



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

Custer County, Colorado Septic Permit Application

An application for new installation will require a permit fee of \$150.00, and the results of a soil percolation test. THIS PERMIT IS VALID FOR TWO YEARS FROM THE DATE OF ISSUE. If the system has not been installed by that time, a new permit must be paid for and issued before further construction takes place.

The cost for a modification or repair of the septic system is \$75.00. The time frame will be as soon as practicable and set by the Planning and Zoning staff.

PLEASE TYPE OR PRINT LEGIBLY

Land Owner	TERRY AND LORI HILTON		
Mailing Address	5191 BENSETT		
City, State, Zip	DAVISON, MI, 48423		
Telephone (Home)	(810) 636-7307	Business	(248) 696-2598
Septic Contractor	STUART CONSTRUCTION		
Mailing Address	P.O. Box 147		
City, State, Zip	WESTLIPPE, CO, 81252		
Telephone (Home)	()	Business	(719) 783-2898

Schedule Number for the Property: 100-35-338

(Assigned by the County Assessor's Office - Shown on the Tax Bill)

Legal Description of the Property: Bull Domingo Ranch, MAP 8, LOT 88

Property Address: Bull Domingo Ranch Lot 88 MAP 8

CUSTER COUNTY, COLORADO

Size of Property: 35.49 Acres (or) X (dimensions)

Note: Any waste control mechanism or septic system that is not a non evaporative septic system (i.e., a vault, incinerating toilet, portable toilet, etc.) may violate your well permit.



Permit ☒ New Installation ☐ Modification ☐ Repair

Number of Bedrooms 3 Number of People 6

These appliances will be used in the structure: ☐ Clothes Washer ☐ Dishwasher ☐ Garbage Disposal

Waste Type ☒ Dwelling ☐ Commercial / Institutional ☐ Non-Domestic ☐ Other

System Type ☒ Standard Septic System ☐ Engineer-designed System ☐ Vault System ☐ Vault Privy ☐ Composting toilet ☐ Other (describe)

Water Source ☒ Private Well ☐ Community Well ☐ Spring ☐ Stream or Creek ☐ Other (describe)

This information is complete and accurate to the best of my knowledge. I understand additional tests and reports may be required for purposes of evaluating this application.

I agree to maintain detailed purchase and receipt records for this project, and will make them available for audit and photocopying by the Planning and Zoning Office. I further agree to pay Custer County up to two percent (2%) Use Tax for any items purchased outside of Custer County, that less than 5% sales tax was paid. I understand all Use Tax must be paid before final approval will be granted on this permit.

I acknowledge that electrical and plumbing work require State permits and inspections.

I acknowledge that the system must be inspected, before it is backfilled or covered, by the County Health Officer or his representative. The system includes the building sewer (line from house to tank), septic tank, effluent line (line from tank to field), and leach field. All these components must be installed and none of them covered at the time of inspection, or a \$35.00 additional trip fee may be charged.

Standard septic systems can be installed by either the homeowner (after passing a test), or a septic contractor licensed by Custer County. Engineer-designed systems must be installed by a licensed Custer County septic contractor.

The following circumstances require an engineer-designed septic system. (Other circumstances also require an engineer-designed septic system, but these are the most common):

1. system will service more than one single-family dwelling.

2. system will service a commercial building or use.

3. the parcel is less than one acre in size.

4. the soil percolation test shows there is bedrock or ground water within eight feet of the ground surface.

5. the system to be installed is not standard.

Signature of applicant Double M Raton

Date 3-17-99

Office Use Only;

Schedule Number 100-33-338 Zone 1V Permit Number 99031834

Permit Fee \$ 150.00 Date Paid 3/18/99

ISDS Variance Type _____ Date Issued _____

Approval to Begin Construction Double M Raton Date 3/19/99

Construction / Permit Completed Double M Raton Date 9/13/99

Permit Canceled _____ Date _____

Remarks: _____

Septic Inspection

Property Owner: Terry and Lori Hilton

Date: 7/15/99

Property Address:

Inspected By: CLL

Legal: Bull Domingo Ranch, Map 8, Lot 88

Schedule #: 100-33-338

Distance of Pipe from House to Tank: 50ft

Number of Cleanouts needed (50 feet): 1 40 ft

Check slope (1/2 inch per 2 feet for last 10 feet before tank): _____

Type of pipe (schedule number): 40

Tank size: 1250 Is tank level? OK

Check tees or baffles on tank: Inlet: OK Outlet: OK

Check seals on pipes entering tank: Inlet: OK Outlet: OK

Check for cracks in tank: OK Date on tank: 7/6/99

Distance of pipe from tank to leach field: 93 Check for slope: OK

Check for level distribution field: OK Type of pipe (schedule number): 10ft 40, rest 30-80

Type of leach field: Equalizer Number, if chambers: 8 + 9#

Type of baffle used (per installer): _____

Check for screws on chamber connections: OK

Configuration: Trench or Bed Check for level: OK

Depth: 18-24 Check distance between trenches (6 feet minimum): OK

Distance from well to tank: ±50 Distance from well to leachfield: ±160

Distance from leachfield to any irrigation ditch or creek: none

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

Additional comments: _____

CUSTER COUNTY PERMIT FOR
INSTALLATION OF INDIVIDUAL
SEWAGE DISPOSAL SYSTEM

Schedule: 100-33-338

Permit Number: S99031836

First Name: Terry and Lori

Last Name: Hilton

Second Name:

Issue Date: 3/19/1999

Mail Street: 5191 Bensett

Mail City: Davison

State: MI Zip: 48423

Telephone Number: (810) 636-7307

Septic Contractor: ~~Stuart~~
Nurdyke

Design Engineer: None

Applicant: Building Contractor

Permit Type: Installation

Property Address:

Legal: Bull Domingo Ranch, Map 8, Lot 88

Lot Size: 35.49

People: 6

Bedrooms: 3

Accessories: Garbage Disposal: No

Clothes Washer: No

Dish Washer: No

Servtype: Dwelling

Water: Private Well

Hole #1: 16.19

Perc Tech: Kit Shy

Perc Date: 2/8/99

Hole #2: 14.1

Hole #3: 15.39

System Type: Standard Septic

Average: 15.23

Slope: 5-10%

Conditions: Depth to Bedrock: 96

Depth to Ground Water: 96

Leach Field Size: 526.79

Number of Chambers Required [for .2 or more, round up] (if used):

Infiltrators-Trench 16.99

Infiltrators- Bed 20.39

Equalizers-Trench 16.50

Equalizers- Bed 25.33

Comments:

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

Licensed Contractor / Homeowner

Date

Inspected on :

Date

By

Authorized Inspector

Use Tax Paid :

\$25.80

Date :

9/3/99

Final Approval Date :

9/3/99

Zoning Office / Inspector



NOWRA

National Onsite

Wastewater Recycling Association, Inc.

P.O. Box 647, Northbrook, IL 60065-0647 • 847/559-9233

HOMEOWNER'S SEPTIC TANK SYSTEM GUIDE AND RECORD KEEPING FOLDER

SANITARY PERMIT:

ISSUED TO: Terry & Lori Hilton

DATE ISSUED: 3/19/99

ADDRESS: _____

LEGAL DESCRIPTION: Bull Domingo Ranch Map 8, Lot 88

SYSTEM DESCRIPTION:

SEPTIC TANK SIZE (GALLONS): 1250

PUMP TANK SIZE (GALLONS): _____

DRAINFIELD TYPE: ☒ TRENCHES

☐ BED

☐ MOUND

☐ LPP

☐ AT-GRADE

☒ LEACHING CHAMBERS ☐ OTHER: _____

DRAINFIELD DIMENSIONS: 17 Equivalents

ACCESSORIES:

☐ OUTLET FILTER

☐ AEROBIC TREATMENT UNIT

☐ SAND FILTER

☐ PUMP

☐ SIPHON

☐ D-BOX

☐ DIVERSION VALVE

☐ OTHER: _____

INSTALLING CONTRACTOR: Art Nordyke

ADDRESS: _____

TELEPHONE: _____

SEPTIC TANK PUMPER: _____

ADDRESS: _____

TELEPHONE: _____

SYSTEM MAINTENANCE RECORD

DATE	DESCRIPTION	DATE	DESCRIPTION

PROVIDED TO YOU BY:

Custer County
Planning and Zoning

PO Box 303
Westcliffe, CO 81252

Equal Housing Opportunity: All listings are offered in compliance with the Federal Fair Housing Act.
The accuracy of this information is not guaranteed. It is not to be relied upon and should be verified by the buyer.

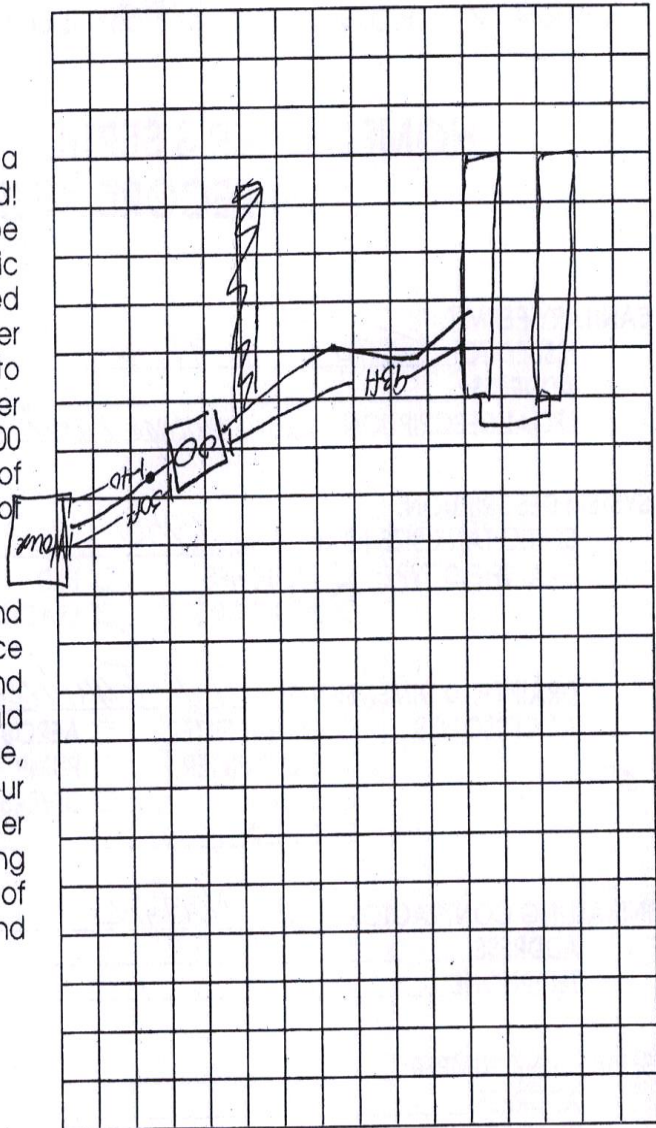
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Sketch System Layout Here

YOUR ONSITE WASTEWATER TREATMENT SYSTEM

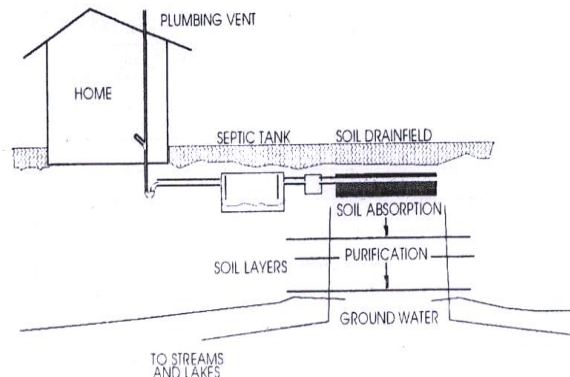
So, you're an owner (and operator!) of a septic tank system. You should be proud! Your system is designed to be environmentally safe and to protect public health. A properly installed and operated septic tank system treats your wastewater and returns it to the groundwater to preserve and protect our 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.



Basic System

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Form no.
GWS-32
11/90

"PUMP INSTALLATION AND TEST REPORT"
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

for office use only

RECEIVED
APR 28 1999

STATE OF COLORADO
STATE ENGINEER
C.O.G.

1. WELL PERMIT NUMBER 196016

2. OWNER NAME(S): HILTON, TERRY
Mailing Address: 5191 BENSETT TRAIL
City, St. Zip: DAVIDSON, MI 48423
Phone: (810) 636-7307

3. WELL LOCATION AS DRILLED: SW 1/4 SW 1/4, Sec.: 11 Twp.: 21 S Range: 72 W
DISTANCES FROM SEC. LINES
1100 ft. from SOUTH Sec. line, and 200 ft. from WEST Sec. Line.
(south or north) (east or west)
SUBDIVISION: BULL DOMINGO RANCH LOT: 88 BLOCK: FILING (UNIT): 8
STREET ADDRESS AT WELL LOCATION:

4. PUMP DATA Type: SUBMERSIBLE Installation Completed 04-22-99
Pump Manufacturer JACUZZI Pump Model No.: 15S4528B-S2
Design GPM 5.0 at RPM: 3450, HP: 1 1/2, Volts: 230, Full Load Amps: 11.5
Pump Intake Depth 440 Feet, Drop/Column Pipe Size 1" INCHES, KIND SCH 80, PVC

ADDITIONAL INFORMATION FOR PUMPS GREATER THAN 50 GPM

TURBINE DRIVER TYPE ☐ Electric ☐ Engine ☐ Other: _____
Design Head _____ feet, Number of Stages _____, Shaft size _____ inches.

5. OTHER EQUIPMENT

Airline Installed ☐ Yes ☐ No, Orifice Depth ft. _____, Monitor Tube Installed ☐ Yes ☐ No, Depth ft. _____
Flow Meter Mfg. _____ Meter Serial No. _____
Meter Readout ☐ Gallons, ☐ Thousand Gallons, ☐ Acre feet, ☐ Beginning Reading _____

6. TEST DATA Check box if Test data is submitted on Supplemental Form.

		Date	04-22-99	04-22-99	04-22-99	04-22-99
Total Well Depth	455	Time	12:00 PM	12:30 PM	1:00 PM	2:00 PM
Static Level	51	Rate (GPM)	7 1/2	5	3	3
Date Measured	04-22-99	Pumping Lvl.	51	75	130	130

7. DISINFECTION: Type CHLORINE BLEACH Amt. Used 1 GAL, WATER CIRCULATED, 24 HRS

8. Water Quality analysis available. ☐ Yes ☒ No

9. Remarks

10. I have read the statements made herein and know the contents thereof, and that they are true to my knowledge, (Pursuant to Section 24-4-104 m(13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.)

CONTRACTOR: YOUNG'S DRILLING & PUMP SERVICES INC. Phone: 719-275-5482 Lic. No. 592
Mailing Address P.O. BOX 2123 CANON CITY, CO. 81212



Name/Title (please type or print)

Signature

Date

Bert Young / PARTNER

Young

4-27-99

Equal Housing Opportunity: All listings are offered in compliance with the Federal Fair Housing Act. The accuracy of this information is not guaranteed. It is not to be relied upon and should be verified by the buyer.

Form No. OFFICE OF THE STATE ENGINEER
GWS-25 COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

592

WELL PERMIT NUMBER **196016**

DIV. 2 CNTY. 14 WD 13 DES. BASIN MD

APPLICANT

Lot: 88 Block: Filing: 8 Subdiv: BULL DOMINGO RANCH

APPROVED WELL LOCATION
CUSTER COUNTY

SW 1/4 SW 1/4 Section 11
Twp 21 S RANGE 72 W 6th P.M.

DISTANCES FROM SECTION LINES

1100 Ft. from South Section Line
200 Ft. from West Section Line

TERRY HILTON
5191 BENSETT TRAIL
DAVIDSON MI 48423-

(810)636-7307

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 the 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 35.5 acres described as Lot No. 88, Unit 8, 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 3 single family dwellings, the irrigation of not more than one (1) acre of home gardens and lawns, and the watering of domestic animals.
- 5) The maximum pumping rate shall not exceed 15 GPM.
- 6) The return flow from the use of the 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.

APPROVED
SMR

State Engineer

By

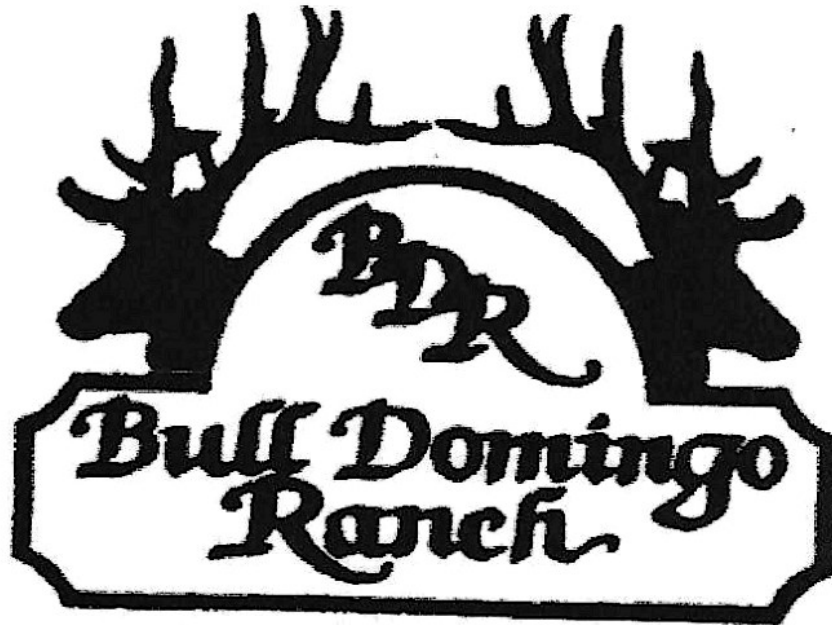


Receipt No. 0400208

DATE ISSUED JUN 25 1996

EXPIRATION DATE JUN 25 1998

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*Declaration of
Protective Covenants*

(Updated 11/19/21)

*BULL DOMINGO RANCH PROPERTY OWNERS'
ASSOCIATION, INC.
P.O. BOX 248
WESTCLIFFE, CO 81252*

**BULL DOMINGO RANCH
PROPERTY OWNERS' ASSOCIATION INC.**

The Bull Domingo Ranch Property Owners' Association, Inc. (BDRPOA) is a private, not-for-profit corporation governed by the Declaration of Covenants, Bylaws, and Governance Policies and Rules. The Articles of Incorporation are filed with the State of Colorado Secretary of State.

Being a member of the Property Owners' Association has both benefits and responsibilities. All property owners are encouraged to actively participate on a committee and to serve on the Board of Directors.

Property owners are provided with a complimentary copy of the Declaration of Covenants, Bylaws, and Governance Policies and Rules. Additional sets may be purchased for \$5.00 per set, plus postage or a copy can be viewed and printed on the BDR website (bulldomingoranch.org), under "Governance Documents."

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

Equal Housing Opportunity: All listings are offered in compliance with the Federal Fair Housing Act.

Page #1 The accuracy of this information is not guaranteed by the seller and should be verified by the buyer.

Updated 11/16/2021

BDRPOA Protective Covenants

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 of 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. Equal Housing Opportunity: All listings are offered in compliance with the Federal Fair Housing Act. The accuracy of this information is not guaranteed and should be verified by the buyer.

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-----
