



Memorandum of Drainage Control (MDC)

INSTRUCTIONS AND FORM

Why is an mdc required?

The primary purpose of the MDC is to notify current and future property owners of required drainage control systems installed on their property, because they must maintain these systems in accordance with city code. The MDC also grants the City of Seattle the ongoing right to enter the property and inspect the systems to ensure they are functional. See Seattle Municipal Code (SMC) Section 22.807.020.B.1.d. The signed MDC is filed and kept on record at the King County Recorder's Office so that information about the drainage control system and the continuing obligation to operate and maintain it is properly disclosed to subsequent owners during a real estate transaction.

The recorded MDC is required prior to Side Sewer Permit issuance.

Step 1: Fill out the relevant sections completely per directions starting on instruction page 2.

- Do not write within the one-inch border.
- Font size must be at least 8-point.
- Documents must be single sided.

Step 2: Have the Grantors/Owners sign and notarize the MDC per instructions page 3

Step 3: Have the signed and notarized MDC recorded with the King County Recorder's Office.

Step 4: Upload a PDF copy of the recorded MDC when applying for a Side Sewer Permit through the Seattle Services Portal.

Side sewer permit approval will not occur until the recorded MDC has been uploaded.

Do you have questions about completing the mdc?

Contact information for City of Seattle Side Sewer Permitting: SideSewerInfo@Seattle.gov

Do you have questions about the notarizing and recording process?

Contact information for the King County Recorder's Office:

King Street Center
201 Jackson St., Suite 204
Seattle, WA 98104
KCROCust@kingcounty.gov
206-477-6620

Please refer to King County's "[Standard Formatting Requirements for Recording Documents](#)" for more information.

King County Website: [Record a document - King County, Washington](#)

Instructions For Completing the MDC Form

Note: The MDC form is located at the end of this instruction document.

- Pg. 1 **When Recorded, Return to** - List the address where King County should mail the document after it is recorded. This is typically the Owner's address.
- Pg. 1 **Grantor** - List the name(s) of all record owners of the parcel(s) where the drainage system is located. List one name per numbered line. If you need more lines, mark the box and attach another page with the names of the additional owners. Number the additional attached page(s) as the last page(s) of the document. On the first page fill in the number of the page(s) on which the additional names of the Owners/Grantors are listed.
- Pg. 1 **Complete Legal Description** - Fill in the complete legal description of the property that is covered by the MDC for the scope of work under the related SDCI construction permit.
- Pg. 1 **Assessor's Tax Parcel ID NO(S)** - Fill in the tax parcel number(s) as shown on the tax assessors' statements for all of the properties described above.
- Pg. 1 **Permit Street Address** - Use the exact address(es) used on the SDCI construction permit.
- Pg. 1 **Grantor's Address** - Fill in the mailing address for the Grantor(s).
- Pg. 1 **Additional Legal Description on Exhibit __** - If you need additional space for your legal description, attach it to the MDC and identify the additional page number.
- Pg. 2 **Permit #** - Fill in the SDCI construction permit number (not the pre-application number) that is associated with the approved drainage control system.
- Pg. 2 **The following Exhibits are attached** - Check the box for the exhibits you have included:

Exhibit A:

Stormwater Facilities Summary Sheet: Required for all projects with required stormwater facilities. This Exhibit includes the stormwater drainage facilities being constructed to meet the requirements of the Stormwater Code.

Exhibit B:

Structural Source Control Summary Sheet: Only applicable to projects with Structural Source Control requirements (See Exhibit B to determine if Structural Source Control is required).

Exhibit __:

Additional Legal Description: Attach this Exhibit if the legal description did not fit on page 1. This will be Exhibit B or C, depending on which other Exhibits are required to be included.

Check the appropriate boxes above and attach the completed Exhibits after the notarized signature page.

Signatures, Acknowledgements and Notary Pages

Each record owner of the property covered by the MDC must complete the appropriate signature page and have a licensed public notary notarize the signature(s).

Owners (who are not Entity Owners):

- For each owner who is an individual, the owner must complete one of the signature blocks on the signature page marked “Individual.”
- There are two signature blocks per page; if there are more than two individual owners, print out and/or add and complete additional pages as needed.
- Number any additional pages to follow consecutively after the first signature page.
- Print the owner’s name and complete address on the lines labeled “Printed Name” and “Address.”
- Have each owner signing appear before a notary, and have the notary complete the notary block and notarize the document.
- Add the appropriate page number to the notary page(s).

Entity Owners:

- If any of the owners are entities rather than individuals, those owners must complete a signature block on the signature page entitled “CORPORATE, PARTNERSHIP, LIMITED LIABILITY COMPANY OR OTHER LEGAL ENTITY OWNER.”
- Each entity owner must complete a signature block. There are two signature blocks per page; if there are more than two entity owners, print out and complete additional pages as needed. Number the additional pages to follow consecutively after the first entity signature page.
- For each entity owner, enter the date the document is signed on the Date line and the name of the entity owner on the signature line.
- Print the name of the entity owner on the “Printed Name” line.
- Fill in the address of the entity owner above the Address line.
- The person signing on behalf of the owner should sign the line following “By:”
- Print that person’s name on the line labeled “Printed Name.”
- After “Its” indicate the title/authority of the person signing the document on behalf of the entity.
- Have each representative signing appear before a notary, and have the notary complete the notary block and notarize the document.
- Add the appropriate page number to the notary page.

Email SideSewerInfo@Seattle.gov for assistance completing the MDC.

When recorded, Return to:

Memorandum of Drainage Control

Grantor 1 _____
2 _____
3 _____

Additional Owners/Grantors on page

Grantee: The City of Seattle

Property (complete legal description):

Additional Legal Description in Exhibit No.

Property Street Address _____

SDCI Construction Permit Number: _____

Grantor's Address: _____

Assessor's tax parcel id no(s): _____

Email SideSewerInfo@Seattle.gov for assistance in finding a copy of the approved drainage control plan and as-built record drawing. Maintenance requirements for Stormwater Facility Best Management Practices (BMPs) can be found in the City of Seattle Stormwater Manual, available on the City of Seattle Stormwater Code website.

This Memorandum of Drainage Control (“MDC”) is executed in favor of the City of Seattle (“City”) by the undersigned owner(s) (“Grantor”) of the real property described above (the “Property”), situated in the City of Seattle, King County, State of Washington.

In consideration of the City’s granting a permit (“Permit”) for the drainage system proposed by Grantor on the Property, and for the City’s allowing the connection thereof, if any, to the City’s drainage system, Grantor hereby agrees and covenants, pursuant to SMC 22.807.020, as follows:

The approved Drainage Control Plan for the above referenced SDCI permit number governs the use and maintenance of the drainage system for the Property. All components of the drainage system shown on the approved Drainage Control Plan or any approved revision of the Drainage Control Plan are subject to this Covenant.

WHEREAS; the drainage control facilities, approved and required by the Permit, are the material terms of the Property’s Drainage Control Plan, which is documented in the Drainage Control Plan drawing(s), as may be amended by the construction as-built record drawing(s) on file with the City of Seattle.

This Drainage Control Plan has Stormwater Facilities required to meet certain requirements of the Stormwater Code.

The following attached Exhibits provide a summary of the required Stormwater Facilities on the approved Drainage Control Plan:

Exhibit A Required Stormwater Facilities Summary Sheet

Exhibit B Required Structural Source Control Summary Sheet

Exhibit XX Additional Legal Description

NOW THEREFORE; Grantor, on behalf of Grantor and Grantor's heirs, successors and assigns, agrees to the following and hereby creates a covenant running with the land that shall be binding upon all parties having any right, title, or interest in the Property:

Grantor, on behalf of Grantor and Grantor's heirs, successors and assigns, agrees to and shall

(1) inspect and maintain the above described drainage system in accordance with the provisions of Seattle Municipal Code (SMC) Chapters 22.800 – 22.808 and any other Code provisions applicable to the facilities, as now and hereafter in effect or amended;

(2) implement the terms of the drainage control plan required by the SMC; and

(3) inform all future purchasers, successors and assigns of the existence of the drainage control facilities and other elements of the drainage control plan, the limitations of the drainage system, and of the requirement for the facilities' continued inspection and maintenance (recording of this MDC in the King County real property records as required herein shall satisfy this obligation).; and

It is the intent of the Parties that this Agreement and the rights, obligations, and covenants set forth herein are not mere personal covenants of the Grantor, but shall be and are covenants running with the Property and encumbering the Property, and shall be binding upon the Grantor's successors in title while such persons have a right of possession of the Property.; and

Grantor, on behalf of Grantor and Grantor's heirs, successors and assigns, hereby grants the City of Seattle, and its authorized agents or employees, permission and right of entry to enter onto the Property at any time for the purposes of inspecting, monitoring, correcting or abating any conditions related to the Property's Drainage Control Plan or drainage control facilities, or any other purpose related to the enforcement of Chapters SMC 22.800 – 22.808 or any other SMC provision applicable to drainage control, as now and hereafter in effect; and

Grantor, on behalf of Grantor and Grantor's heirs, successors and assigns, (1) agrees and acknowledges that the City is not responsible for the adequacy or performance of the drainage control plan or the drainage control facilities, (2) agrees to accept any and all risks of harm, loss, or damage related to the Drainage Control Plan or the drainage control facilities and (3) hereby waives and releases any right to assert any and all present and future claims against the City, whether known or unknown, for any harm, loss or damage occurring either on or off the Property, related to the Drainage Control Plan, the drainage control facilities, or drainage or erosion on the Property, except only for such harm, damages and losses that directly result from the sole gross negligence of the City.

This Memorandum of Drainage Control shall be recorded in the real estate records of the Office of Records and Elections of King County, Washington. The provisions of this MDC are severable. If any provision of this MDC is held invalid by a court of jurisdiction, the remainder of the Memorandum is not affected.

Signatures, Acknowledgements and Notary Individual
Print the page below for notary (attach more pages if needed)

<p>_____</p> <p>Date</p> <p>_____</p> <p>Owner/Grantor</p> <p>_____</p> <p>Printed Name</p> <p>_____</p> <p>Address</p> <p>_____</p> <p>Address</p>	<p>State of Washington</p> <p>County of _____</p> <p>I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.</p> <p>Date _____</p> <p>Notary public in and for the State of Washington</p> <p>Residing at _____</p> <p>My Commission Expires _____</p> <p>Print Name _____</p> <p>Notary Seal:</p>
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<p>_____</p> <p>Date</p> <p>_____</p> <p>Owner/Grantor</p> <p>_____</p> <p>Printed Name</p> <p>_____</p> <p>Address</p> <p>_____</p> <p>Address</p>	<p>State of Washington</p> <p>County of _____</p> <p>I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.</p> <p>Date _____</p> <p>Notary public in and for the State of Washington</p> <p>Residing at _____</p> <p>My Commission Expires _____</p> <p>Print Name _____</p> <p>Notary Seal:</p>
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**Corporate Owner, Partnership Owner, Limited Liability Company Owner/
Other Legal Entity Owner**

Print the page below for notary (attach more pages if needed)

Date

Owner/Grantor

Printed Name

Address

Address

By

Printed Name

State of Washington

County of _____

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the _____ (type of authority, e.g., partner, trustee, title of officer, personal representative, guardian, attorney in fact for a principal, etc.) of _____ (name of owner/entity on behalf of whom instrument was executed), to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date _____

Notary public in and for the State of Washington

Residing at _____

My Commission Expires _____

Print Name _____

Notary Seal:

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Exhibit A: Required Stormwater Facilities Summary Sheet

Drainage Devices (select all that apply):

Pump(s)

Catch Basin(s)

Other _____

Approved Stormwater Facilities per your SDCI Approved Construction Permit (select all that apply):

Full Dispersion

Infiltration Trench

Drywell

Rain Garden

Infiltrating Bioretention

Permeable Pavement Facilities

Permeable Pavement Surfaces

Sidewalk/Trail Compost-Amended Strip

Sheet Flow Dispersion

Concentrated Flow Dispersion

Splashblock Downspout Dispersion

Trench Downspout Dispersion

Non-infiltrating Bioretention

Rainwater Harvesting

Vegetated Roof

Perforated Stub-out Connection

Single-family Residential Cistern

Tree Planting / Tree Retention

Proprietary Water Quality Treatment (e.g., Filterra, StormFilter, BayFilter)

Other (describe) _____

Other (describe) _____

Infiltration Basin

Infiltration Chamber

Detention Pond

Detention Pipe

Detention Vault / Chamber

Detention Cistern

Combined Detention and Wet Pond /Vault

Combined Detention and Stormwater Wetland

Biofiltration Swale

Filter Strip

Media Filter Drain

Sand Filter

Wet Pond / Vault

Stormwater Treatment Wetland

Oil / Water Separator

Email SideSewerInfo@Seattle.gov for assistance in finding a copy of the approved drainage control plan and as-built record drawing. Maintenance requirements for Stormwater Facility Best Management Practices (BMPs) can be found in the City of Seattle Stormwater Manual, available on the City of Seattle Stormwater Code website.

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Exhibit B: Structural Source Control Summary Sheet

Applies to the implementation of structural control BMPs for all businesses and public agencies with specific pollution-generating activities per SMC. Note: Additional stormwater source control BMPs may be required by the SMC or other legal authority.

Pollutant Structural Source Control Activities (Select all that are expected to apply)

The numbers in parentheses refer to the structural source control facilities (below) that typically apply to the activity.

BMP 4: Proper Storage of Solid Waste (3, 4)	BMP 21: Manufacturing Activities (1, 7)
BMP 8: Cleaning or Washing of Vehicles and Equipment (1, 4, 7)	BMP 22: Storage or Transfer of Leachable or Erodible Materials (1, 3, 5, 7)
BMP 9: Loading and Unloading of Liquid or Solid Material (3)	BMP 24: Recycling, Wrecking Yard, and Scrap Yard Operations (1, 3)
BMP 10: Fueling at Dedicated Stations (1, 2, 3, 5, 6, 8)	BMP 25: Portable Container Storage (1, 2, 5)
BMP 11: Maintenance and Repair of Vehicles and Equipment (1, 2, 5)	BMP 26: Storage of Liquids in Aboveground Tanks (2, 3, 7, 8)
BMP 13: Concrete and Asphalt Mixing and Production (1, 3, 7)	BMP 27: Lot Maintenance and Storage (8)
BMP 15: Manufacturing and Post-processing of Metal Products (1, 7)	BMP 35: Deicing and Anti-icing Operations for Airports and Streets (2, 7)
BMP 16: Processing and Storage of Treated Wood (1, 2, 3)	Combined Detention and Stormwater Wetland
BMP 17: Commercial Composting (7) Wood (1, 2, 3)	

Pollutant Structural Source Control Facilities (Select all that are expected to apply)

Cover (Roof, Awning, Canopy, Enclosure)	Containment Pad
Stormwater Exclusion/Diversion Controls - Berms, Dikes, Curbing	Connect Drains to Sanitary, Treatment, or Blind Sump
Pave and Slope towards Approved Drain	Wash Pad
Oil Removal System	Fixed Fueling Pad
Other (describe) _____	