

**RESOLUTION OF
THE BOARD OF DIRECTORS OF
GREEN MOUNTAIN WATER AND SANITATION DISTRICT**

A Resolution Amending Will-Serve Notice Policy

At a regular meeting of the Board of Directors of the Green Mountain Water and Sanitation District, Jefferson County, Colorado, held at 6:00 P.M., on Tuesday, MONTH DATE, 2021, at Green Mountain Water and Sanitation District, 13919 West Utah Avenue, Lakewood, Colorado, at which a quorum was present, the following resolution was adopted:

WHEREAS, the Green Mountain Water and Sanitation District (the “District”) is a quasi-municipal corporation and political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Colorado Revised Statutes; and

WHEREAS, pursuant to Section 32-1-1001(1)(d), C.R.S., authorizes the Board of Directors of the District (the “Board”) to enter into contracts and agreements affecting the affairs of the District; and

WHEREAS, the Board has determined that the policy set forth below will promote the health, safety, security and general welfare of the District’s inhabitants and the orderly and uniform administration of the affairs of the District.

WHEREAS, the Board seeks to ensure the financial and environmental safety of the District and its future obligations,

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE GREEN MOUNTAIN WATER AND SANITATION RESOLVES AS FOLLOWS:

1. That Rules and Regulations Section 5.6.4 “Will Serve Letters” be amended as follows:

5.6.4 Will Serve Letters: At the sole discretion of the Board, a Will Serve Letter may be issued by the District outlining the conditions of water and sewer service to a particular parcel. The Will Serve letter is conditional based upon requirements set forth by the District, including having capacity to service the project. Developer, Owner or Customer may be required to pay for a capacity study, which does not guarantee that there will be any commitment from the District to provide the service. Issuance of the Will Server Letter DOES NOT constitute a contract in any form. The Will Serve Letter is merely a placeholder for future potential capacity.

5.6.4.1 Application: A Developer, Owner and/or a Customer must submit an Application for Will Serve letter and pay all associated costs and fees (separate from the System Development and/or the Tap Fees); such application shall contain engineering designs showing calculated desired capacity for each project; such designs shall be developed by, and solely paid for by the **Developer**,

Owner and/or Customer. The designs shall be prepared by an Engineer not affiliated with the District. The designs will then be reviewed by the District's Engineer. Such review shall be paid for by the Developer, Owner and/or Customer. Before proceeding further, any and all changes requested by the District in the designs shall be implemented. Any material modifications to the Project design after the approval will place the Will Serve letter into suspension, and may cause it to become void upon further action by the Board. Material changes include, but are not limited to, altering the number of units to be served, type of effluence, etc.

Each application shall contain a business case analysis to satisfy conditions set in Section 5.6.1.3.3

Each application shall indicate the preferred method for receiving service, including inclusion, consolidation or Intergovernmental Agreement, which preference shall be considered by the District but not be binding thereupon.

Each application shall address items determined necessary by the District or any other authority having jurisdiction over the parcel at issue, which items may include but not be limited to geotechnical investigations and environmental assessments, as well as any remediation plans that may be needed for hazards that have been identified. These items will be reviewed and approved by the Board and shall be prepared at the sole expense of the Developer, Owner and/or Customer.

Whereupon, a motion was made and seconded, and upon a majority vote this Resolution was approved by the Board.

ADOPTED AND APPROVED THIS XXth DAY OF MONTH, 2021.

**GREEN MOUNTAIN WATER AND
SANITATION DISTRICT**

Adrienne Hanagan, President

ATTEST:

Alex Plotkin, Secretary