



## Stormwater Easement & Maintenance Agreement Documentation Requirements and Checklist

The following shall be supplied by the property owner to the City. These submittals are required for City staff to prepare the required legal documents.

### To be supplied by Property Owner:

- Property Owner Name.
- Signatory Party Name **and** Title.
- Easement Area Legal Description (Word or text document format)
  - *The easement is required to be a minimum of 10 feet in width and shall extend from the structural stormwater BMP to the boundary of the parcel and terminate at said boundary at a location providing for **reasonable access** (e.g. abut to existing approaches) from the adjoining public right-of-way onto the easement.*
  - *The easement shall be a minimum of 10 feet in width from the edge of the structural stormwater BMP and include all pre-treatment BMPs (e.g. sumps). In the case of surface ponding BMP's, the easement shall be a minimum of 10 feet in width from the Normal High Water Level.*
- 11 x 17 Map with easement area location and written easement legal description.
- Maintenance Plan for each type of structural stormwater treatment practice;
  - Guidance: <http://fairmont.org/construction-site-information/>
- The City will obtain Owners & Encumbrance Report to verify owner information and mortgage information.

Upon submittal of required documentation:

- City's Legal Department will prepare documents. Documents will be sent to the property owner for signatures and required return date.
- Payment for recording documents will be requested; the amount will be provided by the City.
- Upon receipt of returned document(s) and payment, City staff will forward the documents to the County for recording.
- Copy of recorded documents will be sent to owner by City.

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#### *City of Fairmont*

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