



Clarification of Private Drainage Easement and Maintenance

Statement of Purpose:

The purpose of this clarification is to define who, the homeowner or Providence Manor Home Owners Association (PMHOA), is responsible for various types of maintenance on all Providence Manor private drainage easements as shown on the plat maps. These easements are required to handle huge volumes of water that may occur during 100-year rainfalls as defined by state and local codes. Approximately 80% of the lots within Providence Manor have one of these easements.

Definition:

Private drainage easements, natural or created, are drainage areas that are required to handle large volumes of water during heavy rainfalls. These areas are usually depressed areas along the perimeter of the lot upon which no structures or obstructions may be erected in accordance with the deed. The retention basins are designed to retain water and discharge it at a rate no greater than area would have prior to the development of the land. The basin consists of a man-made earthen dam, inlets, and discharge pipe.

Where Recorded:

Each easement appears on the individual deed and/or plat maps recorded with Butler County.

Limitations and Use:

No permanent structures may be erected upon the drainage easements with the exception of recreational structures such as swing sets, moveable basketball hoops, etc. Storage sheds, temporary or permanent, may not be erected on these easements. Trees may not be planted within easements. Firewood may not be stored within the easement boundaries.

Types of Maintenance:

Pipes: Underground drainage pipes that are part of the 100-year flood drainage design, such as including the exit pipes from the retention basins.

Structures: In this case are defined as earthen dams that form the retention basins.

Erosion: May be divided into two types. Surface erosion caused by water running across the surface of the ground. Subsurface erosion caused by water following through underground waterways. It is possible for subsurface erosion to occur in the retention basin around the exit pipe.

Mowing: There are two types of areas to be mowed. They are retention basins and surface drainage areas.

Debris Removal: Removal of natural or man-made debris that will impede the drainage of water in the easement as originally intended by the engineer's design.

Policy for Maintenance Responsibilities:

Pipes: Pipes larger than 6" in diameter will be maintained by PMHOA or the county.

Structures: All earthen dams will be structurally maintained by PMHOA (as required by 6.2.3 of the Covenants) or the county.

Erosion: Surface erosion control is the responsibility of the homeowner upon which lot the erosion occurs. Surface erosion includes the discharge areas adjacent to underground drainage pipes. Subsurface erosion, relating to all retention basins within Providence Manor, will be repaired by PMHOA.

Mowing: The individual homeowners are responsible for mowing the drainage easements areas within the perimeter of their lots. PMHOA is responsible for mowing the basin at the bottom of Wethersfield Drive owned by PMHOA.

Debris Removal: Individual homeowners are responsible for removing all accumulated debris from easements within the perimeter of their individual lots. Debris must be removed as not to alter the designed functions of the easement. PMHOA is responsible for removing all accumulated debris from retention basins and dams.

▲ indicates the approximate locations of retention basins and dams in Providence Manor

