

Article VII

Section 1 Water Delivery

The Association assumes the responsibility of making water available to each lot located in the subdivision. The Association has the option, but not the responsibility, to provide water to consumers located outside the subdivision. It shall be the responsibility of the Board of Directors to determine the cost of making the water available and establishing an annual fee for the water, depending upon the amount of consumption.

Section 2 Water Connections

A connection into an existing water main must have the approval of the Board of Directors and the payment of a standard connection fee set by the Board of Directors. Final approval of the connection must be obtained before back-filling. The connecting water line from the main line to the dwelling becomes the responsibility of the lot owner. Once the connection is made to the existing main, the lot shall be considered improved and subject to assessment. Pro-ration of the assessment shall be made as of the first day of the month in which the connection is made.

Section 3 Water System Repairs

In the event of a break in the main water system, any board member may authorize the necessary repairs and the Association will be responsible for the cost. However, it is recommended that at least one other board member be consulted if possible before proceeding. The lot owner shall be held responsible for any damage done to the main water line either by himself or anyone under his supervision.

Section 4 Annual Charges

The Board of Directors shall establish a rate schedule to be charged all members for specific services provided by the Association. The rate schedule shall be revised as necessary to insure that sufficient income will be generated to cover all expenses for the coming year.

Section 5 Contingency Assessment

If at any time within ninety (90) days prior to the end of the fiscal year, it appears in the judgment of the Board of Directors that the collection for services is insufficient to meet the incurred obligations, the Board is empowered to levy an equal assessment against each homeowner in the Association in order to meet the year's operational expenses.

Section 6 Delinquent Payment

The Board of Directors shall determine what constitutes a delinquent payment for services rendered and shall establish late payment penalties for same. The Association, through its Board of Directors, shall have the right to terminate the supply of water or other services after thirty (30) days written notice. The Board is also empowered to file liens against property in default and take any other legal action the Board may deem necessary in an effort to collect delinquent accounts.

Section 7 Water Analysis Reports

Ponderosa Pines Subdivision has been declared a community water system by the Environmental Improvement Division of New Mexico and must submit water samples as required by law and the results of the analysis must be reported to the E.I.D. The Board of Directors will designate an individual to be responsible for collecting and delivering the water samples to an approved laboratory for testing.