

HOLD HARMLESS AFFIDAVIT AND VAIRANCE REQUEST  
FOR SWIMMING POOL CONSTRUCTION

\_\_\_\_\_ (include marital status)  
affiant(s) and owner(s) of real estate described as Lot \_\_\_\_\_ in \_\_\_\_\_  
\_\_\_\_\_ (Subdivision) Bernalillo County, New Mexico  
and may be confirmed by the document filed for public record in Bernalillo County, New  
Mexico on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_ under document number \_\_\_\_\_ hereby  
request a variance from the Bernalillo County Storm Drainage Ordinance No. 96-5 and  
the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) Drainage  
Policy (Resolutions 1980-15 and 1901-8) for release of the Building Permit for  
swimming pool construction on the above referenced property. The undersigned owner  
agrees to save Bernalillo County and AMAFCA, and their agents (the agencies) harmless  
from any and all liability arising form the Agencies release of the Building Permit  
without benefit of a drainage and grading plan.

The Owner fully understands that there maybe flood hazards in the area of this lot, even  
though a brief review may have been made by Bernalillo County or AMAFCA staff or  
their Agents to determine if known flood hazards exist. The Agencies strongly  
recommend that the property owner obtain an updated drainage plan for the property,  
even though there may be no legal requirement to provide such a plan.

The Owner fully understands that a grant of variance by Bernalillo County and  
AMAFCA does not include any provision to construct in an existing floodplain or  
drainage easement, or in a 100 year flood zone as shown on an existing National Flood  
Insurance Program Map. The Owner hereby states that no drainage damage to adjacent  
property will be created by the proposed swimming pool construction.

The agreements and obligations of the Affidavit of the Owner as set forth herein shall be  
binding on the Owner, his heirs, assigns and successors and on the Owner's property and  
constitute covenants running with Owner's property until released by the Agencies as  
shall be evidenced by a document filed for public record.

Witness \_\_\_\_\_ (our/my) hand (s) and seal (s) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
Owner (s):

\_\_\_\_\_  
Owner

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY \_\_\_\_\_  
\_\_\_\_\_  
(Include Marital Status)

My Commission expires: \_\_\_\_\_ Notary Public: \_\_\_\_\_