



PRE-DEVELOPMENT SITE GRADING ACKNOWLEDGEMENT
AND RIGHT OF ACCESS FORM

The undersigned ("Applicant") owns and holds legal title to the real property to be known as WindingWalk ("Property"), which Property is legally described on Exhibit A attached hereto and incorporated herein by this reference.

Applicant seeks approval for Pre-Development Site Grading under Section 6.2.6 of the El Paso County Land Development Code. As a condition of approval and issuance of Construction Permit No. EGP-17-001, Applicant must complete and submit this Pre-Development Site Grading Acknowledgement and Right of Access Form. In compliance therewith, by signing below, Applicant hereby acknowledges and agrees as follows:

1. The approval and issuance of the Construction Permit does not guarantee or create a right in, or a right of expectation in, Applicant that the El Paso County Planning Commission will recommend or the Board of County Commissioners of El Paso County will approve Applicant's final plat for the Property. Applicant may proceed with grading under the Construction Permit at Applicant's sole risk.
2. The Construction Permit shall be personal to the Applicant and shall not run with the land. Any successors and/or assigns of the Applicant desiring to proceed or continue with the Pre-Development Site Grading approval shall execute their own Pre-Development Site Grading Acknowledgement and Right of Access Form, obtain their own Construction Permit and provide replacement financial guarantees.
3. Applicant hereby grants to El Paso County, its employees, agents, contractors, and/or subcontractors free access to enter upon the Property at all reasonable hours for the following purposes in accordance with requirements of the El Paso County Engineering Criteria Manual (ECM), Section I.5:
 - a. To inspect and investigate for compliance with Construction Permit requirements, including, but not limited to, proper installation and maintenance of erosion and sediment control measures; and
 - b. To inspect and investigate for completion of grading activities and soil stabilization requirements; and
 - c. In the event of noncompliance with either of the above, to identify deficiencies, which may result in issuance of a Letter of Noncompliance which includes such deficiencies to be corrected by Applicant; and
 - d. In the event the Applicant does not correct deficiencies identified in a Letter of Noncompliance, to draw on collateral provided and perform the work in order to correct said deficiencies pursuant to ECM Section I.6.1.H.

4. To the extent allowed by law, Applicant shall indemnify, defend, and forever hold harmless the Board of County Commissioners of El Paso County, their officers, employees, agents, contractors, and subcontractors, from any and all claim, demand, action, cause of action, loss, damage, injury, property damage, personal injury, death, liability, duty, obligation, costs and expenses (including attorney fees) arising out of or related to such entry on the Property. Nothing in this section shall be deemed to waive or otherwise limit the defenses available to the Board of County Commissioners pursuant to the Colorado Governmental Immunity Act or as otherwise provided by law.
5. In accordance with ECM Sections 5.3.15 and I.4.1.A.3, Applicant is obligated to provide security or collateral sufficient to make reasonable provision for completion of the grading, erosion control and final stabilization measures, in the amount set forth on Exhibit B attached hereto.
6. Applicant is responsible for providing any renewals of collateral to ensure that there is never a lapse in security coverage. Applicant shall procure renewal/extension/replacement collateral at least fifteen (15) days prior to the expiration of the original or renewal/extension/replacement collateral then in effect. Failure to procure renewal/extension/replacement collateral within this time limit shall allow the County to execute on the collateral.
7. All of those certain grading, erosion control and final stabilization measures to be completed as identified on Exhibit B shall be constructed in compliance with the following:
 - a. All laws, resolutions and regulations of the United States, State of Colorado, El Paso County and its various agencies, affected special districts and/or servicing authorities.
 - b. Such other designs, drawings, maps, specifications, sketches and other matter submitted to and approved by any of the above-stated governmental entities.
8. All grading, erosion control and final stabilization measures shall be completed by the Applicant within 12 (twelve) months from the date of notice to proceed in the Construction Permit. If Applicant determines that the completion date needs to be extended, Applicant shall submit a written request for a change in the completion date to the ECM Administrator at least 90 days in advance of the required completion date. The request shall include the reasons for the requested change in completion date, the proposed new completion date, and prove collateral is in place to cover the extension time requested. The completion date for the Construction Permit may be extended at the discretion of the ECM Administrator. Failure to meet the original or extended completion date, as applicable, shall allow the County to execute on the collateral.

IN WITNESS WHEREOF, the Applicant hereby executes this Pre-Development Site Grading Acknowledgement and Right of Access Form this _____ day of _____, 2017.

APPLICANT:



Raul Guzman, Vice President
GTL Development

^{NEW} CALIFORNIA)
STATE OF ~~COLORADO~~)
^{NEW} SAN DIEGO)ss.
COUNTY OF ~~EL PASO~~)

The foregoing instrument was acknowledged before me this 12th day of February, 2018, by Raul Guzman.

Witness my hand and official seal.

My commission expires: July 26, 2019





Notary Public



Craig Dossey, Executive Director
Planning and Community Development Department

3/14/18
Date

Approved as to Content and Form:



Assistant County Attorney

Exhibit "A"

KNOW ALL MEN BY THESE PRESENTS:

THAT GTL, INC. DBA GTL DEVELOPMENT, INC., THEODORE TCHANG, PRESIDENT AND MERIDIAN SERVICE METROPOLITAN DISTRICT BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND:

A PARCEL OF LAND LOCATED IN A PORTIONS OF SECTION 29, 30, AND 32, IN TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, INCLUDING ALL OF TRACT F OF THE METROPOLITAN CLUB RECORDED WITH RECEPTION NO. 208712913 IN THE RECORDS OF EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERN MOST CORNER OF TRACT D OF STONEBRIDGE FILING NO. 1 AT MERIDIAN RANCH, RECORDED WITH RECEPTION NO. 215713582 IN THE RECORDS OF EL PASO COUNTY;

THE FOLLOWING COURSE IS ON SAID SOUTHERLY LINE OF TRACT D:

1. THENCE N76°25'11"E A DISTANCE OF 375.00 FEET;
2. THENCE S78°55'18"E A DISTANCE OF 200.00 FEET;
3. THENCE S38°44'01"E A DISTANCE OF 300.00 FEET;
4. THENCE S86°37'24"E A DISTANCE OF 475.00 FEET;
5. THENCE N79°31'13"E A DISTANCE OF 400.00 FEET;
6. THENCE N64°36'19"E A DISTANCE OF 400.00 FEET;
7. THENCE N82°25'21"E A DISTANCE OF 800.00 FEET;
8. THENCE N20°23'46"W A DISTANCE OF 350.00 FEET;
9. THENCE N58°13'49"W A DISTANCE OF 206.93 FEET;
10. THENCE N68°53'37"W A DISTANCE OF 140.36 FEET;
11. THENCE N65°03'17"W A DISTANCE OF 145.00 FEET;
12. THENCE N60°08'41"W A DISTANCE OF 60.00 FEET;
13. THENCE N54°59'06"W A DISTANCE OF 123.00 FEET;
14. THENCE N49°16'15"W A DISTANCE OF 58.53 FEET;
15. THENCE N46°40'09"W A DISTANCE OF 60.00 FEET;
16. THENCE N44°59'01"W A DISTANCE OF 59.00 FEET;
17. THENCE N38°56'54"W A DISTANCE OF 123.00 FEET;
18. THENCE N33°47'19"W A DISTANCE OF 60.00 FEET;
19. THENCE N12°21'07"E A DISTANCE OF 8.00 FEET;
20. THENCE N31°45'35"W A DISTANCE OF 134.54 FEET TO A POINT ON THE BOUNDARY OF SAID STONEBRIDGE FILING NO. 1 AT MERIDIAN RANCH;

THE FOLLOWING THREE(3) COURSES ARE ON SAID BOUNDARY LINE:

21. THENCE N56°12'41"E A DISTANCE OF 25.16' TO A NON-TANGENT CURVE TO THE RIGHT;
22. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1030.00 FEET, A DELTA ANGLE OF 14°43'10", AN ARC LENGTH OF 264.61 FEET, WHOSE LONG CHORD BEARS N16°55'44"W A DISTANCE OF 263.88 FEET;
23. THENCE N80°25'51"E A DISTANCE OF 60.00 FEET TO A POINT ON THE BOUNDARY STONEBRIDGE FILING NO. 3 AT MERIDIAN RANCH, RECORDED WITH RECEPTION NO. 217714053 IN THE RECORDS OF EL PASO COUNTY AND A NON-TANGENT CURVE TO THE LEFT;

THE FOLLOWING TWO(2) COURSES ARE ON SAID BOUNDARY LINE:

24. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 970.00 FEET, A DELTA ANGLE OF 11°31'45", AN ARC LENGTH OF 195.19 FEET, WHOSE LONG CHORD BEARS S15°20'02"E A DISTANCE OF 194.86 FEET;
25. THENCE S66°06'02"W A DISTANCE OF 30.00 FEET;
26. THENCE S31°38'39"E A DISTANCE OF 206.41 FEET;
27. THENCE S23°57'47"E A DISTANCE OF 105.00 FEET;
28. THENCE S43°46'04"E A DISTANCE OF 160.00 FEET;
29. THENCE S55°03'09"E A DISTANCE OF 144.23 FEET;
30. THENCE S60°08'41"E A DISTANCE OF 60.00 FEET;
31. THENCE S61°52'11"E A DISTANCE OF 60.00 FEET;
32. THENCE S69°16'10"E A DISTANCE OF 120.43 FEET;
33. THENCE S69°58'55"E A DISTANCE OF 100.00 FEET;

34. THENCE S61°13'42"E A DISTANCE OF 97.00 FEET;
35. THENCE S54°18'56"E A DISTANCE OF 97.00 FEET;
36. THENCE S47°54'59"E A DISTANCE OF 105.00 FEET;
37. THENCE S42°33'34"E A DISTANCE OF 60.00 FEET;
38. THENCE S42°50'23"E A DISTANCE OF 125.00 FEET;
39. THENCE N47°26'26"E A DISTANCE OF 115.00 FEET;
40. THENCE N49°10'35"E A DISTANCE OF 165.08 FEET;
41. THENCE S51°49'02"E A DISTANCE OF 111.67 FEET;
42. THENCE N77°17'41"E A DISTANCE OF 109.21 FEET;
43. THENCE N48°27'37"E A DISTANCE OF 122.15 FEET;
44. THENCE N32°40'27"E A DISTANCE OF 349.31 FEET;
45. THENCE S55°38'05"E A DISTANCE OF 290.90 FEET;
46. THENCE S28°43'28"E A DISTANCE OF 308.38 FEET;
47. THENCE S64°52'09"E A DISTANCE OF 294.58 FEET TO A NON-TANGENT CURVE TO THE LEFT;
48. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1460.00 FEET, A DELTA ANGLE OF 08°03'03", AN ARC LENGTH OF 205.15 FEET, WHOSE LONG CHORD BEARS N21°06'20"E A DISTANCE OF 204.98 FEET;
49. THENCE N17°04'48"E A DISTANCE OF 421.16 FEET TO A POINT ON THE WESTERN BOUNDARY OF THE VISTAS FILING NO. 1 AT MERIDIAN RANCH, RECORDED WITH RECEPTION NO. 217713953 IN THE RECORDS OF EL PASO COUNTY;

THE FOLLOWING SIXTEEN(16) COURSES ARE ON SAID BOUNDARY LINE:

50. THENCE S17°04'48"W A DISTANCE OF 421.16 FEET TO A CURVE TO THE RIGHT;
51. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1540.00 FEET, A DELTA ANGLE OF 32°34'11", AN ARC LENGTH OF 875.41 FEET, WHOSE LONG CHORD BEARS S33°21'53"W A DISTANCE OF 863.67 FEET;
52. THENCE S05°49'18"W A DISTANCE OF 31.52 FEET;
53. THENCE S51°35'04"W A DISTANCE OF 60.00 FEET;
54. THENCE N82°39'10"W A DISTANCE OF 31.52 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
55. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1540.00 FEET, A DELTA ANGLE OF 03°34'52", AN ARC LENGTH OF 96.25 FEET, WHOSE LONG CHORD BEARS S55°18'35"W A DISTANCE OF 96.24 FEET;
56. THENCE S32°53'59"E A DISTANCE OF 20.55 FEET;
57. THENCE S35°51'09"E A DISTANCE OF 223.61 FEET;
58. THENCE S39°48'46"E A DISTANCE OF 205.06 FEET;
59. THENCE S41°08'31"E A DISTANCE OF 105.12 FEET;
60. THENCE S35°41'22"E A DISTANCE OF 105.12 FEET;
61. THENCE S35°16'51"E A DISTANCE OF 70.00 FEET;
62. THENCE S41°20'14"E A DISTANCE OF 75.00 FEET;
63. THENCE S63°46'18"E A DISTANCE OF 75.00 FEET;
64. THENCE S51°15'18"E A DISTANCE OF 210.10 FEET TO A POINT ON THE SOUTHEASTERN CORNER OF SAID VISTAS FILING NO. 1 AT MERIDIAN RANCH AND THE WESTERLY RIGHT-OF-WAY LINE OF EASTONVILLE ROAD;
65. THENCE S38°44'41"W ALONG SAID EASTONVILLE RIGHT-OF-WAY A DISTANCE OF 408.79 FEET;
66. THENCE N89°23'27"W A DISTANCE OF 12.73 FEET TO THE NORTHEAST CORNER OF SAID TRACT F;

THE FOLLOWING SIX(6) COURSES ARE ON SAID TRACT LINE:

67. THENCE S38°47'27"W A DISTANCE OF 315.49 FEET;
68. THENCE N51°12'33"W A DISTANCE OF 21.28 FEET;
69. THENCE S38°47'27"W A DISTANCE OF 1.03 FEET;
70. THENCE S80°17'18"W A DISTANCE OF 55.16 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STAPLETON DRIVE;

THE FOLLOWING NINE(9) COURSES ARE ON SAID NORTHERLY RIGHT-OF-WAY LINE:

71. THENCE N54°42'42"W ON SAID NORTHERLY RIGHT-OF-WAY A DISTANCE OF 113.89 FEET TO A CURVE TO THE LEFT;
72. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1415.00 FEET, A DELTA ANGLE OF 16°26'49", AN ARC LENGTH OF 406.18 FEET, WHOSE LONG CHORD BEARS N62°55'59"W A DISTANCE OF 404.78 FEET;

73. THENCE N89°25'42"W A DISTANCE OF 16.24 FEET TO A NON-TANGENT CURVE TO THE LEFT;
74. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 1410.00 FEET, A DELTA ANGLE OF 17°51'47", AN ARC LENGTH OF 439.60 FEET, WHOSE LONG CHORD BEARS N80°43'00"W A DISTANCE OF 437.82 FEET;
75. THENCE N89°38'53"W A DISTANCE OF 835.50 FEET;
76. THENCE N46°47'48"W A DISTANCE OF 64.84 FEET;
77. THENCE N87°58'53"W A DISTANCE OF 120.05 FEET;
78. THENCE S43°01'13"W A DISTANCE OF 64.72 FEET;
79. THENCE N89°38'53"W A DISTANCE OF 963.75 FEET TO A POINT ON THE SOUTHEAST CORNER OF TRACT F, MERIDIAN RANCH FILING NO. 1 RECORDED WITH RECEPTION NO. 203036466 IN THE RECORDS OF EL PASO COUNTY;
80. THENCE N36°20'59"W ON SAID TRACT LINE A DISTANCE OF 24.74 FEET TO A POINT ON THE SOUTHEAST CORNER OF TRACT G, OF SAID STONEBRIDGE FILING NO. 1;
81. THENCE N36°20'59"W ON SAID TRACT LINE A DISTANCE OF 1691.39 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL OF LAND CONTAINS 139.003 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE SW ¼ OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ASSUMED TO BEAR S89°25'42"E FROM THE SOUTHWEST CORNER OF SAID SECTION 29 (A STONE W/SCRIBED "X") TO THE SOUTH QUARTER CORNER OF SAID SECTION 29 (3.25" ALUM. CAP LS #30087).

Exhibit "B"

2015 Financial Assurance
Estimate EC Form

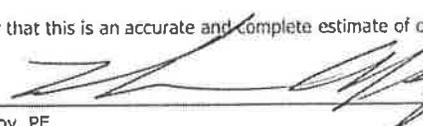
9/1/2017

Project Information	
Meridian Ranch Windingwalk Grading	9/1/2017
Project Name	Date

Section 1 - Grading and Erosion Control BMPs	Quantity	Units		Price		
Earthwork*	459,000	CY	@	\$5	=	\$ 2,295,000 *
Permanent Seeding*	163.9	AC	@	\$582	=	\$ 95,384 *
Mulching*	163.9	AC	@	\$507	=	\$ 83,097 *
Permanent Erosion Control Blanket*	15,495	SY	@	\$6	=	\$ 92,970 *
Temporary Erosion Control Blanket		SY	@	\$3	=	\$
Vehicle Tracking Control	1	EA	@	\$1,625	=	\$ 1,625
Safety Fence		LF	@	\$3	=	\$
Silt Fence	6,811	LF	@	\$4	=	\$ 27,242
Temporary Seeding		AC	@	\$485	=	\$
Temporary Mulch		AC	@	\$507	=	\$
Erosion Bales	871	EA	@	\$21	=	\$ 18,291
Erosion Logs	1,328	LF	@	\$6	=	\$ 7,968
Rip Rap, d50 Size from 6" to 24"	1,218.0	CY	@	\$98	=	\$ 119,364
Channel Lining, Rip Rap		CY	@	\$98	=	\$
Rock Ditch Checks		EA	@	\$100	=	\$
Inlet Protection		EA	@	\$153	=	\$
Sediment Basin	7	EA	@	\$1,625	=	\$ 11,375
Concrete Washout Basin	1.00	EA	@	\$776	=	\$ 776
Detention Basin Outlet Structure	3.00	EA	@	10,000	=	\$ 30,000
* specified items subject to defect warranty financial assurance						
Construction Financial Assurance Total						\$ 2,783,092

Approvals

I hereby certify that this is an accurate and complete estimate of costs for the work as shown in the approved Construction Drawings associated with the Project.


 Thomas A. Kerby, PE
 (P.E. Seal)



2-20-18
 31429 Date


 Raul Guzman, Vice President
 GTL Development, Inc.

2/12/18

Approved

By: Jennifer Irvine, County Engineer
Date: 03/06/2018

El Paso County Department of Public Works

Approved by El Paso County Engineer / ECM Administrator