



EFFECTIVE AS OF June 12, 2019

Severance, Colorado

Rural Acreage Homesite Design Guidelines AND NON-POTABLE WATER RULES
AND REGULATION

Vision

The neighborhood vision is to have a rural country lifestyle and feel. Home sites have extended front and side yard setbacks along with wide lot frontage widths. Homes will have a mix of architectural styles including country farmhouse, craftsman and prairie and shall include front porches. Compatible yet diverse designs, styles, colors and materials will be acceptable so that each home has its own unique yet complimentary character. Given the size of the lots, accessory buildings will be allowed, as long as they are similar to the home in design, colors and materials. Accessory buildings will be limited in square footage, height and location on the lots.

Architectural Review Board (ARB)

- a. The managing members will receive all submittals and make sure the submittal is complete and in an e-mailable form. They will also coordinate the meeting of the ARB, take detailed minutes of the meeting, and communicate in writing to the applicant the findings of the ARB. The managing members are non-voting members of the ARB.
- b. The ARB will be allowed to grant variances to guidelines and master approval based upon architectural merit or other redeeming qualities of the submittal. Variances do not change the overall guidelines.
- c. The ARB will be made up of managing members who are appointed by the METROPOLITAN DISTRICT Board of Directors and voting members that are appointed by the managing members. Voting members may not own a home or lot in Golden Eagle Acres and may not be involved in any way with the subject property being considered by the ARB.

General: The following is an alphabetical list of a wide variety of specific types of improvements which homeowners and builders typically consider installing, with pertinent information to each, or procedures that must be followed in order to complete the construction process. Unless otherwise specifically stated, drawings or plans for a proposed improvement must be submitted to the Architectural Review Board (ARB) and written approval from the ARB is required. These guidelines can be changed from time to time, as allowed in the covenants of this subdivision. **ALWAYS BE SURE YOU HAVE OBTAINED AND READ THE MOST RECENT EDITION OF THE ARCHITECTURAL GUIDELINES. THESE GUIDELINES ARE ADOPTED PURSUANT TO THE DECLARATION OF COVENANTS FOR GOLDEN EAGLE ACRES. ALL OWNERS AND BUILDERS SHOULD REFER TO THE DECLARATION IN ADDITION TO THESE GUIDELINES.**

Additions and Expansions:

- ARB approval is required. Additions or expansions to homes will require submissions of detailed plans and specifications.

Accessory Buildings:

- Accessory buildings shall be limited to two (2) total buildings and can include a detached garage, shop, hobby space or a smaller outbuilding for the storage of lawn furniture, yard equipment, gardening equipment, and similar type items. Both buildings must be well constructed and neat in appearance. The size, design, and location of such a structure must be approved by the ARC. Any approved accessory buildings shall be located at least fifty feet (50') from the back-lot line, twenty feet (20') from the side yard and at least twenty feet (20') recessed from the homes front setback. The larger of the two buildings shall not exceed fifteen hundred (1500) square feet in area or height of thirty feet (30') in height. The smaller building shall not exceed more than one hundred and twenty (120) square feet in size and a maximum of 14' in height. All accessory buildings must be similar and complementary to the primary homes design and colors. (metal has been approved as of May 22, 2019)

Animals:

Given all the lots are greater than one acre the expanded allowance of small farm animals is acceptable as long as additional precautions are made to assure that these animals do not affect the owner's neighbors or the farm and horse properties that are adjacent to this neighborhood.

It is important that the homeowner keep all animals under control and within their lot. An owner is expected to reasonably do what is necessary to keep the noise and smells from their animals from negatively impacting the neighborhood or the neighboring properties.

Even though these are large lots, animals must be confined and managed thoughtfully. If animals were to enter a neighbor's yard or a neighboring farm or horse property, then damage could occur to property and harm could be caused to the neighbor's animals and children.

- Household pets are defined as dogs and cats. No more than 3 dogs or 3 cats with a total number of 4 household pets will be allowed.
- Small farm animals include chickens, goats and sheep.
- Swine may be approved by the ARB based on size and type.
- The homeowner must submit to the ARC and receive approval from the ARC of a small farm animal care plan that addresses fencing, grazing, manure management and method of confinement.
 - Up to 6 chickens per household may be allowed. The Town of Severance also requires that the homeowner obtain written approval from the Town regarding chickens living on the property. Roosters will not be allowed on any lot in Golden Eagle Acres. The homeowner must submit an animal care plan that addresses fencing, grazing and method of confinement.
 - Two goats or two sheep may be allowed. Other similar sized 4H animals can be approved by the board. If a homeowner chooses to have any hobby livestock on a homesite the following conditions must be met.

- The submittal form required for receiving approval for an owner to have small farm animals is available from the ARC. The Submittal will need to address the following:
 1. **Fencing & Gates:** Wood post fencing with smooth wires is allowed, no barbed wire is permitted. Gates will be wood.
 2. **Lighting:** Lighting shall not interfere with other property owners.
 3. **Maintenance of Pasture:** Pastures shall be maintained and have a vegetated ground cover
 4. **Treatment of Manure:** Manure may be used for compost fertilizer and spread over pastures; otherwise, all manure shall be removed from any property monthly. Manure cannot be stored or piled in an area within 20' of a property line and cannot exceed more than 3 yards in size.
 5. **Storage of Feed and Equipment:** All feed being stored on the property shall be screened from view and at least 20' from the back or side property line. All trailers and other equipment shall be stored inside an outbuilding.
- Residents shall not maintain any kennel or animal boarding facility and shall be required to comply with the Town ordinances regarding the limitations on numbers and types of animals.

Building Plans:

The review and plan submittal procedures have been written to accommodate the most complex conditions that may exist in the variety of development activities that may occur in Golden Eagle Acres. There will be cases where any of the step-by-step procedures will not have to be followed or certain listed submittal items may not be required. The managing members of the ARB should be consulted to determine what information will be required for review by the ARB prior to making the submission. EVERY SUBMITTAL SHOULD INCLUDE THE NAME, EMAIL ADDRESS, MAILING ADDRESS AND TELEPHONE NUMBER OF THE BUILDER.

- a. Submittal fee. A fee payable to the Golden Eagle Acres Metropolitan District must be paid with the submittal to the ARB. The fee for the original building is \$150.00.
- b. Clean Up Fee. All ARB submissions must be accompanied by a \$200.00 payment for a Clean-Up Fee. These funds will be used to maintain the overall appearance of the subdivision during the dwelling construction period i.e. keeping the open spaces, vacant lots still owned by the developer, etc. free from windblown construction debris and the like and the mowing of weeds. The maintenance of all other lots that are owned by builders and others will be the responsibility of the lot owner.
- c. Fee adjustments. The above fees are intended to cover the cost associated with staffing the ARB and keeping the community and surrounding open space free of trash. The ARB may need to increase the fees based upon the actual costs. All Golden Eagle Acres property owners will be given 30 days' notice of said fee increase prior to the increased fee taking effect.
- d. Construction Documents Submittal. All construction drawings must be approved by the ARB prior to the start of any construction. Construction drawings are required to be submitted to the ARB in electronic format. Scale for the drawings should be either $1/8'' = 1'$ or $1/4'' = 1'$. Construction drawings should include the following:
 - Roof plan, showing pitch, valleys, hips, materials and overhangs
 - Floor plan for each level of the home, showing main structures, accessory structures, including balconies, decks, and square footage of each floor within the main building, square footage of each accessory, and total square footage.
 - All exterior elevations showing materials, dimensions, final and original grade line, and finished floor elevations clearly indicated.
 - Sections, including finished grade, finished floor and maximum roof height.

- Applicant shall identify all exterior finishes with brand names, color names and numbers in electronic format. THE EXTERIOR FINISHES MUST BE PRESENTED FOR REVIEW BY THE ARB WITH THE SUBMITTAL OF CONSTRUCTION DRAWINGS PRIOR TO THE START OF CONSTRUCTION.
 - The ARB will attempt to respond to all submittals within seven calendar days from receipt of submittal, but in any event, no later than 30 calendar days from receipt of submittal.
- e. Site and grading plans. Are to be submitted with the construction drawings, and should be at a scale of not less than 1"=20' and should include the following:
- Legal description, north arrow, name, address, email address and telephone number of the current property owner.
 - Property lines
 - Building envelope dimensions with the location of the envelope established in relation to property lines, if applicable.
 - Drives, parking areas and walkways
 - Square footage of the building footprint, without any accessory structures
 - Location, elevations and square footage of any other improvements, such as swimming pools, patios and out buildings.
 - Reference to adjoining properties, streets, utility and other easements, drainage courses, arrows, and references to buildings on adjoining properties and their uses.
 - Top of foundation elevation and drainage plan as it relates to final development grade per engineering plans for development.
- f. Landscaping Plans. An additional \$50 must be paid to Golden Eagle Acres Metropolitan District with submission of landscaping plans. Landscaping plans may be submitted with the construction drawings which will eliminate the need for the additional \$50 fee. ARB approval must be obtained by the applicant prior to commencement of landscaping. Plans must depict fences, decks, sod, seeded areas, retaining walls, rocks, railroad ties, sprinkler system, sizes and species of nursery materials, and include a drainage and grading plan that coincides with the builder's. Builders and home owners will not alter the city approved drainage or grading plans.
- g. Review and Architectural Review Board Action. Following the review, the ARB will either:
- Approve the construction drawings in which case the applicant may proceed with construction.
 - Conditionally approve the construction drawings in which case the applicant must revise the plan to comply with the stated conditions and file the drawings with the ARB coordinator and receive written approval prior to beginning construction.
 - Disapprove the construction drawings, in which case the applicant will be required to re-submit new plans as requested by the ARB.
- h. Additional Submittals. There will be an additional \$50 charged for additional submittals to the ARB. For example, color charts or samples, plans for additions or exterior changes- or anything else missing from the original submittal.

Colors:

- A wide range of color schemes will be permitted including historical farmhouse color schemes, however the colors will need to be deemed appropriate and non-obtrusive by the ARC. Three exterior color samples must be submitted for approval, including body, trim and accent color. The submittal must also include a masonry sample. The same color combinations for body, trim and brick are not allowed on houses next to each other in either direction or across the street. All color schemes, including changes to color must be approved by the ARC.

Driveways:

- There shall be no extension or expansion of driveways without prior written approval of the ARB.
- All driveways and private lanes shall be constructed entirely of natural tone concrete surface, brick stamped concrete, brick or pavers from the entrance of the garage doors to the property line. Each driveway will have its own direct access to the road.
- Secondary access points on any lot will require ARB approval prior to installation.
- Any variance from this overall theme will need to have written approval from the ARB.

Dwelling Size:

- The dwelling space of a one-story home shall be a minimum of 1,500 square feet of finished above ground living space (exclusive of the garage) and 1,700 square feet a two-story dwelling.
- No building shall exceed 40 feet in height and no building shall exceed two stories and loft as viewed from the street side.
- Earth sheltered homes are not allowed and all dwellings must be constructed on site.

Exterior Elevations and Floor Plans (Monotony Section):

- The same floor plan with the same exterior elevation will not be allowed across the street or within two doors either side from a home that had been built or is being build. The same floor plan with different exterior elevations may be built across the street but not adjacent to a home that has been built or is being built.

**Fencing:**

- All perimeter lot line fencing shall be three-rail fencing and interior screen fencing can be installed on the interior building envelope.
- Interior fencing shall be solid cedar fencing and installed within the building envelope. The solid fence may be up to 6-feet high and be built using 1" X 6" dog-eared style fence. Such internal screened fencing can only be located on the building envelope and may extend only from the rear of the envelope to the center of the home
- Property line perimeter fencing must be a three-rail wood fence, 54" tall with 2 x 6 rails on 4 x 6 posts, and home owners may choose to put a black metal mesh type material on the inside of the fence.
- Any fences constructed on a Lot shall be maintained by the Owners of such Lot.

- Fencing must be setback a minimum of 5' from the front corners of the Dwelling Unit and garage constructed upon such Lot.
- Three-rail fencing is required to be installed and kept on the rear lot lines of Lots 1-30 and Lots 34-39 and the northern side yards of Lots 1 and 34.
- The stain color for all fencing will be Sherwin Williams SW3511 Cedar Bark or a matching cedar color from another manufacturer.
- No fence shall be erected, constructed, altered or maintained on a Lot without the prior approval of the ARC, considered on a case-by-case basis.

Fireplaces:

- If exterior chimney stacks are used, they must look "grounded" and supported by extending up from a foundation or by extending framing down from actual chase and as close to finished grade as possible. If a roof projecting flue is used, it is recommended that it be in an appropriate sized framed chimney stack or be located out of view.

Garages and Garage Doors:

- Each residence shall include an attached garage having space for no less than two automobiles. An additional garage may be constructed if approved by the ARC.
- Windows on the front elevation of the garage and the garage doors themselves to make them more visually appealing are preferred but not required.
- Quality built steel or better doors are preferred, insulated (not required), with a raised panel look or detailed(required). Higher grade insulated doors are suggested.
- Trim should be similar in design to other exterior doors or window trim.

Landscaping:

- Landscaping designs will have three zones and shall be in accordance in general with the attached Landscape Plans and illustrated typical lot layout. **All landscaping plans must be approved by the ARC.**
- In general, Zone #1 will be surrounding the home and feature trees, shrubs, flower beds and irrigated grass. Front yard landscaping shall be made up of sod, 3 trees of at least 2-inch caliper, five 5-gallon shrubs or bushes and ten 1-gallon perennials as illustrated in the typical lot layout.
- Zone #2 is generally located at the sides and rear of the lot and connects Zone #1 to the neighboring lot's Zone #2. The plantings will be a mix of irrigated native grasses, plants and trees.
- Zone #3 will be located in the back of the lots and be either a drought tolerant fescue or a native prairie grass and may also include trees and planting.
- Deciduous street trees must be planted 3 feet from the back edge of the curb every forty feet in addition to the 3 trees located in the front yard, location of street trees will be determined by the subdivision landscape plan. Said street trees will be provided by the developer, a "street tree certificate" shall be issued to each lot owner upon purchase of the lot. Each street tree certificate shall be lot specific regarding the type and location of each tree. The certificate shall be from a local landscaping company and will include the trees and installation of said trees at no additional cost to the home owner.
- All landscaping must be completed within 6 months after the certificate of occupancy has been issued. If the certificate of occupancy is issued between April 1 and October 1; if said certificate is not issued between such dates, then such landscaping shall be installed by such Owner by October 1 of the following season.

- It should be known that uncontrolled weeds will not be permitted. Neither the Town of Severance or Weld County allow unmaintained weed areas and will levy fines if the areas are not maintained.

Lighting:

- Exterior lighting shall be subdued, understated, and residential in nature.
- Area lighting shall be concealed light sources and shall be either all white or all pale yellow.
- In all cases excessive glare to the neighboring properties or bright continuous yard lighting shall be avoided.
- The approval of the exterior lighting design must be approved by the ARC.

Non-Potable Irrigation System:

- Property Owners living within the Golden Eagle Acres Subdivision or any of the Golden Eagle Acres Metropolitan Districts shall be required to utilize the Golden Eagle Acres Non-Potable Water System and abide by the Districts' Water Rules and Regulations which are attached to this document.

Outside Storage:

- Outside storage of boats and trailers will be allowed, the storage area must be screened from sight with approved fencing or landscaping and is subject to ARB approval.
- Recreational Vehicles and other objects that are too tall to be fully screened by approved fencing and landscaping must be stored inside an approved accessory building.

Porches and Balconies:

- Every home shall include a back patio/deck that is a minimum of one hundred twenty (120) square feet.
- Porches and balconies must be designed to enhance the overall architecture of the building by creating variety and detail on exterior elevations.

Roofs:

- All roof overhangs must have a 12-inch minimum. Major roof slopes shall be 4:12 pitch or greater.
- Flat roofs, mansard roofs, pseudo-mansard roofs, curvilinear roofs, and A-frame roofs are not allowed.
- The roofing material must be at least a premium architectural grade laminated shingle (3 tab is not allowed).

Satellite Dishes:

- Satellite dishes may not exceed 36 inches in diameter and may not be installed on the roof. They may be installed on the rear elevation, on the back corners, or on the side of the house under the peak of the gables away from public view.

Setbacks:

- The location of the home and accessory buildings must be submitted to the ARC on a site plan and approved by the ARC.
- Home setbacks:
 1. Front property line setbacks shall be 40 feet for homes that have a protruding garage.

2. Front property line setbacks shall be 30 feet for homes that have side load or recessed garages.
 3. Side property line setbacks shall be 20 feet for all homes.
 4. Back property line setbacks shall be 50 feet for all homes.
 5. Side property line setbacks shall be 30 feet for corner lots property lines that are adjacent to the street.
- Accessory Buildings Setbacks: Front property line shall be 50 feet, side property line shall be 20 feet, back property line shall be 30 feet, side property line shall be 30 feet for all corner lots and lots adjacent to the street.

Signs:

- ARB approval is required for all signs except temporary real estate “for sale” signs.
- Temporary signs, advertising property for sale which are not more than five square feet may be installed on the lot without ARB approval.
- All other signs, including address number and name plaque signs must be approved by the ARB.
- No lighted signs are permitted.

Skylights and Solar Collectors:

- When designing the location of skylights, consideration shall be given to the exterior appearance of the residence. Location shall also be coordinated and aligned with window and door locations.
- Solar collectors shall be integrated into the overall roof design, and shall be placed flush with the slope of the roof or wall of the building.

Solar Energy Devices:

- ARB approval is required for all passive and active solar systems. They must be designed to appear as if they are an integral part of the roof or be screened from view.

Temporary Structures:

- Temporary structures are not allowed unless approved by the ARB for construction and/or sales uses.

Walls and Siding:

- The front elevation of the house will have masonry facing of brick, stone or other similar masonry material equal to at least 30% of the total finished front facing wall area excluding roof, doors and windows. When a masonry facing comes to an outside corner it must be wrapped to the nearest inside corner or a minimum of two feet.
- Stucco or equal is an acceptable siding material however the corner and trim details must be shown in clear detail on the building plan elevations.
- Premium grade wood, Cementitious and strand board sidings are acceptable in combinations that create an interesting and appealing visual appearance including simulated shingles and the use of board and batt applications where the batts are 12 to 16 inches on center.
- Horizontal lap siding exposures (reveal) greater than 7” inches are not acceptable unless specifically approved in a combination with other lesser reveals.
- Exterior wall surfaces over the garage should be no longer than 25 feet in length without the introduction on a minimum 2-foot recess, 2-foot projection, or change in orientation.

- Two story exterior wall forms must be interrupted by minor roof forms or horizontal visual breaks or banding at each floor level. Changes in siding exposure/ material/ texture on upper levels and gable ends is required to the extent that the elevation is attractive and balanced
- Exposed concrete foundation walls between ground level and exterior wall siding shall be designed and constructed to expose a maximum of 12 inches. Foundation exposure over 12 inches shall be finished with approved siding or masonry materials. Side walls on sloping lots shall have frequent breaks in foundation elevation to keep exposed concrete to a minimum. The limitation does not apply when exposed foundations are covered with masonry veneer.
- Exterior House structure Lighting: Attractive and appropriately sized and spaced front elevation lighting is required.
- Exterior Trim shall include 4" window, garage door openings and corner trim, 8" garage door header and garage gable band trim.
- Fascia shall be a minimum of 8"
- Vinyl fascia, soffit and siding is not allowed
- **Minimum side elevation requirements.** No sidewall shall exceed 26 feet in length on any level of a home without including at least one (1) of the following in at least two (2) locations.
 1. Change in wall plane of at least six (6) inches
 2. Change in material or masonry pattern
 3. Change in roof plane
 4. Windows
 5. Doorways
 6. An equivalent element that subdivides the wall and provides architectural interest
- **Minimum rear elevation requirements.** Rear wall shall be articulated using at least one (1) of the following elements.
 1. Porches/ Decks
 2. Balconies
 3. Bay/ Bow Windows
 4. Change in roof plane

Vehicles:

- Only those vehicles, trailers, recreational vehicles, boats, and motorcycles in good running conditions, which are currently licensed and registered are permitted on the street or driveway of the property. Inoperable vehicles of any kind, as determined at the sole discretion of the ARC shall be towed immediately at the home owner's sole expense.

Windows and Doors:

- Windows and doors should be trimmed and painted the selected trim color. Window trim must be a minimum of 4 inches of wood trim on windows with a brick mold, or a minimum of 6 inches for windows that do not have a brick mold.

Livestock Management Plan AND Additional Site Design Guidelines & Requirements for Lots

62 and 63

- A. Outbuildings:** The large outbuildings may be increased to be a maximum of 3,000 square feet. The small outbuildings may be increased up to 600 square feet. All outbuildings will have a 50' minimum setback from any property line.
- B. Animals:** No more than one large animal per every 3 acres will be allowed. Approved large animals include: horses, cows, sheep, llamas, alpacas, goats and pigs. Other 4H animals can be approved by the board. Up to 12 chickens will be allowed per residence but no roosters are allowed.
- C. Fencing & Gates:** Wood post fencing with smooth wires is allowed, no barbed wire is permitted. Gates will be wood. Fencing that is contiguous to the rural lots or the internal streets must be the approved 3 rail fences. Fencing along the existing home sites and County Roads 74 and 27 may be 3 rail pole fence.
- D. Lighting:** Lighting shall not interfere with other property owners.
- E. Maintenance of Pasture:** Pastures shall be maintained with grass or crop cover and irrigation water.
- F. Treatment of Manure:** Manure may be used for compost fertilizer and spread over pastures; otherwise, all manure shall be removed from any property on a monthly basis.
- G. Storage of Feed and Equipment:** All feed being stored on the property shall be screened from view. All trailers and other equipment shall be stored inside an outbuilding.
- H.** Residents shall not maintain any kennel or animal boarding facility and shall be required to comply with the Town ordinances regarding the limitations on numbers and types of animals.
- I.** It should be known that uncontrolled weeds will not be permitted. Both the Town of Severance and Weld County do not allow unmaintained weed areas and will levy fines if the areas are not maintained.

Exhibit A- Approved Fencing and Color

FOR ALL FENCING ALONG PROPERTY LINES - Three-Rail Fencing ONLY

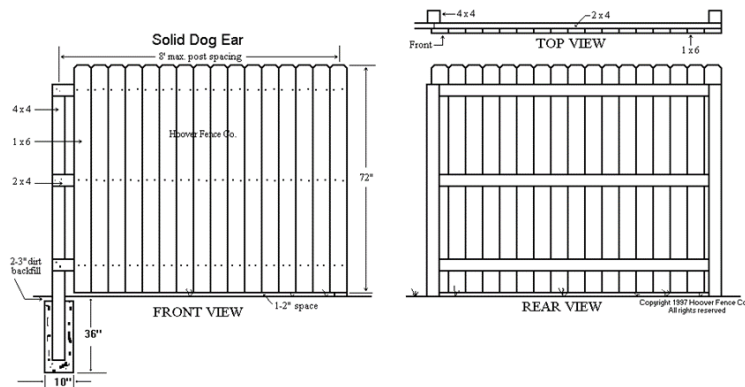


SW 3511 Cedar Bark

Exterior Semi-Transparent Stain

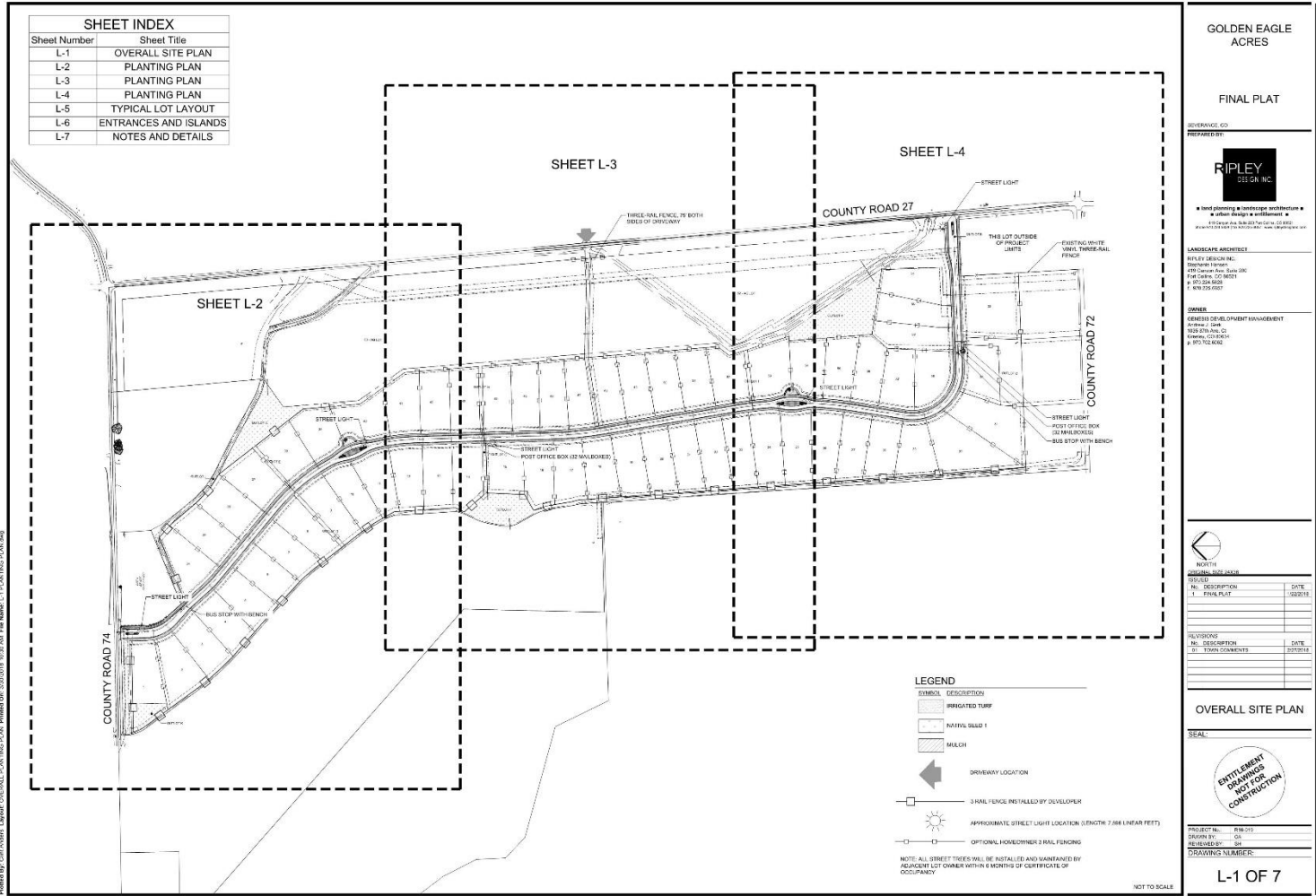
FOR ALL INTERIOR SCREENING CONSTRUCTED ON OR WITHIN BUILDING ENVELOPE

6' Dog Eared Cedar Fencing

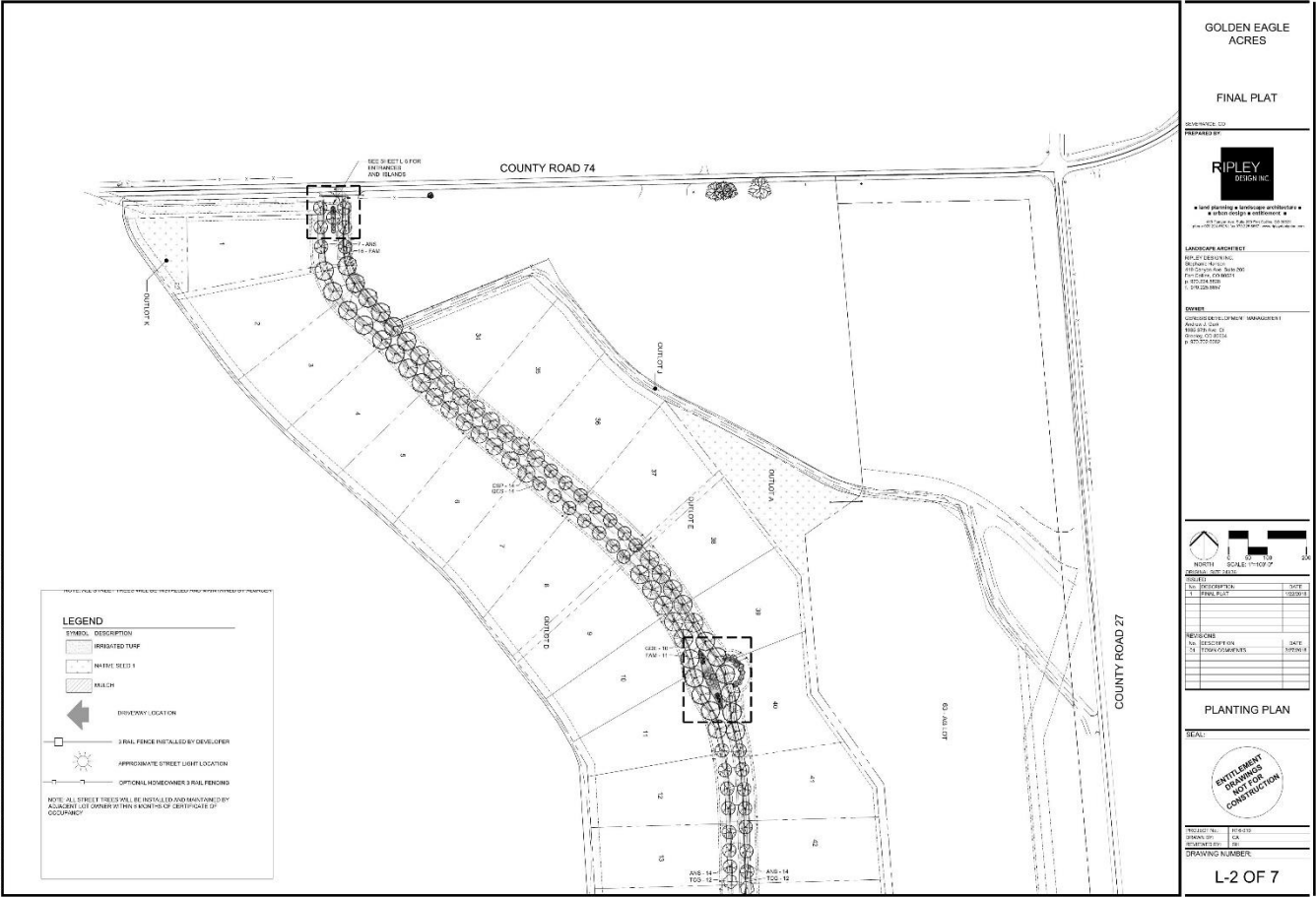


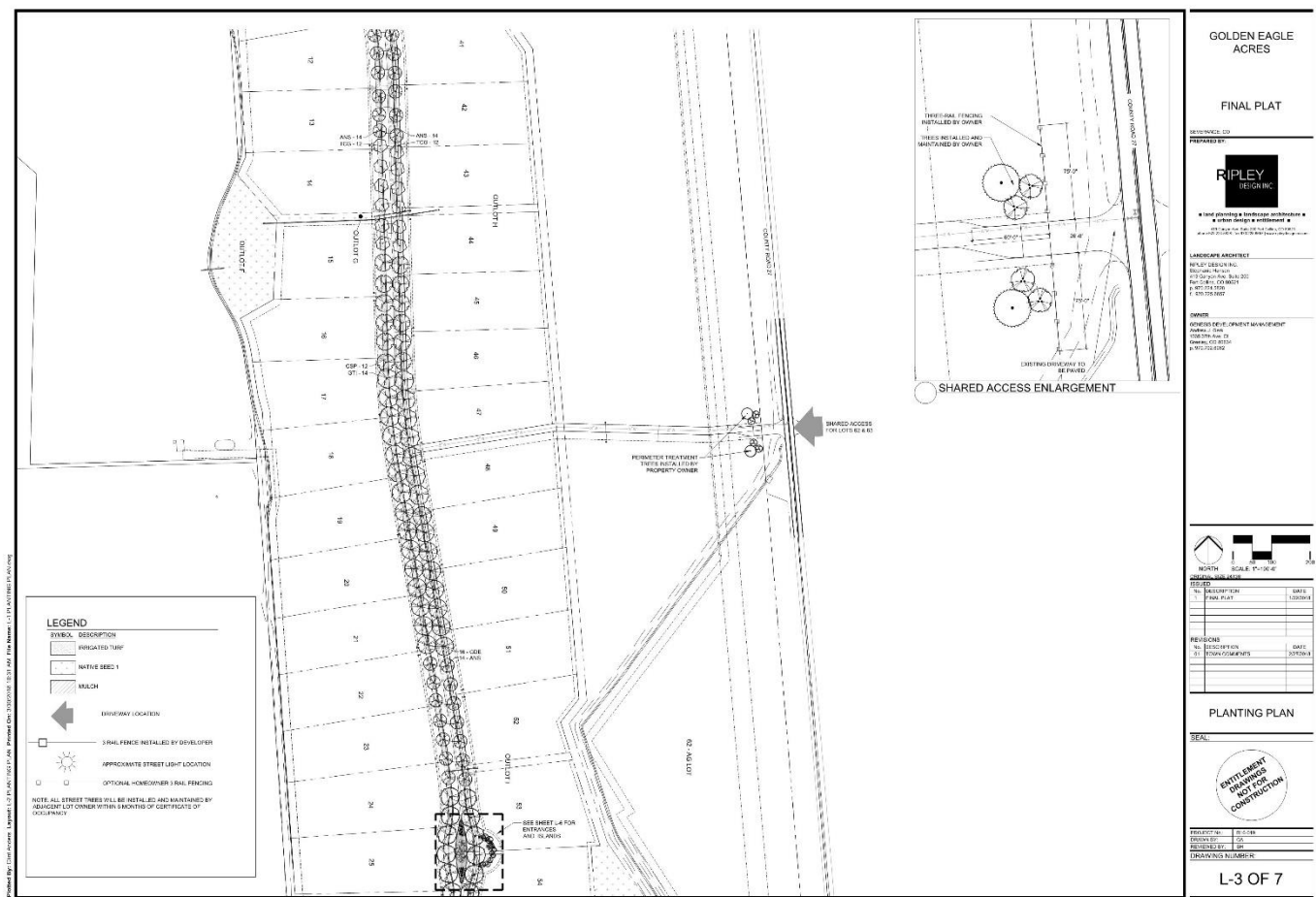


SITE PLAN, LANDSCAPE/PLANTING PLAN AND TYPICAL LOT LAYOUT



Printed By: C:\Users\Larissa.L\PlantingPlan.dwg Printed On: 1/26/2016 10:23 AM File Name: L-1 PlantingPlan.dwg



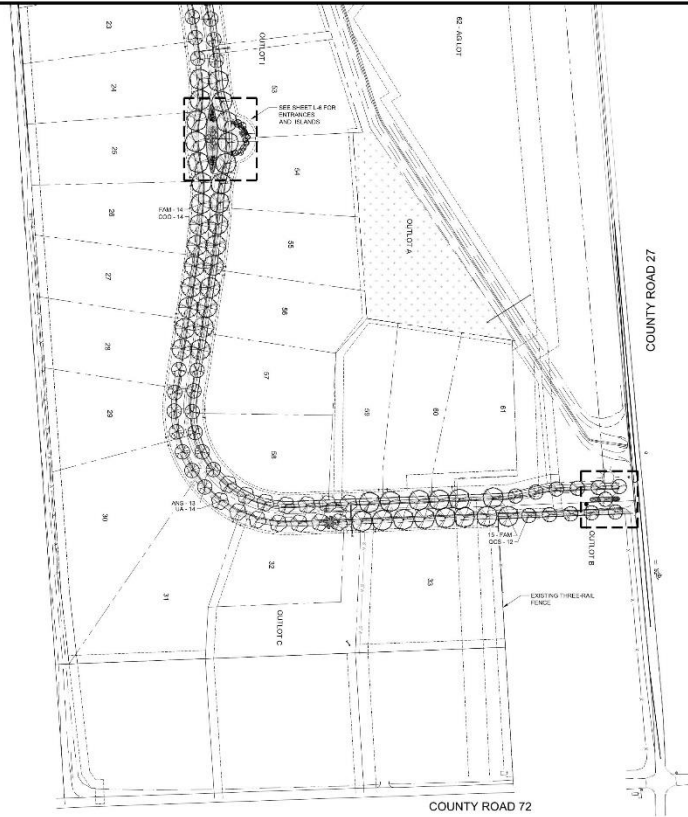


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NOTE: ALL STREET TREES WILL BE REPLACED AND MAINTAINED BY ADJACENT

SYMBOL	DESCRIPTION
	IRRIGATED TURF
	NATIVE SEED 1
	MATCH
	DRIVEWAY LOCATION
	3 RAIL FENCE INSTALLED BY DEVELOPER
	APPROXIMATE STREET LIGHT LOCATION
	OPTIONAL HOMEOWNER 3 RAIL FENCING

NOTE: ALL STREET TREES WILL BE INSTALLED AND MAINTAINED BY ADJACENT LOT OWNER WITHIN 6 MONTHS OF CERTIFICATE OF OCCUPANCY



GOLDEN EAGLE ACRES

FINAL PLAT

DESIGNED BY: PREPARED BY:

RIPLEY DESIGN, INC.

• land planning • landscape architecture •
• urban design • civil engineering •

LANDSCAPE ARCHITECT

RIPLEY DESIGN, INC.
1000 W. 10TH AVE. SUITE 200
PUEBLO, CO 81001
P: 719.244.8888
F: 719.239.8787

OWNER:

ADVANCED DEVELOPMENT MANAGEMENT
1000 W. 10TH AVE. SUITE 200
PUEBLO, CO 81001
P: 719.244.8888
F: 719.239.8787

SCALE: 1"=40'

PLANTING PLAN

SEAL:

ENTIREMENT
DRAWINGS
NOT FOR
CONSTRUCTION

PROJECT NO.: 10000
DRAWN BY: GA
CHECKED BY: GA
DRAWING NUMBER:

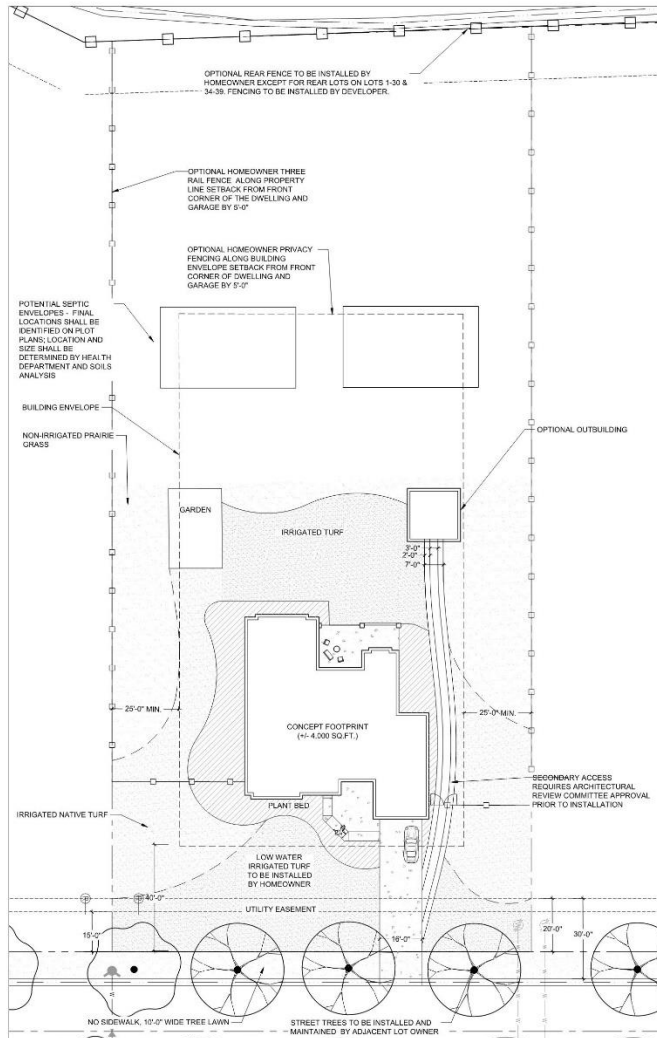
L-4 OF 7

NOTES

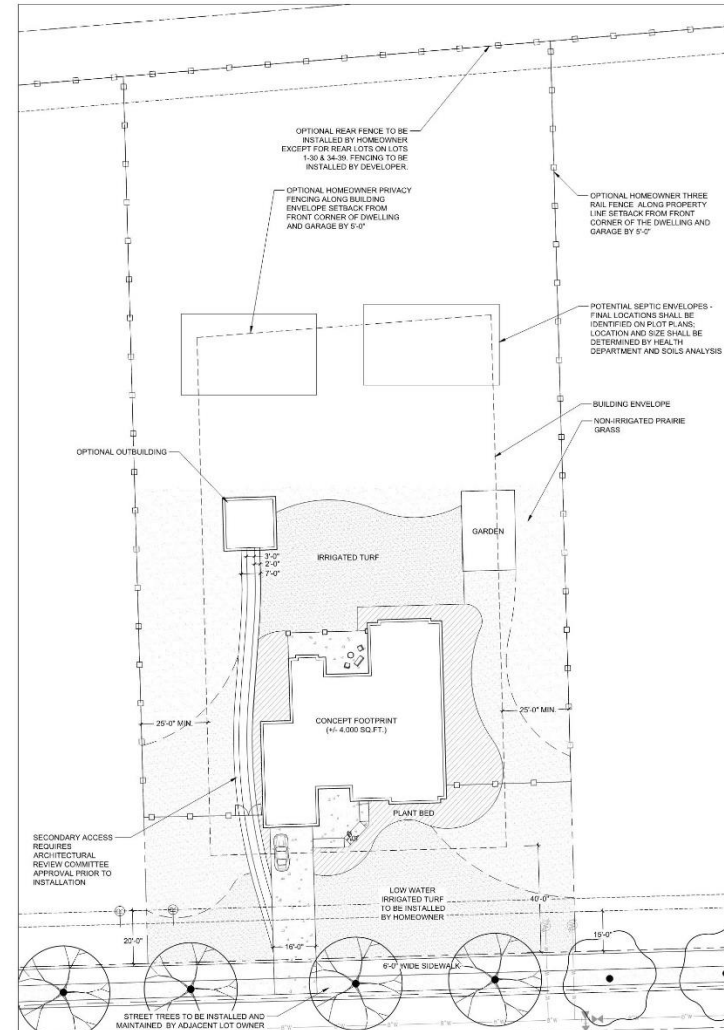
- 1) 10,000 SQ. FT. MAX. OF IRRIGATED AREA PERMITTED PER LOT
- 2) ALL OTHER AREA TO BE NATIVE OR HARDSCAPE

WATER USE TABLE

HYDROZONE	AREA (SQ. FT.)	WATER DEMAND (GALLONS/SP)	ANNUAL WATER USE (GALLONS)
TURF	4796.00	150	719,100
NATIVE	8407.00	100	840,700
GARDEN	800.00	100	80,000
PLANT BEDS	1946.00	100	194,600
TOTAL	15,889		



TYPICAL LOT ENLARGEMENT - LOTS 1 - 33



TYPICAL LOT ENLARGEMENT - LOTS 34 - 61

GOLDEN EAGLE
ACRES

FINAL PLAT

SEVERANCE, CO

PREPARED BY:

RIPLEY
DESIGN INC.

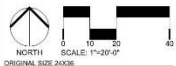
land planning • landscape architecture •
urban design • entitlement •
431 Canyon Ave., Suite 200 • Golden, CO 80602
phone 303.224.5024 fax 303.225.6657 www.ripleydesign.com

LANDSCAPE ARCHITECT

RIPLEY DESIGN INC.
Stephanie Hansen
431 Canyon Ave., Suite 200
Fox Creek, CO 80602
p. 303.224.5024
f. 303.225.6657

OWNER

GENESSEE DEVELOPMENT MANAGEMENT
Andrew J. Galt
3335 37th Ave. S.
Greenway, CO 80634
p. 303.732.6382



ISSUED		
No.	DESCRIPTION	DATE
1	FINAL PLAT	1/22/2018
REVISIONS		
No.	DESCRIPTION	DATE
01	TOWN COMMENTS	3/27/2018

TYPICAL LOT LAYOUT

SEAL:



PROJECT No.: R16-076
DRAWN BY: GA
CHECKED BY: SH
DRAWING NUMBER:

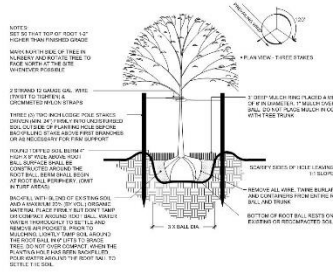
L-5 OF 7

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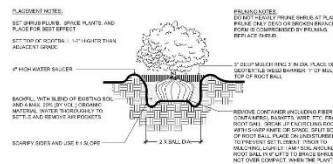
PLANT SCHEDULE

EVERGREEN TREES				CONT	GAL	SIZE
PPH	6	PICEA PUNGENS 'HOOPSII' / HOOPS SPRUCE	-	-	6"	HT
ORNAMENTAL TREE				CONT	GAL	SIZE
ATH	6	ACER TATARICUM 'HOT WINGS' / HOT WINGS MAPLE	-	1.5"	-	-
PCN	6	PRUNUS CERASIFERA 'NEWPORT' / NEWPORT PLUM	-	1.5"	-	-
POH	4	PYRUS CALLERYANA 'CHANTICLEER' / CHANTICLEER ORNAMENTAL PEAR	-	1.5"	-	-
SHADE TREE				CONT	GAL	SIZE
ANIS	48	ACER NEGUNDO 'SENSATION' / SENSATION BOXELDER	-	2"	-	-
CSP	26	CATALPA SPECIOSA / WESTERN CATALPA	-	2"	-	-
CO	14	CELTIS OCCIDENTALIS / WESTERN HACKBERRY	-	2"	-	-
FAM	56	FRAXINUS AMERICANA 'AUTUMN PURPLE' / AUTUMN PURPLE ASH	-	2"	-	-
GTI	14	GLEDETIA TRIACANTIOS 'NERMS' IMPERIAL / THORNLESS IMPERIAL HONEYLOCUST	-	2"	-	-
QDB	26	QUERCUS LAEVOCA 'SERRIS' / SERRIS KENTUCKY COFFEEBERRY	-	2"	-	-
QCS	26	QUERCUS 'CRIMSON SPIRE' / CRIMSON SPIRE OAK	-	2"	-	-
TGS	12	TILIA CORDATA 'GREEN SPIRE' / GREEN SPIRE LINDEN	-	2"	-	-
UA	14	ULMUS X ACCOLADE / ACCOLADE ELM	-	2"	-	-
SHRUBS				CONT	GAL	SIZE
ACA	3	AMORPHIA CANADENSIS / LEAD PLANT	-	-	5 GAL	-
COM	18	CARYOPHYTUS X CLANDONENSIS 'BLUE MIST' / BLUE MIST SPIREA / BLUEBARD	-	-	1 GAL	-
PG	12	PICEA PUNGENS 'GLAUCO' / GLOBED COLORADO BLUE SPRUCE	-	-	5 GAL	-
PPJ	5	POTENTILLA FRUTICOSA 'JACKMAN' / JACKMAN POTENTILLA	-	-	5 GAL	-
PBP	50	PRUNUS BESSEYI 'PAMINE BUTTER' / DWARF WESTERN SAND CHERRY	-	-	1 GAL	-
PC	17	PRUNUS X OSTENS / PURPLE LEAF SAND CHERRY	-	-	1 GAL	-
RAG	15	RHUS ARAMATICA 'GOLD LOW' / GOLD LOW SUMAC	-	-	5 GAL	-
SOD	24	SPIRAEA K 'GOLD MOUND' / GOLD MOUND SPIREA	-	-	5 GAL	-
ORNAMENTAL GRASS				CONT	GAL	SIZE
BSG	79	BOUTELOUA GRACILIS 'BLONK AMBITION' / BLONK AMBITION GRAMA GRASS	-	-	1 GAL	-
MS	5	MISCANTHUS SINENSIS 'GRACILIS' / MADEN GRASS	-	-	1 GAL	-
MP	5	MISCANTHUS SINENSIS 'PURPURESCENS' / FLAME GRASS	-	-	1 GAL	-
PAH	50	PENNISETUM ALOPECUROIDES 'HARBIN' / DWARF FOUNTAIN GRASS	-	-	1 GAL	-
PAL	50	PENNISETUM ALOPECUROIDES 'MOJO' / BLACK FOUNTAIN GRASS	-	-	1 GAL	-
NATIVE SEED MIX				CONT	GAL	SIZE
10%		PANICUM VIRGATUM / SWITCHGRASS	-	-	-	-
10%		FESTUCA SAXIMONTANA / ROCKY MOUNTAIN FESCUE	-	-	-	-
10%		ANDROPOGON GERARDI / BIG BLUESTEM	-	-	-	-
10%		POA SECUNDA / BANDBRO BLUEGRASS	-	-	-	-
10%		ELYMIS TRACHYCALLIS / BLENDER WHEATGRASS	-	-	-	-
10%		PHACOPHYLUM SMITHI / THICKSPINE / STEAMBAK / WESTERN WHEATGRASS	-	-	-	-
10%		POGONASTRUM NUTANS / YELLOW INDIANGRASS	-	-	-	-
5%		BOUTELOUA GRACILIS / BLUE GRAMA	-	-	-	-
5%		PSUDOCORENCHERIA SPICATA SP / NERMS / BEARLESS WHEATGRASS	-	-	-	-
5%		ACHNATHERUM HYMNODIDES / INDIAN RICEGRASS	-	-	-	-
5%		SCHIZACHYRUM SCOPARIUM / LITTLE BLUESTEM	-	-	-	-
5%		SPOROBOLUS CRYPTANRUS / SAND DROPSIE	-	-	-	-
5%		BOUTELOUA CURTIPENDULA / SIDEKAT GRAMA	-	-	-	-

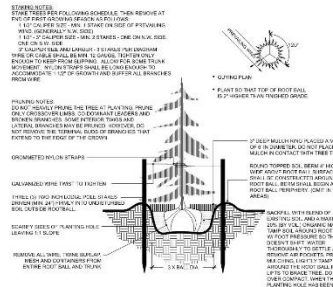
NOTE: ALL STREET TREES WILL BE INSTALLED AND MAINTAINED BY ADJACENT LOT



1 TREE PLANTING DETAIL - WOOD POSTS
SCALE: NTS
DP-00-01



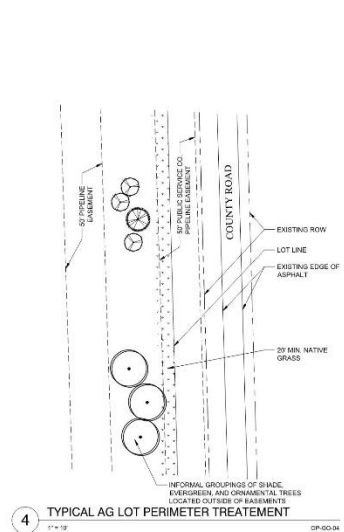
2 SHRUB PLANTING DETAIL
SCALE: NTS
DP-00-02



3 CONIFER TREE PLANTING DETAIL - WOOD POSTS
SCALE: NTS
DP-00-03

GENERAL LANDSCAPE NOTES

1. PLANT SCHEDULE: ALL PLANT MATERIAL SHALL BE A GRADE OR 1" LARGER SIZE OF THE SPECIES OF PLANT MATERIAL. PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE. PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING SCHEDULE.
2. PLANTING: PLANTING SHALL BE DONE IN ACCORDANCE WITH THE PLANTING SCHEDULE. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE PLANTING SCHEDULE. PLANTING SHALL BE DONE IN ACCORDANCE WITH THE PLANTING SCHEDULE.
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4 TYPICAL AG LOT PERIMETER TREATMENT
SCALE: NTS
DP-00-04

GOLDEN EAGLE ACRES

FINAL PLAT

NOTED: 00
PREPARED BY:



Land planning • landscape architecture •
• urban design • civil engineering •

4000 South Main Street, Suite 100, Denver, CO 80202
Phone: (303) 733-1111 Fax: (303) 733-1112 Email: info@ripleydesign.com

LANDSCAPE ARCHITECT

REPLY DESIGN INC.
3000 South Main Street, Suite 100, Denver, CO 80202
Phone: (303) 733-1111 Fax: (303) 733-1112 Email: info@ripleydesign.com

OWNER

LANDSCAPE DEVELOPMENT MANAGEMENT
Andrew J. Gray
1000 South Main Street, Suite 100, Denver, CO 80202
Phone: (303) 733-1111 Fax: (303) 733-1112 Email: info@ripleydesign.com

REVISIONS

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10. REVISION

NOTES AND DETAILS

SCALE: NTS
DP-00-05

ENTIREMENT PLAT FOR CONSTRUCTION

PROJECT NO.: RPL-200
DRAWN BY: CA
REVIEWED BY: BE
DRAWING NUMBER: L-7 OF 7

GOLDEN EAGLE ACRES SUBDIVISION

WATER RULES AND REGULATIONS

Adopted and Administered by the Golden Eagle Acres Metropolitan Districts

Approved to be effective April 18, 2018

ARTICLE I GENERAL

1.1 Authority

The Golden Eagle Acres Metropolitan Districts Nos. 1-3 (“Districts”) are a part of a quasi-municipal and political subdivision with those powers of special district which are specifically granted for carrying out the objectives and purposes of the Districts.

Golden Eagle Acres, Inc. (“Owner”) is the owner of that certain project located within the Golden Eagle Acres Subdivision in the Town of Severance, Colorado.

1.2 Purpose

The purpose of this consolidated body of Rules and Regulations is to ensure an orderly and uniform administration of irrigation water operations in the Golden Eagle Acres Subdivision. These Rules and Regulations apply *only* to the Non-Potable Water System (as defined herein), not to the potable water system, as that system will be managed and controlled by North Weld County Water District (“NWCWD”) or another public entity providing potable water service to the Golden Eagle Acres Subdivision (“Property”).

1.3 Policy

The authority of the Districts to adopt by-laws, rates, rules and regulations is expressly conferred by Colorado statute. The Executive Board of the Districts hereby declares that the policies, procedures, rules and regulations (“Rules and Regulations”) hereinafter set forth will serve a public use and are necessary to promote the health, safety, prosperity, security, and general welfare of the inhabitants of the Districts.

1.4 Scope

These Rules and Regulations shall be treated and considered as comprehensive regulations governing the operations and functions of the Districts with regard to the Non-Potable Water System.

1.5 Intent of Rules and Regulations

It is intended that these Rules and Regulations shall be liberally construed to affect the general purposes set forth herein, and that each and every part thereof is separate and distinct from all other parts. No omission or additional material set forth in these Rules and Regulations shall be construed as an alteration, waiver or deviation from any grant of power, duty or responsibility, or limitation or restriction, imposed or conferred upon the Executive Board by virtue of statutes now existing or subsequently amended, or under any contract or agreement existing between the Districts and any other governmental entity. Nothing contained herein shall be so construed as to prejudice or affect the right of the Districts to secure the full benefit and protection of any law which is now enacted

or may subsequently be enacted by the Colorado General Assembly pertaining to the affairs of the Districts. Any ambiguity, conflict, omission or question of interpretation of these Rules and Regulations shall be determined in the sole discretion of the Districts' Executive Board.

1.6 Amendment

It is specifically acknowledged that Owner initially, and then the Districts, once the Non-Potable Water System has been transferred to it, shall have the power to amend these Rules and Regulations, and such amendments must be approved in writing. Except where an amendment expressly requires the consent of the Town and the Owner, these Rules and Regulations may be altered, amended or added to from time to time and such alterations, additions or amendments shall be binding and of full force and effect as of the date of their adoption by Owner or the Districts following transfer of the system. These Rules and Regulations are subject to, and may not conflict with, the Subdivision Improvements Agreement, recorded in the office of the Clerk and Recorder of Weld County, Colorado.

1.7 Miscellaneous.

1.7.1 Usage and Titles. All words and phrases shall be construed and understood according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a particular and appropriate meaning in the law shall be construed and understood according to such particular and appropriate meaning. The title of any heading in these Rules and Regulations shall not be deemed in any way to restrict, qualify, or limit the effect of the provisions set forth in the section or subsection set forth under each heading.

1.7.2 Severability. Should any section, subsection, sentence, clause or phrase of these Rules and Regulations be judicially determined invalid or unenforceable, such judgment shall not effect, impair, or invalidate the remaining provisions of these Rules and Regulations, the intention being that the various sections and provisions hereof are severable.

1.7.3 Prior Offenses. Nothing in these Rules and Regulations shall affect any offense or act committed or done, or any obligation, penalty or forfeiture incurred by any person or under any contract or right established or occurring before the effective date of these Rules and Regulations.

1.7.4 No Damages for Failure to Enforce. Nothing herein contained shall create any right to damages against the Districts, their directors, officers, agents or employees for the Districts' failure to enforce any or all of these Rules and Regulations.

1.7.5 Availability of Service. Non-potable water service shall be available only in accordance with these Rules and Regulations and on the basis of the charges established

therefore and subject to all penalties and charges for violation thereof, or any applicable statutes, and subject to the availability of facilities and capacity.

1.7.6 Control and Operation of Facilities. All water facilities and property of the Districts shall be under the management of the Districts' Manager and the control of the Executive Board. Except as set forth in the Declaration of Covenants, Conditions and Restrictions for Golden Eagle Acres Subdivision ("Declaration"), no other person shall have any right to enter upon, inspect, operate, adjust, change, alter, move, or relocate any portion of the Districts' facilities without the Districts' prior written consent.

1.7.7 Inspections. All inspections, observations, testing and reviews performed by the Districts whether of private premises to insure compliance with these Rules and Regulations, or of the Districts' property and facilities, are performed for the sole and exclusive benefit of the Districts. No liability shall attach to the Districts by reason of any such inspections, observations, testing or reviews, or by reason of any denial or issuance of any approval or permit for any work subject to the authority or jurisdiction of the Districts.

1.7.8 Ownership of Facilities. The Districts exercises all rights and responsibilities attendant to the water facilities owned by the Districts and, in the future, shall accept ownership responsibilities only for additional facilities which have been formally conveyed to and accepted by the Districts.

1.7.9 Ownership of Water Rights. Ownership or the right to use water rights necessary for provision of Non-Potable Water service by the Districts shall be acquired by the Districts, in order to provide Non-Potable Water service to lands currently located within the Districts. Future expansion of the Districts' area through annexations may require additional interests in water rights to be dedicated to the Districts, by or on behalf of property owners requesting irrigation services. Such water rights shall be in accordance with service requirements of the Districts working in conjunction with the Town and shall be sufficient to provide the Districts with adequate supply of irrigation water for the development contemplated, for the areas proposed to be served, and for all service obligations undertaken by the Districts.

DEFINITIONS

ARTICLE II

Unless the context specifically indicates otherwise, the meaning of the terms used herein shall be as follows:

- 2.1 **"Equivalent Dwelling Unit"** or **"Single Family Equivalent Dwelling Unit"** means a use which is estimated to have an impact upon the Non-Potable Water System equal to that of the average usage of a Dwelling Unit.
- 2.2 **"Gender"** the use of any gender shall be applicable to all genders.

- 2.3 **“Districts”** means Golden Eagle Acres Metropolitan Districts Nos. 1-3, which Districts shall be responsible for the installation, operation, and maintenance of the Non-Potable Water System operating throughout Golden Eagle Acres Subdivision.
- 2.4 **“Irrigation Water System”** or **“Non-Potable Water System”** means any water main line, appurtenances, accessories or portion thereof owned, leased, or maintained by or for the Districts in connection with the Property’s management, administration, control and/or provision of Non-potable Water service or irrigation water within the Property’s boundaries.
- 2.5 **“Manager”** of the Districts means the person or entity retained by the Board to administer and supervise the affairs of the Districts and its employees.
- 2.6 **“Non-Potable Water”** is all non-potable water administered, managed, controlled or provided by the Districts for the Non-Potable Water System.
- 2.7 **“Permit”** means the written permission to connect to or enlarge the use for the Irrigation Water System of the Districts pursuant to the Rules and Regulations of the Districts.
- 2.8 **“Person”** means any entity of any nature, whether public or private.
- 2.9 **“Rules and Regulations”** means the Rules and Regulations of the Districts, including all amendments and policies as set forth in the Districts minutes and resolutions.
- 2.10 **“Service Line”** means any privately owned and maintained pipe, line or conduit used or to be used to provide irrigation water service from water main, whether the pipe, line or conduit is connected or not.
- 2.11 **“Shall”** or **“May”** whenever “shall” is used herein, it shall be construed as a mandatory direction. Whenever “may” is used herein, it shall be construed as a permissible, but not mandatory direction.
- 2.12 **“Singular and Plural”** as pertains to these Rules and Regulations, the singular includes the plural and the plural includes the singular wherever applicable.
- 2.13 **“Water Main”** and/or **“Main Line”** means any pipe, piping, or system of piping used as a conduit for water in the Irrigation Water System and owned, operated, maintained, leased or controlled by the Districts.

Any other term not herein defined shall be defined as presented in the “Glossary - Water and Sewage Control Engineering”, A.P.H.A., A.W.W.A., A.S.C.E. and F.W.S.A., latest editions.

ARTICLE III
OWNERSHIP AND OPERATION OF FACILITIES

3.1 Responsibilities of Districts

Except as otherwise provided by these Rules and Regulations, the Districts are responsible for the operation and maintenance of the Non-Potable Water System, which operation and maintenance shall be carried out in a sound and economical manner, in accordance with these Rules and Regulations and the Declaration. The Districts shall not be liable or responsible for inadequate service or interruption of service brought about by circumstances beyond its control.

3.2 Limitation of Liability of Districts

By agreeing to receive Non-Potable Water from the Districts, lot owners expressly stipulate that no claim for damage shall be made against the Districts by reason of the following: breakage of any water main line by Districts' personnel; interruption of water service and the conditions resulting therefrom; breaking of any main line, service line, valve, pipe, or meter; failure of the water supply; shutting off or turning on water; making of connections or extensions; damage caused by water running or escaping from open or defective faucets; burst service lines or other facilities not owned by the Districts; damage to sprinkler systems or other appliances or apparatuses, devices or equipment used for irrigation of property, resulting from shutting off or turning on of water, or from inadequate, excessive or sporadic pressures; or for doing anything to the Non-Potable Water System of the Districts deemed necessary by the Executive Board or their agents.

3.3 Rights and Authority

The Districts shall have no responsibility for notification to customers of any of the foregoing conditions. All irrigation water users within the Districts shall be obligated to connect to the Districts Irrigation Water System unless otherwise agreed to in writing by the Districts. The Districts reserves the right to discontinue service to any property, at any time, for any reason deemed necessary or appropriate.

The Districts shall have the right to revoke service to any property for violations of these Rules and Regulations in accordance with the procedures set forth in these Rules and Regulations.

The Districts reserves the right to terminate service to any user of the Irrigation Water System. Unless otherwise provided herein, the Districts shall give written notice to such user of the Districts' intention to terminate service. Under no circumstance shall any user be entitled to or obtain, claim or assert any perpetual right to irrigation water service from the Districts or in any Districts easements, Water Mains or connections, whether under contract or otherwise, and such user shall be bound by all Rules and Regulations of the

Districts as altered or amended from time to time governing the administration and use of, and charges for irrigation water service from, the Districts' Irrigation Water System.

Service limitations and prohibitions under any law or which may be contained within any contractual agreement of the Districts with any other governmental body shall also constitute prohibitions and limitations upon any user of the facilities of the Districts, except as may be provided by special permit.

3.4 Ownership of Facilities

All existing and future Main Lines and treatment works connected with and forming an integral part of the Non-Potable Water System upon transfer from Owner shall become and remain the property of the Districts, unless any contract provides otherwise. Said ownership will remain valid whether the Main Lines and treatment works are constructed, financed, paid for, or otherwise acquired by the Districts, or by other persons.

3.4.1 Ownership of Irrigation Water Facilities. For irrigation water, the Districts shall own, and the Districts is responsible for, the maintenance of the water service line, up to and including the curb stop valve or the lot owner's property line, whichever is closer to the Water Main. The lot owner is responsible for the maintenance of the remaining portion of the service line serving his property.

3.5 Right of Entry, Inspection and Maintenance Powers and Authority of Districts Agents

Authorized employees of the Districts, the Districts Manager, or other personnel authorized by the Districts Manager, bearing proper credentials and identification, shall be permitted by the customer/owner to enter upon all properties at reasonable times for the purpose of installation, replacement, repair, maintenance, inspection, observation, measurement, sampling, and testing of any water meter, meter pit if one exists, curb stop valve and/or box, radio frequency device if one exists, sump pump, water service lines and Districts easements in accordance with the provisions of these Rules and Regulations. The granting of right of entry by the customer/owner is a condition precedent and a condition subsequent to the provision of water service by the Districts. Refusal to permit such access to Districts personnel in the performance of their duties may result in immediate termination of water service to the premises, and/or may cause additional charges to the customer at the discretion of the Districts Manager. Failure to permit such inspection, observation, measurement, sampling and/or testing upon the written request of the Manager may result in a presumption that permission is being denied to avoid discovery of a violation that would result in the disconnection of service to the property by the party failing to permit such activity.

3.6 Modification, Waiver and Suspension of Rules

The Board or the Manager, acting on instructions of the Board, shall have the sole authority to waive, suspend, or modify these Rules and Regulations, and any such waiver, suspension or modification must be in writing, signed by the Board or the Manager. Such waiver shall not be deemed an amendment of the Rules and Regulations. No waiver will be deemed a continuing waiver.

ARTICLE IV USE OF IRRIGATION WATER SYSTEMS

Irrigation water services will be furnished to property included within the Districts subject to the Districts' Rules and Regulations and subject to fees, rates, charges and tolls as provided herein and as imposed by the Districts. It is currently contemplated that irrigation water under this Article IV is being provided by the Districts for the sole use of irrigating landscaping of all irrigable areas within the Golden Eagle Acres Subdivision and the Golden Eagle Acres Subdivision.

4.1 Non-Potable Water Meter and Meter Pit

The installation of the non-potable water meter and meter pit shall be constructed by the lot purchaser and will be installed as per the Appendix A-2.

4.2 Unauthorized Tampering with System

4.1.1 Unauthorized Use. No unauthorized person shall uncover, use, alter, disturb, or make any connection with, or opening onto, use, alter, or disturb the Irrigation Water System without first obtaining a written approval from the Districts. Unauthorized uses of, or tampering with, the Districts Irrigation Water System includes, but is not limited to, a change in the customer's equipment, service or use of property, an unauthorized turn-on or turn-off of irrigation water service, burying valve boxes, or modifying any irrigation water meter.

4.1.2 Malicious Damage to System. No person shall maliciously, willfully, or negligently, break, damage, destroy, cover, uncover, deface or tamper with any portion of the Districts Irrigation Water System.

4.1.3 Violators Prosecuted. Any person who shall violate the provisions of this Article IV shall be prosecuted to the full extent of Colorado law.

4.1.4 Violators Fined. Any person violating any of the provisions of these Rules and Regulations may become liable to the Districts for payment of a \$1,000.00 fine or fines as otherwise established at the discretion of the Board, plus any expense, loss or damage occasioned by reason of such violation following notice and an opportunity for a hearing.

Such costs shall constitute assessments of fees, tolls, charges and other impositions permitted under the Special District Act, Section 32-1-101, and 32-1-1001 C.R.S., and shall have the lien priority described in that statute.

4.3 Use of Irrigation Water System

4.3.1 Notice of Changes and Repairs of Leaks. The customer shall notify the Districts prior to any expansion or addition to the service or use of the property served by the Districts' Irrigation Water System and upon any change of ownership of said property. Each customer shall be responsible for all costs associated with the construction and maintenance of the length of the service line to the curb stop or property line, whichever is closer to the Main Line. Service lines shall be constructed in accordance with specific instructions to be obtained from the Districts prior to commencing construction.

Leaks or breaks in the service line shall be repaired by the customer within seventy-two (72) hours of obtaining knowledge of a leak or from the time of notification of such condition by the Districts. If satisfactory progress toward repairing said leak has not been completed within the same time period, the Manager shall shut off the service until the leaks or breaks have been repaired; in addition, the Districts shall have the right to effect the repair, and the costs therefore shall constitute a lien on and against the property of such customer as security for payment of such costs, as provided for by Section 38-33.3-316, C.R.S.

4.4 Watering Schedule, Non-Potable Water System – Restrictions of Use

If conditions of supply so limit the water supply of the Districts' water system that unrestricted water use may endanger the adequacy of that supply, the Executive Board, exercising its discretion in the protection of the health, safety, and welfare of residents, may adopt emergency water use restrictions and such additional regulations and restrictions as are reasonably calculated under all conditions to conserve and protect that supply and to ensure a regular flow of water through the system. Emergency water use regulations and restrictions shall remain in force and effect until the Board determines that the conditions requiring their imposition no longer exist. A day constitutes a 24 hour day from 12:00 am to 11:59 pm.

4.4.1 General Use Restrictions. Irrigation sprinklers should only be operated between the hours of 7 pm and 9 am. Drip irrigation systems may be operated between the hours of 6 pm and 11 am.

4.4.2 Alternating Water Days.

Even Numbered Single Family Addresses: Watering permitted three (3) days per week on Tuesdays, Thursdays and Saturdays only, during the periods set forth above.

Odd Numbered Single Family Addresses: Watering permitted three (3) days per week on Wednesdays, Fridays and Sundays only, during the periods set forth above.

* This schedule will not be enforced until two (2) months after the installation of the initial sod on any new construction but may be enforced anytime thereafter.

ARTICLE V **RATES AND CHARGES**

5.1 General

The information contained in this Article is pertinent to all charges of whatever nature to be levied for the provision of irrigation water service. Said rates and charges as herein established are in existence and effect at this time, and shall remain in effect until modified by the Board under the provisions of these Rules and Regulations, and under the applicable statutes of the State of Colorado. Nothing contained herein shall limit the Board from modifying rates and charges, or from modifying any classification except as expressly set forth herein.

5.2 Application of this Article

The rates, charges, and other information shown herein shall apply only to customers inside the Golden Eagle Acres Subdivision, and shall in no way obligate the Districts with respect to services provided outside the boundaries of the Districts.

5.3 Classification of Customers

For the purpose of levying fair, reasonable, uniform, and equitable charges, the following classifications and related definitions are provided:

5.3.1 Single-Family Residential Unit. Includes single-family units under the definition of single-family residential unit.

5.4 Service Charge

Service charges shall be as reflected in the Schedule of Fees and Charges, attached hereto as Appendix A. Service charges will be charged and billed on an annual basis, prior to the irrigation season. Additional charges for additional water quantity may be billed monthly as use occurs. The service charge will be prorated for the first year at the time of

closing. Thereafter, the bills will be sent out before the end of the first quarter of each fiscal year.

5.5 Payment of Service Charges

The customer shall pay to the Districts within ten (10) days after the billing date the full amount of that statement.

5.6 Penalty for Late Payment

At any time the customer is fifteen (15) days tardy in payment of any charges due the Districts, the Districts shall assess an interest charge at the rate of one percent (1%) per month on the unpaid balance. The Districts shall further have the right, in its sole discretion, to terminate service to any customer who becomes thirty (30) days or more tardy in payment for scheduled services, following notice and an opportunity for a hearing as outlined herein.

The Districts shall assess to any customer who is tardy in payment of his account, all legal, court, disconnection, and other costs necessary to or incidental to the collection of said account.

Until paid, all such fees, rates, penalties, or charges shall constitute a perpetual lien on and against the property served, and any such lien may be foreclosed in the same manner as provided by the laws of this state for the foreclosure of mechanics' liens.

5.7 Foreclosure Proceedings/Attorney's Fees

At any time it becomes necessary after other efforts (letters, posted notices) to collect delinquent payments of any fee or charge imposed by the Districts under these Rules and Regulations and/or Colorado law are unsuccessful, the Districts may then initiate foreclosure proceedings as provided for by Section 38-33.3-316(11), C.R.S. All of the provisions of these Rules and Regulations to the contrary notwithstanding, all customers/users of the Districts Non-Potable Water System hereby agree to be bound by these Rules and Regulations as a matter of contract and for which there is good and valuable consideration. Further, in the event the Districts shall commence a foreclosure action or proceeding to collect any payments of whatsoever nature due and payable to the Districts, then in said event the party being foreclosed upon agrees hereby to the payment of any and all costs incurred in connection with said foreclosure proceedings including, but not limited to, reasonable attorney's fees which the court shall tax as a part of the costs of such foreclosure proceedings. In the event payment is made by the customer prior to the foreclosure sale, said attorney's fees and any and all other fees outstanding against the subject account and relating to the subject real property, must also be paid as a pre-condition to the resumption of service to the subject property.

ARTICLE VI

MISCELLANEOUS PROVISIONS

6.1 Claims Against the Districts.

In the event any person claims to have suffered an injury of any kind by the Districts or by a director or employee thereof related to the provision of irrigation water services, such person shall, within one hundred eighty (180) days after the discovery of such injury, advise the Manager or the secretary of the Districts by written notice of intent to make a claim. In the notice, such person shall accurately describe the date, time, location and circumstance of the event complained of; the name and address of the person or persons entitled to relief; and name of any individuals involved; a statement of the nature and extent of the injury claimed to have been suffered; and the amount of monetary damages suffered and the relief requested.

6.2. Construction of Rules and Regulations.

6.2.1 Interpretation. Any dispute over interpretation of the Rules and Regulations, or concerning their application in any particular case, shall be submitted to the Board, and their decision shall be final and conclusive.

6.2.2 Headings. The headings which appear in the Rules and Regulations are for the purpose of identification and do not constitute any part of the Rules and Regulations.

6.2.3 Severability. If any provisions of the Rules and Regulations are held invalid for any reason by a court of competent jurisdiction as part of a judgment, judicial decree, court order or otherwise, such adjudication shall not affect in any manner or particular any of the provisions contained in the Rules and Regulations, and the remaining Rules and Regulations shall remain in full force and effect.

6.2.4 Limitation. The Rules and Regulations are implemented by the Board in furtherance of certain rights and powers conferred by statute. The Rules and Regulations are not to be construed as a limitation upon any general or specific powers of the Board, or as an expression by the Board of only certain limited powers which it intends to use.

6.3 Supplement to Law.

The provisions of these Rules and Regulations shall be in addition to and in supplement of the terms and provisions of the Declaration and the laws of the State of Colorado. To the extent there is a conflict between these Rules and Regulations and the Declaration, the Declaration shall control except that it is the Owner's and the Executive Board's intention that the documents be read together and harmonized to the extent possible for the effective and efficient operation of the Non-Potable Water System and for the benefit of owners and customers. Amendments to these Rules and Regulations are incorporated into the Declaration by reference.

APPENDIX A-1

IRRIGATION WATER SERVICE LINE CONSTRUCTION, RATES AND CHARGES SCHEDULE

Rules and Regulations

The applicant, contractor, and property owner are responsible for knowledge of all provisions of the Rules and Regulations. The items below are restated for emphasis:

Water Service Lines

Owner's Responsibility

The Operating District is responsible for the maintenance of the water service line, up to and including the curb stop valve or the owner's property line, whichever is closer to the main. The customer is responsible for the maintenance of the remaining portion of the service line serving the property.

Irrigation Water Meters And Remotes

All water service lines shall have an irrigation water meter before irrigation water is turned on. The cost of, and the construction and installation of the pit, yoke and meter pursuant to Appendix A-2 shall be borne by and completed by the customer prior to or contemporaneously with the installation of the front yard landscaping.

All meters must be in accordance with District standards (see attached depiction in Appendix A-2) and the water meter with remote read unit.

It shall be the builder's/contractor's responsibility to protect the meter from freezing or other physical damage during construction. After completion of the construction and acceptance by the owner, it shall be the owner's responsibility to protect the meter from freezing, from damage due to high water pressure (i.e. PRV), and other physical damage.

All meter installations must be in freeze-proof, convenient and easily accessible areas.

Irrigation water will remain turned off at curb stop until irrigation water meter is installed. All irrigation water is to be metered.

SINGLE FAMILY PRIMARY IRRIGATION WATER SERVICE RATES

- Base Rate: \$10.00 per month, per single family residential lot for the Irrigation season. The Irrigation season is approximately May 1 of each year through October 31st.
- Plus \$2.29 per 1,000 gallons for usage per month up to 28,000 gallons.
- Plus \$3.00 per 1,000 gallons for usage over 28,000 gallons per month.
- Plus If monthly use exceeds 35,000 gallons an additional \$3.00 per 1000 gallons shall apply. Thus \$6.00 per 1,000 gallons for usage per month over 35,000 gallons.

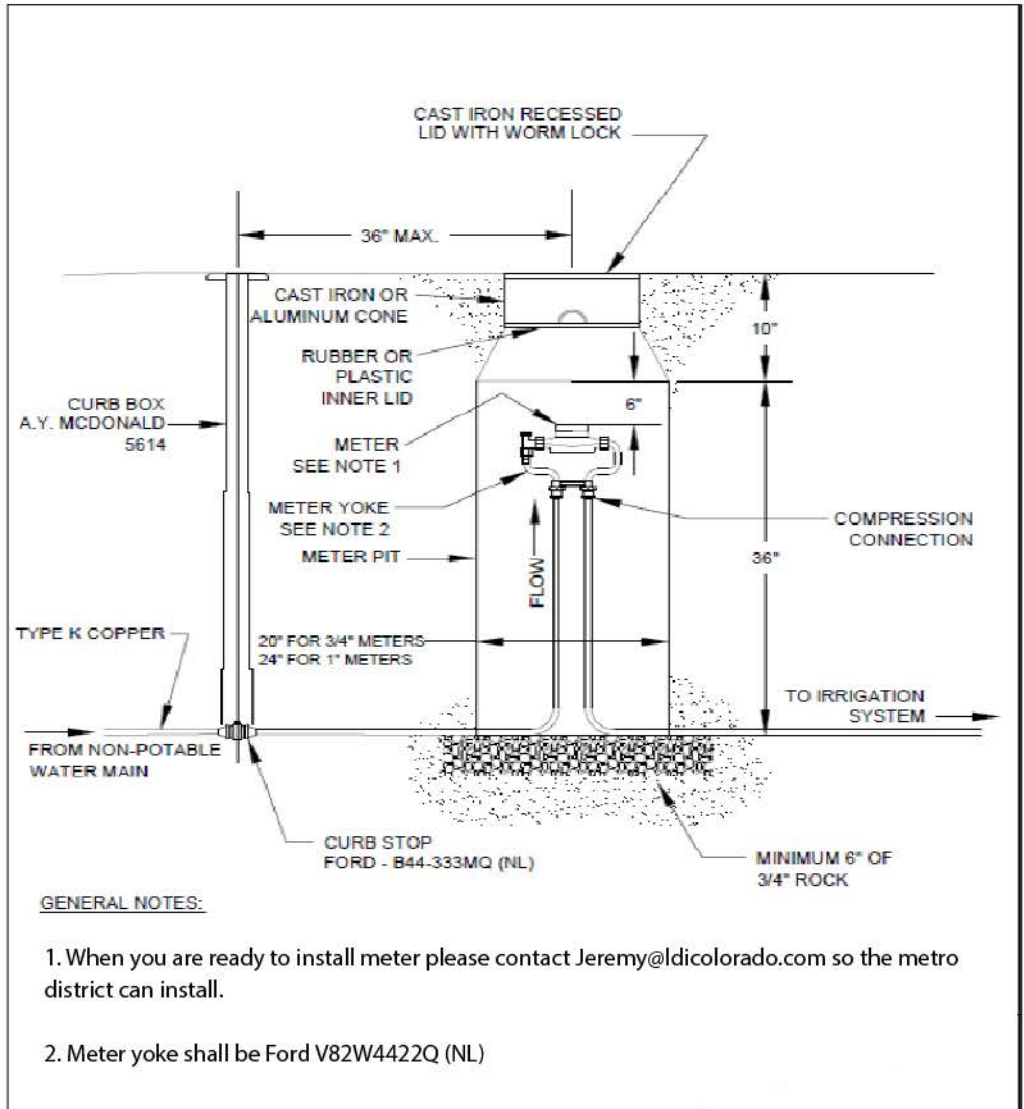
Additionally, each lot is allocated a total of 228,000 gallons annually. If any individual lot exceeds this annual gallon allotment a fee will be assessed to enable the District to purchase additional water to cover the additional use. The fee for the additional water will include the actual direct water cost and the administrative costs associated with the acquisition. The acquisition fee shall be in addition to all other fees and fines

APPENDIX A-2

Non-Potable Water Meter and Meter Pit Detail and Layout

The installation of the non-potable water meter and meter pit shall be constructed by the lot purchaser and will be installed as per the Appendix A-2 (*see attached diagram*).

APPENDIX A-2



NON-POTABLE WATER SYSTEM

METER PIT FOR 3/4" AND 1" WATER METERS

**METRO
DISTRICT**

**STANDARD
CONSTRUCTION DETAILS**

**SCALE:
N.T.S.**

**SHEET
1 OF 1**