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Document Title: **Declaration of Storm Water and Sewer System Maintenance Covenants**  
Grantor: Tripen, Inc., a Washington corporation  
Grantee: City of Chelan, a Washington municipal corporation  
Legal Description: Lots 1-13, Plat of Chelan Bay, Chelan County, Washington.  
Additional legal on page 1.  
Parcel Number(s): 272214662228

**DECLARATION OF STORM WATER AND SEWER SYSTEM MAINTENANCE COVENANTS FOR CHELAN BY**

The Grantor hereby declares and covenants as follows:

1. The Grantor is the owner and developer of the following described real property located in Chelan County, Washington:  
  
Lots 1-13 of the Plat of Chelan Bay, as recorded March 9, 2022, under Chelan County Auditor's File No. 2563597.
2. The Grantor has designed and constructed a private storm water drainage system and shared sewer system to serve Lots 1-13 of the Plat of Chelan Bay in accordance with the plans Grantor has filed with the City of Chelan, Chelan County (the "Systems"). The approved plans are attached hereto as **Exhibit A**.
3. The Grantor, or its assigned assignee, Chelan Bay Homeowners Association, a common ownership interest plat community (the "HOA") agree to maintain the Systems as originally designed, and in accordance with the City of Chelan municipal code requirements and the specifications attached hereto as **Exhibit B**. In the event that the Grantor or the HOA need to reduce, expand, or otherwise modify the design or operation of the Systems, the Grantor or the HOA shall first seek review by and written approval from the City of Chelan, which review and approval shall not be unreasonably withheld.
4. The Grantor through the HOA agrees to implement a long-term funding mechanism to support operation, maintenance, repairs and improvements required for proper functioning of the Systems.

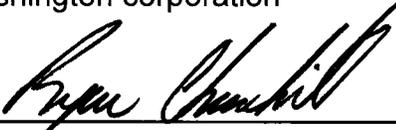
5. City of Chelan shall have the right to enter the above-described real property for the purpose of inspecting the condition and/or maintenance of the Systems and/or to determine the Grantor's or HOA's compliance with these Covenants. The Grantor or the HOA agree to fully comply with all written notices of corrective action issued by the City of Chelan and other agencies having jurisdiction. If the Grantor or the HOA fail to fully and timely comply as required by a written notice of corrective action, then the City of Chelan may enter the above-described property to perform all work necessary to fully complete repairs and maintenance to the Systems or otherwise bring the Systems into compliance with these Covenants. The Grantor through the HOA agrees to pay all costs and expenses incurred by the City of Chelan for such repairs and maintenance, including the cost of personnel, equipment and materials and City of Chelan's contractors.
6. The Grantor and the HOA hereby waive any and all claims for damages against the City of Chelan arising from the design, construction, inspection, repair and/or maintenance of the Systems. The Grantor through the HOA agree to indemnify, defend and hold the City of Chelan harmless from any and all claims arising from the design, construction, inspection, repair and/or maintenance of the Systems.
7. These covenants shall run with the land described above and shall be binding on all Grantor's purchases, successors and assigns.

*Signatures on following pages*

DATED this 11<sup>th</sup> day of January, ~~2024~~ 2022.

**GRANTOR**

TRIPEN, INC.,  
A Washington corporation

By:   
Printed Name: Ryan Churchill  
Title: Vice President

**HOA**

CHELAN BAY HOMEOWNERS ASSOCIATION  
A Washington non-profit corporation

By:   
Printed Name: Chris Martin  
Title: Director









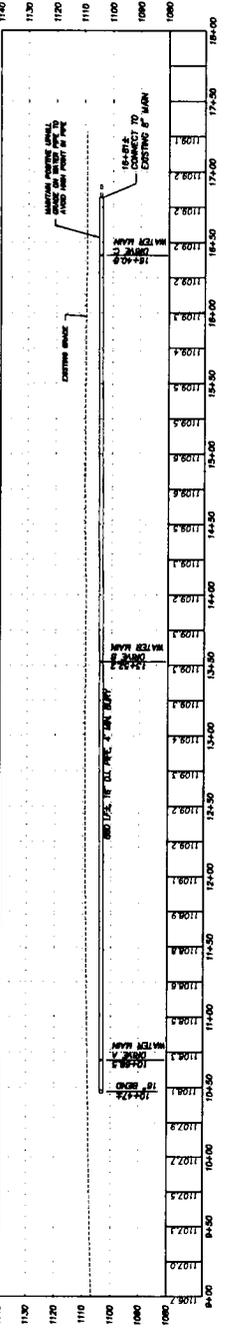
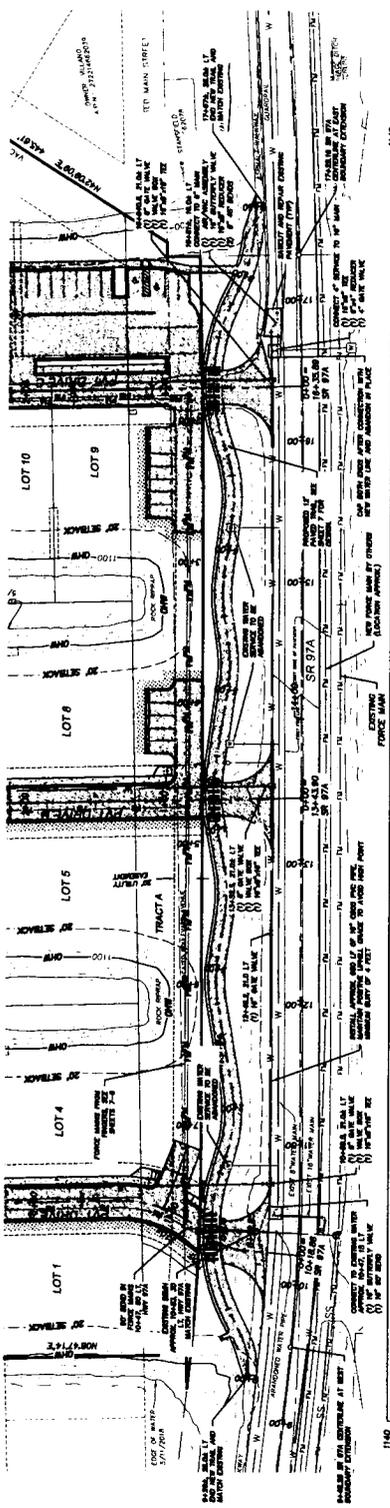






CHELAN BAY  
 PRIVATE DRIVE AND SITE IMPROVEMENTS  
 HIGHWAY 97A WATERMAIN EXTENSION PLAN  
 PARCEL NO. 27-22-14-682-228  
 CITY OF CHELAN, WASHINGTON  
 07/07/2021

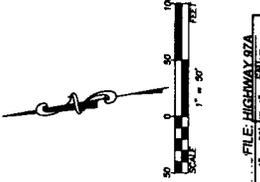
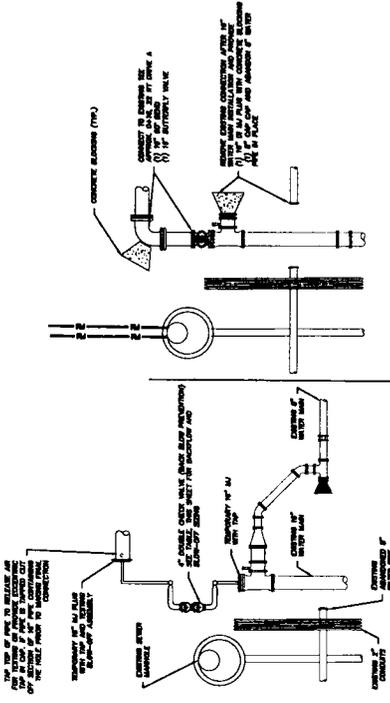
PROJECT NUMBER:	2018034
DESIGNED/DRAWN BY:	CGJ/B
CHECKED BY:	JAT
ISSUE DATE:	07/07/2021
SHEET NO.:	6
TOTAL SHEETS:	14



NOTES:  
 1. EXISTING WATER MAIN, WATER METER AND SEWER MAIN AND MANHOLE LOCATIONS TO BE SHOWN IN THIS SHEET.  
 2. SEE SHEET 13 FOR WATER DETAIL.  
 3. SEE SHEET 14 FOR SEWER DETAILS.

**BLOW-OFF AND BACKFLOW SIZING**

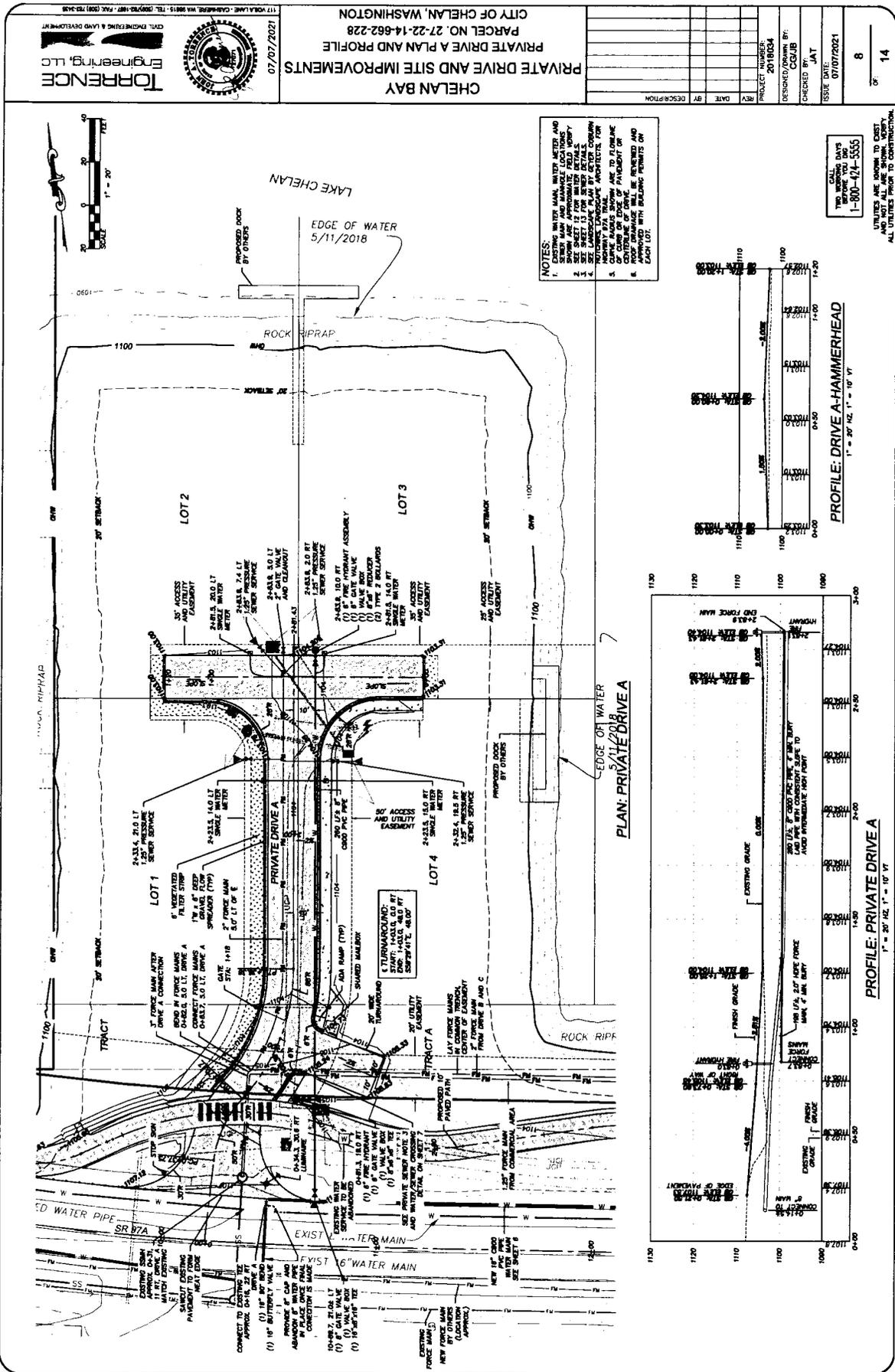
MAIN SIZE	FLOW AT 2.5 FPS (GPM)	BLOW-OFF AND BACKFLOW DEVICE SIZE AND NO.
6"	230	(1) 2"
8"	400	(1) 2"
10"	640	(2) 2", OR (1) 3"
12"	810	(2) 2", OR (1) 3"
15"	1,000	(1) 2", OR (2) 2", OR (1) 4"
24"	2,100	(4) 4", OR (2) 8"



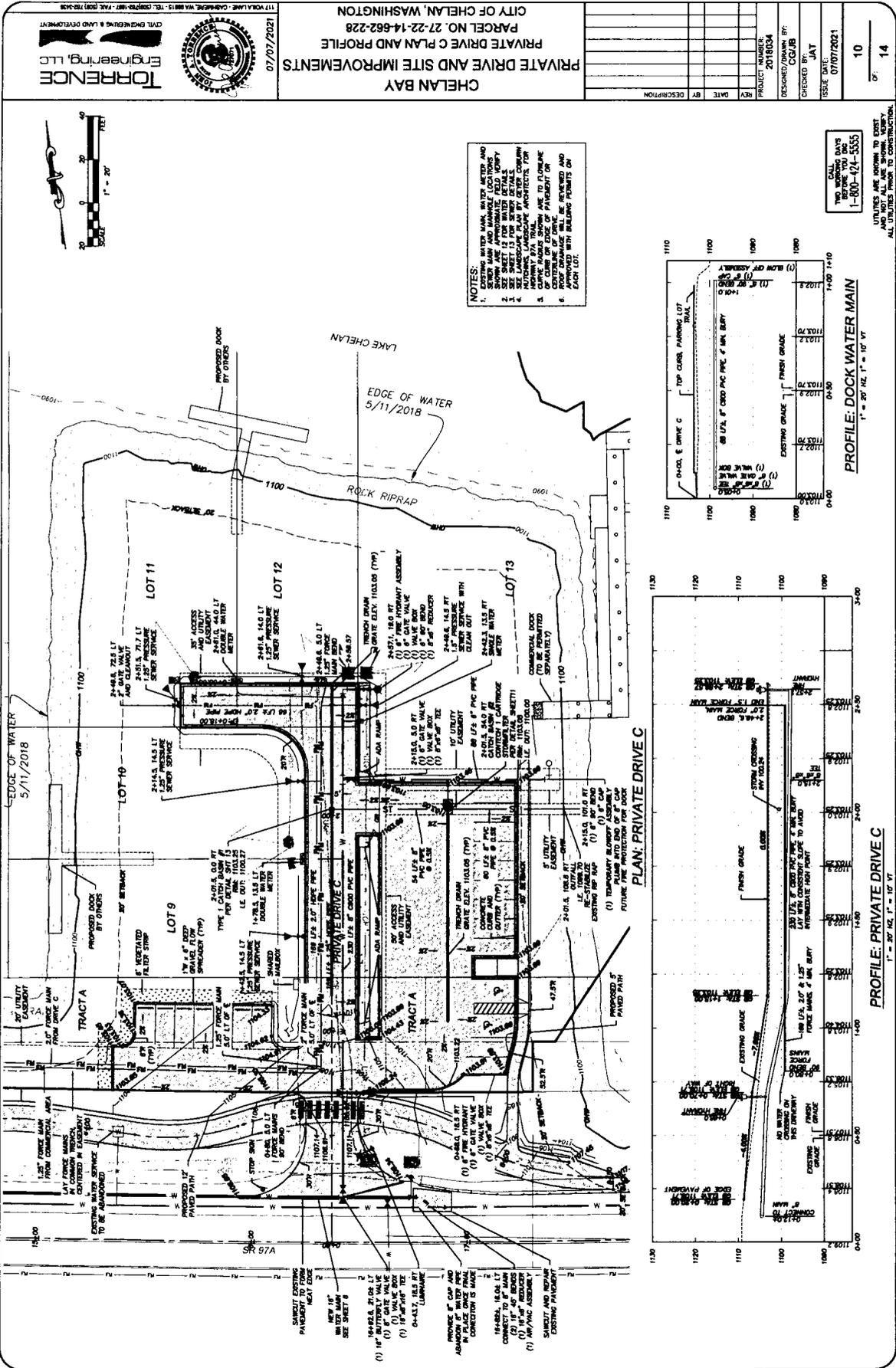
FILE: HIGHWAY 97A  
 1" = 50'  
 1-800-421-5555

UNITS ARE IN INCHES TO EIGHTS.  
 ALL UNITS SUBJECT TO CORRECTION.

















**EXHIBIT B**  
**(Municipal code requirements and specifications)**

**Maintenance and Operations Manual for Drainage Facilities  
For  
CHELAN BAY**

**City of Chelan, Washington**

**Prepared for:**  
**TRIPEN, INC**  
135 N. Wenatchee, Avenue  
Wenatchee, WA 98801

**Project Site Location**  
W. Woodin Avenue, Chelan, WA 98816

**Prepared By**  
**Torrence Engineering, LLC**  
117 Voila Lane  
Cashmere, WA 98815  
(509) 782--1897

February 8, 2022

### **Project Information**

<b>Site Address:</b>	W. Woodin Avenue, Chelan, WA 98816
<b>Developer Address:</b>	135 N. Wenatchee, Avenue, Wenatchee, WA 98801
<b>Tax Parcel Numbers:</b>	272214662228
<b>Ownership/Maintenance:</b>	Chelan Bay Homeowners Association

### **Purpose**

This document is intended to provide guidance to ensure that the private on-site stormwater systems remain functional. The inspection, maintenance, and repair of the system components listed below are the responsibility of the Chelan Bay Homeowners Association (HOA). Long-term maintenance shall be performed as described hereinafter.

### **System Description**

The proposed stormwater controls consist of both public and private systems. The public system is composed of Vegetated Filter Strip (BMP T5.50) along the north side of the public pedestrian trail on Highway 97A's right of way and vegetated filter strip (BMP T5.50) on the trail's public parking on Tract A. The private stormwater system consists of Vegetated Filter Strips (BMP T5.50) for the private shared driveways to the western two fingers and a catch basin and trench drain collecting stormwater from the eastern finger's shared driveway and commercial site parking lot and routing it to an Stormfilter for treatment and eventually discharge into Lake Chelan. Additionally, each lot will collect roof runoff and route it to infiltration trenches (BMP T5.20) at each lot for runoff control.

Maintenance of the stormwater system along the shared driveways, public trails and parking lots will be the responsibility of the Chelan Bay Homeowners Association. Each Lot owner is responsible for maintenance and repairs if any to their individual onsite stormwater system. The HOA will regularly inspect and maintain as required, while keeping an inspection and maintenance log record, as well as a Source Control Plan for residential subdivisions per Table 8.1 of the 2019 Stormwater Management Manual for Eastern Washington (including, but not limited to BMPs, S440E, S441E and S442E).

The owner(s) and subsequent owner(s) of the commercial site will be responsible for maintenance to the catch basin, trench drain, conveyance system and stormfilter on the eastern finger's shared driveway and parking lot area.

Each of the above-listed components should be checked and a *written record of the inspections shall be kept by the Chelan Bay HOA.*

The following is a recommended inspection schedule.

1. Monthly from February through May.
2. Once in late summer (preferably in September).
3. After any major storm

**Inspection Tasks and Schedule**

These components should be inspected at least annually, preferably after a major rain event. Inspections shall use this report as well as the criteria from the latest Stormwater Management Manual for Eastern Washington (SWMMEW), as necessary. If it appears that the yard drains, catch basins, conveyance system, infiltration trench or gravel trench are not functioning properly it is recommended that the Chelan Bay HOA seek assistance from someone experienced with this type of investigation (Contractor, Engineer).

Damaged or nonfunctioning components shall be repaired in a timely manner. The size, placement, and composition of stormwater components may not be altered without written approval from the governing jurisdiction.

**Recommended Maintenance Criteria**

Maintenance Requirements should follow the latest SWMMEW. The following Tables are intended as a guidance tool for inspection, and not necessarily specific instructions.

- **Vegetated Filter Strips –**  
Maintenance of the stormwater system along the shared driveways, public trails and parking lots will be the responsibility of the Chelan Bay Homeowners Association

See Table Below 5.44 of the 2019 SWMMEW Below for maintenance requirements.

**Table 5.44: Maintenance Criteria for Vegetated Filter Strips**

Maintenance Component	Defect or Problem	Condition When Maintenance Is Needed	Recommended Maintenance to Correct Problem
General	Sediment Accumulation non Grass	Sediment depth > 2 inches.	Remove sediment deposits, relevel so slope is even and flows pass evenly through strip.
	Vegetation	When the grass becomes excessively tall (> 10 inches); when nuisance weeds and other vegetation starts to takeover.	Mow grass, control nuisance vegetation, such that flow not impeded. Grass should be mowed to a height between 3 to 4 inches.
	Trash and Debris Accumulation	Trash and debris accumulated on the filter strip.	Remove trash and debris from filter.
	Erosion/ Scouring	Eroded or scoured areas due to flow channelization, or higher flows.	For ruts or bare areas < 12 inches wide, repair the damaged area by filling with crushed gravel. The grass will creep in over the rock in time. If bare areas are large, generally > 12 inches wide, the filter strip should be regraded and reseeded. For smaller bare areas, overseed when bare spots are evident.
	Flow Spreader	Flow spreader uneven or clogged so that flows are not uniformly distributed through entire filter width.	Level the spreader and clean so that flows are spread evenly over entire filter width.

- **Catch Basins & Trench Drain –**

Catch basin and trench drain within the east finger is the responsibility of the commercial lot owner(s) and subsequent owner(s). Catch basins should be inspected at least annually and preferably after a large rain event. Check for and clean any accumulated sediment or materials that have collected inside the catch basins.

**Table 5.40: Maintenance Criteria for Catch Basins**

Maintenance Component	Defect	Conditions When Maintenance Is Needed	Results Expected When Maintenance Is Performed
General	Trash and Debris	Trash or debris that is located immediately in front of the catch basin opening or is blocking inletting capacity of the basin by > 10%.	No trash or debris located immediately in front of catch basin or on grate opening.
		Trash or debris (in the basin) > 60% of the sump depth as measured from the bottom of basin to invert of the lowest pipe into or out of the basin, but in no case < 6 inches clearance	No trash or debris in the catch basin.
		Trash or debris in any inlet or outlet pipe blocking > one-third of its height.	Inlet and outlet pipes free of trash or debris.
	Sediment	Dead animals or vegetation that could generate odors that could cause complaints or dangerous gases (e.g., methane).	No dead animals or vegetation present within the catch basin.
		Sediment (in the basin) > 60% of the sump depth as measured from the bottom of basin to invert of the lowest pipe into or out of the basin, but in no case < 6 inches clearance from the sediment surface to the invert of the lowest pipe.	No sediment in the catch basin
	Structure Damage to Frame and/or Top Slab	Top slab has holes > 2 square inches or cracks > 0.25 inches (Intent is to make sure no material is running into basin).	Top slab is free of holes and cracks.
		Frame not sitting flush on top slab, i.e., separation of > 0.75 inches of the frame from the top slab. Frame not securely attached	Frame is sitting flush on the riser rings or top slab and firmly attached.
	Fractures or Cracks in Basin Walls/Bottom	Maintenance person judges that structure is unsound.	Basin replaced or repaired to design standards.
	Fractures or Cracks in Basin Walls/Bottom (cont'd)	Grout fillet has separated or cracked > 0.5 inches and > 1 foot at the joint of any inlet/outlet pipe or any evidence of soil particles entering catch basin through cracks.	Pipe is regouted and secure at basin wall.
	Settlement/ Misalignment	If failure of basin has created a safety, function, or design	Basin replaced or repaired to design
	Vegetation	Vegetation growing across and blocking > 10% of the basin	No vegetation blocking opening to
		Vegetation growing in inlet/outlet pipe joints that is > 6 inches	No vegetation or root growth present.
	Contamination and	See "Wetponds"	No pollution present.
Catch Basin Cover	Cover Not in Place	Cover is missing or only partially in place. Any open catch basin	Catch basin cover is closed
	Locking Mechanism Not Working	Mechanism cannot be opened by one maintenance person with proper tools. Bolts into frame have < 0.5 inches of thread.	Mechanism opens with proper tools.
	Cover Difficult to Remove	One maintenance person cannot remove lid after applying normal lifting pressure.	Cover can be removed by one maintenance person.
Ladder	Ladder Rungs Unsafe	Ladder is unsafe due to missing rungs, not securely attached to basin wall, misalignment, rust, cracks, or sharp edges.	Ladder meets design standards and allows maintenance person safe
Metal Grates (if Applicable)	Grate opening Unsafe	Grate with opening > 0.875 inches.	Grate opening meets design standards.
	Trash and Debris	Trash and debris that is blocking > 20% of grate surface	Grate free of trash and debris.
	Damaged or Missing	Grate missing or broken member(s) of the grate.	Grate is in place and meets design

- **Stormfilter –**

Maintenance of the Stormfilter shall follow manufacture’s maintenance plan. Inspect periodically and contact distributor for a maintenance plan.

- **Infiltration Trenches –**

Each Lot owner is responsible for maintenance and repairs if any to their individual onsite stormwater system. The infiltration trenches should be inspected semi-annually and preferably after a large rain event.

**Table 5.37: Maintenance Criteria for Bioinfiltration/Infiltration Trenches/Basins**

Maintenance Component	Defect	Conditions When Maintenance is Needed	Results Expected When Maintenance is Performed
General	Trash and Debris	Any trash and debris > 5 cubic feet (cf) per 1,000 square feet (sf). (This is about equal to the amount of trash it would take to fill up one standard size garbage can). In general, there should be no visual evidence of dumping. If less than threshold, all trash and debris will be removed as part of next scheduled maintenance.	Trash and debris cleared from site.
	Poisonous/ Noxious Vegetation	Any poisonous or nuisance vegetation that may constitute a hazard to maintenance personnel or the public. Any evidence of noxious weeds as defined by state or local regulations. (Apply requirements of adopted integrated pest management policies for the use of herbicides).	No danger of poisonous vegetation where maintenance personnel or the public might normally be. (Coordinate with local health department). Complete eradication of noxious weeds may not be possible. Compliance with state or local eradication policies required.
	Contaminants and Pollution	Any evidence of oil, gasoline, contaminants or other pollutants (Coordinate removal/cleanup with local water quality response agency).	No contaminants or pollutants present.
	Rodent Holes	Any evidence of rodent holes if wetpond is acting as a dam or berm, or any evidence of water piping through dam or berm via rodent holes.	Rodents destroyed and dam or berm repaired. (Coordinate with local health department; coordinate with the Washington State Department of Ecology Dam Safety Office if pond ≥ 10 acre-feet.)
Storage Area	Sediment	Water ponding in infiltration pond after rainfall ceases and appropriate time allowed for infiltration. (A percolation test pit or test of BMP indicates BMP is only working at 90% of its designed capabilities. If ≥ 2 inches of sediment is present, remove).	Sediment is removed and/or BMP is cleaned so that infiltration system works according to design.
Rock Filters	Sediment and Debris	By visual inspection, little or no water flows through filter during heavy rain storms.	Gravel in rock filter is replaced.
Side Slopes of Pond	Erosion	Erosion of the pond’s side slopes and/or scouring of the pond bottom > 6 inches, or where continued erosion is prevalent.	Slopes stabilized using proper erosion control measures and repair methods.
Emergency Overflow Spillway and Berms Over 4 Feet in Height	Tree Growth	Tree growth on emergency spillways creates blockage problems and may cause failure of the berm due to uncontrolled overtopping. Tree growth on berms > 4 feet in height may lead to piping through the berm, which could lead to failure of the berm.	Trees should be removed. If root system is small (base < 4 inches) the root system may be left in place. Otherwise the roots should be removed and the berm restored. A licensed engineer in the state of Washington should be consulted for proper berm/spillway restoration.
	Piping	Discernible water flow through pond berm. Ongoing erosion with potential for erosion to continue. (Recommend a licensed engineer in the state of Washington with geotechnical expertise be called in to inspect and evaluate condition and recommend repair of condition.)	Piping eliminated. Erosion potential resolved.
Emergency Overflow Spillway	Rock Missing	Only one layer of rock exists above native soil in area ≥ 5 sf, or any exposure of native soil at the top of outflow path of spillway. (Riprap on inside slopes need not be replaced.)	Rocks and pad depth are restored to design standards.
	Erosion	Erosion of the pond’s side slopes and/or scouring of the pond bottom > 6 inches, or where continued erosion is prevalent.	Slopes stabilized using proper erosion control measures and repair methods.
Presettling Ponds and Vaults	BMP or Sump Filled With Sediment	6 inches or designed sediment trap depth of sediment.	Sediment is removed.

**Chelan Bay HOA**

**STORMWATER SYSTEM INSPECTION AND  
MAINTENACE LOG FORM**

Number of Sheets Attached: \_\_\_\_\_  
Date Inspected: \_\_\_\_\_  
Name of Inspector: \_\_\_\_\_  
Inspector's Signature: \_\_\_\_\_

<b>Component</b>	<b>Location</b>	<b>Maintenace Needed and Description</b>	<b>Maintenace Date (if any)</b>	<b>Notes and Comments</b>