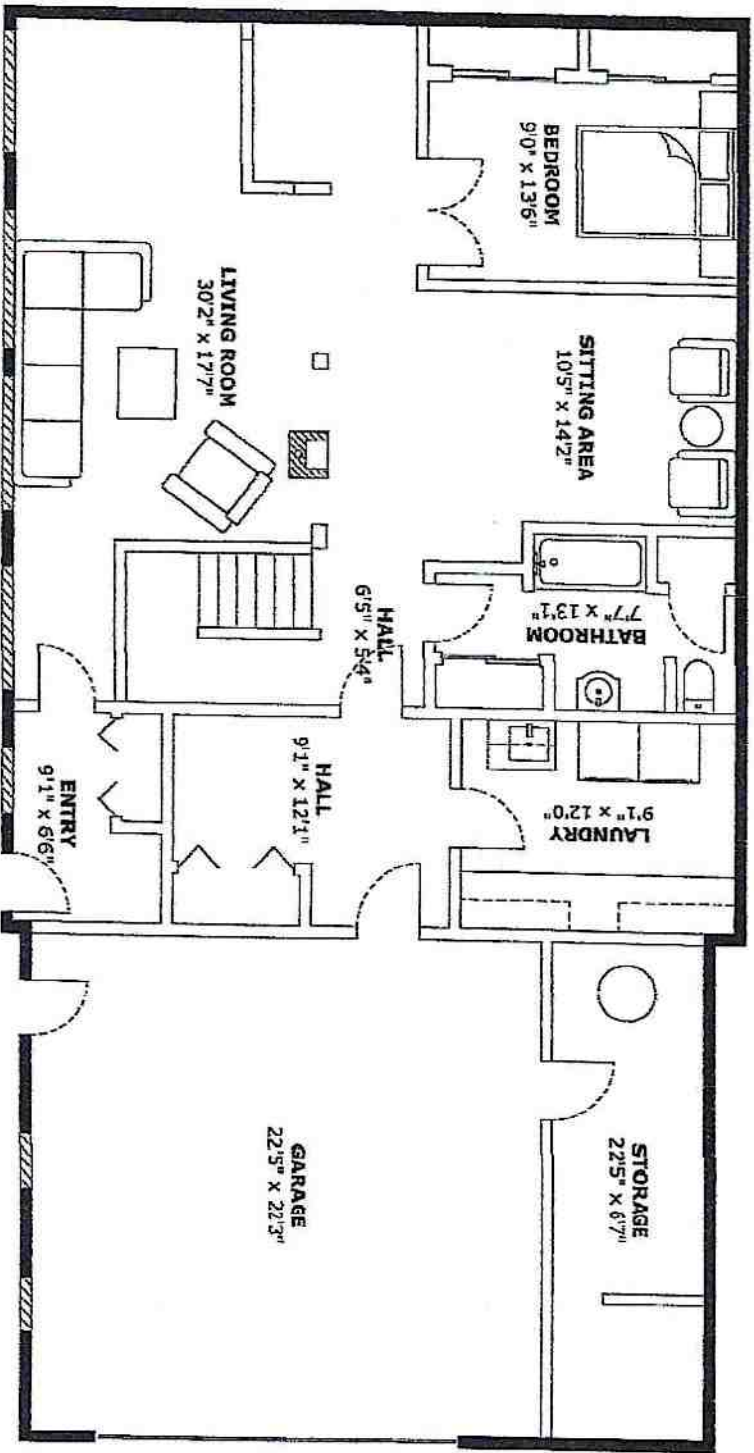


**Maps/diagrams for
directional purposes only.
Summit & Main Realty Group**



GROSS INTERNAL AREA

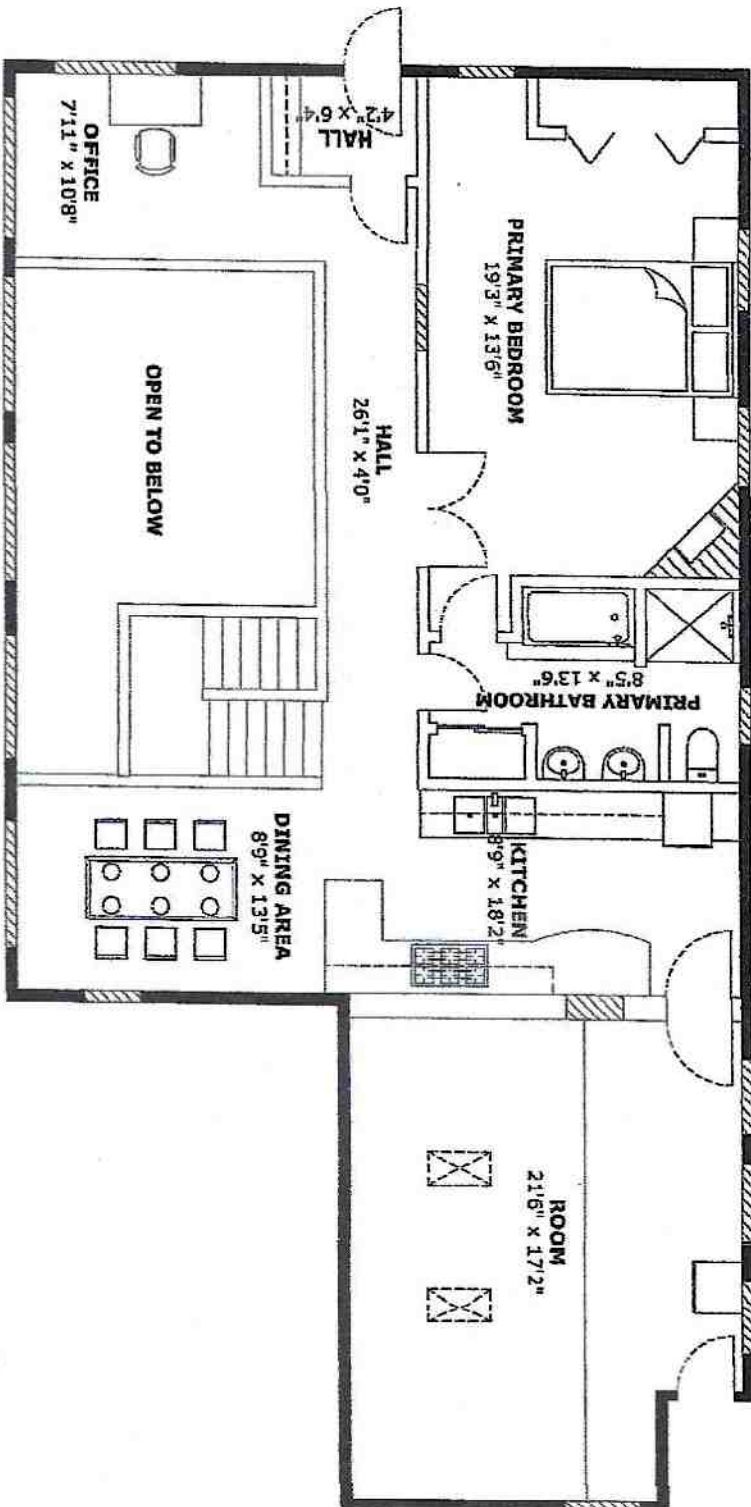
TOTAL: 2,655 sq ft

FLOOR 1: 1,254 sq ft, FLOOR 2: 1,401 sq ft

All material presented herein is intended for informational purposes only; information is contained from sources deemed reliable but is subject to errors, omissions, changes in price, condition, sale, and availability without notice. No statement is made as to accuracy of any description. All measurements and square footages are approximate. Exact dimensions can be obtained by retaining the services of an architect or engineer. This is not intended to solicit a contract for any purpose.

425 EDIE LN

2 Bed/2 Bath



WINDOW
DOOR
THICK WALL

GROSS INTERNAL AREA

TOTAL: 2655 sq ft

FLOOR 1: 1,254 sq ft, FLOOR 2: 1,401 sq ft

All material presented herein is intended for informational purposes only. Information is compiled from sources deemed reliable but is subject to errors, omissions, changes in price, condition, sale, delivery without notice. No statement is made as to accuracy of any description. All measurements and square footages are approximate. Exact dimensions can be obtained by retaining the services of an architect or engineer. This is not intended to solicit property already for sale.

425 EDIE LN

2 Bed / 2 Bath

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

LIC

APPLICANT

WELL PERMIT NUMBER **219490**

DIV. 2 WD 13 DES. BASIN MD

Lot 7 Block Filing: 26 Subdiv: BULL DOMINGO RANCH

ROBERT E MOOSE
BOX 1645
WESTCLIFFE, CO 81252-

APPROVED WELL LOCATION

CUSTER COUNTY

NE 1/4 NE 1/4 Section 4

Township 22 S Range 72 W Sixth P.M.

DISTANCES FROM SECTION LINES

1186 Ft. from North Section Line

752 Ft. from East Section Line

(719) 431-0794

PERMIT TO CONSTRUCT A WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(II)(A) as the only well on a tract of land of 36.65 acres described as lot 7, Map 26, Bull Domingo Ranch division of land, Custer County.
- 4) The use of ground water from this well is limited to fire protection, ordinary household purposes inside not more than three (3) single family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one (1) acre of home gardens and lawns.
- 5) The maximum pumping rate of this well shall not exceed 15 GPM.
- 6) The return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
- 7) This well shall be constructed not more than 200 feet from the location specified on this permit.
- 8) This permit has been approved subject to the following changes: the number of acres in the lot is 36.65 according to the plat map, and the well is located 752 feet from the east section line to place the well on the lot at the location indicated on the map attached to the permit application. You are hereby notified that you have the right to appeal the issuance of this permit, by filing a written request with this office within sixty (60) days of the date of issuance, pursuant to the State Administrative Procedures Act. (See Section 24-4-104 through 106, C.R.S.)

MPS
7/28/99

APPROVED
MPS

He D. Simpson
State Engineer

Michael P. Schaub
By

Receipt No. 0448315

DATE ISSUED **AUG 03 1999**

EXPIRATION DATE **AUG 03 2001**

COLORADO DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 SHERMAN ST., RM. 818, DENVER CO 80203
phone - info: (303) 866-3587 main: (303) 866-3581

NEW 35+ ACRE RESIDENTIAL

Review instructions prior to completing form

86000

RECEIVED

JUL 15 1999

WATER RESOURCES
STATE ENGINEER
COLO

Water Well Permit Application

Must be completed in black ink or typed

1. APPLICANT INFORMATION				6. USE OF WELL (check appropriate entry or entries)	
Name of applicant <u>ROBERT E. MOOSE</u>				<input checked="" type="checkbox"/> A. Ordinary household purposes in up to 3 single-family dwellings, the watering of domestic animals, and the irrigation of not more than one (1) acre of home gardens and lawns	
Mailing Address <u>P.O. BOX 1645</u>				<input checked="" type="checkbox"/> B. Livestock watering (on farm/ranch/range/pasture)	
City <u>WESTCLIFFE</u>		State <u>COLORADO</u>		Zip code <u>81252</u>	
Telephone Number (include area code) <u>431-6794</u>				7. WELL DATA	
2. TYPE OF APPLICATION				MAXIMUM PRODUCTION RATE OF THE WELL SHALL NOT EXCEED 15 GPM	
CONSTRUCT A NEW WELL ON A TRACT OF LAND OF 35 ACRES OR MORE				8. TYPE OF RESIDENTIAL SEWAGE SYSTEM	
3. REFER TO (if applicable):				<input type="checkbox"/> Septic tank / absorption leach field	
Monitoring hole acknowledgment # <u>MH-</u>				<input type="checkbox"/> Central system	
4. LOCATION OF WELL				District name: _____	
County <u>CUSTER</u>		Quarter/quarter <u>NE 1/4</u>		<input type="checkbox"/> Vault	
Section <u>4</u>		Range E or W <u>72</u>		Location sewage to be hauled to: _____	
Township N or S <u>22</u>		Principal Meridian <u>6th</u>		<input type="checkbox"/> Other (attach copy of engineering design)	
Distance of well from section lines <u>1186</u> ft. from <u>N</u> <u>752</u> ft. from <u>E</u> <u>369-9</u> ft. from <u>S</u> <u>369-9</u> ft. from <u>W</u>				9. PROPOSED WELL DRILLER (optional)	
Well location address, if different from applicant address (if applicable)				Name _____ License number _____	
5. TRACT ON WHICH WELL WILL BE LOCATED				10. SIGNATURE of applicant(s) or authorized agent	
A.				The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof and state that they are true to my knowledge.	
ATTACH LEGAL DESCRIPTION FOR 35+ ACRE TRACT				Must be original signature <u>Robert E. Moose</u>	
<input checked="" type="checkbox"/> Development				Title <u>OWNER</u>	
Name <u>BILL DOMINGO</u>				Date <u>7/6/26/99</u>	
Lot no. <u>7</u> Unit # <u>26</u>				Office Use Only WC ✓ WR ✓ CWC ✓ Topic plotted ✓	
<input type="checkbox"/> Other				DWR Map No. <u>78L</u>	
B. STATE PARCEL				CHECKS TRN448315 071599 COO.004	
ID# (optional):				DIV OF WATER RESOURCES	
C. # acres in tract <u>35+</u> <u>36.65 ac</u>				WD <u>13</u>	
D.				BA _____	
THIS WILL BE THE ONLY WELL ON THIS TRACT				USE _____ MD _____	

2-28-00

INSTALLATION OF INDIVIDUAL SEWAGE DISPOSAL SYSTEM

100-33-778

S00030801

Issue date: 03/08/2000

Robert and Rosemary Moose

4240 Charley Forest Street

Olney, MD 20832-1248

(301) 774-4902

Septic Contractor: **Baltzly** Perc tech: **Todd Lloyd** Perc date: **11/29/1998** Applicant: **Owner**

Permit type: **Installation** System type: **Standard Septic**

Property address: **425 Edie Lane**

Legal: **Bull Domingo Ranch, Map 26, Lot 7**

Lot size: **36.65 acres** Number of people: **4** Number of bedrooms: **2**

Accessories: Garbage disposal **Yes** Clothes washer **Yes** Dishwasher **Yes**

This septic will serve a **Dwelling** Water: **Private Well**

Conditions: Depth to bedrock **+96"** Depth to water: **+96"** Slope:

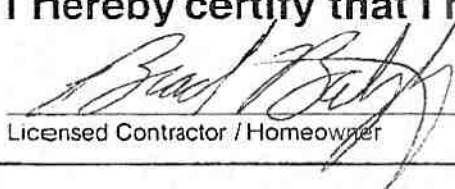
Hole #1	10.00	Hole #2	8	Hole #3	12.00	Average	10.00
Leach Field	455.37						

Number of chambers required, if used (round up for 0.2 or more):

Infiltrators - Bed	17.63	Infiltrators - Trench	14.69
Equalizers - Bed	21.89	Equalizers - Trench	14.26

Comments:

I hereby certify that I have installed this system as designed:



Licensed Contractor / Homeowner

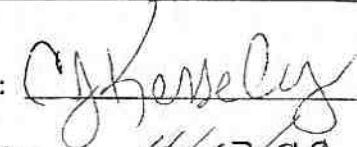
4-14-00

Date

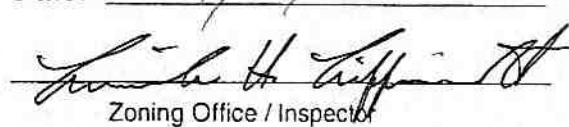
Inspected on: 4/14/00

Amount use tax paid: \$2.25

Final approval date: 4/19/00

By: _____

Date: 4/17/00



Zoning Office / Inspector

Date: 9/14/00Property Owner(s): **Robert and Rosemary Moose**Property Address: **425 Edie Lane**Inspected By: Ch, CCLegal: **Bull Domingo Ranch, Map 26, Lot 7**Schedule #: **100-33-778**Distance of Pipe from House to Tank: 40Number of cleanouts needed (50 feet): OKCheck slope (1/2 inch per 2 feet for last 10 feet before tank): OKType of pipe (schedule number): 40Tank size: 1000 Is tank level? OKCheck tees or baffles on tank: Inlet OK Outlet OKCheck seals on pipes entering tank: Inlet OK Outlet OKCheck for cracks in tank: OK Date on tank: 3/30/00Distance of pipe from tank to leach field: 360 ft Check for slope: OKCheck for level distribution field: _____ Type of pipe (schedule number): 90Type of leach field: Bed Infiltr Number, if chambers: 18 10+10+10Type of baffle used (per installer): OKCheck for screws on chamber connections: OKConfiguration: Trench or (Bed) Check for level: OKDepth: 18-36 in Check distance between trenches (6 feet minimum): —Distance from well to tank: 150 Distance from well to leach field: 100Distance from leach field to any irrigation ditch or creek: none

(Minimums: Cistern - 25'; property line - 10'; water course - 50'; dry gulch - 25')

Additional comments: From Tank to leachfield → very steep

Your Onsite Wastewater Treatment System

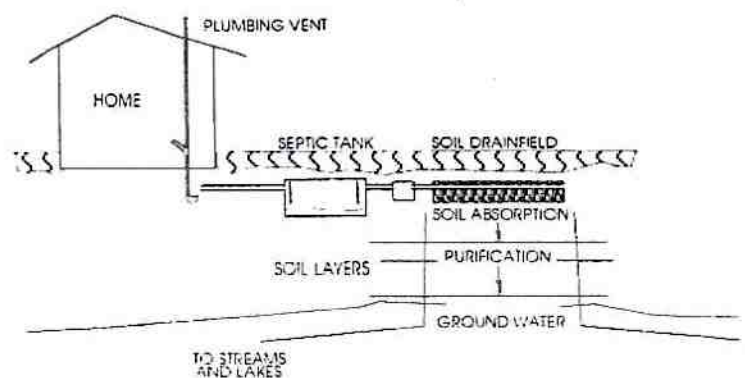
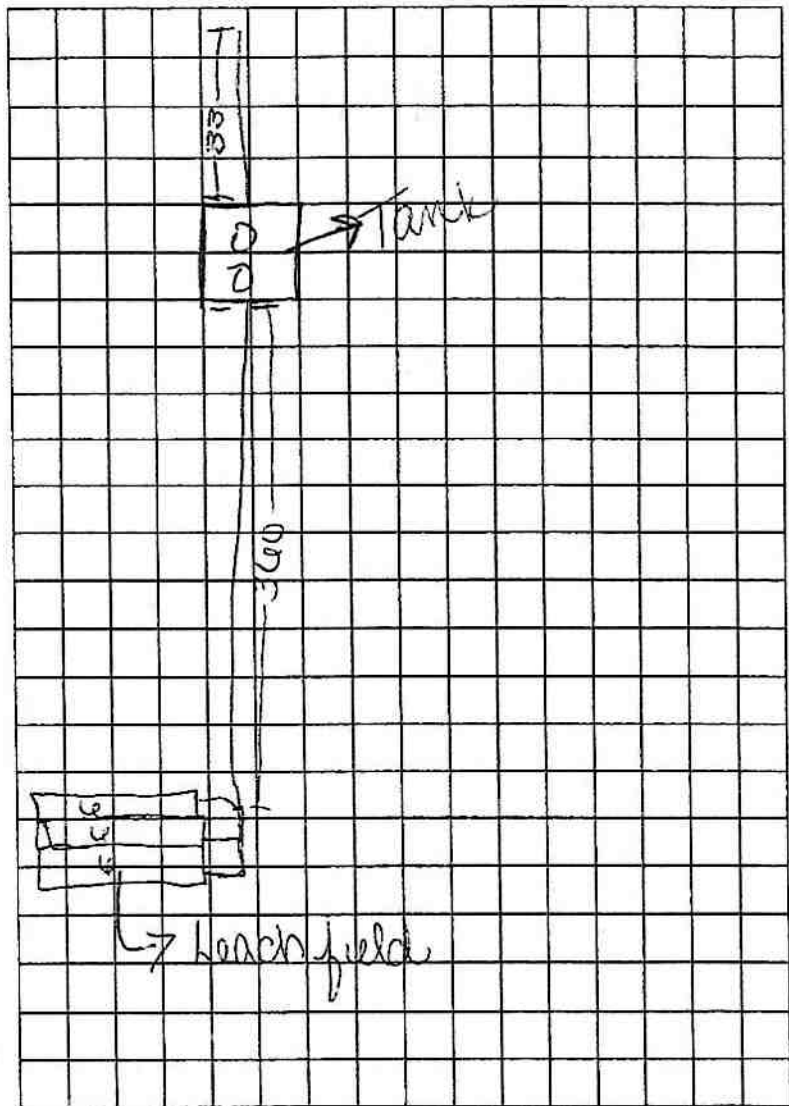
So, you're an owner (and operator!) of a septic tank system. You should be proud! Your system is designed to be environmentally safe and to protect public health. A properly installed and operated septic tank system treats your wastewater and returns it to the groundwater to preserve and protect our groundwater resource. Successfully used for over 100 years, nearly one-third of the population of the United States is served by this method of wastewater treatment!

This folder provides you with information and guidelines for operation and maintenance of your system. By carefully reading and following these guidelines, you should receive many years of trouble-free service, while at the same time protecting our environment. Use this folder to keep other information about your system, including your permit, site drawings, descriptions of maintenance and repairs performed and other important documents.

System Description

A septic tank system uses natural processes to treat and dispose of the wastewater generated in your home. It typically consists of a septic tank and a drainfield or subsurface infiltration field. The system accepts both "blackwater" (toilet wastes) and "greywater" (wastes from the kitchen sink, bath and showers, laundry, etc...). Water that should not be discharged to the system includes water from foundation or footing drains, roof gutters and other "clear" water.

↖ N Sketch System Layout Here



Basic System



National Onsite Wastewater Recycling Association, Inc

Homeowner's Septic Tank System Guide And Record Keeping Folder

Sanitary Permit:

Issued To: Robert & Rosemary Moose Date Issued: 3/8/00
Address: 425 Edge Ln
Legal Description: BOR Map 26, Lot 7

System Description:

Septic Tank Size (Gallons): 1000 Pump Tank Size (Gallons): _____

Drainfield Type: ☐ Trenches ☒ Bed ☐ Mound ☐ LPP
☐ At-Grade ☒ Leaching Chambers ☐ Other: _____

Drainfield Dimensions: 18 Infiltrators

Accessories: ☐ Outlet Filter ☐ Sand Filter ☐ Aerobic Treatment Unit
☐ Pump ☐ Siphon ☐ D-Box
☐ Diversion Valve ☐ Other: _____

Installing Contractor: Batzly Const

Address: _____

Telephone: _____

Septic Tank Pumper: _____

Address: _____

Telephone: _____

System Maintenance Record

Date	Description	Date	Description

Provided To You By:

Custer County
Planning and Zoning
P.O. Box 203
Westcliffe, CO 81092



Engineering Services

**REPORT OF SUITABILITY AND SIZING
FOR AN
INDIVIDUAL SEWAGE DISPOSAL SYSTEM**

Job#: MOO-9849

Date: November 29, 1998

Owner: Robert Moose
4240 Charley Forest Street
Olney, MD 20832

Phone Message:

Legal Description of Property: Lot 7; Map 26; Bull Domingo Subdivision; Custer County, CO
(See Exhibit A for Plot Plan)

Proposed Site Use: Single Family Residence

of Bedrooms: 2

Appliances: Clothes Washer, Garbage Grinder

Soil Investigation

Soil Type : Troutdale-Rogert Complex (SM-SC) (Custer County Soil Survey, USDA/NRCS
1982; Map #2)

Soil Profile: An 8' **Observation Hole** revealed Sandy Loam to 8", then loamy, clayey sand to 96"; No evidence of Bedrock, or Seasonal Groundwater.

Percolation Test Results

Hole #1: 10 min/in
Hole #2: 8
Hole #3: 12



DESIGN PERCOLATION RATE (t): 10 MIN/IN

Sizing

Septic tank: **1000 gal** (2 Bedrooms) - See **Exhibit B** for Typical Installation Details

Leach Field:

$$\text{Design Flow (Q)} = 1.4 \times 1.5 \times (2 \times 150) = \underline{630 \text{ gpd}}$$

$$\text{Leach Field Area (A}_0\text{)} = Q \times \text{SqRt}(t) / 5 = \underline{398 \text{ ft}^2}$$

Allowed Area Reduction for Chamber System (Infiltrator™ or similar):

$$\text{Reduced Area (A}_1\text{)} = 0.6(\text{Bed}) \times 398 = \underline{239 \text{ ft}^2}$$



REQUIRED # OF CHAMBERS: 16 (ALLOWING 15.5 FT² PER CHAMBER)

$$2 \text{ BD} = 18 \text{ (beds)} \quad 3 \text{ BD} = 27 \text{ (beds)}$$

GENERAL NOTES

- 1.) This report has been prepared in accordance with the Colorado State Board of Health Authority Guidelines, and the Custer County ISDS office. This is a standard system, and will not require and engineered design.
- 2.) A minimum of 12" and a maximum of 24" of suitable soil shall be backfilled over the completed Leach Bed, and graded so as to prevent run-off erosion.
- 3.) Under no circumstances shall vehicular traffic be allowed on the Installed Leach Bed system during or after backfill.
- 4.) See **Exhibit C** for typical Leach Bed installation details.

BULL DOMINGO RANCH; MAP 26; LOT 7
CUSTER COUNTY, CO
SCALE: 1"=150'

Note: This does not
represent a survey.
All dimensions should be
verified on the official
plat for this lot.

PERC RESULTS

HOLE 1: 12 MIN/IN
HOLE 2: 8 MIN/IN
HOLE 3: 10 MIN/IN

NOTE: NO WELL ON SITE

EDIE LANE

**PRO
SPEC**
ENGINEERING
AND DRAFTING
SERVICES

PRO-SPEC ENGINEERING, P.O. BOX 375
WESTCLIFFE, CO 81252 (719)783-9231

EXHIBIT A

INT	PROJECT NO. M009849	DRAWING PLOT PLAN	REV 0
SCALE 1"=150'	DATE 12/1/98	SHEET 1 OF 1	

DECLARATION OF PROTECTIVE COVENANTS

Bull Domingo Ranch Property Owners' Association, Inc. (hereafter referred to as BDRPOA), and its members as owners of real property in Bull Domingo Ranch Subdivision, situated in the county of Custer, State of Colorado, as shown by the plats and/or maps of said subdivision recorded with the Custer County Clerk and Recorder, in compliance with Covenant XIV, entitled, Terms of Covenants, of the Original Declaration of Protective Covenants of Bull Domingo Ranch Joint Venture, recorded at Reception No. 14538, Book No. 203, Page No. 754 (as shown in the attached affidavit) in order to protect the living environment and preserve the values within said subdivision.

HEREBY DECLARE that the property within the confines of Bull Domingo Ranch Subdivision shall be held, leased, sold and conveyed subject to the following covenants, and that each covenant shall inure to and run with the land and shall apply to and bind all current members and their respective successors in interest. The following covenants have been approved in writing by a majority of BDRPOA's members and the property within the Bull Domingo Ranch Subdivision are made subject to their provisions.

I. INTENT. It is the intent of these covenants to protect and enhance the value, desirability and attractiveness of said property, and to prevent the construction of improper or unsuitable improvements. BDRPOA is a residential community and restrictions are kept to a minimum while keeping in constant focus the right of property owners to enjoy their property in attractive surroundings free of nuisances, undue noise, and danger. Further, it is intended that the natural environment be disturbed as little as possible. To that end, all Bull Domingo Ranch parcels shall be no less than thirty-five (35) acres in size and there shall be only one single family dwelling per parcel.

II. PROPERTY OWNERS' ASSOCIATION. BDRPOA will be operated as per the by-laws of the association.

A. MEMBERS: Every property owner will automatically be a member of the Property Owners' Association

B. PURPOSE: The purpose of BDRPOA is to use its authority, as given in the by-laws:

1. To enforce these protective covenants.
2. To assess property owners annual dues, and
3. To see that assessment funds are used as intended; pay common area costs, extend electricity lines, to own and provide upkeep and improvements to all non-county roads in Bull Domingo Ranch for the use of all tract owners of Bull Domingo Ranch Map No. 1 and all subsequent Maps of Bull Domingo Ranch, and to convey said roads to the County of Custer upon acceptance of said county.

Should any property owner fail to pay assessments when due, the Property Owners' Association may file a lien against the owner for collection purposes.

III. (A) HOMES. After January 1, 1998, no residential structure shall be built on Bull Domingo Ranch that is less than 800 square feet of living space enclosed by the perimeter of the building, exclusive of garage, porches, balconies, sun decks, roof-overhangs and out-buildings. No structure to exceed 25 feet height limit and/or the Custer County height limit. All homes commenced on Bull Domingo Ranch shall be prosecuted diligently to completion and all exteriors of homes to be completed within 15 months of start of construction. Any exception to these rules must be given prior approval by the Board of Directors or the committee assigned to this purpose. If such exception is beyond the bounds of County limitations, approval of the appropriate County agency is mandatory. The use of metal shipping/cargo containers as living space shall *not* be permitted on Bull Domingo Ranch. (Updated 11/13/2016)

III.(B) HOME OCCUPATION. Home occupation for business usage is allowed on Bull Domingo Ranch. All Custer County Regulations must be adhered to, with the following additional restrictions:

1. No advertising or signage within Bull Domingo Ranch.
2. All such home businesses must receive prior approval from the BDRPOA Board of Directors.
3. Will not involve the use of hazardous materials.
4. No parking areas, other than normal for the residence, will be allowed nor shall there be such additional traffic as to infringe on the rights of any Bull Domingo Ranch Property Owner(s). The BDRPOA Board of Directors shall make the final determination of what constitutes "normal" and "infringe."
5. Any business, which requires a special or conditional use permit from Custer County is prohibited.

III. (C) ACCESSORY/OUTBUILDING/CARGO-CONTAINERS/SCHOOL/CHURCH/STORE/MEETING HALL/ etc. Defined as a building on a lot or subordinate to and located on the same lot with a residential building, the use of which is clearly incidental to that of the residential building or to the use of the land, and which is not attached by

any part of a common wall or common roof to the residential building. A Custer County building permit is required to install or construct any accessory, outbuilding. All construction commenced shall be prosecuted diligently to completion and all exteriors to be completed within 15 months after start of construction.

Use of a shipping/cargo container (referred to as "cargo container" hereafter) as a *permanent* accessory or outbuilding is *not* permitted on Bull Domingo Ranch. If a cargo container was approved for use as a *permanent* accessory/outbuilding prior to August 1, 2016 by the BDR Board of Directors, it is "grandfathered" and can remain on the property. Additional cargo container(s) or the replacement of the existing container(s) are *not* allowed after the aforementioned date. (For temporary accessory or outbuilding, please see Article X, Temporary Residences). Effective September 1, 2019, no building such as a schoolhouse, church, meeting hall, store or any other building that would or could be used for any public or business function or create increased traffic and cause property owners undue noise and nuisances shall be constructed on Bull Domingo Ranch.

IV. SETBACKS. No structure may be erected within fifty feet of the right-of-way line of any road within Bull Domingo Ranch nor within fifty feet of any side or rear line of any parcel. Owners to obtain current county regulations when filing for building permit from Custer County Zoning Office.

V. TRASH AND RUBBISH. Rubbish, garbage or waste shall be kept and disposed of in a sanitary manner, and all containers shall be kept in a clean, sanitary condition. In case of a dispute, follow the Grievance Procedure. The Property Owners' Association Board of Directors shall make the final determination of what constitutes "trash and rubbish."

VI. EASEMENTS. Utility easements shall extend twenty-five feet on either side of all boundary lines for all parcels at Bull Domingo Ranch.

VII. NUISANCES. No owner shall cause or allow the origination of excessive odors, sounds or lights from their parcel. No owner shall cause or allow any other nuisances of any kind whatsoever to exist on their parcel. In case of a dispute, follow the grievance procedure. The Property Owners' Association Board of Directors shall make the final determination of what constitutes a nuisance.

VIII. ANIMALS. Animals will be allowed on Bull Domingo Ranch for the personal use of property owners. Any animals raised for the purpose of commercial and/or agricultural activity must be approved by the BDRPOA Board of Directors. Commercial feedlots, commercial swine operations and commercial poultry operations shall be prohibited. All requests for Board approval shall be in writing and contain a full and complete description of the activity requested.

IX. MOTOR VEHICLES. No motorized vehicle, which is either non-operational or non-licensed, shall be kept or stored on any parcel, unless said vehicle is kept or stored in a fully enclosed building.

X. TEMPORARY RESIDENCES. No structure of temporary character, recreational vehicle, camper unit, camper shell, trailer, basement, tent or accessory building shall be used on any tract or parcel as a permanent residence except that during the period of construction of a permanent residence. With a written request to the Board of Directors or the designated committee, a temporary structure may be permitted for a period not to exceed six (6) months. Upon showing good cause, the Board or the designated committee may grant an extension of time.

Recreational vehicles, camper units, trailers and tents may be used for vacation camping for consecutive periods not to exceed a total of 90 days in any 12 consecutive months. After 90 days, the unit must be removed from Bull Domingo Ranch. Upon showing good cause, the Board or the designated committee may grant an extension of time.

Whenever possible, the temporary structure, recreational vehicle, camper unit, camper shell, trailer, tent or accessory building shall be placed in an area sheltered from any neighbor's view and from any road.

XI. MOBILE HOMES. Mobile homes shall not be permitted on any parcel within Bull Domingo Ranch, except those areas that may be specifically designated for mobile homes. Double-wide mobile homes, in excess of 800 square feet, may be approved by the Property Owners' Association if the home has a pitched roof, wood siding, shingles, and placed on a permanent foundation.

XII. LAND USE. Commercial wood harvesting, mining (including the removal of soil, gravel or rock) is prohibited. Quarrying, crushing and screening of rock and gravel from any property on Bull Domingo Ranch solely for the purpose of

maintaining Bull Domingo Ranch roads is allowed, provided written permission is obtained from any owners of parcels used and the adjacent property owners. The Property Owners' Association will be responsible for obtaining any and all necessary permits. The properties used shall be returned to the parcel owner in a useable condition as mutually agreed upon.

XIII. ENFORCEMENT. Enforcement shall first be by following the BDRPOA Grievance Procedure. Should this fail to satisfy the parties then it shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant. Invalidation of any of these covenants or restrictions by judgment or court order shall in no way affect any other provisions which shall remain in full force and effect. Costs incurred by BDRPOA in enforcing the governing documents of the BDRPOA shall be recoverable from the property owner in violation of the governing documents.

XIV. TERMS OF COVENANTS. These covenants and restrictions are to run with the land and shall remain in full force and effect, but may be amended by the affirmative vote of two-thirds of all the lot owners. Each owner shall be entitled to one vote per lot. The owners of at least one-third of the lots may call for a vote on the proposed amendment. Copies of the proposed amendment shall be sent to each lot owner(s) at their last recorded mailing address as shown in the books of BDRPOA by first class mail. The notice shall provide that the vote shall be held at a time and place in Custer County, Colorado, at least 30 days after the mailing of said notice. Voting may be by mail, in person, or by written proxy.

XV. SEVERABILITY. Invalidation of any of these covenants or any part thereof by judgment or court order shall in no way affect any of the other provisions thereof, which shall remain in full force and effect.

XVI. COUNTY REGULATIONS. To the extent that the applicable county or other governmental regulations, rules, codes, ordinances or laws are more restrictive or impose higher standards in their allowable land utilization than these covenants, they shall supersede these covenants and govern at all times.

XVII. AIRCRAFT. All aircraft operation from, or to, any premise within the confines and jurisdiction of Bull Domingo Ranch, other than a medical or emergency aircraft or helicopter, is prohibited. An aircraft is herein defined as a device that is used, or intended to be used, for flight in the air. This will include, but not be limited to, the following: airplanes, airships, balloons, gliders, gyroplanes, gyro dynes, helicopters and ultra lights.

XVIII. HUNTING. (Colorado law states that a property owner(s) is entitled to hunt his own land.) Hunting on Bull Domingo Ranch is limited to member's property only. Invited hunting guests may include, but not be limited to, other members of BDRPOA.

Owners planning to hunt their own property, or having invited guests hunt their property, must register themselves and their guests with Bull Domingo Ranch Security or the committee responsible for monitoring hunting during the various hunting seasons.

Registration must be done each year on the form provided by BDRPOA prior to the opening of hunting season and will include the following:

- a. Names of all persons hunting their property,
- b. During which season(s) and which game will be hunted,
- c. Bull Domingo Ranch map(s) and parcel(s) numbers being hunted.

Each member assumes responsibility for themselves and their guests to meet all federal, state and local laws, rules and regulations pertaining to hunting, including all rules and regulations imposed by BDR.

XIX. COUNTER PARTS. This instrument may be executed in a number of counter parts any one of which may be considered an original.

DEFINITIONS:

The following definitions shall apply in the interpretation of these covenants:

Hazardous or toxic substances: EPA-defined hazardous and toxic material described in Resource Conservation and Recovery Act.

Motor Vehicles: Means a machine propelled or pulled by power other than human power designed to travel along the

ground by use of wheels, treads, tracks, runners or slides and shall include, without limitation, automobiles, trucks, motorcycles, tractors, field machinery, buses, campers, snowmobiles, all terrain vehicles, utility and travel trailers, bulldozers, earth-moving or compacting equipment, backhoes or truck bed/boxes which are:

- A. Inoperable;
- B. Not capable of travel in connection with their normal power source;
- C. Partially or wholly dismantled; or
- D. Without current license plates, unless exempt from registration

Noise Pollution: means sound that is unduly offensive to any reasonable person.

Person: any natural person, firm, partnership, association or corporation.

Rubbish:

- A. Any trash, garbage or litter;
- B. Any abandoned objects or materials including without limitations, newspapers, magazines, glass, metal plastic, packaging or construction materials, vehicles, furniture, appliances, animal waste and carcasses of dead animals;
- C. EPA-defined hazardous and toxic substances or any noxious or offensive matter of any kind.
- D. Any object likely to cause injury to any person, or to create a traffic hazard.

Structure: Structures include, but are not limited to: houses, garages, storage sheds, loafing sheds, greenhouses, shops, solar panel arrays, solar battery storage buildings, or any construction with a roof and/or erected with a fixed location on the ground. Exclusions to this definition include fences, gates, and posts with fire/rescue addresses as well as driveway entry arches specifying the name and/or address of the property. Fencing must be on or within property lines.

-----End of Covenants-----
