

## CRESTED BUTTE AIRPARK, LLC

### RULES AND REGULATIONS

Crested Butte AirPark (hereinafter AirPark) is an FAA RESTRICTED PRIVATE USE airport, Identifier Number OCO2. All users of the private airport (AirPark or runway as the context requires) shall be subject to the following rules, regulations, terms and conditions which govern the AirPark. The owner of the AirPark is Crested Butte AirPark, LLC. Please see AirPark Release for additional information and requirements.

1. Use and Membership. Use of the AirPark is reserved for Members, as defined below, as well as emergency airlift operations for the Crested Butte area. All private users of the runway are required to sign the Waiver and Release as well as provide proof of insurance prior to using the runway. Use of the runway is at each person's own risk.

A. Special Restrictive Covenants. Pursuant to Special Restrictive Covenants Respecting Airplane Landing Strip, recorded in Book 775 at page 642 in the official records of Gunnison County, Colorado, the runway shall not be used to provide, facilitate or support commercial air carrier services, commuter aircraft services, helicopter services, fixed wing or helicopter ski touring or scenic viewing, or regularly scheduled air taxi, all of which are prohibited.

2. Membership Categories. There are three categories of memberships in the AirPark.

Proprietary Members. Proprietary Members are owners whose lots in Buckhorn Ranch front the runway or lots which have access to the runway via an easement. Membership is automatic upon purchase of a runway lot. Proprietary Members are not required to pay an initiation fee but are required to pay dues and assessments levied by the Crested Butte AirPark, LLC for the maintenance and operation of the runway.

i. Residential memberships. Residential Memberships are for those owners whose lots are for residential use only and whose lots front the runway or have access to the runway via an easement.

ii. Business Memberships. Business Memberships are for owners of commercial lots as designated on the Filing 1 plat for Buckhorn Ranch and Lot 1 or Lot 3, Filing 1, whereupon the construction of a lodge or similar short term stay amenity is constructed.

A. Non-Proprietary Members. Non-Proprietary Members are owners in Buckhorn Ranch whose lots do not front the runway or have access via an easement thereto. Non-Proprietary Memberships are voluntary. Non-Proprietary Members are required to pay an initiation fee set by Crested Butte AirPark, LLC as well as all other levied dues and assessments. Those wishing to apply for a Non-Proprietary Membership are required to fill out an application therefor.

B. Gunnison County Members. A maximum of 15 Gunnison County residents may be members of the AirPark. In order to be considered for membership as a Gunnison County resident, an individual must own a residence in Gunnison County and pay personal property taxes on his or her aircraft. Gunnison County Members are required to pay an initiation fee

set by Crested Butte AirPark, LLC as well as all other levied dues and assessments. Gunnison County persons wanting to become members are required to fill out an application and provide proof of being a Gunnison County resident.

3. Fees, Dues and Assessments. All Members shall be required to pay initiation fees (if applicable), other fees, dues and special assessments levied by the Crested Butte AirPark, LLC. Failure to pay such fees, dues and special assessments shall result in a loss of the use of the AirPark, until payment is made and may subject the member to collection efforts, including legal action, as well as the filing of a lien. Fees, dues and special assessments are for the purpose of maintaining and operating the AirPark and shall be determined by Crested Butte AirPark, LLC based on operating and maintenance expenses of the runway. Dues and special assessments shall be assessed and levied at times and at intervals as determined by the LLC Manager, with an annual payment to occur by July 1<sup>st</sup> each year, or at such other time as the Crested Butte AirPark, LLC may determine.
4. Parking. Proprietary Members (residential) and their guests shall park on the lot owned by the Proprietary Member. Guests may also park on Lot C1, which is owned by Buckhorn Ranch Association, Inc. Parking shall be subject to a parking and tie-down fee determined by the Association. AirPark Members shall have priority over guests to park on Lot C1. Otherwise, space is available on a first-come, first-served basis, and may be subject to a reservation system if needed. The AirPark Manager may impose a parking limit of one airplane per Member on Lot C1.
5. Helicopters. Helicopters must follow the same air traffic patterns as fixed wing aircraft. Helicopters pilots and owners must abide by these Rules and Regulations, including rules on noise abatement. Helicopters must park on the lot owned by the Proprietary Member. Helicopters belonging to Non-Proprietary Members are not permitted to park at the AirPark, or on Lot C1.
6. Hours of Operation. The AirPark is operational only during normal daytime hours as defined by the FAA regulations. The AirPark operates under the FAA regulations of Civil Twilight, defined as 30 minutes prior to sunrise and 30 minutes after sunset, with no arrivals or departures prior to 6AM or 9PM regardless of light.
7. Required Information. Pilots must provide to the AirPark the following information: printed name, pilot license, tail and aircraft number, insurance carrier, dates of intended use, name and written consent of lot owner if a guest, name and contact information of person greeting guest upon arrival, name and contact information of pilot. All Pilots must submit the completed waiver and proof of insurance in order to use the runway. Pilots who do not supply this information are not permitted to use the runway. Required paperwork and information shall be provided to the Crested Butte AirPark at least three business days beforehand.
8. Winter Use and Maintenance. Due to the severity of weather in the Crested Butte area, the maintenance of the AirPark in the winter can be difficult due to heavy snow and wind conditions. Whether or not the AirPark is open for any period of time during the winter shall be determined by the Crested Butte AirPark, LLC. If the runway requires plowing in order for

aircraft to safely land or take off, the Crested Butte AirPark, LLC may close the runway. If the runway is closed and a Member wishes to use the runway, the Member must first get approval by the Crested Butte AirPark, LLC and be responsible for snow removal from the runway, including leveling lateral snow banks. The Member and the individual or entity responsible for snow removal shall indemnify and hold harmless Buckhorn Ranch Association, Inc. and Crested Butte AirPark, LLC from and any against any all claims, expenses and damages resulting from winter use of the runway, including but not limited to property damage to the runway as a result of plowing and related snow removal. The expense of plowing and other maintenance to use the runway during the winter shall be shared among those Members using the runway. In addition, a Member wanting to use the runway in the winter shall provide proof of insurance, which insures the runway for property damage, and provides general liability coverage for bodily injury arising from winter use of the runway in the amount of \$1,000,000 naming both Buckhorn Ranch Association, Inc. and Crested Butte AirPark, LLC as additional insureds.

9. Guests of Residential Proprietary Members. Guests of Proprietary Members are permitted to use the AirPark and Lot C1 for parking, subject to a parking fee and first-come, first-served basis. Proprietary Members must be present to meet their guests upon arrival if the guests are not able to park on the Proprietary Member's property. Guests of Non-Proprietary shall be permitted to use the runway and Lot C1 on a case by case basis, dependent upon parking availability. All other aviators, such as those visiting the Crested Butte area or a Crested Butte area resident who wishes to park his or her airplane at Lot C1, Buckhorn Ranch, are not permitted to use the AirPark or Lot C1. Unauthorized use shall result in a levied fine, an installed boot on one of the airplane's wheels and a report to the FAA. Guests are required to abide by these Rules and Regulations, including signing the waiver and providing any requirement information prior to using the runway.
10. Non-Transferable. Proprietary Memberships in the AirPark are only transferable upon the sale of a Proprietary Member's lot to a new owner and upon payment of a transfer fee to the Crested Butte AirPark, LLC. Otherwise, memberships in the AirPark are non-transferable.
11. No Touch and Goes and No Students. No touch and goes are permitted at the AirPark. No student pilots are permitted to use the AirPark at any time.
12. Drones. Drones within the air space immediately surrounding the runway are prohibited.
13. Noise. Noise abatement procedures shall be in effect at all times. Pilots shall avoid all residential and populated areas.
14. Enforcement and Violations. Enforcement of these rules and regulations and other governing documents of the AirPark shall be subject to a policy of the same adopted by the AirPark Manager.

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## ADDITIONAL INFORMATION

1. Coordinates: N3851.115' W10655.970'

2. Runway 11-29 (RWY 11 slopes downhill 2% grade)
3. Elevation: 8980 feet
4. Runway Length: approximately 4050 feet without displaced threshold. Gunnison County may approve a Displaced Threshold at a subsequent date for take-offs and landings on Runway 11.
5. Pattern Altitude: 9800 feet
6. Obstructions: Cattle fences, hills, snow banks, and possible animals.
7. Animals: Use caution and be aware of possibility of animals on the runway. Watch for uninvited cattle, horses and wildlife.
8. Traffic Pattern: Right Traffic RWY 11, Left Traffic RWY 29. Noise abatement procedures in effect at all times. Downwind leg west of HWY 135. If taking off, RWY 29, turn left Crosswind on or before Brush Creek Road. Avoid all populated and residential areas, in particular the golf course at Crested Butte Country Club/Skyland, Larkspur, Town of Crested Butte, Crested Butte South, Mt. Crested Butte, Riverbend, Riverland, East River Ranches, Hidden River Ranch, Meridian, etc.
9. Precautions: All aircraft operations are at the pilot's and passenger's own risk. The AirPark is a high-altitude runway that requires exceptional skills regarding mountain flying. Operators should check Density Altitude and aircraft prior to departure.
10. Surface of Runway: Paved with black asphalt.
11. Unattended: The runway is unattended. No rescue equipment is housed at the runway.
12. Radio Frequency CTAF: 122.8 All operators shall use the radio frequency when attempting to taxi onto the runway surface, land or take-off.
13. Updated information provided by FAA Authorized Guides only.
14. No Facilities: There are no facilities, hangars, or transportation available at the runway.
15. Parking: Parking is permitted only in designated areas as set forth in the rules and regulations.
16. Hours of Operation: The AirPark shall be operational during normal daytime hours as defined by the FAA Regulations.

APPROVED AND ADOPTED THIS 31 DAY OF October, 2019

CRESTED BUTTE AIRPARK, LLC