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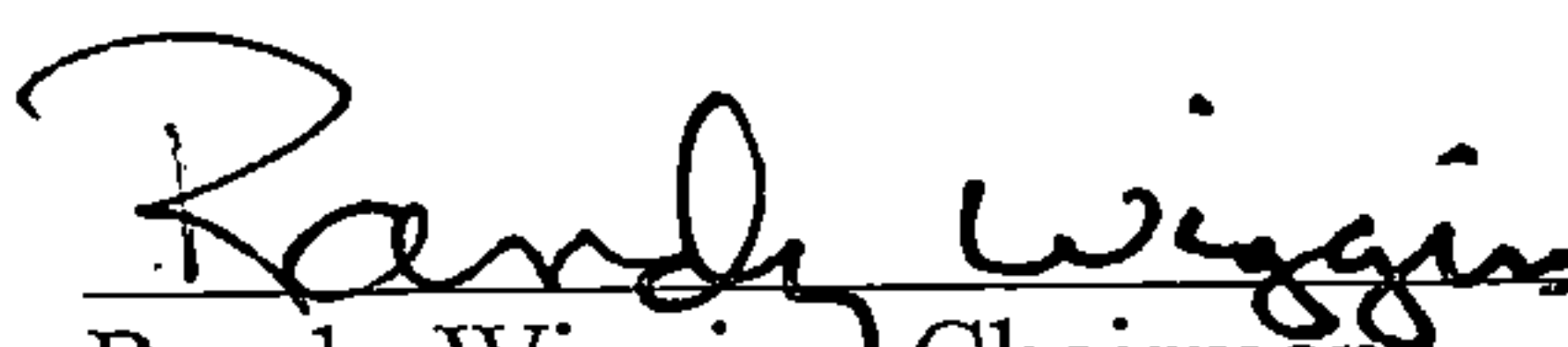
RESOLUTION NO. 2025-07-14-2108

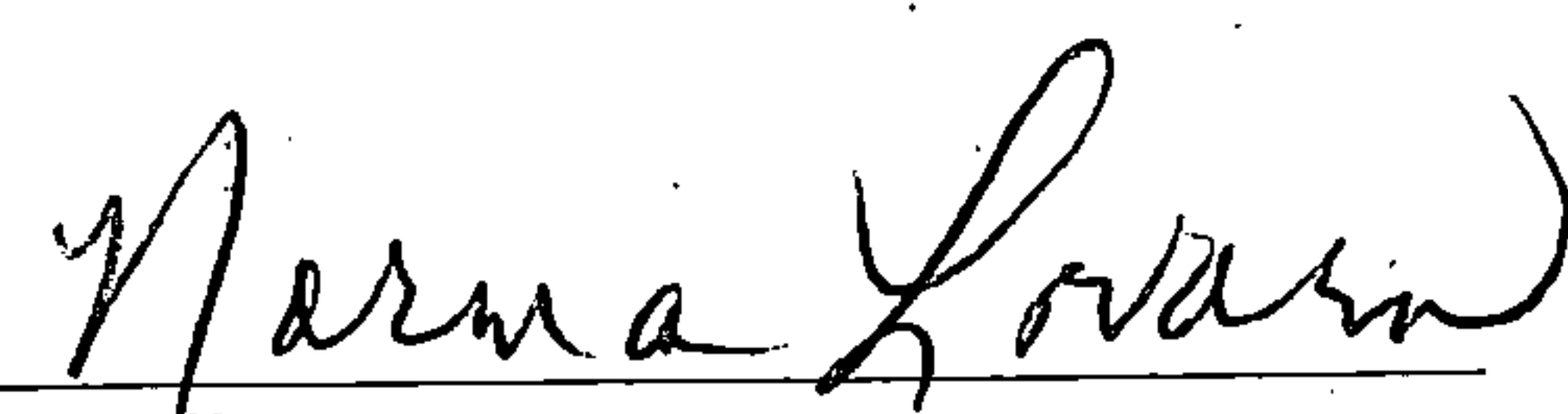
WHEREAS, on June 23, 2025, the City of Westover, Alabama Planning Commission (hereinafter "the Planning Commission"), received a request by Bill Lunsford Construction & Development, Inc. (herein "Developer") for approval of the Final Plat for Phase 1 of the Stonehenge Subdivision (herein "the Development"); and

WHEREAS, the Commission made recommendations for approval of said Final Plat on the condition that (1) an inspection schedule and proper maintenance be conducted of all existing and further detention ponds constructed on the development and that such maintenance remain the obligation of all successor interests of the Developer in the Property; (2) that the Developer maintain streetlights and adequately ensure that any successor interest in the Development undertake responsibility for streetlighting of the Development; and (3) that the Shelby County Highway Department approve any improvements planned for CR-51; and

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. That, the attached Exhibit A: Stormwater Detention Maintenance Agreement and Maintenance Plan (collectively referred to herein as "the Maintenance Agreement") provides for a proper schedule of maintenance to all existing and future detention ponds constructed on the development; and
2. That, the Maintenance Agreement is binding on all future successor interest to the Development for maintenance and operation of stormwater detention ponds, inlets, pipes and other outlet structures associated with stormwater drainage upon the Property; and
3. That, the Maintenance Agreement indemnifies and holds the City harmless from the maintenance, operation and/or any damage associated with the stormwater detention ponds, inlets, pipes and other outlet structures associated with stormwater drainage on the Development; and
4. That, the Developer has taken adequate measures to ensure that any successor interest in the Development shall undertake responsibility of streetlighting of the planned Development; and
5. That, the Developer has provided adequate approval of the Development's planned improvements for CR-51.
6. That, for these provided herein reasons, the City hereby APPROVES the Final Plat for Phase 1 of the Stonehenge Subdivision.


Randy Wiggins, Chairman
City of Westover Planning Commission


Norma Lovorn
Planning & Zoning Clerk



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**STONEHENGE SUBDIVISION
WESTOVER, ALABAMA
STORMWATER DETENTION MAINTENANCE AGREEMENT
DATE: July 14, 2025**

WHEREAS, Owner, Bill Lunsford Construction & Development, Inc., of a property located at the intersection of US Highway 280 and Shelby County Road 51 (hereinafter referred to as the "Property"); and WHEREAS, Owner has constructed detention facilities and outlet structures in accordance with plans and specifications as shown on the Stonehenge Subdivision Phase 1 construction plans that were approved by the City of Westover, Alabama, and; WHEREAS, the City of Westover, Alabama is willing to grant such approval of the Stormwater Detention Maintenance Agreement (hereinafter referred to as the "Stormwater Agreement") upon the terms and conditions set forth herein below: It is HEREBY AGREED as follows:

1. Owner and its successors, respective heirs, grantees and assignees to include the homeowners association formed to own and manage common areas of Stonehenge Subdivision Phase 1 and future phases cumulatively, at its sole cost and expense, hereby agrees to maintain the surface detention ponds and outlet structures in a structurally sound condition so that they satisfy the drainage function for which they are intended, to maintain the detention system in a clean and safe condition so as not to constitute a hazard or nuisance to the public, and to maintain the detention pond and outlet structure in accordance with all rules, standards and regulations as specified herein. Upon completion of construction and land disturbance activities, maintenance of the outlet structure shall include inspection and maintenance performed at least as frequently as biannually. The Owner and its successors, respective heirs, grantees and assignees to include the homeowners association shall keep records detailing inspection and maintenance activities of the attached per the "Stormwater Agreement" and these records shall be submitted annually to the City of Westover and any other permitting agencies required at the time. Maintenance shall be in accordance with the "Stormwater Agreement" for Phase 1 and future detention facilities, per the "Maintenance Plan" that is made part of this document. The City of Westover, Alabama is hereby relieved forever of all responsibility for the inspection and maintenance of the detention ponds and outlet structures.
2. During and throughout the perpetuity here of, the Owner and its successors, respective heirs, grantees and assignees to include the homeowners association formed to own and manage common areas of Stonehenge Subdivision Phase 1 and future phases, hereby agrees to



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indemnify and hold The City of Westover, Alabama, its officers, agents, and employees, harmless from all damages, liability, claims, and demands, relating to or arising from; (A) the drainage function of the detention pond and outlet structure and including the construction, maintenance, operation and use thereof and (B) the increase of the flow of water or diversion of the flow of water resulting from the detention pond and outlet structure.



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**STONEHENGE SUBDIVISION
WESTOVER, ALABAMA
STORMWATER DETENTION MAINTENANCE AGREEMENT**

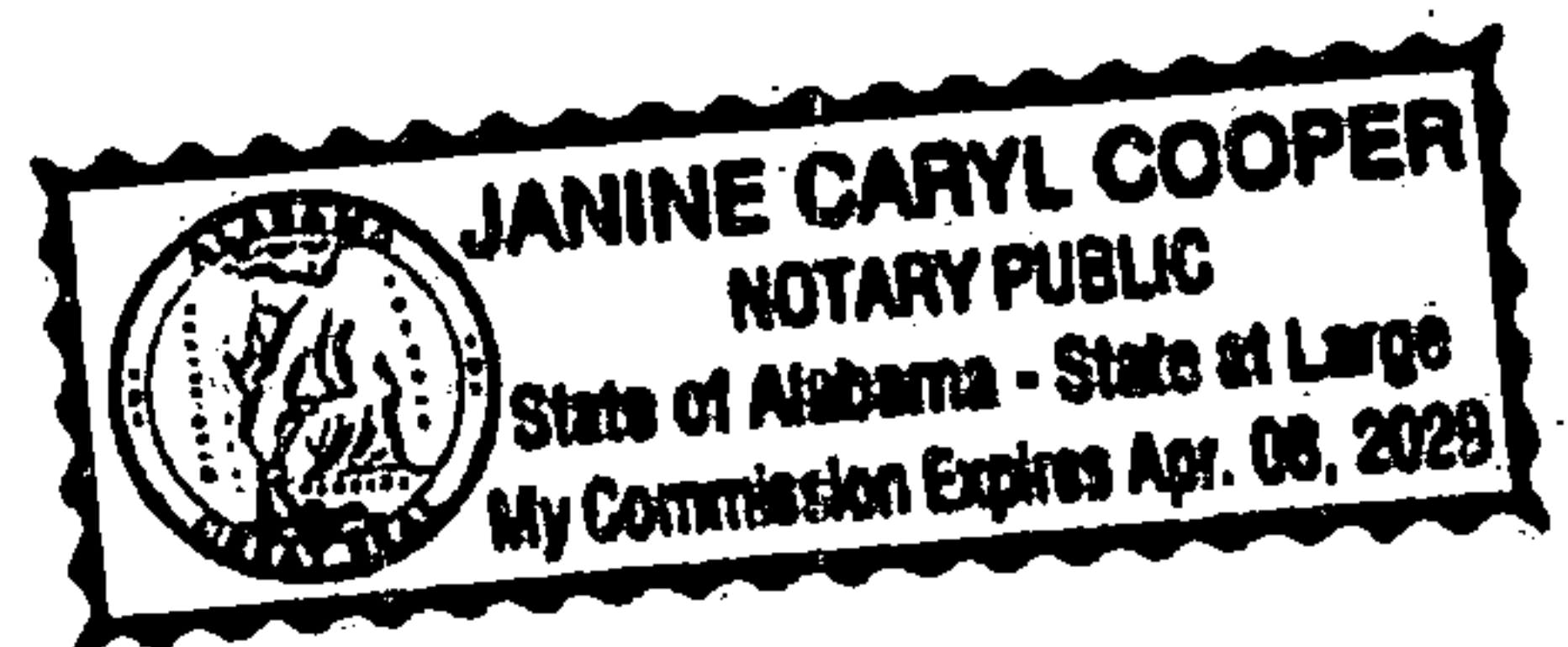
Bill Lunsford Construction & Development, Inc

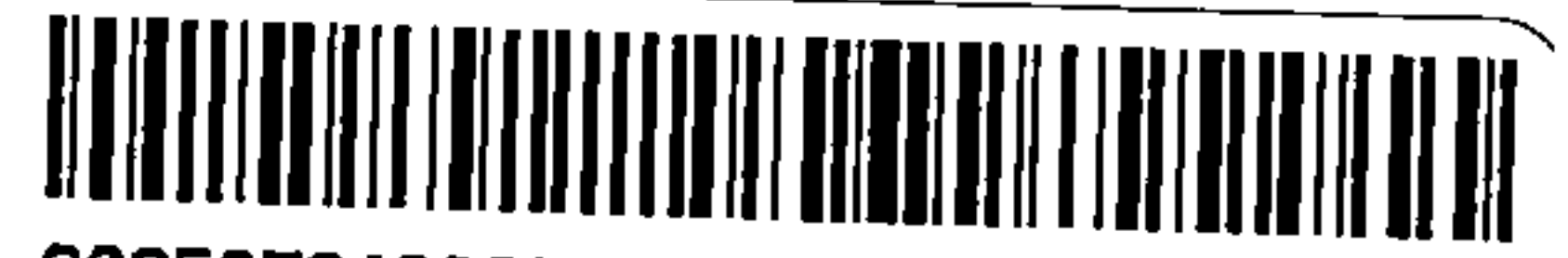
Signed: *Calvin Lunsford*
Vice President

Date: *July 20 2025*

Notary:

Janene Caryl Cooper
Janene Cooper





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**STONEHENGE SUBDIVISION
WESTOVER, ALABAMA
MAINTENANCE PLAN**

"Outlet Control and Discharge Pipe" shall be maintained as follows:

1. The "Outlet Control and Stormwater Detention Ponds" shall be inspected a minimum of monthly or as required by an active Construction Stormwater General NPDES Permit.
2. The inlets, pipes and the outlet structure shall be inspected monthly. Any accumulated debris or trash shall be removed.
3. No equipment maintenance (i.e. fluid changes) shall be performed in any area that drains into the "Outlet Control and Stormwater Detention Ponds".
4. No hazardous chemicals shall be sprayed or placed in the storage area of the "Outlet Control and Stormwater Detention Ponds".
5. The "Outlet Control and Stormwater Detention Ponds" shall be inspected monthly for sedimentation. Floating and or deposited debris shall be removed at the time of the inspection. Grass areas shall be cut and maintained as a part of the regularly scheduled maintenance. Erosion, sediment, litter and anything else that does not belong in the pond shall be removed from the bottom and sides of the ponds to maintain the design length, width and depth. Any item identified within the detention pond found to be deleterious shall be removed and be disposed of at an approved location in accordance with local and State laws.

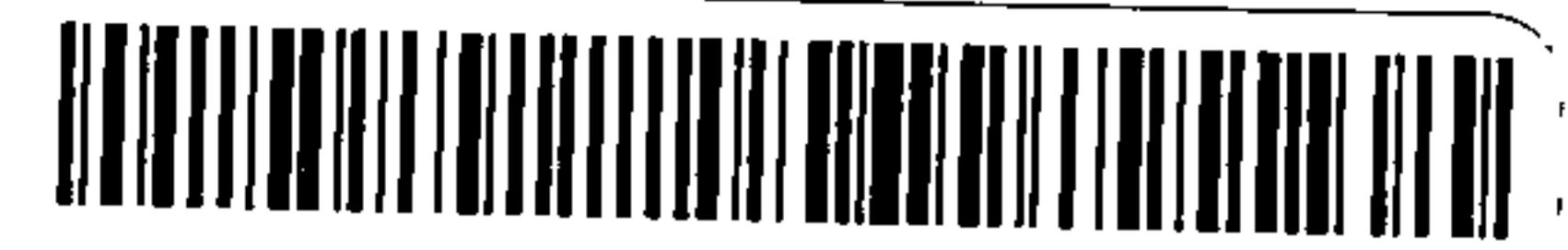


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Stonehenge Subdivision Current and future Storm Water Detention Ponds shall be maintained as follows:

1. Frequency

- A. Within the first six months from the date of the of an approved Final Plat: the facility shall be inspected once per month. A logbook shall be kept by the owner or others designated in the "Stormwater Agreement" indicating the date of the inspections with notes of the condition and any repairs made. Logbook shall be retained for 5 years from the date of the inspection.
- B. After the first six months and up to one year from the date the construction is completed: the facility shall be inspected every third month. A logbook shall be kept by the owner or others designated in the "Stormwater Agreement" indicating the date of the inspections with notes of the condition and any repairs made. The Logbook shall be retained for 5 years from the date of the inspection.
- C. After the first year from the date a Final Plat is approved: the facility shall be inspected biannually. A logbook shall be kept by the owner or others designated in the "Stormwater Agreement" indicating the date of the inspections with notes of the condition and any repairs made. The Logbook shall be retained for 5 years from the date of the inspection.
- D. Inspections shall be performed by a professional qualified in stormwater Best Management Practices. The inspection observations, recommendations and corrections shall be provided on the attached checklist. Photos and time to complete corrections are required.



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