

GRANT WATER AND SANITATION DISTRICT

RESIDENTIAL UNDERDRAIN VARIANCE AGREEMENT

This Agreement is made this _____ day of _____, 20____ by and between GRANT WATER AND SANITATION DISTRICT, a Colorado special district organized and existing pursuant to C.R.S. §32-1-1001 et seq. (GW&SD), and _____ (Owner).

RECITALS

WHEREAS, the Rules and Regulations of GW&SD require all structures within the District to be equipped with a foundation underdrain that is connected to GW&SD's underdrain system via gravity; and

WHEREAS, Owner states that the residence located at the address indicated in Paragraph 1 below was designed and constructed in such a manner that it is not physically feasible for such structure to be connected to GW&SD's underdrain system via gravity without extreme hardship; and

WHEREAS, Owner has submitted to the GW&SD Engineer a Request for Residential Underdrain Variance from the Rules and Regulations of GW&SD.

NOW THEREFORE, in consideration of GW&SD granting to Owner a variance from its requirement that underdrains be installed via gravity for all construction within GW&SD, and the undertakings of Owner herein, it is agreed as follows:

1. Owner's residential structure is on real property located in the city of _____, County of _____, State of Colorado, more fully described as follows: [insert legal description] _____

, also known as street and number: _____.

2. Owner acknowledges that the builder of the residence was required by the Rules and Regulations of GW&SD to design and construct the residence with a gravity connection of the foundation drain(s) to the GW&SD underdrain system, or to obtain an approved variance from the requirements of the Rules and Regulations.

3. If the approved variance involves a non-gravity connection to the District underdrain system via sump pump, Owner hereby agrees to be fully responsible for the proper operation of the sump pump, and its connection to the District underdrain system.

4. The recording of this agreement shall serve as notice to all owners of the property that the residence has a non-gravity connection to the GW&SD underdrain system, and to notify the owner of the responsibilities identified in Paragraph 3 above.

5. Owner understands that the granting of this variance does not constitute a representation or warranty by GW&SD that Owner's foundation drain was properly designed and constructed by the builder.

6. GW&SD hereby grants to Owner a variance from its requirement that underdrains be installed via gravity within the District and approves the following terms for Owner's variance [Describe below details of alternative to gravity connection. Attach additional sheets if needed]:

_____(Owner)

_____(Co-owner)

ACKNOWLEDGMENT

STATE OF COLORADO)
____ COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this ____ day of _____,
_____, by _____ (Owners).

Witness my hand and official seal.

My commission expires:_____.

[SEAL]

Notary Public

GRANT WATER AND SANITATION DISTRICT

By _____,
Chairman

ATTEST:

_____, Secretary