

Nina Ruiz

From: Gonzales - CDOT, Arthur <arthur.gonzales@state.co.us>
Sent: Wednesday, April 17, 2019 3:31 PM
To: Nina Ruiz; Drew Balsick
Cc: Sword - CDOT, Valerie; Jeff Hodsdon
Subject: Re: 218037_Flying Horse North Development - SH83/Stagecoach Rd._FHN Resort
Attachments: Revised Outcome - Flying Horse North_FHN Resort - com.pdf

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

Nina and Drew,

Attached you will find formal comments in regard to the email chain we have created for the agreed upon direction of the Flying Horse North Development. State Highway improvement plan set has been approved and sign/stamped copies have been requested. I think it is good to release future building permits as requested by Classic Homes with the C.O's being held until construction acceptance is done by the CDOT Access Construction Inspector as stated in the plat restriction note #28.

Nina, please accept this attachment as formal comments and attach to the project file.

Thanks,

Arthur Gonzales

Access Manager

R2 - Permits - Access - Traffic and Safety



P 719.546.5732 | C 719.248.0905 | F 719.546-5414

5615 Wills Blvd. Pueblo, CO 81008

arthur.gonzales@state.co.us | www.coloradodot.info | www.cotrip.org

On Fri, Apr 12, 2019 at 2:38 PM Gonzales - CDOT, Arthur <arthur.gonzales@state.co.us> wrote:
All,

I will make formal comments in this regard to document for the file. I am also awaiting revisions to the final plan set.

Thanks,

Arthur Gonzales

Access Manager

R2 - Permits - Access - Traffic and Safety



P 719.546.5732 | C 719.248.0905 | F 719.546-5414

5615 Wills Blvd. Pueblo, CO 81008

arthur.gonzales@state.co.us | www.coloradodot.info | www.cotrip.org

On Thu, Apr 11, 2019 at 11:44 AM Drew Balsick <DrewB@classichomes.com> wrote:

Art, per your request I don't believe we need to change anything at this time. The reason being is the Preliminary Plan does not show a Hotel. If and when the Hotel is applied for we will make any necessary adjustments then, CDOT will also be able to comment and ask for adjustments at that time. Please re-issue your letter. The access permit anticipates plans for the 283 lot Preliminary Plan with 81 lots in Filing #1, along with a Golf Club. This is consistent with the access permit. We look forward to your plan approval and notice to proceed with the anticipation of beginning construction soon. Let me know if you have any questions an email to Nina releasing the permits would be appreciated. Thanks

Sent from my iPhone

On Apr 8, 2019, at 11:54 AM, Gonzales - CDOT, Arthur <arthur.gonzales@state.co.us> wrote:

Nina and Drew,

Please see the attached for response comments from the Resort meeting held on April 2, 2019. I will need the decision of these options prior to the final approval of the Final Plan Set review.

Nina,

I would like to post to the EDARP web site. However the project is not listed any longer? What do you recommend?

Thanks,

Arthur Gonzales

Access Manager

R2 - Permits - Access - Traffic and Safety



P 719.546.5732 | C 719.248.0905 | F 719.546-5414

5615 Wills Blvd. Pueblo, CO 81008

arthur.gonzales@state.co.us | www.coloradodot.info | www.cotrip.org

<Flying Horse North_FHN Resort - com.pdf>

PERFORMANCE BOND

Bond Number _____
Premium: \$7,109 / One (1) Year

KNOW ALL MEN BY THESE PRESENTS, that we Elite Properties of America, Inc. dba: Classic Companies, 6385 Corporate Drive, Suite 200, Colorado Springs, CO 80919, as principal (the "Principal"), and Philadelphia Indemnity Insurance Company, 251 S. Lake Avenue, Suite 360, Pasadena, CA 91105, as surety (the "Surety"), are held and firmly bound unto Colorado Department of Transportation - 4201 E. Arkansas Avenue, Denver, CO 80222 as obligee (the "Obligee"), in the penal sum of _____

for the payment of which sum well and truly to be made, the Principal and the Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, joint and severally, firmly by these presents.

WHEREAS, THE principal has proposed to make certain improvements (the "Contract") described as follows: **Improvements are defined in Colorado Department of Transportation State Highway Access Permit Number 218037, all attachments and the approved design plans, hereby incorporated by reference.**

WHEREAS, the Obligee has approved said improvements upon the execution and delivery of this bond.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal shall promptly and faithfully complete said improvements by November 29, 2020, in accordance with the present standard specification of the Colorado Department of Transportation State Highway Access Permit Number 218037, all attachments and the approved design plans, hereby incorporated by reference then this obligation shall be null and void; otherwise, it shall remain in full force and effect.

PROVIDED AND SUBJECT TO THE CONDITIONS PRECEDENT:

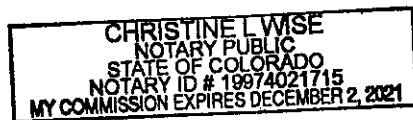
1. Not right of action shall accrue upon or by reason hereof, to or for the use or benefit of any person other than the Obligee named herein, furthermore, this bond cannot be assigned absent the express written consent of the Surety.
2. The Surety's liability hereunder shall be commensurate with the extent of the Construction that has been completed in conformance with the issued permit and approved design plans, as referenced herein.
3. The Surety hereby waives notice of any alteration or extension of time made by the Obligee.
4. Any claims must be presented in writing with the fullest information obtainable at the time to the Surety at its office at the address indicated above, to the attention of the Surety Law Department.

Dated as of this 29th day of November, 2018.

Principal: Elite Properties of America, Inc. dba: Classic Homes

By: [Signature]
Authorized Signature Title

Notary: Christine L. Wise
Date: 11-30-2018
My Commission Expires: 12-02-2021



Surety: Philadelphia Indemnity Insurance Company

By: [Signature]
Michelle Haase, Attorney-in-Fact
Authorized Signature Title

See Surety Notarial Acknowledgment Attached

Notary: Mariana Bryant
Date: November 29, 2018
My Commission Expires: September 9, 2021

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Orange }

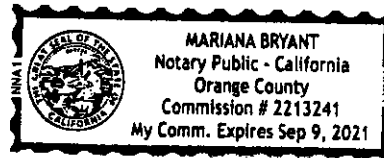
On NOV 29 2018 before me, Mariana Bryant, Notary Public
(Here insert name and title of the officer)

personally appeared Michelle Haase
who proved to me on the basis of satisfactory evidence to be the person ~~(s)~~ whose name ~~(s)~~ is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in ~~his/her/their~~ authorized capacity ~~(ies)~~, and that by ~~his/her/their~~ signature ~~(s)~~ on the instrument the person ~~(s)~~, or the entity upon behalf of which the person ~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Mariana Bryant
Notary Public Signature (Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT
(Title or description of attached document)
Colorado Dept. of Transportation
(Title or description of attached document continued)
Number of Pages 1 Document Date 11/29/18

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer
- _____ (Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

- This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.*
- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
 - Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
 - The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
 - Print the name(s) of document signer(s) who personally appear at the time of notarization.
 - Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they- is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
 - The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
 - Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
 - Securely attach this document to the signed document with a staple.