

Notice of Private Sanitary Sewer System

This Notice of Private Sanitary Sewer System, dated _____, 20____ is executed by _____ as the present owner of lot(s)

_____ in the City of Colorado Springs, El Paso County, Colorado, as reflected on the plat recorded at Reception Number _____ with the Clerk and Recorder of El Paso County, Colorado (the “Property”).

All parties who now have, or who may hereafter acquire, any interest in the Property, or any portion thereof, are hereby notified that the entire Sanitary Sewer System, as defined below, which services the Property is privately owned by the owner(s) of the Property, or any portion thereof, and such system shall continue to be privately owned upon the sale or other transfer of all or any portion of the Property.

The Sanitary Sewer System, for purposes of this Notice and Agreement, shall include, but is not limited to, all sanitary sewer pipes, conduits, manholes and any other items which are necessary, including all appurtenances, in order to enable wastewater to be transferred from the Property, or any portion thereof, regardless of whether such items are located on the Property or within rights-of-way, easements, or roadways held by Colorado Springs Utilities, the City of Colorado Springs, or others, to the wastewater collection system of Colorado Springs Utilities (an enterprise of the City of Colorado Springs, a home rule city and municipal corporation).

Nothing contained herein shall, however, require the owner(s) of the Property to be responsible for the Colorado Springs Utilities wastewater collection system.

Due to the private nature of the Sanitary Sewer System, owner(s) of the Property shall be jointly and severally responsible for the following repairs and maintenance requirements. The owner(s) of the Property are responsible for maintenance of the Sanitary Sewer System including routine inspection, repair, and cleaning of system, as well as development and implementation of a response plan for a sanitary sewer overflow. Owner shall ensure that the covenants of any responsible Homeowner’s association include the provisions to meet the terms and conditions of this agreement. The owner(s) shall keep the Sanitary Sewer System in good condition and shall replace, at owners’ expense, any portions thereof which, in the opinion of Colorado Springs Utilities, have become so damaged or disintegrated as to be unfit for further use or permit excessive infiltration of ground water or exfiltration of wastewater. The owner(s) must secure all required permits for construction purposes and shall be responsible for returning any public right of way and the street to City standards. The owner(s) shall report any drainage from the Sanitary Sewer System to City roads, storm drains, or natural drains, to Colorado Springs Utilities as well as other governing agencies.

Until such other agreement is reached by the owner(s) of the Property and properly recorded with the Clerk and Recorder of El Paso County, Colorado all matters regarding the Sanitary Sewer System, including but not limited to, all repairs and maintenance related to the Sanitary Sewer System shall be performed as provided in this Notice.

