



# Saddleback Mountain

RULES AND REGULATIONS  
SADDLEBACK METROPOLITAN  
DISTRICT  
CLEAR CREEK COUNTY,  
COLORADO

August 30, 2000

# SADDLEBACK METROPOLITAN DISTRICT

## RULES AND REGULATIONS

### ARTICLE I

#### GENERAL

1.1 **Authority.** The District is a governmental subdivision of the State of Colorado and a body corporate with those powers granted by statute and all powers specifically granted for carrying out the objectives and purposes of the District.

1.2 **Purpose.** The purpose of this consolidated body of rules and regulations is to provide an orderly and uniform administration of operations of Saddleback Metropolitan District located in Clear Creek County, State of Colorado.

1.3 **Policy.** The Board of Directors of the District hereby declares that the 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 District.

1.4 **Scope.** These rules and regulations shall be treated and considered as new and comprehensive regulations governing the operations and functions of the District, and shall supercede all prior rules and regulations of the District. In all instances, these rules and regulations shall be subject to the limitations and provisions of any contract or agreement existing between the Saddleback Metropolitan District and any other governmental unit, and shall also be subject to any superior law, rule or regulation, including the state statutes of the State of Colorado.

1.5 **Intent of Construction.** It is intended that these rules and regulations shall be liberally construed to effect 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 District or the Board of

Directors by virtue of statutes now existing or subsequently enacted, or under any contract or agreement existing between the District and any other governmental entity. Nothing contained herein shall be so construed as to prejudice or affect the right of the District to secure the full benefit and protection of any law which has been enacted or may subsequently be enacted by the Colorado General Assembly pertaining to the governmental or proprietary affairs of the District.

1.6 **Amendment.** The Board of Directors of the District shall retain the power to amend these rules and regulations at any time. Whether contained in this document or not, amendments declared in the minutes of the meetings of the Board of Directors, or effected by entry into, or the amendment of, any agreement shall be in full force and effect from the date of such declaration or agreement. Prior notice of these amendments shall not be required to be provided by the District exercising its amendment powers pursuant to this Section.

## ARTICLE II

### DEFINITIONS

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

2.1 **"Board"** or **"Board of Directors"** means the Board of Directors of Saddleback Metropolitan District.

2.2 **"Customer"** means the any person, company, corporation, homeowners' association or similar entity authorized to connect to and use the facilities of the Saddleback Metropolitan District under license or permit issued by the District.

2.3 **"District"** or **"The District"** means Saddleback Metropolitan District, of Clear Creek County, State of Colorado.

2.4 **"District Engineer"** means that person or firm employed by the District to provide engineering consultation and services on behalf of the District.

2.5 **"Lot"** means any numbered plat or land shown upon the recorded subdivision map for Saddleback Mountain.

2.6 **"Manager"** refers to that person employed by the District to administer and supervise the affairs of the District, its employees and consultants.

2.7 **"Owner(s) of Property"** or **"Owner(s)"** refers to the owner of record as

shown by Clear Creek County Assessor's records unless the District has received in writing a notice of change of ownership indicating a recent change of ownership.

2.8 **"Saddleback Mountain" or "Saddleback Mountain Subdivision"** shall refer to that subdivision approved by Clear Creek County as recorded in Book 601, at Page 328, Reception No. 202150, Clear Creek County, Colorado.

### ARTICLE III

#### BOARD OF DIRECTORS

3.1 **Directors.** The property and business of the District shall be governed by the Board of Directors who shall be elected or otherwise chosen pursuant to, and shall exercise the powers granted by, Colorado Statutes. The officers of the Board shall be members of the Board (Directors) and chosen as hereinafter provided.

3.2 **Meetings.** The Board of Directors shall meet regularly at a time and place determined by the Board. Meetings shall be convenient to and open to the public. Notice of meetings shall be as prescribed by Colorado Statutes. Special meetings may be called at any convenient time by the Chairman of the Board or by any two directors acting jointly. Notice of special meetings shall be given in the same manner as regular meetings.

Should the Board desire to discuss matters of a proprietary nature, the chairman may declare an executive session as prescribed by Colorado Statutes to be attended by Board members and other consultants as appropriate. No formal Board action may be taken in executive session.

3.3 **Quorum.** A majority of the Board shall constitute a quorum, and official action may be taken only when a quorum is present.

Any formal business of the District shall require the affirmative vote of a majority of the Directors present and voting. When special or emergency circumstances affecting the health, safety and welfare of the District's residents so dictate, actions by those Directors available at the time may be ratified at the next meeting of the Board.

3.4 **Rules of Order.** Conduct of meetings will be in accordance with Roberts Rules of Order except as otherwise provided in these Rules and Regulations or as amended by the Board. A majority of a quorum of the Board present at any meeting may vote to suspend the Rules of Order at any time.

**3.5 Compensation.** Board members may receive compensation, to include reimbursement for expenses, as determined by the Board, but not in excess of that prescribed by Colorado Statutes. No Board member shall receive compensation as an employee of the Board, and no Board member shall have any interest in any contract or transaction with the District except in his capacity as Board member or where proper disclosure is provided as prescribed by the Colorado Statutes.

**3.6 Officers.** Officers of the Board shall be directors and be elected by the duly elected directors of the District. The officers shall be Chairman of the Board or President, Vice Chairman, Assistant Secretary, Secretary, and Treasurer.

**3.7 Vacancies.** In the event that a Director becomes unqualified to continue service, is unable to continue service or resigns; the remaining board members shall appoint a person qualified to serve on the Board. The Director so appointed shall serve for the remaining portion of the replaced Director's term, subject to election at the next regular election.

**3.8 Committees.** The Chairman may appoint one or more board members to serve on special committees to perform specific functions and report back to the Board.

**3.9 Approval of Contracts.** The Board must approve all contracts, and amendments thereto, executed on behalf of the District. Contracts or amendments thereto must be signed by the President of the Board of Directors. The District shall not be bound by any contracts or amendments to contracts not executed by the President and approved by the Board. However the Board may delegate approval authority to the Manager for contracts and purchase orders not to exceed \$1,000.00. This limit shall not apply in the case of emergencies affecting the public health and welfare.

**3.10 Removal.** A Director may be removed if he misses three consecutive regular board meetings, or 50 percent of all board meetings in any six month period, provided that this section may be waived by the Board for good cause shown. Hospitalization or recurrent medical conditions shall be deemed good cause.

**3.11 Oaths and Bonds.** Board members shall execute oaths as required by Colorado Statutes and be responsible for obtaining and keeping in force bonds as required by such Colorado Statutes. The District shall pay for all such required bonds.

**3.12 Indemnification of Directors and Employees.** The District will defend, save harmless and indemnify a director, officer, independent contractor, agent or

employee, whether elective or appointive, against any tort or professional liability, claim or demand, whether groundless or otherwise, arising out of any alleged act or omission occurring in the performance of duty. The District will compromise and settle any such claim or suit and/or pay the amount of any settlement or judgment rendered thereon. The District shall keep in force at all times a policy or policies of insurance covering such claims or demands arising out of the performance of duty on behalf of the District. The term "performance of duty" shall not include any act or omission constituting deliberate and intentional tortious or criminal conduct, or malfeasance in office, or willful or wanton neglect of duty.

**3.13 Consistent with Law.** The provisions of this Section shall be subject to and, to the extent of any inconsistency therewith, shall be modified by, the Colorado Governmental Immunity Act.

**3.14 Minutes of Proceedings.** The Secretary shall be responsible for keeping a record of proceedings of the Board, certificates, contracts, bonds, agreements and all other documents pertinent to the operations of the District. Such records shall be available during normal office hours for inspection by District property owners and others who have an interest in the affairs of the District.

**3.15 Receipt and Expenditure of Money.** The Treasurer shall be responsible for and cause to have deposited in the name of the District all funds of the District. The bank shall be that as determined by the Board. Funds shall be withdrawn only as authorized and approved by the Board and each check shall be signed by two members of the Board.

**3.16 Accounting Records.** The Treasurer shall be responsible for and cause to be maintained a strict and accurate record of all money received by and funds disbursed on behalf of the District.

**3.17 Financial Audit.** The Board shall cause a financial audit to be performed annually for the preceding year as required by State Statutes. Such audit shall be performed by an accounting firm selected by the Board. The Board shall appoint such auditor no later than the last regularly scheduled meeting of each calendar year. Such audit will be for the period of January 1 through December 31 and will be submitted to the Board for review no later than the regularly scheduled meeting in March of the year following the year audited. The audit as performed shall be in accordance with all statutory requirements and other standards normally applied to quasi-municipal corporations. Such auditor shall also provide a Management Letter addressed to the Board of Directors which will outline deficiencies, if any, which may have been identified during the audit.

## ARTICLE IV

### OWNERSHIP AND OPERATION OF FACILITIES

4.1 **Description of Facilities.** A general description of the facilities and improvements to be constructed, installed or purchased by the District include the following:

(a) Operation of the augmentation plan decree in Case No. W-9483-78, as amended, Water division No. 1, State of Colorado, for those rights owned by the District. This will include acquiring and protecting the existing water supply rights and agreements for the benefit of existing and future residents of the District. The District will also monitor the individual water wells constructed by each owner, and additionally, all wells will be metered, regulated and controlled by the District.

(b) Regulate and operate a system of individual sewage disposal treatment systems. All such systems will be tested, regulated and controlled by the District so that the treatment meets the Colorado discharge standards as well as a Clear Creek County individual sewage disposal system (ISDS) regulations and plat notes of the plat of Saddleback Mountain.

(c) The District will make provisions for fire protection facilities including water supply and storage as part of the land development in Saddleback Mountain. In this regard a series of fire protection storage cisterns will be developed on the property in conformity with the requirements of the Clear Creek Fire Authority in Clear Creek County.

(d) The District will accept and be responsible for roads after construction by the developer, to include road maintenance, replacement, snow plowing, and drainage services for the main roads within the District.

(e) The District will accept ownership and maintenance of open space and establish rules and regulations for its use and maintenance. The District recognizes that any park and recreation powers held by District are subordinate to those of the Clear Creek Metropolitan Recreation District, which has and shall continue to have primary and superior park and recreation authority over the area within the District. The District is authorized by Clear Creek Metropolitan Recreation District to accept and hold ownership to approximately 204 acres of open space which will be maintained by the District for public use. **No other park and recreation services shall be provided by the District without specific written approval of Clear Creek Metropolitan Recreation District.**

(f) Other services such as assisting cable television, telephone companies, etc. with rights-of-way will be provided if the directors determine that said services are warranted.

**4.2 Liability of District.** The District assumes no responsibilities for any act or omission that could cause damage to a property owner within the District or any other person for reasons beyond its control.

The District shall have no liability for any damage to person or property caused by enforcing any provision of or resulting from a violation of these Rules and Regulations.

**4.3 Access and Inspection Powers.** The District's manager, engineer, inspector or other duly authorized agent or representative of the District, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurements, sampling and testing of any District facility including well, water supply and storage, individual sewage disposal treatment systems, or any other District facility.

**4.4 Modification, Waiver and Suspension of Rules.** The manager operating on the instructions of the Board shall have the sole authority to waive, suspend or modify certain requirements imposed by these Rules and Regulations for any specific event or circumstance and any such waiver shall not be deemed an amendment of the Rules and Regulations.

## ARTICLE V

### SEWAGE DISPOSAL

**5.1 Sewage Disposal System.** The water augmentation plan for Saddleback Mountain requires that all well water usage is to be disposed of through non-evapotranspiration sewage disposal systems.

**5.2 Clear Creek County Restrictions.** Clear Creek County, in the approval of the plat of Saddleback Mountain, placed a number of restrictions on individual sewage disposal systems which are:

(a) Each residence on a lot shall have a mechanically aerated sewage treatment system preceding a specifically designed leach field for that residence.

(b) A monitoring well shall be installed at the output of each leach field.



(c) The monitoring well shall be sampled every six (6) months for eight (8) items and the results provided to the Clear Creek County Environmental Specialist and Upper Clear Creek Watershed Association (UCCWA) within thirty (30) days of sampling.

(d) The District will be responsible for establishing vendors who can provide the treatment systems with a goal of 1 milligram/liter phosphorus and design criterion of nutrient modification.

(e) If any individual mechanically aerated sewage treatment system tests more than 2 milligrams/liter of phosphorus the District will implement, on that system, nutrient removal techniques to lower the effluent to lower than 1 milligram/liter of phosphorus.

(f) Each mechanically aerated sewage treatment system and each leach field shall be in accordance with Clear Creek County Individual Sewage Disposal System Regulations.

(g) The subdivision will include in its covenants a ban on the use of other than low phosphorus detergents.

**5.3 Additional District Rules and Regulations.** The following policies and rules and regulations have been adopted by the Board of Directors of the District and are hereby enacted.

(a) All conditions of the plat notes of the plat of Saddleback Mountain, Water Court Decree W-9483-78, as amended and the Subdivision Improvements Agreement shall be rules and regulations of the Saddleback Metropolitan District.

(b) The District shall have unrestricted access on each lot to the mechanically aerated sewage treatment facility, leach field and monitoring well at the output of the leach field during normal business hours.

(c) The District shall supply the mechanically aerated sewage treatment equipment and tankage to the owner or owner's builder at the street in front of the lot.

(d) The District shall be paid \$13,000.00 for the cost of the mechanically aerated sewage treatment equipment and tankage. The payment shall be made at the time of approval of the site and house plans by the Architectural Review Committee.

(e) The owner or owner's builder shall be responsible for the installation of the mechanically aerated sewage treatment equipment, tankage and leach field, subject to inspection by the District.

(f) The District Manager shall be the authorized agent of the District for management of a third party agreement for the routine and periodic maintenance, emergency service and repair of each individual residence mechanically aerated sewage treatment system. The individual resident shall be responsible for maintenance and replacement of the specifically designed leach field.

## ARTICLE VI

### WATER SUPPLY

**6.1 Water Supply.** Water supply for Saddleback Mountain is provided by wells to be issued under Water Court Decree Case No. W-9438-78, as amended.

**6.2 Water Supply Decree.** The decree contains a number of restrictions on the wells. These restrictions are:

(a) All wells are for domestic use only with no outdoor irrigation.

(b) The maximum well usage is 90 gallons per capita per day, which based upon an average of 3.2 persons per home equals 288 gallons per day.

(c) All well water usage is to be disposed of through non-evapotranspiration sewage disposal systems.

(d) Measuring devices (meters) shall be installed on all wells.

**6.3 Clear Creek County Restrictions.** Clear Creek County, in the approval of the plat of Saddleback Mountain, placed additional restrictions on the use of water which are:

(a) The subdivision will include a ban on the use of other than low phosphorus detergents.

(b) Each well shall be sampled at the time of installation and annually for nitrates, bacteria and production flow.

(c) Static water level for each well shall be sampled at the time of installation and quarterly.

(d) The District shall be responsible for ensuring that the sampling is conducted and that water consumption is in compliance with the augmentation plan.

**6.4 Additional District Rules and Regulations.** The following policies and rules and regulations have been adopted by the Board of Directors of the District and are hereby enacted:

(a) All conditions of Water court Decree W-9483-78 as amended, the plat notes of the plat of Saddleback Mountain, and the Subdivision Improvements Agreement, shall be rules and regulations of the Saddleback Metropolitan District.

(b) The District shall have unrestricted access to the well, meter and meter reading device during normal business hours.

(c) The District shall submit the application for a well permit to the State Engineers Office at the time of final approval of the lot site plan by the Architectural Review committee for the subdivision.

(d) Upon completion of the drilling of well, the well driller shall submit copies of all drilling logs and reports to the District at the same time as submittal to the State Engineers Office.

(e) The well driller shall provide forty-eight (48) hours notice to the dispatcher of the Clear Creek county Sheriff's Office and Emergency Services (Fire) District prior to commencement of drilling operations to prevent diesel exhaust from being mistaken for a fire.

(f) All wells shall be in compliance with the "General Well Construction Requirements For Wells Drilled In Saddleback Metropolitan District" a copy of which is attached as **Exhibit A**.

(g) The District shall supply the meter and read-out device to the plumber at cost. The read-out device shall be installed on the exterior of the house at the main entrance.

## ARTICLE VII

### MISCELLANEOUS RULES AND REGULATIONS

7.1 **Residential Signage.** The owner shall cause to be installed, and shall maintain, residential address signage at the driveway entrance to the lot. The signage shall be installed in accordance with the standards of Clear Creek County.

7.2 **Driveway Standards.** Clear Creek County has established driveway standards and standards for residential parking within the District. These standards are stated in Clear Creek County Resolution R-99-54, a copy of which is attached as **Exhibit B.**

7.3 **ISO (Insurance Services Organization) Notice.** Clear Creek County has required that the District provide notice of the anticipated fire insurance rating with the District. The notice is attached as **Exhibit C.**

7.4 **Wildfire Thinning.** A Clear Creek County "Defensible Space Thinning Permit" will be required at the issuance of the building permit for each lot.

The owner shall be required to maintain the defensible space thinning on a five year cycle and provide evidence of inspection by the Clear Creek County Site Development Inspector at the time of issuance of the initial **Certificate of Occupancy** and each 5 years thereafter.

7.5 **Noxious Weeds.** Each homeowner shall comply with the Clear Creek County Noxious Weed Management Plan.

7.6 **Colorado Pest Control Act.** Each homeowner shall comply with the "Colorado Pest control Act".

7.7 **Wildlife and Human-Wildlife Conflicts.** Clear Creek County has required that the District prepare and distribute educational materials discussing ways of minimizing human-wildlife conflicts. The educational materials are attached as **Exhibit D.**

Residents of the District should be aware that elk calving areas exist south of the District and that the properties south of the District are private and not public. Residents that have obtained permission to traverse lands south of the District should observe the elimination of dog-wildlife conflicts.

**7.8 Plants Not Highly Preferred By Wildlife.** Clear Creek County has required that the District prepare and distribute materials discussing types of plant species that are not highly preferred by wildlife. The educational materials are attached as part of **Exhibit D**.

**7.9 Open Space.** The District contains two hundred four (204) acres of Open Space which is owned by the District. The Open Space is passive in nature and not for active recreational uses.

The Open Space includes four (4) clear cut areas for wildlife enhancement and two (2) clear cut areas for wildfire protection. These areas are interconnected by trails for the initial construction and periodic maintenance of these areas.

The trails may be used by all residents of the District and their guests. Residents utilizing the trails should recognize the possible encountering of wildlife some of which can be dangerous. Residents should observe the elimination of dog-wildlife conflicts on District Open Space property.

**7.10 Wildfire Committee.** The District shall appoint a subdivision committee that meets periodically to discuss wildfire planning and mitigation.

## ARTICLE VIII

### RATES, TOLLS, FEES AND CHARGES

**8.1 Fees.** The fees to be charged by the District and the due date for payment are attached hereto as **Exhibit E** and incorporated herein by reference. These fees are subject to change by the Board of Directors of the District at a Regular or Special meeting of the Board of Directors. Additional rates, tolls, fees and charges may be imposed by the Board of Directors of the District at a Regular or Special meeting of the Board of Directors.

**8.2 Inclusion Fees.** Each application for inclusion of property into the District, regardless of size or area thereof, shall be accompanied by payment of an inclusion fee as set by the Board. None of such application fee shall be refundable to the applicant.

**8.3 Late Billing/delinquency Charges.** Monthly service fees are due and payable in advance on the first (1<sup>st</sup>) day of each month. In the event of a non-payment of any monthly service fee by said due date, or the non-payment of any other rate, toll, fee or charge of the District, the responsible property owner shall be required to pay a late charge as a penalty and re-billing charge which will be added to the

statement for said customer. All payments by property owner shall first be applied to the such late charges for penalty or re-billing and the balance of the payment if any shall be applied to the fee or charge due.

**8.4 Right To Lien.** Until paid, all rates, tolls, fees or charges constitute a first and perpetual lien on and against property served, and any such lien may be certified to the County Treasurer for placement on the delinquent tax rolls as provided by the State Statutes.

## ARTICLE IX

### APPEALS

**9.1 Appeal.** Any customer, applicant, or other person who alleges to be aggrieved by any decision by the Manager or District Engineer with regard to the application of these Rules and Regulations to such customer or person may appeal the decision to the Board.

**9.2 Notice.** Said customer, applicant, or person shall be required to give notice of said appeal in writing to the Board within thirty days of the alleged grievance and delivery of said notice to the Manager of the District shall be sufficient notice thereon.

**9.3 Hearing.** Upon receipt of said notice the Board will conduct a hearing on the appeal within forty-five days of receipt thereof or at such other date that the hearing may be continued to thereafter by the Board, the Board to give 10 days prior notice of the hearing to the customer, applicant, or other person by mailing said notice to their address provided in the appeal. The hearing before the Board will be conducted as a quasi judicial administrative hearing and the Board will provide the applicant the opportunity to be heard, the opportunity to present evidence in his behalf, the opportunity to cross examine any evidence or information placed in the record, and the opportunity to provide argument and summation.

**9.4 Decision.** Within thirty days of the conclusion of said hearing the Board will render a decision in writing and will mail said decision to said applicant at his address provided for in the application.

ARTICLE X

MISCELLANEOUS PROVISIONS

**10.1 Violation of Rules and Regulations.** Any person found to be violating any of the provisions of these Rules and Regulations shall be served with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory correction thereof.

**10.2 Revocation of Permit.** Any permit issued by the District shall be subject to revocation by the District Engineer, Manager, or the Board, if the installations or use of the service is not made in accordance with these Rules and Regulations, or any governing rule of the Board.

**10.3 Right of Entry onto Property.** The Board of Directors and their duly authorized representatives shall have the right to enter upon any parcel of land being served by any facility of the District, at any reasonable hour, for the purpose of making inspections of any facilities located on a lot.

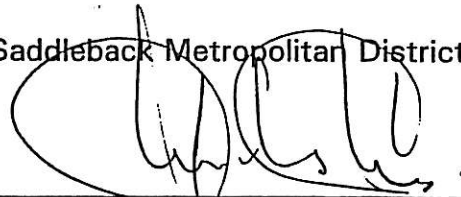
**10.4 Severability.** If any provisions of these Rules and Regulations are held invalid, for whatever reasons, by a court of competent jurisdiction, such judgment shall not affect the remaining provisions of these Rules and Regulations, but shall be confined in its operation to the specific provision of them held invalid.

**10.5 Limitation.** These Rules and Regulations are an implementation, on the part of the Board of Directors of the Saddleback Metropolitan District, of some of the powers conferred upon the District by statute. These Rules and Regulations are in no way to be construed as a limitation upon the powers of the Board of Directors, nor as an expression of the Board of Directors of only so much of its powers as it intends to use.

**10.6 Revision.** The Board of Directors of the District may, from time to time, enlarge upon, delete, change, or amend the foregoing Rules and Regulations at any time at a regular or specially called meeting of the Board.


Adopted this 17<sup>th</sup> day of October, 2002.

Saddleback Metropolitan District



\_\_\_\_\_  
Charles Y. Choi, Chairman

Attest:

  
\_\_\_\_\_  
James E. Hosch, Secretary

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**GENERAL WELL CONSTRUCTION REQUIREMENTS  
FOR  
WELLS DRILLED IN SADDLEBACK METROPOLITAN DISTRICT**

**1.0 GENERAL**

All well construction activities must comply with State of Colorado Water Well Construction Rules (2CCR 402-2), in particular, Section 10.4.6 Wells Constructed Into Unconfined Bedrock Aquifers (Type II Aquifers). In addition, requirements as set forth below shall be adhered to for all wells. The purpose of these additional requirements is to enable compliance with agreements between the Saddleback Metropolitan District, and Clear Creek County.

**2.0 TREMIE PIPE**

A one-inch, flush joint, threaded PVC pipe shall be installed in conjunction with the pump installation. The lower five feet shall be slotted or drilled with 1/8-inch-holes, and a cap installed on the bottom. This pipe shall extend from the top of the pump to the access on the sanitary well cap. Attachment to the pump discharge pipe shall be with nylon ties, or quality electricians tape. Pipe clamps will not be allowed. The purpose of this pipe is to enable measurement of water levels in the well on a quarterly basis without the potential for interference from the pump cable or discharge pipe. The quarterly measurement of water depth is a requirement of the Saddleback Mountain plat.

**3.0 SURFACE PROTECTION**

Upon completion of the well installation, a three-foot diameter, sloping concrete pad shall be constructed around the well. This pad shall be minimum of four inches thick at the outer edge contact with the ground surface. The purpose of this pad is to minimize the potential for surface water runoff from entering the well by flow down the side of the casing.

**4.0 SAMPLE/TEST FAUCET**

A brass faucet with a standard hose thread shall be installed on the interior piping prior to connection with the pressure tank. This faucet shall be so positioned as to be easily accessible for obtaining water samples from the well before the water enters the distribution system of the house. This faucet shall also be used for the connection of a hose to the exterior to allow for subsequent testing of well yield prior to passing through the pressure tank.

**5.0 DRILLING LOGS**

Upon completion of the drilling of well, the well driller shall submit copies of all drilling logs and reports to the District at the same time of submittal to the State Engineers Office.

## **6.0 CONSTRUCTION NOTIFICATION**

The well driller shall provide forty-eight (48) hours notice to the dispatcher of the Clear Creek County Sheriff's Office and Emergency Services (Fire) District prior to commencement of drilling operations to prevent diesel exhaust from being mistaken for a fire.

3.0' Ø X 4" CONCRETE PAD

MINIMUM 1.0" ALS

ELECTRICAL CONDUIT

PITLESS ADAPTER

GROUT

9.0" BOREHOLE

¾" OR 1.0" Ø FLUSH JOINTED PVC

¾" OR 1.0" Ø 10 SLOT FLUSH JOINTED  
PVC SCREEN

BLANK 4 ½" Ø PVC CASING

BOTTOM CAP

SUBMERSIBLE PUMP

6" Ø BOREHOLE

10.0' 10-SLOT 4 ½" Ø PVC SCREEN

2.0' SEDIMENT SUMP

BOTTOM CAP

39' BLS

LS7

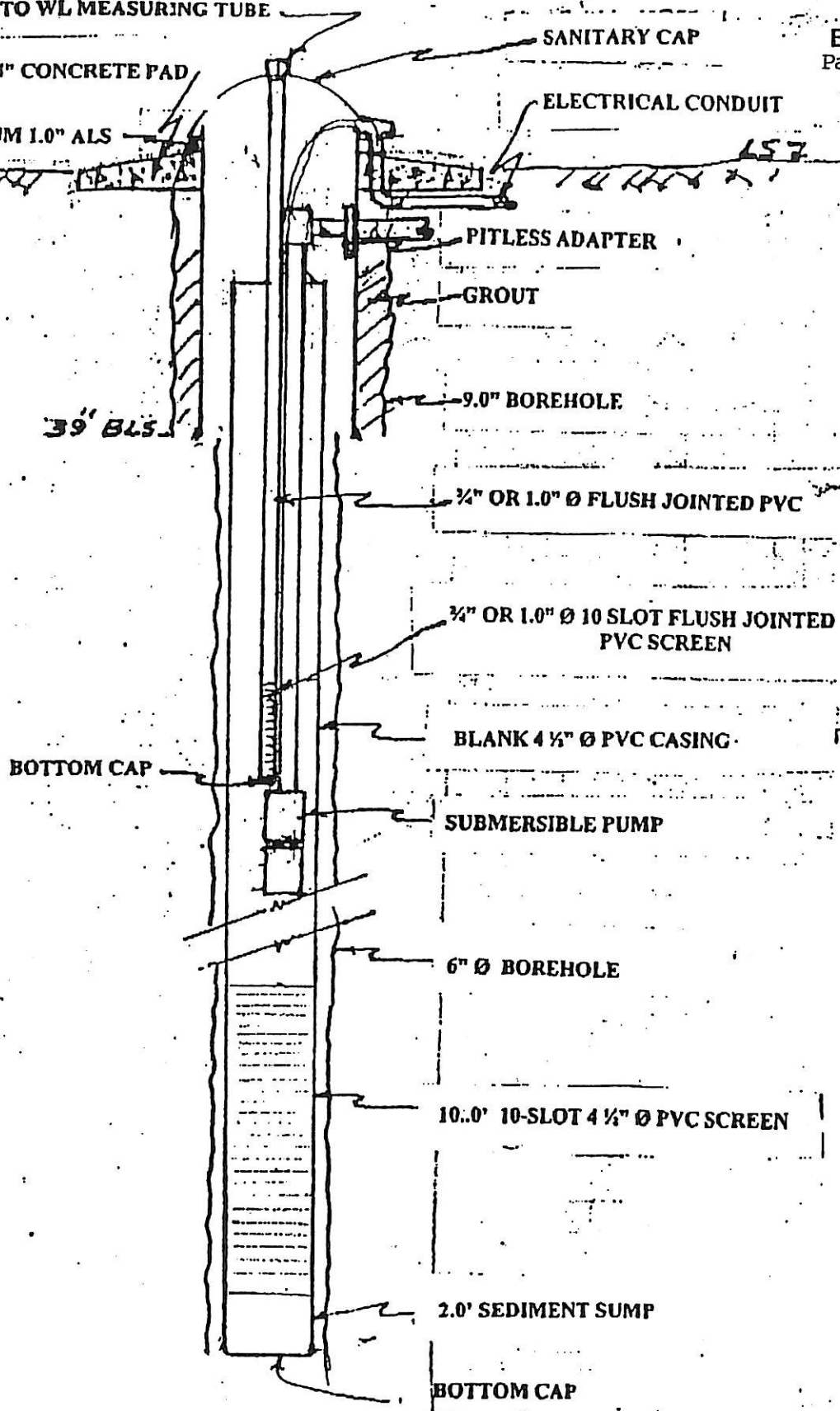


FIGURE 1

195269 05/26/1999 01:23P B582 P697 RESOLUTN  
1 of 1 R 0.00 D 0.00 N 0.00 Clr Crk Cnty, Co

R-99-54

VARIANCE FROM THE UNIFORM BUILDING CODE  
REGARDING RESIDENTIAL DRIVEWAYS  
FOR THE SADDLEBACK MOUNTAIN SUBDIVISION

WHEREAS, conditional approval was received by the Board of County Commissioners (R-95-94A) for the preliminary plan to subdivide land in Sections 3, 4, and 10 of Township 4 South, Range 72 West, also known as the Saddleback Mountain Subdivision;

WHEREAS, prior to submittal of the final plat, the developer has requested a variance from Chapter 14 - Wildfire Hazard Mitigation of the Uniform Building Code regarding residential driveways;

WHEREAS, the Board of County Commissioners held a public hearing on 11 May 1999 to consider the variance request.

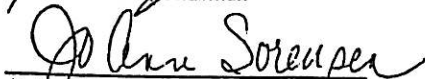
NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS that the following variance from Chapter 14 - Wildfire Hazard Mitigation of the Uniform Building Code regarding residential driveways is approved, contingent upon consent from Jack Russalesi as the representative for emergency services and Craig Aberhamson as the representative for the fire authority.

Residential Driveways: Residential driveways shall be constructed to the specifications of the County adopted amendment to Chapter 14 of the Uniform Building Code for wildfire mitigation. Driveway standards prohibit grades in excess of ten (10) percent. Driveways between eight (8) to ten (10) percent shall not exceed 150 feet in length. Grades of eight (8) percent or less have no length requirement. The minimum inside turning radius at any point of any driveway shall be thirty (30) feet. The surface width shall be a minimum of twelve (12) foot driving surface not including drainage. All residential driveways shall also comply with the Subdivision Improvements Agreement and must obtain a County Driveway Permit and may be required to obtain a County Best Management Practices (BMPs) Permit. The developer or the Saddleback Metropolitan District shall be responsible for providing the lot owner with this information. The construction of residential driveways shall be the responsibility of the lot owner. Every attempt will be made to maintain design standards as outlined in this section; however, when design standards cannot be met, a driveway will nevertheless be provided.

Residential Parking: Residential parking areas along the roads within the subdivision shall be provided where private residential driveways cannot be constructed to the County adopted amendment to Chapter 14 of the Uniform Building Code (UBC) for wildfire hazard mitigation. When the UBC standard cannot be provided, two (2) on-site residential parking areas shall be designated and located off of the road easement. Where such off road easement parking areas are required, "as built" drawings will have to be submitted showing the location of such. The developer or the Saddleback Metropolitan District shall be responsible for providing the lot owner with this information. The construction of residential parking areas shall be the responsibility of the lot owner.

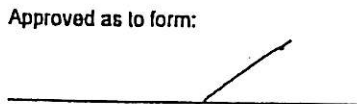
CERTIFIED this 11th day of May 1999 at a regular meeting of the Clear Creek County Board of County Commissioners.

  
Robert J. Poirat, Chairman

  
Jo Ann Sorensen, Commissioner

  
Fabyan Watrous, Commissioner

Attest:  
  
Bobbie Hawkes, Deputy Clerk and Recorder

Approved as to form:  
  
County Attorney

**SADDLEBACK METROPOLITAN DISTRICT  
CLEAR CREEK COUNTY, COLORADO**

**TO ALL FUTURE LAND OWNERS  
IN THE SADDLEBACK MOUNTAIN SUBDIVISION  
CLEAR CREEK COUNTY, COLORADO:**

**Insurance Services Organization.**

Please be advised that subdivider/developer Saddleback Mountain Development Corporation has provided information that ISO (Insurance Services Organization) Insurance will be available, however, all future landowners in the Saddleback Mountain Subdivision should expect:

1. An ISO rating of 9 or 10;
2. That fire Insurance may be very expensive to obtain;
3. Emergency response time may be extended.

The Subdivider is required to provide \$120,000.00 to the Clear Creek Fire Authority. The Clear Creek Fire Authority is required to expend the \$120,000.00 for a new fire station and equipment to serve the Saddleback Mountain Subdivision and the Greater Floyd Hill area, as set forth in the Subdivision Improvements Agreement.

The Subdivider is also required to provide eleven (11) cisterns in the Saddleback Mountain Subdivision with a total of 258,000 gallons of emergency service water storage for fire suppression.

**Exhibit D**

**Human/Wildlife Conflicts Pamphlet and  
Plants Not Preferred by Wildlife  
(52 pages or 26 duplexed)**

**Will be a separate document / hard copy**

**SADDLEBACK METROPOLITAN DISTRICT  
CLEAR CREEK, COLORADO**

Fees of the Saddleback Metropolitan District:

	<u>AMOUNT</u>	<u>DUE</u>	<u>PAID BY</u>
1. Water Use Permit	\$10,000.00	At Initial Lot Closing	Buyer
2. Capital Reserve Fee	\$3,000.00	At Initial Lot Closing	Developer
3. Open Space Fee	\$2,000.00	At Initial Lot Closing	Developer
4. Fire Authority Fee	\$1,046.51	At Initial Lot Closing	Developer
5. School District Fee	\$1,395.35	At Initial Lot Closing	Developer
6. Road Impact Fee	\$1,470.00	At Initial Lot Closing	Developer
7. Sewage Treatment Equipment	\$11,600.00 Plus any additional charges by supplier.	At Architectural Review Committee Approval	Buyer
8. Monthly Service Fee	\$295.00	The Monthly Service Fee is to commence at the time of the issuance of the Building Permit or 1 (one) year from the purchase of a respective lot from the developer, whichever first occurs.	Buyer