

**REQUEST FOR WATER AND SEWER SERVICES
AND WAIVER AND ACKNOWLEDGMENT**

The undersigned hereby requests central water and sanitary sewer collection services from the MOUNT WERNER WATER AND SANITATION DISTRICT (the "District") to the proposed building improvements (the "Improvements") on the real property described as follows (the "Property"):

The undersigned acknowledges that additional water and/or sewage collection main lines (the "New Main Lines") will be required to be installed and constructed from existing District main lines to and into the Property, that service lines (the "Interior Service Lines") will be constructed from the Improvements to the New Main Lines or existing District Main Lines, and that:

- a. Such New Main Lines and Interior Service Lines must be constructed by or under the direction of the undersigned and at the cost of the undersigned pursuant to District regulations and the engineering plans and specifications (the "Plans") to be prepared by a Colorado Professional Engineer and submitted to and approved by the District manager prior to initiation of construction.
- b. Interior Service Lines from the Improvements to the New Main Lines or existing District Main Lines cannot be physically interconnected to such New Main Lines or existing District Main Lines except by District employees or qualified contractor when authorized, in writing, by the District.
- c. Physical interconnection of Interior Service Lines to the New Main Lines or existing District Main Lines, and provision of District water and sanitary sewer collection services to the Improvements, is not permitted and cannot be allowed by the District until such New Main Lines are inspected by and preliminarily accepted by the District; EXCEPT pursuant to Temporary Construction Service as permitted under paragraph (d) below. Preliminary acceptance by the District is not effective unless made in writing signed by the District Manager.
- d. Upon written request from the undersigned to the District, the District may allow and permit temporary water and sanitary sewer services to the Improvements during the period of construction of the Improvements (herein called "Temporary Construction Service"), provided that the New Main Lines have passed biological testing and pressure testing per the District specifications, and the Interior Service Lines have passed pressure testing per the District specifications, and notwithstanding that the District has not granted preliminary acceptance of the New Main Lines. However, such Temporary Construction Service shall automatically terminate without necessity of any notice whatsoever upon the earliest to occur of (i) issuance of a certificate of occupancy or partial certificate of occupancy upon substantial completion of all or part of the Improvements, (ii) non-construction human occupancy of the Improvements for commercial or residential purposes, (iii) written preliminary acceptance of the New Main Lines by the District, or (iv) violation of District regulations by such service which is not timely cured after notice from the District, or (v) the passage of 6 months from the commencement of such Temporary Service. If such Temporary Construction Service shall so terminate, then the District reserves the right without necessity of any notice to the undersigned or its contractor or the owner or any occupant of the Improvements or Property to physically terminate and sever water and sanitary sewer services of the District to the Improvements until the New Main Lines are completed in compliance with District regulations and the approved Plans and are granted preliminary acceptance by the District Manager. The District shall have a

license to enter upon the Property and the Improvements to accomplish such physical termination.

- e. Inspection of the New Main Lines for preliminary acceptance by the District shall not occur between November 1 and April 30.

The undersigned has requested that the District approve the application of the undersigned for a building permit to construct the Improvements on the Property, even though the New Main Lines have not been (i) constructed, or (ii) physically interconnected to District Main Lines, or (iii) physically interconnected to the Improvements by the Interior Service Lines, or (iv) preliminarily accepted by the District Manager. The District is willing to approve such application for a building permit, conditioned upon the execution and continued effectiveness of this instrument with respect to water and/or sanitary sewer collection services of the District to the Improvements.

The undersigned therefore acknowledges that the approval by the District of the undersigned's application for a building permit for the Improvements shall **NOT** constitute or be deemed a waiver or modification of any policy or regulation of the District, and specifically that such approval will **NOT** entitle the undersigned or the owner or any occupant of the Property: (i) to require that the District continue the physical interconnection of Interior Service Lines to the New Main Lines or existing District Main Lines beyond termination of Temporary Construction Service in the absence of preliminary acceptance of the New Main Lines by the District Manager, or (ii) to obtain or require the District to supply municipal water to the improvements on the Property or take sewage effluent from the Property during any period in which the regulations of the District applicable to service to the Improvements are being violated with respect to the Improvements or the occupancy thereof. The undersigned further acknowledges that until the New Main Lines on the Property have been interconnected by District personnel to the Interior Service Lines and have been preliminarily accepted by the District Manager, the District may not only refuse to provide water or sewer service to the Property and the Improvements but may also shut off or disconnect any such service, except during the period that the District permits Temporary Construction Service.

The undersigned hereby instructs the engineers and architects of the undersigned to disclose promptly to the District Manager any construction of the New Main Lines or Interior Service Lines which does not comply with District regulations and the approved Plans, and any aspect of construction of the Improvements which violates District regulations.

NO ENTITLEMENT TO WATER OR SEWAGE COLLECTION SERVICES OF THE DISTRICT IS EXPRESSED OR IMPLIED AS A RESULT OF THE APPROVAL BY THE DISTRICT OF THE APPLICATION OF THE UNDERSIGNED FOR A BUILDING PERMIT FOR IMPROVEMENTS ON THE PROPERTY, AND ANY CLAIM OF THE UNDERSIGNED FOR ANY SUCH ENTITLEMENT IS HEREBY WAIVED. THIS INSTRUMENT MUST BE RECORDED IN THE ROUTT COUNTY REAL PROPERTY RECORDS.

EXECUTED AND ACKNOWLEDGED this _____ day of _____, 20____

Signature

Signature

Address

Telephone

Fax