

# Coalby Domestic Water Company

P.O. Box 731  
Cedaredge, CO 81413

## Tap Purchase Agreement

This document defines the terms and process for the purchase of a Membership in the Coalby Domestic Water Company (here after called CDWC), including a right to service of domestic water for a residential dwelling currently existing or to be sited within the CDWC service area.

The CDWC Board fixes the price for membership and right to service in accordance with the Bylaws of CDWC. All other terms and conditions described in the Bylaws of CDWC are a part of this purchase agreement by reference. A copy of the current CDWC Bylaws is attached.

In order that we not degrade service provided to current members on the system, the completion of any tap sale is contingent upon a determination of feasibility by our system operator (or engineer).

Following are the terms and conditions for the purchase of a tap on the CDWC system:

1. CDWC requires a copy of a document recorded in the County of Delta, Colorado, showing the applicant's ownership of a parcel of land within the CDWC service area.
2. The current price for a Membership and right to service is \$15,000.00
3. An initial deposit of \$1,500.00 is required at the time of agreement signing.
4. Within 15 days of the signing of this purchase agreement, the system operator (or engineer) feasibility assessment will be ordered. If the feasibility assessment confirms CDWC's ability to adequately serve the applicant's parcel, the applicant will have thirty days to present payment of the membership fee plus the operator (or engineer) assessment fee less the deposit. For example, if the operator (or engineer) fee is determined to be \$75, the applicant will be expected to provide payment of \$15,000 + \$75 - \$1,500 = \$13,575. Failure to provide payment on the stated schedule will result in forfeiture of the deposit.
5. If the system operator (or engineer) feasibility assessment indicates that CDWC is unable to adequately serve the applicant's parcel, the applicant will be advised, and the deposit returned in full minus the fee for the operator (or engineer) assessment.
6. Upon the Board's approval of a new membership, the applicant will be notified and will receive a Certificate of Membership by certified mail. The standard Base Charge will begin to accrue on the fifth day of the month following notification. As a CDWC member, the monthly Base Charge applies even if water is not used. A copy of the current rate schedule and billing practices is attached.

The applicant is also responsible for all costs incurred in tapping into the main line near the parcel to be served. These costs include, but are not limited to, excavation and installation of a corporation stop (corp-stop), an extension line to the water meter pit, the meter box and cover, a setter/yoke with curb stop and back-flow preventer, and the water meter. CDWC will perform the necessary excavation and installation work from the main line to the meter pit. All expenses for the excavation and installation will be billed to the applicant and will be payable in 30 days from the date of the bill.

The connection from the outlet side of the meter yoke to the applicant's dwelling is the responsibility of the applicant as are any easements required to gain access to the service line extension in the event that the applicant's parcel does not lie directly adjacent to the public right-of-way where the CDWC meter will be located.

Should CDWC be compelled to enforce the terms of this agreement, CDWC shall be reimbursed for all additional costs, including reasonable attorney fees. This agreement shall be binding upon and inure to the benefit of the parties, their heirs, personal representatives, and assigns.

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Applicant's Signature

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Date

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Print Applicant's Name

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Officer for the Board of Coalby Domestic Water Co

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Date

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Approved for location by

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Date