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MIDDLESEX COUNTY CLERK

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TY *Trustees of*

Index DEED BOOK
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No. Pages 0005
Instrument COUNTY DEED
Date : 8/05/2008
Time : 10:01:39
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STATE OF NEW JERSEY
MIDDLESEX COUNTY CLERK

ELAINE FLYNN
COUNTY CLERK



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BK 5971 Pg 0843

STORMWATER MAINTENANCE AGREEMENT

WHEREAS, The Trustees of Princeton University a New Jersey
Corporation (Project Name)
(Corporation/Partnership/Individual) with offices at 105 College Road East
Princeton, NJ 08540 (Address) is the owner of the premises designated as
Lot(s): 5&6, 4, 4.01, 4.02, 1 in Block(s): 102, 104, 105 & 106 as shown on the Tax Map of
the Township of Plainsboro, County of Middlesex, State of New Jersey, and;

WHEREAS, as a condition of the approval of the site plan and/or subdivision
granted by the Land Development Review Committee of the Middlesex County Planning
Board, said approval dated _____, 20 __, and said approval requires the filing
of a Restrictive Covenant in a form of the Stormwater Maintenance Agreement which
requires the lot owners and/or leased occupants to maintain any detention facilities on the
Premises; and;

NOW, THEREFORE, in consideration of the promises, covenants, conditions
and other good valuable considerations; of the site plan and/or subdivision application
entitled, " Preliminary/Final Subdivision and Site Plan for College Road and Nursery Road Intersection
(The Complete Title Block of the Approved Plans)
and Site Improvements " and dated April 25, 2005 and revised through _____;
hereby declares that said, Lot(s): 5&6, 4, 4.01, 4.02, 1 in Block(s): 102, 104, 105 & 106,
herein the above description, shall be held, sold and conveyed subject to the following
restrictions, covenants, conditions and easements which shall run with the land and be
binding upon all parties who have any right, title or interest in the land, or any part
thereof, their heirs, executors, administrators, successors and assigns and shall insure to
their benefit; and the benefit of the Middlesex County Planning Board;

1. After the completion of the stormwater drainage system and any
and all drainage swales/ detention/ retention/ drywells/recharge
facilities by the owner, the owner of the premises as they may from
time to time be, shall be responsible for the continuing and
perpetual maintenance of the stormwater detention basin and
related facilities and piping located on its premises in accordance

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Middlesex County Clerk

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OF PAGES _____

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Middlesex County Clerk

with the site plan and/or subdivision plans for the proposed building, of said, Lot(s): 5&6, 4, 4.01, 4.02 & 1 in Block(s): 102, 104, 105 & 106, as shown on the Tax Map of the Township of Plainsboro, Middlesex County, New Jersey, prepared by Richard K. Wizeman P.E. and L.S. entitled, "Preliminary/Final Subdivision and Site Plan for College Road and Nursery Road Intersection & Site Improvements" (The Complete Title Block of the Approved Plans) and dated April 25, 2005 and revised through _____; which which was approved by the Middlesex County Planning Board.

2. In the event that the owner shall fail to maintain stormwater drainage system and any and all drainage swales/detention/retention/drywells/recharge facilities in reasonable order and condition, as may be determined periodically by a designee of the County of Middlesex and/or the Middlesex County Planning Board The designee of the County of Middlesex and /or the Middlesex County Planning Board may serve a written notice to the owner setting forth the manner in which the owner has failed to maintain the stormwater drainage system and any and all drainage swales/detention/retention/drywells/recharge facilities in reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be cured within thirty-five (35) days thereof. If the deficiencies set forth in the original notice or in the modification thereof shall not be corrected within said thirty-five (35) days or any permitted extension thereof, the County of Middlesex, in order to preserve the stormwater drainage system and any and all drainage swales/detention/retention/drywells/recharge facilities and maintain the same, may enter upon and maintain same for such period of time as the County may determine in its sole judgment.

IF, the County enters upon or maintains the stormwater drainage facilities at its discretion, then any cost and expenses including fees from Counsel in the above noted

process shall be at the sole cost and expense of the owner. The County and/or its agents and/or its designees shall be held harmless and free of any liability of any kind whatsoever by the owner from any and all acts taken under the authority of the Restrictive Covenant in the form of a Stormwater Maintenance Agreement if such actions are taken in good faith.

IN WITNESS WHEREOF, Christopher McCrudden has signed, sealed and delivered the Restrictive Covenant in the form of a Stormwater Maintenance Agreement on 12th day of February, 2008.

ATTEST:

David H. Knights
David H. Knights

(Type Name of Person Attesting Witness and Title)
Date: 2/12/2008

APPLICANT:

Christopher McCrudden
(Type Name of Person, Corporation and Title)

Date: 2/12/2008

Christopher McCrudden
Vice President for Finance and Treasurer

Signed and sworn to before me on
February 12, 2008.

Diane Vernickas
Notary Public

DIANE VERNICKAS
Notary Public of New Jersey
My Commission Expires Dec. 12, 2010

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**PARTNERSHIP
ACKNOWLEDGMENT**

STATE OF NEW JERSEY:

SS:

COUNTY OF MIDDLESEX:

I certify that on this day _____ of _____, 20__ personally came before me and appeared _____, and known to me to be one of the members of the firm of _____, described herein and who executed the foregoing instruments, and acknowledged to me that they executed the same as the act and deed of said firm.

Print Name of Attesting Witness and Title

Signed and sworn to before me on
_____ 20__.

Notary Public

**INDIVIDUAL
ACKNOWLEDGMENT**

STATE OF NEW JERSEY:

SS:

COUNTY OF MIDDLESEX:

I certify that on this day 12 of February, 2008 personally came before me and appeared David H. Knights, and known to me to be one the person described herein and who executed the foregoing instruments, and acknowledged to me that he/she executed the same as.

David H. Knights, Agent for Owner
Print Name of Attesting Witness and Title

Signed and sworn to before me on
February 12, 2008.

Diane Vernickas
Notary Public

Revised 9/23/03

DIANE VERNICKAS
Notary Public of New Jersey
My Commission Expires Dec. 12, 2010

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