

**EROSION AND STORMWATER QUALITY CONTROL PERMIT (ESQCP)  
EL PASO COUNTY APPLICATION AND PERMIT**

EPC Project Number: SF2219

**APPLICANT INFORMATION**

**PERMIT NUMBER**

<b>Owner Information</b>	
Property Owner	Mayberry Communities, LLC
Applicant Name (Permit Holder)	John Mick
Company/Agency	Mayberry Communities, LLC
Position of Applicant	Chief Operating Officer
Address (physical address, not PO Box)	3296 Divine Heights #208
City	Colorado Springs
State	CO
Zip Code	80922
Mailing address, if different from above	
Telephone	541-810-2122
FAX number	
Email Address	johnmick@mayberrycoloradosprings.com
Cellular Phone number	
<b>Contractor/Operator Information</b>	
Name (person of responsibility)	Scott Souders, PE
Company	Mayberry Communities, LLC
Address (physical address, not PO Box)	3296 Divine Heights #208
City	Colorado Springs
State	CO
Zip Code	80922
Mailing address, if different from above	
Telephone	719-922-2181
FAX number	
Email Address	scottsouders@mayberrycoloradosprings.com
Cellular Phone number	
Erosion Control Supervisor (ECS)*	Larry Lee - Raw Land Detailing, Inc.
ECS Phone number*	719-661-4499
ECS Cellular Phone number*	719-495-7770

\*Required for all applicants. May be provided at later date pending securing a contract when applicable.

**PROJECT INFORMATION**

<b>Project Information</b>	
Project Name	Mayberry, Colorado Springs - Filing No. 3
Legal Description	See attachment
Address (or nearest major cross streets)	SE of 22325 Highway 94 / 22312 Cattlemen Run Mayberry, CO 80808
Acreage (total and disturbed)	Total: 114 acres Disturbed: 81 acres
Schedule	Start of Construction: March 2023 Completion of Construction: June 2024 Final Stabilization: August 2024
Project Purpose	The Mayberry PUD is a proposed urban-density subdivision designed to create a functional and pedestrian friendly development that enhances the Ellicott area as a community. The development is intended to serve as a community center in support of the goals and visions for the future of Ellicott.
Description of Project	Mayberry, Colorado Springs - Filing No. 3 is the continuation of single family lots and roadways to the east of Filing 1 and Filing 1A.
Tax Schedule Number	

**FOR OFFICE USE ONLY**

The following signature from the ECM Administrator signifies the approval of this ESQCP. All work shall be performed in accordance with the permit, the El Paso County Engineering Criteria Manual (ECM) Standards, City of Colorado Springs Drainage Criteria Manual, Volume 2 (DCM2) as adopted by El Paso County Addendum, approved plans, and any attached conditions. The approved plans are an enforceable part of the ESQCP. Construction activity, except for the installation of initial construction BMPs, is not permitted until issuance of a Construction Permit and Notice to Proceed.

Signature of ECM Administrator: \_\_\_\_\_

Date \_\_\_\_\_

## 1.1 REQUIRED SUBMISSIONS

In addition to this completed and signed application, the following items must be submitted to obtain an ESQCP:

- Permit fees;
- Stormwater Management Plan (SWMP) meeting the requirements of DCM2 and ECM either as part of the plan set or as a separate document;
- Operation and Maintenance Plan for any proposed permanent stormwater control measures; and
- Signed Private Detention Basin/Stormwater Quality Best Management Practice Maintenance Agreement and Easement, if any permanent stormwater control measures are to be constructed.

## 1.2 RESPONSIBILITY FOR DAMAGE

The County and its officers and employees, including but not limited to the ECM Administrator, shall not be answerable or accountable in any manner for damage to property or for injury to or death of any person, including but not limited to a permit holder, persons employed by the permit holder, or persons acting in behalf of the permit holder, from any cause. The permit holder shall be responsible for any liability imposed by law and for damage to property or injuries to or death of any person, including but not limited to the permit holder, persons employed by the permit holder, persons acting in behalf of the permit holder, arising out of work or other activity permitted and done under a permit, or arising out of the failure to perform the obligations under any permit with respect to maintenance or any other obligations, or resulting from defects or obstructions, or from any cause whatsoever during the progress of the work or other activity, or at any subsequent time work or other activity is being performed under the obligations provided by and contemplated by the permit.

The permit holder shall indemnify, save, and hold harmless the County and its officers and employees, including but not limited to the BOCC and ECM Administrator, from all claims, suits or actions of every name, kind and description brought for or on account of damage to property or injuries to or death of any person, including but not limited to the permit holder, persons employed by the permit holder, persons acting in behalf of the permit holder and the public, resulting from the performance of work or other activity under the permit, or arising out of the failure to perform obligations under any permit with respect to maintenance or any other obligations, or resulting from defects or obstructions, or from any cause whatsoever during the progress of the work or other activity, or at any subsequent time work or other activity is being performed under the obligations provided by and contemplated by the permit, except as otherwise provided by state law. The permit holder waives any and all rights to any type of expressed or implied indemnity against the County, its officers or employees. It is the intent of the parties that the permit holder will indemnify, save, and hold harmless the County, its officers and employees from any and all claims, suits or actions as set forth above regardless of the existence or degree of fault of or negligence, whether active or passive, primary or secondary, on the part of the County, the permit holder, persons employed by the permit holder, or persons acting in behalf of the permit holder

**1.3 APPLICATION CERTIFICATION**

We, as the Applicants or the representative of the Applicants, hereby certify that this application is correct and complete as per the requirements presented in this application, the El Paso County Engineering Criteria Manual, and Drainage Criteria Manual, Volume 2 and El Paso County Addendum.

We, as the Applicants or the representatives of the Applicants, have read and will comply with all of the requirements of the specified Stormwater Management Plan and any other documents specifying stormwater best management practices to be used on the site, including permit conditions that may be required by the ECM Administrator. We understand that the stormwater control measures are to be maintained on the site and revised as necessary to protect stormwater quality as the project progresses. We further understand that a Construction Permit must be obtained and all necessary stormwater quality control measures are to be installed in accordance with the SWMP, the El Paso County Engineering Criteria Manual, Drainage Criteria Manual, Volume 2 and El Paso County Addendum before land disturbance begins and that failure to comply will result in a Stop Work Order and may result in other penalties as allowed by law. We further understand and agree to indemnify, save, and hold harmless the County and its officers and employees, including but not limited to the BOCC and ECM Administrator, from all claims, suits or actions of every name, kind and description as outlined in Section 1.2 Responsibility for Damage

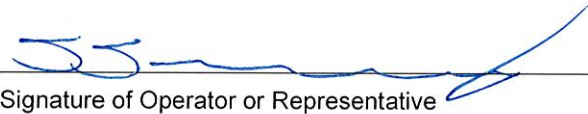


\_\_\_\_\_  
Signature of Owner or Representative

Date: 1/9/2023

John Mick

\_\_\_\_\_  
Print Name of Owner or Representative



\_\_\_\_\_  
Signature of Operator or Representative

Date: 1/9/2023

D. Scott Souders, PE

\_\_\_\_\_  
Print Name of Operator or Representative

Permit Fee \$ \_\_\_\_\_

Surcharge \$ \_\_\_\_\_

Financial Surety \$ \_\_\_\_\_

Type of Surety \_\_\_\_\_

Total \$ \_\_\_\_\_

Subdivision Boundary Description for Proposed  
MAYBERRY, COLORADO SPRINGS FILING NO. 3

A tract of land being part of Tract M and all of Tract P, MAYBERRY, COLORADO SPRINGS FILING NO. 1, a subdivision of land in the North Half of Section 14, Township 14 South, Range 63 West of the 6th Principal Meridian, in the County of El Paso, State of Colorado, the plat of said subdivision recorded December 23, 2020 as Reception Number 220714655 in the Office of the El Paso Clerk and Recorder,

AND

All of Tracts A, B, C and D, MAYBERRY, COLORADO SPRINGS FILING NO. 2, a subdivision of land in the North Half of said Section 14, the plat of said subdivision recorded March 10, 2021 as Reception Number 221714698 in said Clerk and Recorder's Office,

AND

That part of Springs Road Right-of-Way lying South of the most southerly South line of said Tract A extended westerly and that part of Village Main Street Right-of-Way lying South of said Tract B, East of the East line of said Atchison Way extended northerly,

All together more particularly described as follows:

Commencing at the North Quarter-corner of said Section 14 monumented by a found rebar with a 2 inch aluminum cap marked "U.P. & E. PLS 11624 1999" in a monument box, from whence the Northeast corner of said Section 14, monumented by a found 3/4 inch square bar in a monument box, bears South 89° 44' 50" East as shown on said plats, a distance of 2606.58 feet, being the North line of the Northeast Quarter of said Section 14, and all bearings herein are relative thereto; thence South 89° 44' 50" East 1303.29 on said North line; thence South 00° 21' 12" East 39.54 feet to a 5/8 inch rebar with a yellow, broken, illegible cap found on the Northeast corner of said Tract D and the POINT OF BEGINNING of the tract of land herein described; Thence continuing South 00° 21' 12" 2594.09 feet on the East line of said Tract D, being coterminous with the East line of the West Half of said Northeast Quarter, to a 3/4 inch rebar with a 2-1/2 inch aluminum cap marked "RAMPART PLS 38560 2019" found on the Southeast corner of said Tract D, also being the Southeast corner of said West Half; Thence North 89° 36' 00" West 1308.58 feet on the South line of said Tract D and the South line of said Tract C, being coterminous with the South line of said West Half, to a 3/4 inch rebar with a 2-1/2 inch aluminum cap marked "RAMPART PLS 38560 2019" found on the Southwest corner of said Tract C, also being the Center corner of said Section 14; Thence North 00° 14' 20" West 836.81 feet on the West line of said Tract C, being coterminous with the West line of said Northeast Quarter, to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the intersection of said West line with the Southeast line of said Tract M; Thence South 47° 51' 33" West 344.76 feet on said Southeast line to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the beginning of a tangent curve concave southeasterly; Thence southwesterly on said curve continuing on said Southeast line an arc length of 97.30 feet, said curve having a radius of 580.00 feet, a chord bearing of South 43° 03' 13" West, a chord distance of 97.19 feet and an interior angle of 09° 36' 43", to a 5/8 inch rebar with an orange plastic cap marked "PLS 38560" found on the most southerly corner of said Tract M; Thence North 44° 17' 33" West 418.36 feet on the westerly line of said Tract M to a 5/8 inch rebar with an orange plastic cap marked "PLS 38560" found on the beginning of a tangent curve

concave northeasterly; Thence northwesterly and northerly on said curve continuing on said westerly line an arc length of 559.57 feet, said curve having a radius of 750.00 feet, and chord bearing of North 22° 55' 07" West, a chord distance of 546.68 feet and an interior angle of 42° 44' 52", to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the point of tangency; Thence North 01° 32' 41" West 153.70 feet continuing on said westerly line of said Tract M to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the intersection of said westerly line with the South Right-of-Way line of Mayberry Drive established by the plat of said MAYBERRY, COLORADO SPRINGS FILING NO. 1; Thence South 89° 28' 59" East 31.78 feet on said South Right-of-Way line, being coterminous with said westerly line, to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Southeast corner of said Mayberry Drive; Thence North 00° 20' 22" East 100.00 feet continuing on said westerly line of Tract M to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the South Right-of-Way line of Atchison Way established by the plat of MAYBERRY, COLORADO SPRINGS FILING NO. 1A, said plat recorded July 22, 2022 as Reception Number 222714990 in said Clerk and Recorder's office; Thence South 89° 28' 59" East 62.00 feet on said South Right-of-Way line to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" found on the Southeast corner of said Atchison Way Right-of-Way; Thence North 00° 20' 22" East 310.00 feet on the East Right-of-Way line of said Atchison way and its northerly extension, being 2.97 feet West of (as measured perpendicular to) said westerly line of Tract M, to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the intersection of said northerly extension with the South line of said Tract B; Thence North 89° 28' 59" West 172.00 feet on said South line of Tract B to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Southwest corner of said Tract B; Thence on the line segments of the westerly line of said Tract B the following 4 courses and distances: 1) North 00° 20' 22" East 401.73 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on a corner of said westerly line of Tract B; 2) Thence South 89° 28' 59" East 110.00 feet to a set 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on a corner of said westerly line of Tract B; 3) Thence North 00° 20' 22" East 196.27 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on a corner of said Westerly line of Tract B; 4) Thence North 10° 04' 50" West 66.13 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Northwest corner of said Tract B; Thence South 89° 28' 59" East 507.84 feet on the North line of said Tract B to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the most northerly Northeast corner of said Tract B; Thence on the northerly and easterly line segments of said Tract B the following 5 courses and distances: 1) South 00° 14' 20" East 107.84 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on a corner of said Tract B; 2) Thence South 89° 44' 49" East 230.82 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the southerly Northwest corner of Lot 1, said MAYBERRY, COLORADO SPRINGS FILING NO. 2; 3) Thence South 00° 00' 00" East 154.51 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set at a point on the North line of Lot 2, said MAYBERRY, COLORADO SPRINGS FILING NO. 2; 4) Thence North 89° 28' 59" West 23.35 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Northwest corner of said Lot 2; 5) Thence South 00° 00' 00" East 173.74 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Southwest corner of said Lot 2; Thence South 89° 28' 59" East 445.91 feet on the most easterly segment of the North line of said Tract B, being coterminous with the South lines of said Lot 1 and Lot 3, said MAYBERRY, COLORADO SPRINGS FILING NO. 1, and

its easterly extension to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Southwest corner of said Tract A, also being a point on the East Right-of-Way line of Springs Road established by the plat of said MAYBERRY, COLORADO SPRINGS FILING NO. 1; Thence North 00° 00' 00" East 435.02 feet on the West line of said Tract A, being coterminous with said East Right-of-Way line to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Northwest corner of said Tract A; Thence South 89° 28' 55" East 521.29 feet on the North line of said Tract A to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Northeast corner of said Tract A, being a point on the West line of said Tract D; Thence North 00° 00' 00" East 40.00 feet on said West line to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Northwest corner of said Tract D; Thence South 89° 28' 49" East 418.15 feet on the North line of said Tract D to the POINT OF BEGINNING, said tract containing 4,610,804 square feet or 105.849 acres..