



## Planning and Community Development Department

2880 International Circle, Colorado Springs, CO 80910

Phone 719.520.6300 | Fax 719.520.6695 | [www.elpasoco.com](http://www.elpasoco.com)

### Type D Application Form (1-2C)

Please check the applicable application type  
(Note: each request requires completion of a  
separate application form):

- ☐ Appeal
- ☐ Approval of Location
- ☐ Board of Adjustment
- ☐ Certification of Designation
- ☐ Const. Drawings, Minor or Major
- ☐ Development Agreement
- ☒ Final Plat, Minor or Major
- ☐ Final Plat, Amendment
- ☐ Minor Subdivision
- ☐ Planned Unit Dev. Amendment, Major
- ☐ Preliminary Plan, Major or Minor
- ☐ Rezoning
- ☐ Road Disclaimer
- ☐ SIA, Modification
- ☐ Sketch Plan, Major or Minor
- ☐ Sketch Plan, Revision
- ☐ Solid Waste Disposal Site/Facility
- ☐ Special District
- ☐ Special Use
  - ☐ Major
  - ☐ Minor, Admin or Renewal
- ☐ Subdivision Exception
- ☐ Vacation
  - ☐ Plat Vacation with ROW
  - ☐ Vacation of ROW
- ☐ Variances
  - ☐ Major
  - ☐ Minor (2<sup>nd</sup> Dwelling or Renewal)
  - ☐ Tower, Renewal
- ☐ Vested Rights
- ☐ Waiver or Deviation
- ☐ Waiver of Subdivision Regulations
- ☐ WSEO
- ☐ Other: \_\_\_\_\_

This application form shall be accompanied by  
all required support materials.

**PROPERTY INFORMATION:** Provide information to identify properties and  
the proposed development. Attached additional sheets if necessary.

Property Address(es): Vollmer Road/Marksheffel	
Tax ID/Parcel Numbers(s) 5233000013,5200000364/231	Parcel size(s) in Acres: 49.643
Existing Land Use/Development: Vacant	Zoning District: RS-5000

- ☐ Check this box if **Administrative Relief** is being requested in  
association with this application and attach a completed  
Administrative Relief request form.
- ☐ Check this box if any **Waivers** are being requested in association  
with this application for development and attach a completed  
Waiver request form.

**PROPERTY OWNER INFORMATION:** Indicate the person(s) or  
organization(s) who own the property proposed for development.  
Attach additional sheets if there are multiple property owners.

Name (Individual or Organization): SR Land LLC.	
Mailing Address: 20 Boulder Crescent St. Suite 102, Colorado Springs, CO.	
Daytime Telephone:	Fax:
Email or Alternative Contact Information:	

#### For PCD Office Use:

Date:	File :
Rec'd By:	Receipt #:
DSD File #:	

**Description of the request:** *(submit additional sheets if necessary):*

Sterling Ranch Filing 2 Final Plat for 49 Lots, ROW, and 10 Tracts
--



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Renewal)
  - ☐ Tower, Renewal
- ☐ Vested Rights
- ☐ Waiver or Deviation
- ☐ Waiver of Subdivision Regulations
- ☐ WSEO
- ☐ Other: \_\_\_\_\_

This application form shall be accompanied by  
all required support materials.

**PROPERTY INFORMATION:** Provide information to identify properties and  
the proposed development. Attached additional sheets if necessary.

Property Address(es): Vollmer Road/Marksheffel	
Tax ID/Parcel Numbers(s) 5232400002	Parcel size(s) in Acres: 49.643
Existing Land Use/Development: Vacant	Zoning District: RS-5000

- ☐ Check this box if **Administrative Relief** is being requested in  
association with this application and attach a completed  
Administrative Relief request form.
- ☐ Check this box if any **Waivers** are being requested in association  
with this application for development and attach a completed  
Waiver request form.

**PROPERTY OWNER INFORMATION:** Indicate the person(s) or  
organization(s) who own the property proposed for development.  
Attach additional sheets if there are multiple property owners.

Name (Individual or Organization): Morley Bentley/Trader Vics	
Mailing Address: PO Box 217 Galena KS, 66739	
Daytime Telephone:	Fax:
Email or Alternative Contact Information:	

#### For PCD Office Use:

Date:	File :
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**Description of the request:** (submit additional sheets if necessary):

Sterling Ranch Filing 2 Final Plat for 49 Lots, ROW, and 10  
Tracts





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**APPLICANT(S):** Indicate person(s) submitting the application if different than the property owner(s) (attach additional sheets if necessary)

Name (Individual or Organization): SR Land LLC	
Mailing Address: 20 Boulder Crescent Suite 102, Colorado Springs, CO. 80903	
Daytime Telephone:	Fax:
Email or Alternative Contact Information:	

**AUTHORIZED REPRESENTATIVE(S):** Indicate the person(s) authorized to represent the property owner and/or applicants (attach additional sheets if necessary).

Name (Individual or Organization): NES Inc.	
Mailing Address: 619 N. Cascade Ave. Suite 200	
Daytime Telephone: 719-471-0073	Fax:
Email or Alternative Contact Information: eganaway@nescolorado.com	

**AUTHORIZATION FOR OWNER'S APPLICANT(S)/REPRESENTATIVE(S):**

An owner signature is not required to process a Type A or B Development Application. An owner's signature may only be executed by the owner or an authorized representative where the application is accompanied by a completed Authority to Represent/Owner's Affidavit naming the person as the owner's agent

**OWNER/APPLICANT AUTHORIZATION:**

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial or revocation. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal may delay review, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval. I verify that I am submitting all of the required materials as part of this application and as appropriate to this project, and I acknowledge that failure to submit all of the necessary materials to allow a complete review and reasonable determination of conformance with the County's rules, regulations and ordinances may result in my application not being accepted or may extend the length of time needed to review the project. I hereby agree to abide by all conditions of any approvals granted by El Paso County. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I acknowledge that I understand the implications of use or development restrictions that are a result of subdivision plat notes, deed restrictions, or restrictive covenants. I agree that if a conflict should result from the request I am submitting to El Paso County due to subdivision plat notes, deed restrictions, or restrictive covenants, it will be my responsibility to resolve any conflict. I hereby give permission to El Paso County, and applicable review agencies, to enter on the above described property with or without notice for the purposes of reviewing this development application and enforcing the provisions of the LDC. I agree to at all times maintain proper facilities and safe access for inspection of the property by El Paso County while this application is pending.

Owner (s) Signature: \_\_\_\_\_  
Owner (s) Signature: \_\_\_\_\_  
Applicant (s) Signature: \_\_\_\_\_

Date: May 27, 2020  
Date: \_\_\_\_\_  
Date: May 27, 2020



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- ☐ Other: \_\_\_\_\_

This application form shall be accompanied by all required support materials.

**PROPERTY INFORMATION:** Provide information to identify properties and the proposed development. Attached additional sheets if necessary.

Property Address(es): Vollmer Road/Marksheffel	
Tax ID/Parcel Number(s) 5300000173	Parcel size(s) in Acres: 49.643
Existing Land Use/Development: Vacant	Zoning District: RS-5000

- ☐ Check this box if **Administrative Relief** is being requested in association with this application and attach a completed Administrative Relief request form.
- ☐ Check this box if any **Waivers** are being requested in association with this application for development and attach a completed Waiver request form.

**PROPERTY OWNER INFORMATION:** Indicate the person(s) or organization(s) who own the property proposed for development. Attach additional sheets if there are multiple property owners.

Name (Individual or Organization): Challenger Communities LLC.	
Mailing Address: 8605 Explorer Dr. Suite 250 Colorado Springs, CO 80920	
Daytime Telephone:	Fax:
Email or Alternative Contact Information:	

#### For PCD Office Use:

Date:	File :
Rec'd By:	Receipt #:
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**Description of the request:** (submit additional sheets if necessary):

Sterling Ranch Filing 2 Final Plat for 49 Lots, ROW, and 10 Tracts
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Name (Individual or Organization):

SR Land LLC

Mailing Address:

20 Boulder Crescent Suite 102, Colorado Springs, CO. 80903

Daytime Telephone:

Fax:

Email or Alternative Contact Information:

**AUTHORIZED REPRESENTATIVE(S):** Indicate the person(s) authorized to represent the property owner and/or applicants (attach additional sheets if necessary).

Name (Individual or Organization):

NES Inc.

Mailing Address:

619 N. Cascade Ave. Suite 200

Daytime Telephone:

719-471-0073

Fax:

Email or Alternative Contact Information:

eganaway@nescolorado.com

**AUTHORIZATION FOR OWNER'S APPLICANT(S)/REPRESENTATIVE(S):**

An owner signature is not required to process a Type A or B Development Application. An owner's signature may only be executed by the owner or an authorized representative where the application is accompanied by a completed Authority to Represent/Owner's Affidavit naming the person as the owner's agent

**OWNER/APPLICANT AUTHORIZATION:**

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial or revocation. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal may delay review, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval. I verify that I am submitting all of the required materials as part of this application and as appropriate to this project, and I acknowledge that failure to submit all of the necessary materials to allow a complete review and reasonable determination of conformance with the County's rules, regulations and ordinances may result in my application not being accepted or may extend the length of time needed to review the project. I hereby agree to abide by all conditions of any approvals granted by El Paso County. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I acknowledge that I understand the implications of use or development restrictions that are a result of subdivision plat notes, deed restrictions, or restrictive covenants. I agree that if a conflict should result from the request I am submitting to El Paso County due to subdivision plat notes, deed restrictions, or restrictive covenants, it will be my responsibility to resolve any conflict. I hereby give permission to El Paso County, and applicable review agencies, to enter on the above described property with or without notice for the purposes of reviewing this development application and enforcing the provisions of the LDC. I agree to at all times maintain proper facilities and safe access for inspection of the property by El Paso County while this application is pending.

Owner (s) Signature: \_\_\_\_\_

Date: 5-27-20

Owner (s) Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Applicant (s) Signature: \_\_\_\_\_

Date: \_\_\_\_\_





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Waiver request form.

**PROPERTY OWNER INFORMATION:** Indicate the person(s) or  
organization(s) who own the property proposed for development.  
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Name (Individual or Organization): 8335 Vollmer Road LLC. c/o Pioneer Sand Co.	
Mailing Address: 5000 Northpark Dr. Colorado Springs, CO. 80918	
Daytime Telephone:	Fax:
Email or Alternative Contact Information:	

#### For PCD Office Use:

Date:	File :
Rec'd By:	Receipt #:
DSD File #:	

**Description of the request:** *(submit additional sheets if necessary):*

Sterling Ranch Filing 2 Final Plat for 49 Lots, ROW, and 10 Tracts
Signed Access Easements Provided



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Owner (s) Signature: Signed Access Easement Attached

Date: \_\_\_\_\_

Owner (s) Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Applicant (s) Signature: \_\_\_\_\_

Date: \_\_\_\_\_

AGREEMENT TO GRANT ACCESS AND UTILITY EASEMENTS

RECEIVED of STERLING RANCH METROPOLITAN DISTRICT NO. 1, a Title 32 Special District and political subdivision of the State of Colorado, the sum of One Dollar (\$1.00), in consideration of which the undersigned, hereinafter called "GRANTOR", does, subject to the terms and conditions set forth herein, hereby grant, sell and convey unto said STERLING RANCH METROPOLITAN DISTRICT NO. 1, hereinafter called "DISTRICT 1", its successors, assigns, tenants, guests, licensees and invitees, and declares for itself and all future owners of any part of the real property described on Attachment C hereto, hereinafter called "OWNERS", their successors, assigns, tenants, guests, licensees and invitees, non-exclusive easements (the "Easements") for the purposes of utilizing said Easements for vehicular and pedestrian ingress and egress and for the construction and use of roads together with curbs, gutters and sidewalks, and all utility infrastructure which is customary for a residential development, including without limitation, water, sewer, stormwater, electrical, gas, telephone, cable and data, within the Easements (collectively, "Improvements"). Said Easements are described in Attachments A and B hereto (the "Premises"). Collectively, DISTRICT 1 and OWNERS are hereinafter called "GRANTEE".

These Easements are made subject to the following terms and conditions:

1. GRANTEE accepts the Premises in its current "As Is" condition, and GRANTOR makes no warranties of any kind with respect to the Premises, other than as to title.

2. Any Grantee which constructs Improvements within the Easements (together with its successors and assigns, a "Constructing Grantee") shall do so for the benefit of each entity and person comprising GRANTEE. A Constructing Grantee shall be responsible for the maintenance of the Improvements constructed by such Constructing Grantee until such Improvements are dedicated or conveyed to, and accepted by District 1 or another metropolitan district, municipality, county, quasi-municipal entity, or utility company, which will be responsible thereafter for the maintenance of such Improvements for the benefit of GRANTEE or the public generally. In the performance of any maintenance or improvement of the Improvements and Premises, each GRANTEE shall, maintain their respective Improvements and Premises in a reasonable condition for their intended purposes and shall protect against erosion and perform all work in a manner consistent with protecting the intended purposes of the Easements and the environment, and shall restore and repair any damage or alteration to the Premises as nearly as practicable to its condition prior to such maintenance or improvement.

3. GRANTOR hereby reserves to itself and its grantees and assignees the right to use the Premises for such purposes and for such improvements as GRANTOR may elect, so long as said uses and purposes do not unreasonably interfere with or obstruct the Easement and rights granted herein.

4. GRANTEE shall secure all permits, licenses and approvals required by any governmental authority for the use, construction upon or improvement of the Premises prior to such construction upon or improvement of the Premises by GRANTEE, and GRANTEE shall comply with all laws and regulations concerning the use or improvement of the Premises. GRANTEE shall be solely responsible for the costs of designing and constructing the portions of Marksheffel Road and Sterling Ranch Road to be located on the Premises, and all utilities



required by governmental authorities, without rights to reimbursement from GRANTOR and shall indemnify and hold GRANTOR harmless from any claims, demands or causes of action arising from the design and construction of such improvements.

5. In no event shall any GRANTEE allow any liens to attach against the Premises for materials supplied or work performed at the request of, or for the benefit of, GRANTEE, and any GRANTEE which has allowed any such liens to attach to the Premises shall, to the extent allowed by law, indemnify and hold GRANTOR and any other GRANTEE harmless from and cost or expense, including reasonable attorney's fees incurred by GRANTOR or any other GRANTEE to release any such liens against the Premises.

6. The GRANTOR agrees to indemnify, defend and hold harmless, to the extent allowed by law, the GRANTEE, its respective agents, officers, servants and employees of and from any and all loss, costs, damage, injury, liability, claims, liens, demands, actions and causes of action whatsoever, arising out of or related to the GRANTOR'S intentional or negligent acts, errors or omissions or that of its agents, officers, servants and employees, whether contractual or otherwise that occur on the Easements or that arise from GRANTOR'S activities on the Easements. Likewise, each GRANTEE agrees to respectively indemnify, defend and hold harmless, to the extent allowed by law, the GRANTOR, its respective agents, officers, servants and employees of and from any and all loss, costs, damage, injury, liability, claims, liens, demands, actions and causes of action whatsoever, arising out of or related to such GRANTEE'S respective intentional or negligent acts, errors or omissions or that of its agents, officers, servants and employees, whether contractual or otherwise that occur on the Easements or that arise from GRANTEE'S activities on the Easements.

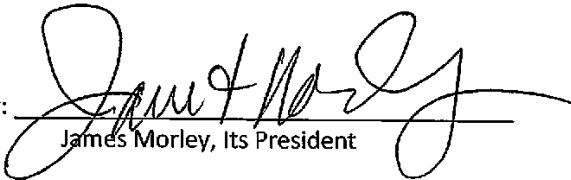
7. All provisions of these Easements, including all benefits and burdens, shall run with the land described in Attachments A and B hereto and shall be binding upon and shall inure to the benefit of the heirs, assigns, successors and personal representatives of the parties hereto. The Easements are for the benefit of GRANTEE and the respective successors and assigns of GRANTEE, and GRANTEE shall hold the Easements and exercise the rights granted hereunder for the benefit of the DISTRICTS (as defined below) and the parcels of real property served by the DISTRICTS, including but not limited to the property described on Attachment C. Except as otherwise stated herein, the Easements shall be exclusive to the entities and persons comprising GRANTEE. As used herein, the "DISTRICTS" means GRANTEE, STERLING RANCH METROPOLITAN DISTRICT NO. 2, STERLING RANCH METROPOLITAN DISTRICT NO. 3, and the respective successors and assigns of each. No provision or term of this Easement may be amended, modified, revoked, supplemented, waived, or otherwise changed except by a written instrument duly executed by GRANTOR, GRANTEE and NBH Bank, N.A., or its successors and assigns, so long as it (or its successors and assigns) continues to hold a deed of trust or other security instrument encumbering the property benefitted by the Easements, and Sterling Ranch Capital, LLC, or its successors and assigns, so long as it (or its successors and assigns) continues to hold a deed of trust or other security instrument encumbering the property benefitted by the Easements.

8. Notwithstanding anything herein to the contrary, the Easements granted to OWNERS pursuant to the terms of this Agreement shall terminate as of the date DISTRICT 1 causes the completion of Marksheffel Road and Sterling Ranch Road providing access to the property described in Attachment C, which roads must be completed with a minimum of two (2) lanes (1 lane in each

3

GRANTEE:

STERLING RANCH METROPOLITAN DISTRICT NO. 1

By:   
James Morley, Its President

STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF EL PASO )

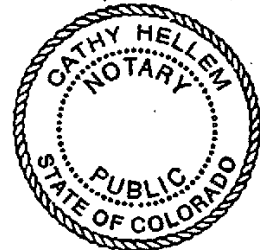
The foregoing instrument was acknowledged before me this 23 day of October, 2014, by James Morley, the President of Sterling Ranch Metropolitan District No. 1, a Colorado Title 32 Special District, on behalf of the District.

My Commission Expires:

Notary Public

Feb 9, 2015

Cathy Hellem



My Commission Expires 02-09-15

ATTACHMENT A

80 FOOT ACCESS & UTILITY EASEMENT

AN 80 FOOT STRIP OF LAND LYING WITHIN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF EL PASO, STATE OF COLORADO, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., MONUMENTED AT ITS EAST AND WEST ENDS BY A 3/4" REBAR AND 3.25" ALUMINUM CAP, STAMPED PLS 10376 , THE LINE BETWEEN THEM IS ASSUMED TO BEAR N89°04'30"E.

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5; THENCE S06°22'37"W ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 15.70 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE S40°21'31"W, A DISTANCE OF 178.14 FEET TO THE POINT OF TERMINUS, SAID POINT LYING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF MARKSHEFFEL ROAD AND BEARS S37°43'50"W, A DISTANCE OF 191.36 FEET FROM THE POINT OF COMMENCEMENT, CONTAINING A CALCULATED AREA OF 13,102 SQUARE FEET (0.30 ACRES) OF LAND, MORE OR LESS.

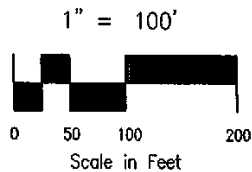
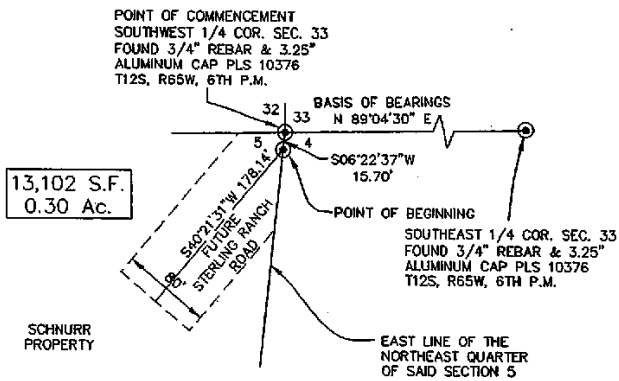
THE SIDE LINES OF SAID STRIP ARE TO BE LENGTHENED OR SHORTENED TO TERMINATE AT THE NORTH AND EAST LINES OF THE NORTHEAST QUARTER OF SAID SECTION 5 AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF MARKSHEFFEL ROAD.

PS



# STERLING RANCH

## 80' ACCESS & UTILITY EASEMENT



CORRECTION  
EASMT #12  
JOB NO. 02-001  
DATE PREPARED MARCH 13, 2014



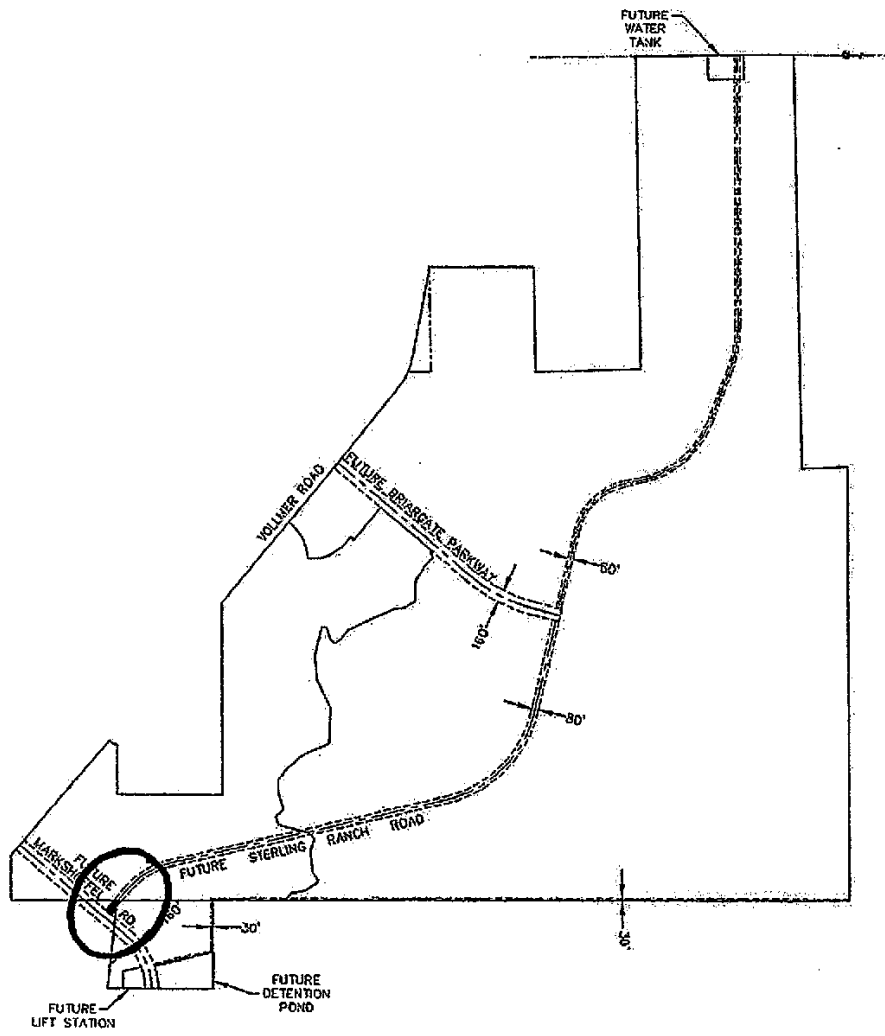
REGISTERED PROFESSIONAL ENGINEER  
CIVIL ENGINEER  
COLORADO 6802

7700000000  
1700000000

SHEET 1 OF 1

ps

# STERLING RANCH SITE MAP



WILLIAM M. MCGEE, P.E.  
CHIEF ENGINEER  
COLORADO REG.  
#100000000  
#100000000

AS

ATTACHMENT B

**160 FOOT ACCESS & UTILITY EASEMENT**

A 160 FOOT STRIP OF LAND LYING WITHIN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF EL PASO, STATE OF COLORADO, THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

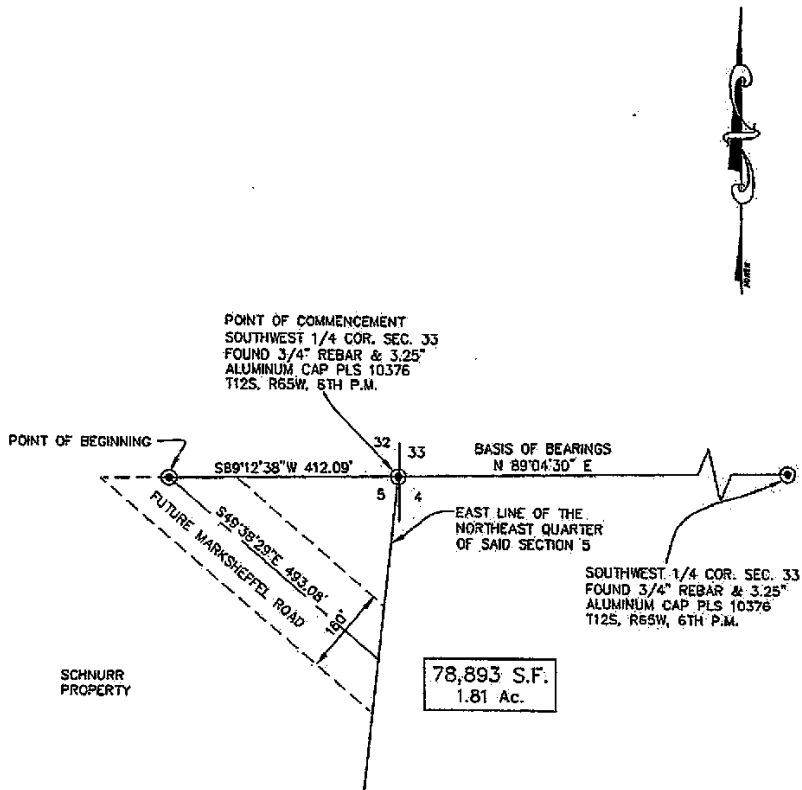
BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., MONUMENTED AT ITS EAST AND WEST ENDS BY A 3/4" REBAR AND 3.25" ALUMINUM CAP, STAMPED PLS 10376, THE LINE BETWEEN THEM IS ASSUMED TO BEAR N89°04'30"E.

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5; THENCE S89°12'38"W ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 412.09 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE S49°38'29"E, A DISTANCE OF 493.08 FEET TO THE POINT OF TERMINUS, SAID POINT LYING ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5 AND BEARS S06°22'37"W, A DISTANCE OF 327.01 FEET FROM THE POINT OF COMMENCEMENT, CONTAINING A CALCULATED AREA OF 78,893 SQUARE FEET (1.81 ACRES) OF LAND, MORE OR LESS.

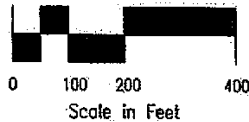
THE SIDE LINES OF SAID STRIP ARE TO BE LENGTHENED OR SHORTENED TO TERMINATE AT THE NORTH AND EAST LINES OF THE NORTHEAST QUARTER OF SAID SECTION 5.

# STERLING RANCH

## 160' ACCESS & UTILITY EASEMENT



1" = 200'



DRAWN  
CASSI #10  
JOB NO. 09-001  
DATE PREPARED MARCH 13, 2014



MEETING ROOM 303.30  
COLUMBIA SPRING  
COLORADO 8002

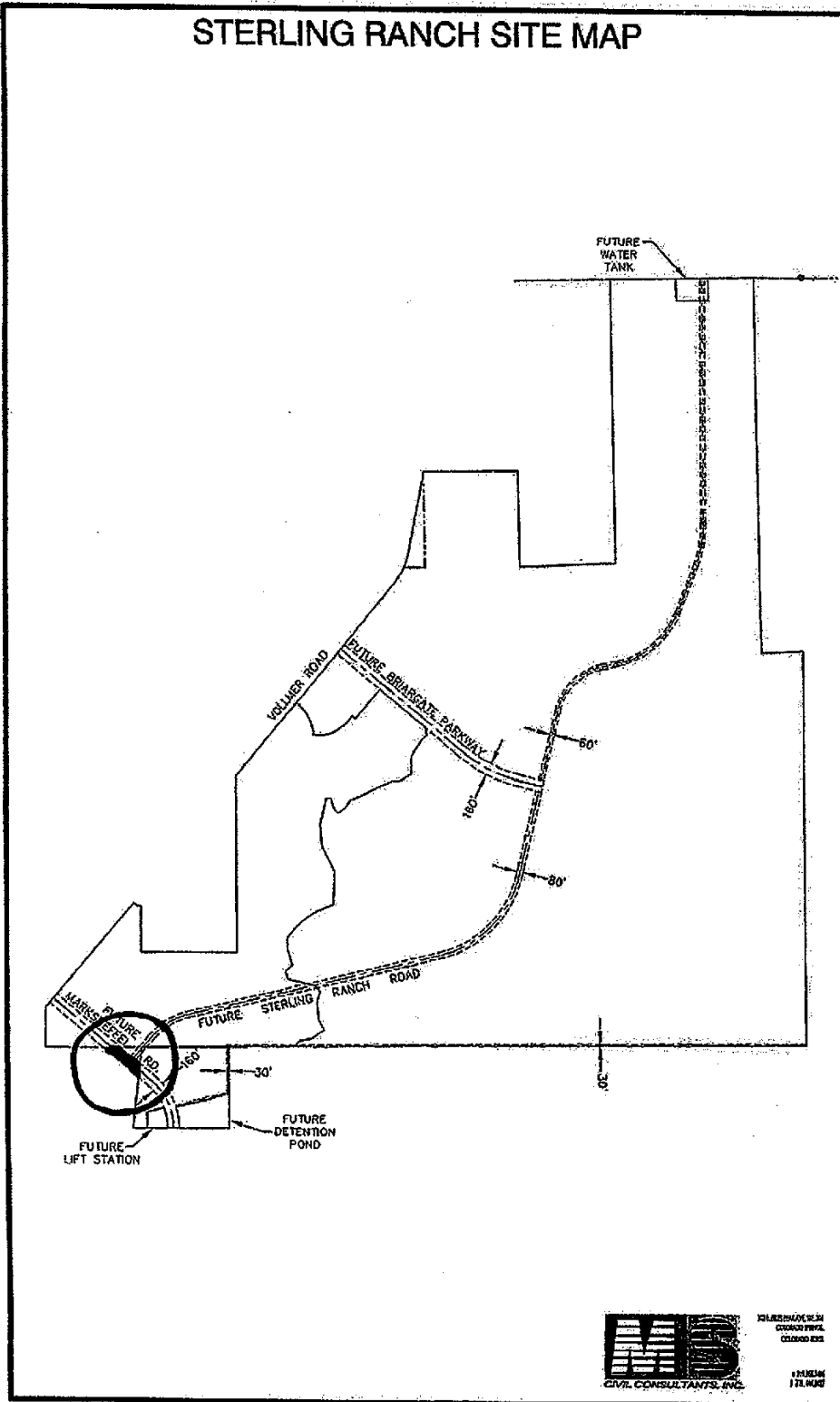
\* THESE  
1.71.44.02

SHEET 1 OF 1

DB



# STERLING RANCH SITE MAP



DESIGNED BY  
CHECKED BY  
DATE

1/1/2000

AL

ATTACHMENT C

Additional Benefited Parcel

Sterling Ranch  
District 1 - Ownership

M&S Job No. 09-002  
August 31, 2009

That portion of the Northeast Quarter of the Northwest Quarter of Section 27, Township 12 South, Range 65 West of the 6<sup>th</sup> P.M., El Paso County, Colorado, described as follows:

The basis of bearings is the North line of the Northeast Quarter of Section 27, Township 12 South, Range 65 West of the 6<sup>th</sup> P.M., monumented at the West end by a 30.00 foot offset witness corner which is a 3 1/4 inch aluminum cap stamped 30 W.C. 1/4 S22, S27 T12S R65W, LS 13830, 1991 and a 2 1/4 inch aluminum cap stamped T12S R65W S22, S23, S27, S26, 1999, PLS 4842 at the East end and a line between them is assumed to bear N 89°05'36" E and having a distance of 2661.17 feet, the monuments were recovered in 2005.

Commencing at the Northwest corner of said Section 27; thence N 88°38'53" E on the North line of Section 27, a distance of 1330.89 feet to the point of beginning, said point being the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 27; thence N 88°38'53" E, on said North line of the Northeast Quarter of the Northwest Quarter, a distance of 210.00 feet; thence S 01°21'07" E, a distance of 211.63 feet; thence S 89°05'30" W, a distance of 211.63 feet, to the West line of the Northeast Quarter of the Northwest Quarter of said Section 27; thence N 00°54'30" W on said West line of the Northeast Quarter of the Northwest Quarter, a distance of 210.00 feet to the point of beginning and containing 1.020 Acres, more or less.

**Sterling Ranch  
District 2 - Residential**

M&S Job No. 09-002  
August 31, 2009

The West Half of the West Half of the East Half and East Half of the West Half and the Southwest Quarter of the Southwest Quarter of Section 27; the East Half of the Southeast Quarter and that portion of the Southwest Quarter of the Southeast Quarter lying South and East of the county road known as Vollmer Road, of Section 28; the West Half of the East Half and the West Half of Section 34; the East Half and the East Half of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 33, and all that part of the Northwest Quarter of Section 33 lying South and East of the county road known as Vollmer Road, except that portion of the Southwest Quarter of the Northwest Quarter of said Section 33 lying South and East of said county road as deeded to Colorado Interstate Gas Company by warranty deed recorded in Book 1173 at Page 359; and that portion of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter lying Southeast of the county road known as Vollmer Road, of Section 32, except that portion of the Northeast Quarter of the Southeast Quarter of said Section 32 deeded to J. Marcus Brown by trustees' deed recorded in Book 3292 at Page 168; all in Township 12 South, Range 65 West of the 6th p.m., El Paso County, Colorado, ALSO:

All that portion of the Northwest Quarter of the Southeast Quarter of Section 28, Township 12 South, Range 65 West of the 6th p.m., El Paso County, Colorado lying South and East of the county road (Vollmer Road), ALSO:

The Southeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 32, Township 12 South, Range 65 West of the 6th p.m., lying Southeasterly of the public road known as Vollmer Road, El Paso County, Colorado, ALSO:

A portion of the Northwest Quarter of Section 4, Township 13 South, Range 65 West of the 6th p.m., El Paso County, Colorado described as follows:

Beginning at the Northwest corner of Pawnee Rancheros Filing No. 2 as recorded in plat Book U-2 at Page 45 of the Records of El Paso County; thence S 00°13'49" W on an assumed bearing to which all others in this description are relative and on the West line of said Filing No. 2, a distance of 1128.15 feet to the Southwest corner thereof; thence S 89°17'10" W on the boundary line of the tract of land described in Book 5528 at Page 947 of the said Records, 1321.24 feet to an angle point on said boundary; thence N 06°23'51" E, on the West line of Section 4, a distance of 1132.29 feet to the Northwest corner of said Section 4; thence N 89°04'30" E on the North line of said Section 4, a distance of 1199.66 feet to the point of beginning,

EXCEPTING THEREFROM the following four (4) tracts of land:

**TRACT 1:**

That portion of the Northeast Quarter of the Northwest Quarter of Section 27, Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado, described as follows:

11

The basis of bearings is the North line of the Northeast Quarter of Section 27, Township 12 South, Range 65 West of the 6<sup>th</sup> P.M., monumented at the West end by a 30.00 foot offset witness corner which is a 3 ½ inch aluminum cap stamped 30 W.C. ¼ S22, S27 T12S R65W, LS 13830, 1991 and a 2 ¼ inch aluminum cap stamped T12S R65W S22, S23, S27, S26, 1999, PLS 4842 at the East end and a line between them is assumed to bear N 89°05'36" E and having a distance of 2661.17 feet, the monuments were recovered in 2005.

Commencing at the Northwest corner of said Section 27; thence N 88°38'53" E on the North line of Section 27, a distance of 1330.89 feet to the point of beginning, said point being the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 27; thence N 88°38'53" E, on said North line of the Northeast Quarter of the Northwest Quarter, a distance of 210.00 feet; thence S 01°21'07" E, a distance of 211.63 feet; thence S 89°05'30" W, a distance of 211.63 feet, to the West line of the Northeast Quarter of the Northwest Quarter, of said Section 27; thence N 00°54'30" W on said West line of the Northeast Quarter of the Northwest Quarter, a distance of 210.00 feet to the point of beginning, said exception containing 1.020 Acres, more or less, ALSO EXCEPT:

**TRACT 2:**

That portion of the Southeast Quarter of Section 32, Township 12 South, Range 65 West of the 6<sup>th</sup> P.M., El Paso County, Colorado, described as follows:

The basis of bearings is the North line of the Northeast Quarter of Section 27, Township 12 South, Range 65 West of the 6<sup>th</sup> P.M., monumented at the West end by a 30.00 foot offset witness corner which is a 3 ½ inch aluminum cap stamped 30 W.C. ¼ S22, S27 T12S R65W, LS 13830, 1991 and a 2 ¼ inch aluminum cap stamped T12S R65W S22, S23, S27, S26, 1999, PLS 4842 at the East end and a line between them is assumed to bear N 89°05'36" E and having a distance of 2661.17 feet, the monuments were recovered in 2005.

Commencing at the Southeast corner of said Section 32; thence S 89°12'38" W on said South line of Section 32, a distance of 412.10 feet to the point of beginning; thence N 49°38'29" W, 1055.10 feet; thence on the Easterly line of Vollmer Road the following two (2) courses:

(1) S 40°15'29" W, 172.13 feet;

(2) S 36°15'39" W, 707.24 feet to the South line of Section 32; thence N 89°12'38" E on said South line, 1333.66 feet to the point of beginning said exception containing 10.725 Acres, more or less, ALSO EXCEPT:

**TRACT 3:**

That portion of the South Half of Section 28 and that portion of the North Half of Section 33, Township 12 South, Range 65 West of the 6<sup>th</sup> P.M., described as follows: Commencing at the point of intersection of the Easterly line of Vollmer Road with the West line of the East Half of the Northwest Quarter of said Section 33; thence N 39°33'48" E on the Easterly line of Vollmer Road, 1290.81 feet to the point of beginning; thence S 50°26'12" E, 28.24 feet to a point of curve; thence on the arc of a curve to the right, having a central angle of 50°10'52", a radius of 565.00 feet, an



arc distance of 494.84 feet to point on curve; thence N 89°44'40" E, radial to the last mentioned curve, 97.13 feet to a point of curve; thence on the arc of a curve to the left, having a central angle of 50°10'52", a radius of 565.00 feet, an arc distance of 494.84 feet to the point of tangent; thence N 39°33'48" E, 707.03 feet; thence N 50°26'12" W, 740.00 feet to the Easterly line of Vollmer Road; thence S 39°33'48" W on said Easterly line, 1000.00 feet to the point of beginning said exception containing 17.941 Acres, more or less, ALSO EXCEPT:

**TRACT 4:**

That portion of Section 34, Township 12 South, Range 65 West of the 6<sup>th</sup> P.M., described as follows: Commencing at the Southeast corner of the West Half of the Southeast Quarter of said Section 34; thence N 00°13'01" W on the East line of the West Half of the Southeast Quarter, 1721.93 feet to the point of beginning; thence continue on said line, N 00°13'01" W, 1095.85 feet; thence S 89°59'37" W, 576.78 feet; thence Northwesterly on the arc of a curve to the right, having a central angle of 13°28'52", a radius of 930.00 feet, an arc distance of 218.82 feet to the point of tangent; thence N 76°31'31" W, 250.00 feet; thence S 13°28'29" W, 1035.83 feet; thence S 82°20'46" E, 1293.75 feet to the point of beginning said last exception containing 27.689 Acres, more or less.

**Sterling Ranch  
District 3 - Commercial**

M&S Job No. 09-002  
August 31, 2009

That portion of the Southeast Quarter of Section 32, Township 12 South, Range 65 West of the 6<sup>th</sup> P.M., El Paso County, Colorado, described as follows:

The basis of bearings is the North line of the Northeast Quarter of Section 27, Township 12 South, Range 65 West of the 6<sup>th</sup> P.M., monumented at the West end by a 30.00 foot offset witness corner which is a 3 ½ inch aluminum cap stamped 30 W.C. ¼ S22, S27 T12S R65W, LS 13830, 1991 and a 2 ¼ inch aluminum cap stamped T12S R65W S22, S23, S27, S26, 1999, PLS 4842 at the East end and a line between them is assumed to bear N 89°05'36" E and having a distance of 2661.17 feet, the monuments were recovered in 2005.

Commencing at the Southeast corner of said Section 32; thence S 89°12'38" W on the South Line of Section 32, a distance of 412.10 feet to the point of beginning; thence N 49°38'29" W, 1055.10 feet; thence on the Easterly line of Vollmer Road the following two (2) courses:

(1) S 40°15'39" W, 172.13 feet;

(2) S 36°15'39" W, 707.24 feet to the South line of Section 32; thence N 89°12'38" E on said South line, 1333.66 feet to the point of beginning and containing 10.725 Acres, more or less, ALSO:

That portion of the South Half of Section 28 and that portion of the North Half of Section 33, Township 12 South, Range 65 West of the 6<sup>th</sup> P.M., described as follows: Commencing at the point of intersection of the Easterly line of Vollmer Road with the West line of the East Half of the Northwest Quarter of said Section 33; thence N 39°33'48" E on the Easterly line of Vollmer Road, 1290.81 feet to the point of beginning; thence S 50°26'12" E, 28.24 feet to a point of curve; thence on the arc of a curve to the right, having a central angle of 50°10'52", a radius of 565.00 feet, an arc distance of 494.84 feet to point on curve; thence N 89°44'40" E, radial to the last mentioned curve, 97.43 feet to a point of curve; thence on the arc of a curve to the left, having a central angle of 50°10'52", a radius of 565.00 feet, an arc distance of 494.84 feet to the point of tangent; thence N 39°33'48" E, 707.03 feet; thence N 50°26'12" W, 740.00 feet to the Easterly line of Vollmer Road; thence S 39°33'48" W on said Easterly line, 1000.00 feet to the point of beginning and containing 17.941 Acres, more or less, ALSO:

That portion of Section 34, Township 12 South, Range 65 West of the 6<sup>th</sup> P.M. described as follows: Commencing at the Southeast corner of the West Half of the Southeast Quarter of said Section 34; thence N 00°13'01" W on the East line of the West Half of the Southeast Quarter, 1721.93 feet to the point of beginning; thence continue on said line, N 00°13'01" W, 1095.85 feet; thence S 89°59'37" W, 576.78 feet; thence Northwesterly on the arc of a curve to the right, having a central angle of 13°28'52", a radius of 930.00 feet, an arc distance of 218.82 feet to the point of tangent; thence N 76°31'31" W, 250.00 feet; thence S 13°28'29" W, 1035.83 feet; thence S 82°20'46" E, 1293.75

pl

feet to the point of beginning, and containing 27.689 Acres, more or less,  
the sum of the three parcels is 56.355 Acres, more or less.

# ATTACHMENT D

## Sketch Plan

