

Elk Springs Homeowners Association, Inc.

Access to/Use of Unmetered Water

Pursuant to the authority granted by Article 4.14(A) of the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Elk Springs, Garfield County, Colorado (the "Declaration") and as further authorized and required by the Colorado Common Interest Ownership Act, C.R.S. 38-33.3-209.5 (1)(b)(VII), et seq. (the "Act"), the Board of Directors of Elk Springs Homeowners Association, Inc. (the "Association") adopts the following policy and procedure regarding access to/use of unmetered water. Unless otherwise defined in this Policy and Procedure, initially capitalized or terms defined in the Declaration shall have the same meaning herein. This Policy and Procedure may be amended at any time by the Board of Directors of the Association (the "Board").

Policy:

The Declaration (Article 4.14(K)) gives the Association the right to charge reasonable and uniformly applied charges for utilities and services provided, including provision of water. The Bylaws (Section 7.2(e)) give the Association specific power to provide potable water to the Units in return for payment by the owners of usage or standby fees. The Association determines usage charges based on individual Unit meter readings. Except during the initial construction period leading up to Certificate of Occupancy, water may only be accessed through metered water lines.

Procedure:

Water taps of any kind that do not go through a Unit's water meter to measure usage are not allowed. When it is believed that a Unit has a water tap that is unmetered, the Property Manager will contact the Unit Owner and indicate that the tap must be removed or be reconnected through the Unit's water meter. If the unmetered tap is neither removed nor connected through the Unit's water meter after thirty (30) days from the date of notification, a fine of \$500 per month will be assessed until such time as the unmetered tap is either removed or reconnected through the Unit's water meter.

PRESIDENT'S CERTIFICATION:

The undersigned, being the President of the Elk Springs Homeowners Association, Inc. Board of Directors certifies that the foregoing Access to/Use of Unmetered Water Policy was adopted by the Board of Directors at a duly called and Noticed meeting of the Board of Directors held on 18 Nov, 2019 and in witness thereof, the undersigned has subscribed her name.



Andrea Schober
President, Elk Springs Homeowners Association, Inc.
Board of Directors

11-18-19

Date Adopted