New Road Access Permit **Terms and Conditions**	Access Permit No. CA261
	Roadway Intersection Boone Road 2.17 miles south of Shear Road
Permittee(s): Mountain View Ranches LLC 277 Locust Street Suite A Dover, NH 03820	Applicant: Chavez Consulting Inc., LLC John B. Chavez 13880 Gymkhana Road Peyton, CO 80831
Substantial Completion Date:	

General Terms and Conditions:

1. Throughout this Permit, DPW means the El Paso County Department of Public Works, and ECM means El Paso County Engineering Criteria Manual.

2. Construction may not proceed until a County Work Within the Right-of-Way permit is approved by DPW. An application form can be found here: https://publicworks.elpasoco.com/forms-applications/.

3. The Permittee shall ensure that a copy of this Permit is available for review at the construction site at all times.

4. This Access Permit is issued in accordance with the ECM and 1998 State Highway Access Code (2CCR 601-1) as adopted by reference in the ECM and is based in part upon the information submitted by the Permittee. This Access Permit is only for the use and purpose stated in the Application and on the Permit. Any changes based upon existing or anticipated future conditions in traffic volumes, drainage, types of traffic, or other operational aspects may render this Permit void, requiring a new Application for Driveway/Access Permit to be submitted for review by the County.

5. This Permit hereby replaces all previous access permits for this location, which now become null and void.

6. The access shall not be opened for public use until written notice to proceed has been issued by the County.

7. Prior to using the access, the Permittee is required to complete the construction according to the terms and conditions of this Permit. Failure by the Permittee to abide by all Permit terms and conditions shall be sufficient cause for the County to suspend or revoke the Permit and close the access. If, in the determination of the County, the Permittee's failure to comply with or complete the construction requirements of the Permit creates a safety hazard, such failure shall be sufficient cause for the summary suspension of the Permit. The Permittee may not use the access prior to completion unless the County has approved such use and included any applicable conditions in the Permit. The County may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the Permittee has failed to meet required specifications of design or materials. If any construction element fails within two years of the Substantial Completion Date due to improper construction or material specifications, the Permittee must make all necessary repairs. Failure to make such repairs may result in suspension of the Permit and closure of the access.

Version 2 – June 2025
Previous editions are obsolete and may not be used

8. The County Inspector may suspend any work due to noncompliance with the provisions of this Permit, adverse weather or traffic conditions, concurrent roadway construction or maintenance in conflict with Permit work, or any condition deemed unsafe for workers or the general public. The work may be resumed upon notice from the County Inspector.

9. The Permittee may work during daylight hours only or between 7:00 AM and 7:00 PM, whichever is more restrictive, unless otherwise approved by El Paso County. The Permittee shall comply with El Paso County Ordinance No. 02-01 concerning Noise Levels in unincorporated El Paso County.

10. No work shall be allowed at signalized intersections or on arterial roadways that impedes normal traffic flow from 6:00 AM to 8:30 AM and 3:30 PM to 7:00 PM, except during emergencies or with prior approval of the ECM Administrator.

11. No work is allowed within the public right-of-way on weekends or County/State/Federal holidays without prior approval of the ECM administrator. No construction vehicles shall be parked or construction materials stockpiled on the right-of-way. No private vehicles may be parked on the right-of-way at any time during construction.

12. No interference with traffic will be allowed after 12:00 Noon the day before a 3- or 4-day holiday weekend, as listed under 108.06 of the CDOT Standard Specifications for Road and Bridge Construction.

13. El Paso County retains the right to perform any necessary maintenance work in its right-of-way in this area.

14. All construction materials, techniques and processes shall be in conformance with the following: a) the ECM, b) El Paso County Drainage Criteria Manuals, c) criteria adopted by reference within the ECM, d) El Paso County-approved construction plans, e) the CDOT standard specifications for road construction as set forth in the most recent "Standard Specifications for Road and Bridge Construction," f) most recent adopted CDOT Standard Special Provisions, g) most recent adopted EPC Standard Special Provisions, and g) approved Project Special Provisions.

15. The Permittee shall provide construction traffic control devices at all times during access construction in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), as required by section 42-4-104, C.R.S., as amended, and the ECM.
    a. Prior to removing any existing County signs within the limits of the construction activities the Permittee shall contact the County inspector.
    b. A Method of Handling Traffic Plan (MHT or Traffic Control Plan) shall be provided to DPW as part of the El Paso County Work Within the Right-of-Way permit and approved prior to construction unless waived in the Additional Terms and Conditions below.
    c. A certified Traffic Control Supervisor or a registered professional engineer shall prepare the traffic control plan and shall supervise traffic control.
    d. The approved traffic control plan shall be available onsite throughout the duration of the construction.
    e. The Contractor shall certify flagging personnel in accordance with CDOT Standards, when flagging is required.
    f. Two-way traffic shall be maintained throughout the work area at all times unless otherwise approved in the MHT.

16. Signing and striping associated with the access are the responsibilities of the Permittee. Installation of any permanent traffic control devices necessary for the safe and proper operation and control of the access shall be provided at the cost of the Permittee. All traffic control devices within the public right-of-way or an access that serves the general public shall conform to the MUTCD.

17. All costs associated with the installation of this access are the responsibility of the Permittee. This

includes but is not limited to design, construction, project management, utility relocation, testing of materials, and independent construction and stormwater inspections. Any damage to existing County facilities shall be repaired immediately at no cost to the County and prior to continuing other work. Any mud or other material tracked or otherwise deposited on the roadway shall be removed daily or as ordered by the County Inspector.

18. The Contractor shall notify the County Inspector of the phases in construction specified in the ECM to allow the inspection of various aspects of construction including concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the County Inspector to meet unanticipated site conditions.

19. All work shall conform to the plans incorporated in this Permit on file with the County. As-built construction plans meeting ECM requirements shall be provided by the Permittee prior to County acceptance of any public improvements.

20. All changes to the Permit must be approved in writing by the County prior to commencement or resumption of any work within the County right-of-way.

21. The County drainage system is for the protection of the County right-of-way, structures, and appurtenances. It is not designed nor intended to serve the drainage requirements of abutting or other properties beyond undeveloped historical flow.
    a. Drainage to the County right-of-way shall be in compliance with the latest versions of the ECM, El Paso County Drainage Criteria Manuals, and County-approved Drainage Reports.
    b. The access shall be constructed in a manner that does not cause excessive stormwater to enter onto the roadway or shoulder and shall not interfere with the existing drainage system within the right-of-way or any County stormwater system and drainage plan.
    c. The Permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. The Permittee shall provide, at their own expense, drainage structures for access that will become an integral part of the existing drainage system.
    d. Drainage structures under the access shall extend beyond the access radius to accommodate the side slopes. All existing drainage structures shall be extended, modified, or upgraded as applicable to accommodate all new construction and safety standards and in accordance with the ECM.
    e. Flared end sections or other protective end treatments are required for culverts larger than 18-inch diameter.
    f. All drainage appurtenances required for site development shall be located and fully maintainable outside the County right-of-way unless otherwise specifically approved.

22. Within the right-of-way, minimum and maximum grades shall be in accordance with the ECM unless otherwise approved by the ECM administrator.

23. County and, by reference, CDOT standards, specifications, and regulations shall override the design plans incorporated in this Permit should an oversight, error, omission, or conflict occur. The County assumes no liability or responsibility whatsoever for the accuracy, completeness or correctness of the Permittee's design plans. Any design plan oversights, errors, omissions, or conflicts are the sole responsibility of the Permittee and/or the Design Engineer.

24. The County through the approval of this Permit does not affirm that sufficient easements or other permissions exist for any work outside of the Permittee’s property and County right-of-way.

25. All through lanes and auxiliary lanes constructed or modified as part of the access construction shall be 12 feet wide exclusive of gutter pans and/or shoulders.
    a. Shoulders adjacent to the travel lane shall meet ECM width requirements for the road classification but shall be no less than the width of the current shoulder.
    b. Shoulders adjacent to an auxiliary lane shall be a minimum of four feet in width.
    c. Shoulders adjacent to the travel lane shall be a minimum of 10 feet in width on any highway designated as part of the National Highway System.

26. Except for standard driveway installations, private improvements shall not be installed within the right-of-way. Mailboxes within the right-of-way may require a permit and shall be constructed in compliance with the ECM.

27. Soil preparation, including topsoil, seeding, and mulching, is required within the County right-of-way on all disturbed areas not surfaced and on those areas beyond the roadway that may erode and cause sedimentation within the County right-of-way. The Permittee shall provide seed mix, rate of seeding, and soil preparation specifications to the County for approval prior to seeding.

28. The Permittee is responsible for any utilities and/or traffic control devices disrupted by the construction of this access and all expense incurred for repair and relocation. There are existing utilities within the County right-of-way by permit. Owners of those utilities must be contacted. Any work necessary to protect existing permitted utilities, such as encasements, bulwarks, etc. will be the responsibility of the Permittee. Any utility construction within the right-of-way shall be approved and permitted by El Paso County prior to construction in accordance with the ECM.

29. The Permittee is responsible for obtaining any necessary additional federal, state and/or local government agency permits or clearances required for construction of the access. Approval of this permit does not constitute verification of this action by the Permittee. It is the responsibility of the Permittee to determine which environmental clearances and regulations apply to the project and to obtain any clearances that are required directly from the appropriate agency. FAILURE TO COMPLY WITH REGULATORY REQUIREMENTS MAY RESULT IN SUSPENSION OR REVOCATION OF YOUR PERMIT OR ENFORCEMENT ACTIONS BY OTHER AGENCIES.

30. ALL discharges are subject to the provisions of the ECM, the El Paso County Ordinance Prohibiting Illicit Discharges Into the County Storm Sewer System (“Ordinance”), the Colorado Water Quality Control Act, and the Colorado Discharge Permit Regulations. Any discharge to any portion or component of the County storm sewer system that is not composed entirely of stormwater is prohibited, except discharges resulting from emergency firefighting activities and discharges specifically authorized by a Colorado Discharge Permit System (CDPS), the El Paso County MS4 Permit, or the Ordinance.

31. Unless otherwise identified by the Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Division (WQCD) as significant sources of pollutants to the waters of the State, discharges to storm water systems shall comply with the El Paso County Illicit Discharge Ordinance. Construction activities may require a Construction Stormwater Permit and a County ESQCP. ANY OTHER DISCHARGES may require Colorado Discharge Permit(s) or separate permits from CDPHE, El Paso County, or the appropriate agency before work begins. For additional information and forms, see the CDPHE website at: https://www.colorado.gov/pacific/cdphe/water-quality-control-division-contacts.

32. The Permittee shall ascertain and ensure that its personnel are equipped with and use all safety devices required to comply with Federal, State, and Local regulations, including but not limited to, the Occupational Safety and Health Administration (OSHA).

33. Haul routes must be planned, and the Permittee shall observe load limits on bridges and roadways, existing roadway conditions, and Federal, State, and Local governmental regulations regarding truck traffic and truck routes. The Permittee shall comply with all legal load restrictions in hauling of materials

on public roads. Required permits must be obtained and will not relieve the Permitee of liability for damage which may result from moving equipment or materials. The operation of equipment of such weight or so loaded as to cause damage to roadways or to structures or to any type of public improvements will not be permitted. The Permittee shall be responsible for all damage done by their hauling equipment.

34. The Permittee shall keep fully informed of all Federal, State, and Local laws, ordinances, and regulations and all orders and decree of bodies or tribunals having any jurisdiction or authority which may in any manner affect those engaged or employed on the project, the conduct of work, or Contractor's ability to perform the work. Permittee shall at all times observe and comply with such laws, ordinances, regulations, orders and decrees and shall defend, hold harmless, and indemnify El Paso County and its representatives, to include employees, agents, consultants, and subcontractors of each, against any claim or liability arising from or based on a) the violations of any such law, ordinance, regulations, order, or decree, or b) activities conducted under this Permit, whether by itself, its employees, or its subcontractors.

35. The issuance of any permit, agreement, plat, subdivision, plan or correspondence shall not abrogate or limit the regulatory powers of DPW or the issuing authority exercised in the protection of the public's health, safety and welfare.

36. All workers within the County right of way shall comply with their employers' safety and health policies/procedures and all applicable US Occupational Safety and I Health Administration (OSHA) regulations, including but not limited to the applicable sections of 29 CFR Part 1910 — Occupational Safety and Health Standards and 29 CFR Part 1926 — Safety and Health Regulations for Construction.

    Personal protective equipment (e.g., head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed and as specified in regulation. At a minimum, all workers in the County right of way, except when in their vehicles, shall wear the following personal protective equipment: Head protection that complies with the ANSI Z89.1 -1997 standard, as amended; At all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96, and, if required, such footwear shall meet the requirements of ANSI Z41-1999, as amended; High visibility apparel as specified in the Traffic Control provisions of this permit (at a minimum, ANSI/ISEA 107-1999, Class 2, as amended); Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

37. The Permittee shall maintain adequate, unobstructed sight distance in both directions from the access in accordance with the ECM.

38. Asphalt materials and placement activities shall be in accordance with the latest adopted version of the ECM and most recent adopted version of the "Pikes Peak Region Asphalt Paving Specifications."

39. The Permittee is responsible for familiarizing themselves with all current accessibility criteria and specifications and the construction plans shall reflect all site elements required by the United States Department of Justice. Approval of plans associated with this access permit by El Paso County does not assure compliance with the ADA or any regulations or guidelines enacted or promulgated under or with respect to such laws.

Additional Site-Specific Terms and Conditions:

1. This public road access permit is issued for the proposed private road **Switchgrass Heights** intersecting Boone Road associated with County Access CA261 for Vista Ranch IV. The access supports eighteen (18) 35ac parcels as depicted on the Vista Ranch IV-Revised Land Survey.

2. Any access closure, revisions, or additional improvements necessary due to level of service or safety issues, as determined by and at the direction of the County Engineer, shall require removal or revision of the subject access at no cost to the County by the Permitee or its successors and assigns. Any costs incurred by the County to address an unsafe situation or level of service issue caused by traffic using the access shall be reimbursed to the County by the Permitee or its successors and assigns. This includes any intersection traffic control improvements, including but not limited to signage, signalization, or other intersection improvements.

3. The Permittee and its successors and assigns shall be responsible for maintenance of the access improvements within the County right-of-way, including but not limited to apron asphalt and ditch culvert

4. Construction of the proposed intersection shall not change the grade or cross-slope of Boone Road within the current limits of asphalt paving unless specifically approved. Any necessary asphalt patching shall be per the requirements of the associated Work-in the Right-of-Way Permit issued by DPW and may require full width milling and overlay.

5. The Permitee shall be responsible for financial guarantees to complete the proposed construction. Any costs incurred by the County to complete or participate in construction activities associated with the intersection shall be reimbursed to the County by the Permitee or its successors and or assigns.

6. Fill slopes and cut slopes shall be constructed to current County minimum standards. All side slopes shall have a slope of 6:1 for 12 feet.

7. The surface width of the access shall be in accordance with the ECM and County-approved construction plans at the ROW line.

8. The radii of the access shall be large enough to accommodate the largest vehicle using the access daily without encroaching on the adjacent travel lane.

9. Nothing in this permit shall be construed to limit the legal authority of the County and, by delegation, the County Engineer to otherwise grant, suspend, revoke, or modify access to a County roadway.

10. A new access permit application will be required prior to the loading of any additional trips to this access from uses differing from single family detached housing and eighteen(18) 35ac parcels (#103 to 120). The number and manner of trips for this Permit are per ITE Land Use Code 210 Single Family Detached. All proposed revisions shall be submitted for review by El Paso County.

Upon the signing of this permit the Permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.

The person signing as the Permittee must be the owner or legal representative of the new roadway access and have full authority to accept the permit and its terms and conditions.

Permittee signature	Print name	Date
Aleksander Bologna	Aleksander Bologna	July 16, 2026

This permit is not valid until signed by a duly authorized representative of El Paso County

Signature	Print name	Title	Date (of issue)
Daniel Torres, P.E. Digitally signed by Daniel Torres, P.E. Reason: Authorized signatory as County Engineer designee Date: 2026.07.22 10:35:23-06'00'	Daniel Torres	Engineering Manager	7/22/26