

**GOLF COURSE DISCLOSURE, RELEASE AND EASEMENT
HERON LAKES GOLF COURSE SUBDIVISION
LARIMER COUNTY, COLORADO**

All property within the Heron Lakes Subdivision ("Heron Lakes"), including the property within the Berthoud-Heritage Metropolitan Districts Nos. 1-9 (the "Districts") is near or adjacent to the 18-hole Heron Lakes Golf Course (the "Golf Course"), in the Town of Berthoud, Colorado.

By acceptance of a deed to a parcel of property within Heron Lakes or the property adjacent to the Golf Course (a "Site"), or by occupancy of any building or residence upon a Site, each Owner and/or occupant recognizes and assumes the risks of owning or occupying property near or adjacent to a golf course. Such risks include, without limitation, injury or damage to person and/or property arising out of, or resulting from, the design, construction, operation, maintenance and/or use of the Golf Course; noise associated with the Golf Course; golf balls including errant golf balls; carts, maintenance vehicles, and mowers; trespass; acts or omissions of persons using or otherwise on the Golf Course and/or Heron Lakes; overspray of chemicals or irrigation; and/or the existence of water hazards, ponds and/or lakes on the Golf Course itself (collectively the "Golf Course Risks").

By acceptance of a deed to a Site, each Owner and/or occupant, and their respective heirs, affiliates, subsidiaries, successors and assigns, acknowledges and agrees that if the Site is adjacent to a golf course, it shall be subject to an easement for errant golf balls, and, by acceptance of a deed to the Site, assumes all risks associated with the Golf Course Risks, including, but not limited to errant golf balls and covenants not to make any claim or institute any action whatsoever against the owner of the Golf Course, any operator or sanctioning body for tournaments held at the Golf Course, Heron Lakes Golf Course, LLC, the Berthoud-Heritage Metropolitan Districts Nos. 1-9, Grantor, or their heirs, successors or assigns, as a result of errant golf balls or any damage which may be caused thereby.

Each Owner and their respective heirs, affiliates, subsidiaries, successors and assigns, hereby releases, waives, and discharges the owner of the Golf Course, any operator or sanctioning body for tournaments held at the Golf Course, Heron Lakes Golf Course, LLC, the Berthoud-Heritage Metropolitan Districts Nos. 1-9, Grantor, the operator of the golf course, the golf course designer, contractors and other consultants of the Owner, or their heirs, successors or assigns and their respective officers, directors, members, partners, agents and employees, heirs, personal representatives, successors and assigns, from all losses, claims, liabilities, costs, expenses, and damages, arising directly or indirectly from any Golf Course Risks.

Each Owner is advised that their recourse for any noise, injury or damage to person and/or property arising out of and related to the use of the Golf Course is limited to the golfer and then the Owner/Occupants own homeowner's policy.

**ACKNOWLEDGEMENT TO
GOLF COURSE DISCLOSURE, RELEASE AND EASEMENT
FOR
HERON LAKES GOLF COURSE SUBDIVISION
LARIMER COUNTY, COLORADO**

This is a general acknowledgement regarding the Golf Course Disclosure, Release and Easement for Heron Lakes Subdivision, Larimer County, Colorado (the "Disclosure, Release and Easement").

You, the Buyer, acknowledge that you have received a copy of the Disclosure, Release and Easement, have reviewed the provisions and restrictions applicable to Heron Lakes, and by your execution of these documents, you acknowledge and agree that the lot or lots which are being purchased will be subject to the Disclosure, Release and Easement, and all burdens, obligations and restrictions set forth therein.

You have been advised that you should obtain independent legal counsel in connection with the execution of this Acknowledgement.

You, your heirs, successors, affiliates and assigns agree to be bound by the terms and conditions contained within the Disclosure.

I, _____, as _____ for _____
_____ hereby acknowledge that I have received and read this
Golf Course Disclosure, Release and Easement for Heron Lakes Subdivision, Larimer
County, Colorado and am duly authorized to execute this acknowledgment on behalf of
Buyer(s).

Property: Lot ____, Block ____, Filing ____; Address _____

Buyer _____ Email _____

Buyer _____ Email _____

Buyer _____ Email _____

Date: _____