

LETTER OF INTENT

May 9, 2018

AMENDMENT TO 1041 PERMIT

STERLING RANCH WASTEWATER FORCE MAIN

For

**STERLING RANCH METROPOLITAN DISTRICT NO. 1
20 BOULDER CRESCENT, SUITE 200
COLORADO SPRINGS, COLORAD 80903**

**Prepared by: P. J. Anderson
30 North Tejon Street
Suite 500
Colorado Springs, CO 80903**

**TZA Water Engineers
12596 West Bayaud Avenue
Suite 330
Lakewood, CO 80228**

The 1041 Permit Application for the Sterling Ranch Lift Station, with the associated on-site and off-site force main, received an Administratively Approved Permit to conduct the following matter of state interest on February 25, 2016: **“Site Section and Construction of Major New Domestic Water and Sewage Treatment Systems and/or Major Extension of Existing Domestic Water and Sewage Treatment Systems.”** See **Exhibit A** hereto. The approved force main alignment is attached on **Exhibit B** hereto.

The approved force main alignment went east from the Sterling Ranch Metropolitan District lift station, then south to Woodmen Road and then east again to the Woodmen Hills Metropolitan District lift station in Falcon. Due to difficult construction and future maintenance issues related to steep slopes, existing utilities and Falcon Highlands development along Woodmen Road, Sterling Ranch Metropolitan District requests an amendment to the existing 1041 Permit to construct the force main east from Sterling Ranch to Meridian Road and then south to the same lift station. This alignment is much easier to build and maintain and has the additional benefit of being able to serve the future Elkhorn development without Elkhorn having to go off-site with new wastewater improvements. See alternate alignment, **Exhibit C** hereto.

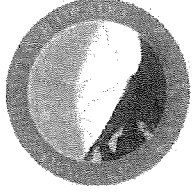
The Water Quality Control Division of the Colorado Department of Public Health and Environment has approved the alternate alignment as part of its Site Application approval process. The newly aligned force main is the same size as the previously approved force main, starts and ends in the same locations and has the same owner and same treatment provider.

All easements are in place for the alternate alignment. Permits from the El Paso County Department of Transportation will be required for installation work in Raygor Road, Woodmen Hills Drive, Meridian Road and Woodmen Road. It is anticipated that the contractor will bore under existing roadways and utilities.

Sincerely,

Philip J. Anderson
General Counsel, Sterling Ranch Metropolitan District No. 1

EL PASO



COUNTY

COMMISSIONERS:
JIM LEVINE (CHAIR)
DARRYL GLENN
FLORIANE HEGG (VICE CHAIR)

VALLEY COUNTY
DARRYL GLENN
FLORIANE HEGG

DEVELOPMENT SERVICES DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

**ADMINISTRATIVELY APPROVED PERMIT ISSUED TO
STERLING RANCH METROPOLITAN DISTRICT
TO CONDUCT DESIGNATED ACTIVITIES OF STATE INTEREST
OR TO ENGAGE IN DEVELOPMENT IN A
DESIGNATED AREA OF STATE INTEREST IN
EL PASO COUNTY, COLORADO**

Pursuant to Guidelines and Regulations for Areas and Activities of State Interest of El Paso County (the "Regulations") heretofore adopted by the Board of County Commissioners, the Executive Director of the Development Services Department (the "Director"), acting pursuant to Section 2.202 of the Regulations, and on behalf of the Board of County Commissioners, has received an application from Sterling Ranch Metropolitan District (hereinafter "Applicant") for an Administratively Approved Permit to conduct the following matter(s) of state interest:

Site Section and Construction of Major New Domestic Water and Sewage Treatment Systems and/or Major Extension of Existing Domestic Water and Sewage Treatment Systems

and has approved that application.

This Administratively Approved Permit authorizes the Applicant to conduct the following activities/development:

Construction of the Sterling Ranch well system, water treatment facility and associated water storage tanks, buildings, and the wastewater lift station with associated force main.

On the tracts of land described in Exhibit A (attached).

The construction of which is to be completed within the following period: five (5) years expiring February 25, 2021.

In accordance with the plans and/or specifications approved by the Director on February 25, 2016, as well as the guidelines for administration adopted by the County for:

Site Section and Construction of Major New Domestic Water and Sewage Treatment Systems and/or Major Extension of Existing Domestic Water and Sewage Treatment Systems

On the condition that the Applicant proceeds in conformity with all applicable federal and state statutes, regulations and permits as well as all applicable local land use controls including, but not limited to, applicable comprehensive or master plans, subdivision regulations, zoning and building codes.



2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300

COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

WWW.ELPASO.CO.COM

And on the following additional conditions:

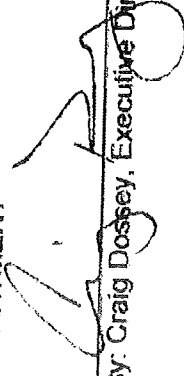
1. Prior to excavation or construction, approval of a site development plan by El Paso County Development Services for the water treatment facility, associated buildings, tank sites, well houses and administration building, either combined on a single plan or separately, is required. A separate site development plan is required for any buildings housing the wastewater lift station and to reflect the location of the force main. The site development plan application shall include, but is not limited to the following information:
 - a. Site development plan drawings;
 - b. Grading and erosion control plan;
 - c. Erosion and Stormwater Quality Control Permit (ESQCP);
 - d. Construction plans for road and drainage improvements, as applicable;
 - e. Landscape plans, including detailed revegetation specifications;
 - f. Lighting plan;
 - g. Site security plan;
 - h. Detailed architectural building elevations;
 - i. Drainage report; and
 - j. Elevations of any other above grade facilities.
2. The activity shall be conducted in accordance with the regulations of El Paso County and the accompanying documents/reports in the Development Service file for the matter of state interest permit application (AASI-15-003).
3. No expansion and/or enlargement of the water treatment facility, tank sites, well houses and administration building other than what is reflected on Exhibits F, J, M, Q, and W of the permit application shall be allowed without prior review by Development Services, which may result in the requirement for additional permitting.
4. The hours of operation during construction of the facility shall be limited to seasonal daytime hours, except in non-typical circumstances. Non-typical circumstances may include extended time needed to expeditiously restore traffic flow and/or public access, extended time needed to ensure public health and safety, or extended time needed to maintain utility service. Approval from the County Engineer shall be obtained prior to commencing work during non-typical circumstances. During emergency situations, including risks to public health and safety, work may proceed followed by notification to the County Engineer by the end of the next business day.
5. Any signage to be installed onsite must be approved by the El Paso County Development Services Department in accordance with Chapter 6 of the El Paso County Land Development Code pursuant to submittal of an application for a separate sign permit and shall be depicted on the respective site development plan.
6. Site lighting, including temporary lighting, will be limited to that shown on the site development plan(s). Detailed specifications shall be provided, including but not limited to manufacturer cut sheets and photometric plan(s). All light fixtures shall be directional and positioned so that the light sources are concealed and fully shielded from adjacent properties and roads.

7. Operations shall comply with the County Noise Ordinance. If complaints occur, the County may require that the Applicant conduct additional testing to determine noise levels associated with construction or vehicle traffic noise levels. The County may require changes to the hours of operation, or noise controls may need to be installed to achieve acceptable levels as defined in the County Noise Ordinance.
8. The applicant shall comply with all applicable local, State, and federal laws and regulations regarding the use, disposal, storage, and transportation of solid and/or hazardous materials on and off site.
9. The applicant shall comply with federal and state laws, regulations, ordinances, review and permit requirements of applicable agencies including, but not limited to: Colorado Division of Wildlife, Colorado Department of Transportation, Colorado Department of Public Health and Environment, State Engineer's Office, United States Army Corps of Engineers (USACOE), Environmental Protection Agency, FEMA, and the United States Fish and Wildlife Service regarding the Endangered Species Act.
10. Construction Permits, Work in Right-of-Way Permits, and Special Transport Permits shall be obtained where necessary for construction in or through County rights-of-way.
11. Access Permits shall be obtained for all temporary and permanent accesses to the project from County roads.

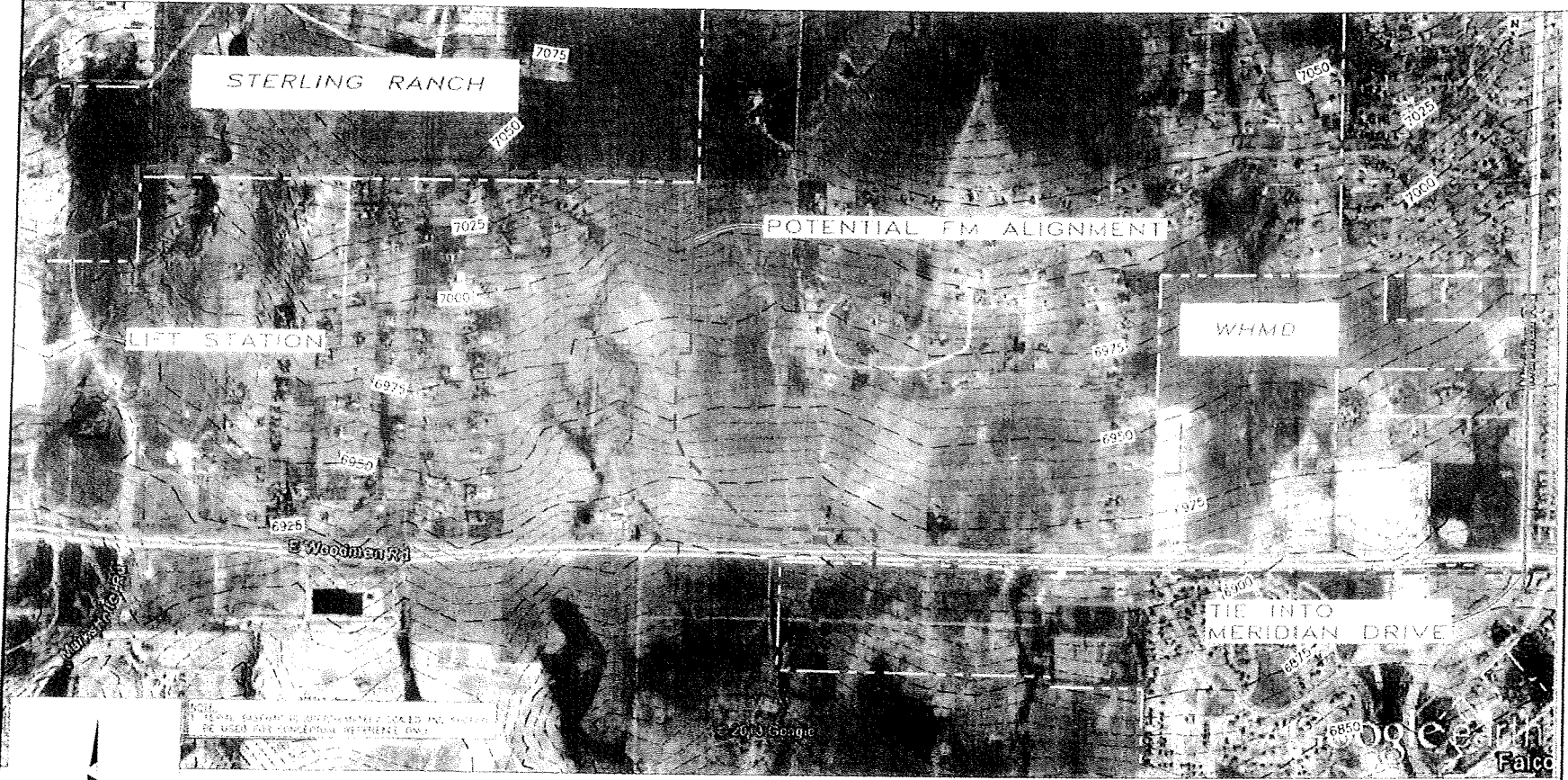
In the event that the Applicant fails to take substantial steps to initiate the above development or activity within twelve (12) months from the date of this permit or, if such steps are taken, in the event the Applicant fails to complete the development or activity with reasonable diligence, this Administratively Approved Permit may be revoked by the Director.

Date: February 25, 2016

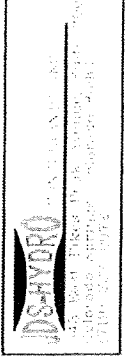
EL PASO COUNTY PERMIT AUTHORITY,
ACTING AS THE EXECUTIVE DIRECTOR
OF THE DEVELOPMENT SERVICES
DEPARTMENT


By: Craig Dossey, Executive Director

PRELIMINARY



ALL DATA OBTAINED FROM AERIAL PHOTOGRAPHS AND FIELD SURVEY
 DATA. THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY.
 NO ASSURANCE IS MADE AS TO THE ACCURACY OF THE DATA.



STERLING RANCH METROPOLITAN DISTRICT
 FOR APPLICATION
 TRACKING ALIGNMENT
 POTENTIAL ALIGNMENT

DSHYDRO CONSULTING, INC.
 10000 E. WOODMEN ROAD
 DENVER, CO 80231
 TEL: 303.751.1111
 FAX: 303.751.1112
 WWW.DSHYDRO.COM

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Exhibit B



Sterling Ranch Lift Station

FORCE MAIN ALIGNMENT

MERIDIAN ROAD

WOODMEN ROAD

EXISTING SANITARY SEWER MAIN

Falcon Lift Station

STERLING RANCH METROPOLITAN DISTRICT NO. 1
LIFT STATION AND FORCE MAIN ALIGNMENT
LOCATION MAP