CITY AND COUNTY OF BROOMFIELD

GRADING NONCOMPLIANCE STATEMENT

This statement relates to Lot ____ Block ____ Subdivision _____Filing _____,

Broomfield, Colorado, also known as _____
(Street Address)

The buyer(s) is/are _____

The contractor is _____

The grading on this lot is not in compliance with approved plans. It cannot be brought into compliance at this time, due to inclement weather, soil conditions, or for other reasons.

The Contractor agrees to finish the grading in accordance with approved plans as soon as possible. The buyer agrees not to install permanent sod, trees, landscaping, or other improvements until the final grading is completed and a grading performance certificate is filed with the City and County of Broomfield.

In order that a Certificate of Occupancy may be issued for the above lot, even though the grading is not finished, Seller and Buyer agree to assume any liability for drainage problems arising out of lack of compliance with the approved plan, and to indemnify and hold harmless the City and County of Broomfield, its officers, agents, and employees, and the owners of any property affected by drainage problems for any loss, claim, or damage arising from the lack of compliance.

We understand that this statement may take the place of a grading performance certificate for no longer than 120 days. After such time, the matter may be pursued as a Ordinance violation in Municipal Court and subject to penalties of up to $1000 or one year imprisonment.

Contractor: _____ Buyer: _____ Date: _____

By: _____ Buyer: _____ Date: _____

Title: _____

Date: _____

Attach copy of Driver's License (in case a subpoena becomes necessary).

NOTE: If buyer is not known at this time, Contractor assumes obligations of both Buyer and Contractor as set forth above.

Filing Fee: $50.00

Date Received and Paid _____

Valid until (120 days): _____