANCE AGREEMENT

WHEREAS, **Western REI**, (Hereinafter referred to as REI), as owner of Lots 2-25 Kent Farms Commercial Complex, as recorded in Map Book 40, Page 25, Shelby County, Alabama and **Marc 1, Inc.**, (Hereinafter referred to as Marc 1), as owner of Lot 1 in Kent Farms Commercial Complex, as recorded in Map Book 40, Page 25, Shelby County, Alabama.

WHEREAS, the parties agree to address a storm water retention pond (Hereinafter referred to as Pond) that is shown as common area East of Lot 1, as described above, that is serving the storm water drainage, inter alia, from Lot 1.


WHEREAS, on this date REI and Marc 1 enter into an agreement as follows:

- I. Marc 1 shall assume all (100%) responsibility of the maintenance on the aforementioned Pond, including bringing it to code.
- II. Sole maintenance by Marc 1, shall remain in effect until which time (1) REI begins development of Lots 2-25, as described above (2) or a Property Owner's Association (POA) is developed for Lots 1-25, as described above (3) or mutually agreed to by Western REI and/or their assigns & Marc 1 and/or their assigns. This agreement shall NOT be terminated or nullified by the Vacation of the existing property plat.
- III. Any modification, termination, or replacement of this agreement will be invalid UNTIL it is filed with the Probate Office of Shelby County, Alabama.
- IV. REI and Marc 1 agree that +/- 6670 cubic feet of storage, in a 24 hour, 25 year storm will be reserved for Lot 1, as described above, in said Pond.


WHEREAS, this agreement between REI and Marc 1 shall pertain ONLY to the Pond as described above. No other common area, in the property listed above, shall be the subject of this agreement, whether expressed, implied or otherwise.

WHEREAS, REI and Marc 1 agree to all matters expressed in this agreement and that no other agreement as it relates to the Pond, are made outside of this agreement.

Signed this the 18 day of August, 2015



Marcus Kitrell, President
Marc 1, Inc.



Jason Spinks, President
Western REI