



# CHEROKEE METROPOLITAN DISTRICT

6250 Palmer Park Blvd., Colorado Springs, CO 80915-2842

Telephone: (719) 597-5080 Fax: (719) 597-5145

November 14<sup>th</sup>, 2019

Steve Hammers

President

Hammers Construction

1411 Woolsey Heights

Colorado Springs, CO 80915

*Sent via email: [SHammers@hammersconstruction.com](mailto:SHammers@hammersconstruction.com)*

*Original to follow by US Mail*

Re: Water and Sewer Service to Claremont Business Park Tract C  
Commitment Letter No. 2019-06 (Cherokee Water LLC)

Dear Mr. Hammers,

As requested, this document will serve as a formal Letter of Commitment from the Cherokee Metropolitan District to provide water and sewer services for Claremont Business Tract C at 1111 Meadowbrook Parkway (SW Corner of Marksheffel Rd. and Meadowbrook Pkwy.). The proposed location for this development is located within the District's established boundaries and therefore is eligible for service connections from the District.

Cherokee Metropolitan District staff, utilizing county water demand estimates and understanding that all outdoor landscaping will be xeriscaping, have determined that the following will be the total water demand required by this occupancy:

Type of Use	Demand (AF/yr)
Domestic	8.3
Irrigation	2.7
<b>Total</b>	<b>11.0</b>

This commitment letter is provided pursuant to the October 11, 2006 Water and Sewer Service Agreement ("Agreement") between Cherokee Metropolitan District and Claremont Development, Inc. Based on the Agreement, Cherokee is providing this commitment from the water right described as the Kane water right in the Agreement. Our accounting reflects that Claremont Business Park has a remaining balance of 19.3 AF/yr of this water right available for additional future commitments.

This water commitment is hereby made exclusively for this specific development project at this site within the District. To confirm this commitment you must provide the District a copy of the final plat approval from El Paso County Development Services within 12 months of the date of this letter. Otherwise, the District may use this allocation for other developments requesting a water commitment.



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## CHEROKEE METROPOLITAN DISTRICT

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6250 Palmer Park Blvd. Colorado Springs, CO 80915-1721  
Telephone: (719) 597-5080 FAX: (719) 597-5145

October 12, 2009

Lisa Peterson  
Hammers Construction  
1411 Woolsey Heights  
Colorado Springs CO 80915

Re: Replat of Claremont Business Park Filing 2; Tract C

Dear Ms Peterson,

This letter, as you requested, is in reference to the Water Demands for Claremont Business Park, Filing No. 2, Tract C replat. Claremont Development Inc., has purchased water for Claremont Business Park, Filing 2, and this purchase is addressed in the Water and Sewer Service Agreement between Cherokee Metro and Claremont Development Inc., dated October 11, 2006. The total purchase included 58.0 Acre Feet.

Currently Claremont Development Inc. desires to do two replats. The first is a replat of Claremont Business Park Filing No. 2, Tract C, and the second is a replat of Claremont Business Park, Filing 1A, Lot 2. The first replat Tract C will include 8 lots and will be named Filing 3 lots 1, 2, 3, 4, 5, 6, 9, and 10. The second replat, Filing 1A, Lot 2, will be replatted into 2 lots and will be included in Filing 3 as lots 7 and 8. (See attached drawings). During the past two years, 3 lot lines were vacated in Filing 2 which resulted in the elimination of 3 lots from Filing 2 and consequently reducing the water demand.

Therefore, this letter is to reconfigure the original 58 acre feet purchased. The original plat for Filing 2 included a total of 50 lots; lot number 43 did not have a commitment amount since it was a part of Lot 1 from Filing 1.

After review of the water demands for the original plat of Filing 2. The following summarizes the water demand for each of the 50 lots and Tract C:

Filing 2; 50 lots total

30 lots were committed to .75 acre feet per lot with a total of	22.5 acre feet
9 lots were committed to 0.95 acre feet per to with a total of	8.55 acre feet
2 lots with 0.333 acre feet with a total of	0.666 acre feet
3 lots with 1.15 acre feet	3.45 acre feet
4 lots with 1.35 acre feet	5.40 acre feet
1 lot with 1.5 acre feet	1.5 acre feet
1 lot with 0 acre feet; lot 43	0.0 acre feet

Sub Total 42.066 acre feet

Filing 2; Tract C consisted of the future Filing 3, which included 8 lots as follows:

7 lots with 1.66 acre feet each 11.662 acre feet  
1 lot with 2.33 acre feet 2.33 acre feet

Sub total 14.0

Total 56.066 acre feet.

This accounts for 56.066 acre feet of the original 58 acre feet. The remaining 1.934 was reserved for future development.

With the vacation of three lots, specifically lots 26, 38 and 43 from Filing 2, Replat of Tract C into 8 lots for filing 3 and a replat of Lot 2 of Filing 1. This following computes the required water demand:

Vacation of 3 lots

Credit for lot 26 of 0.95 acre feet 0.95 acre feet  
Credit for lot 38 of 0.75 acre feet 0.75 acre feet  
Lot 43 No water was allocated 0.00 acre feet

Total Credit 1.70 acre feet

Replat of Tract C: no change 0 acre feet

Replatt of Lot 1 Filing 1 into 2 lots

2 lots at 0.95 acre feet each Total Increase 1.90 acre feet

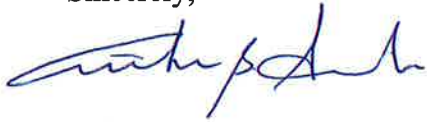
Total Change .20 acre feet

Therefore the increase in water demand is .20 acre feet. The original plat total was 56.066 plus the .20 acre feet give a total of 56.266 acre feet. The original purchase and commitment letter consisted of 58.0 acre feet. This will leave a balance of 1.734 acre feet to be reserved for the future Claremont Business Park Filings.

Therefore, there is sufficient supply of water to complete the replat of tract C and the replat of Filing 1 Lot 2. The information provide in this letter was taken directly from the Water and Sewer Service Agreement between Cherokee Metro and Claremont Development Inc. dated October 11, 2006. The water sewer service agreement will need to be amended to reflect these changes if you proceed with your intended replat.

Feel free to give me a call if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Arthur B. Sintas', written in a cursive style.

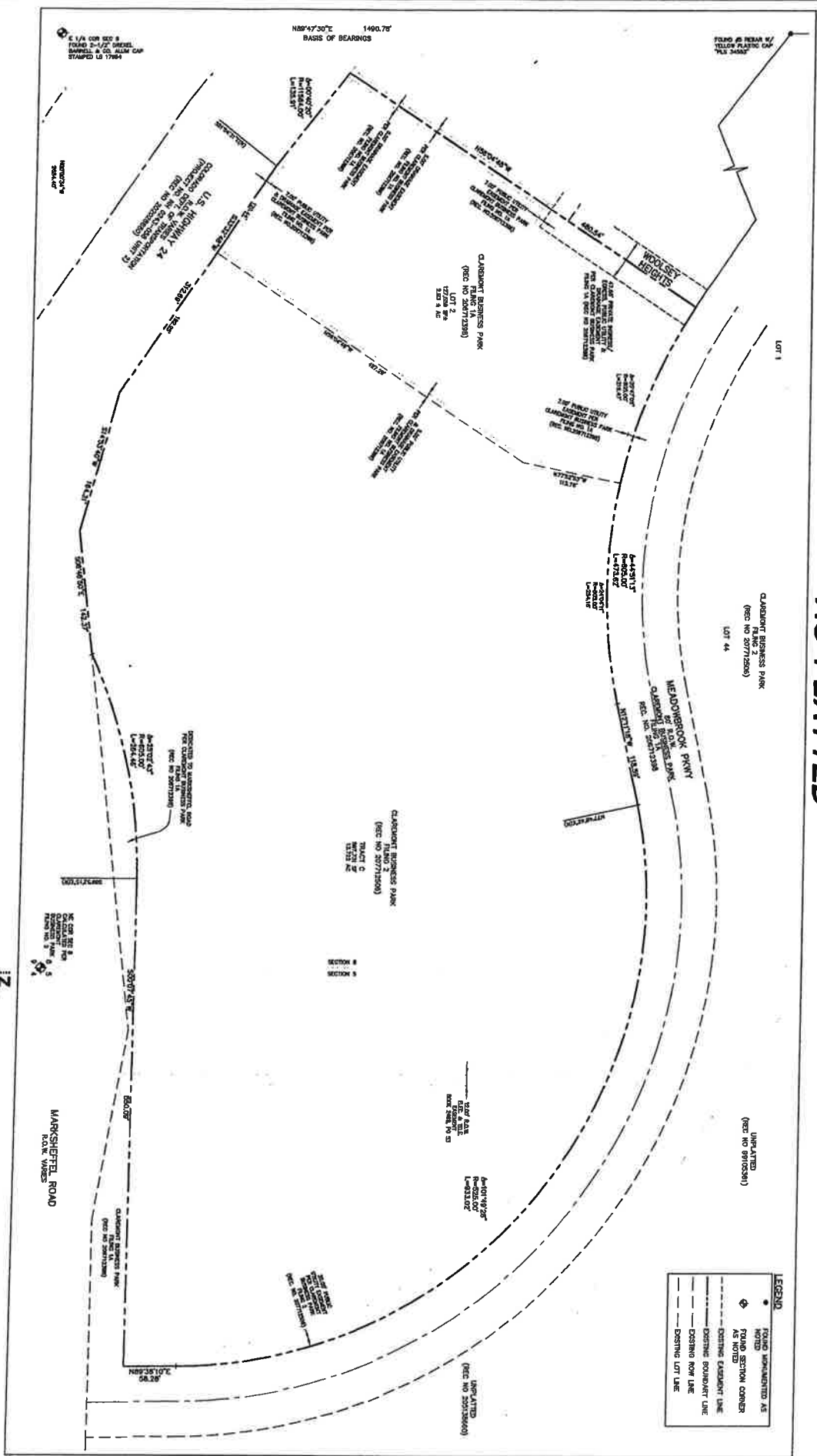
Arthur B. Sintas  
Superintendent

Encl: Claremont Business Park Filing 3 - 3 pages

Cc: Jim Culichia; w/ Felt, Monson and Culichia w/ encl  
Kip Petersen; General Manager Cherokee Metro w/ encl



**CLAREMONT BUSINESS PARK, FILING 3**  
 A REPLAT OF TRACT C, CLAREMONT BUSINESS PARK FILING NO. 2  
 AND LOT 2, CLAREMONT BUSINESS PARK FILING 1A  
 AND LOT 2, CLAREMONT BUSINESS PARK FILING 1A  
 CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO.  
**AS PLATTED**



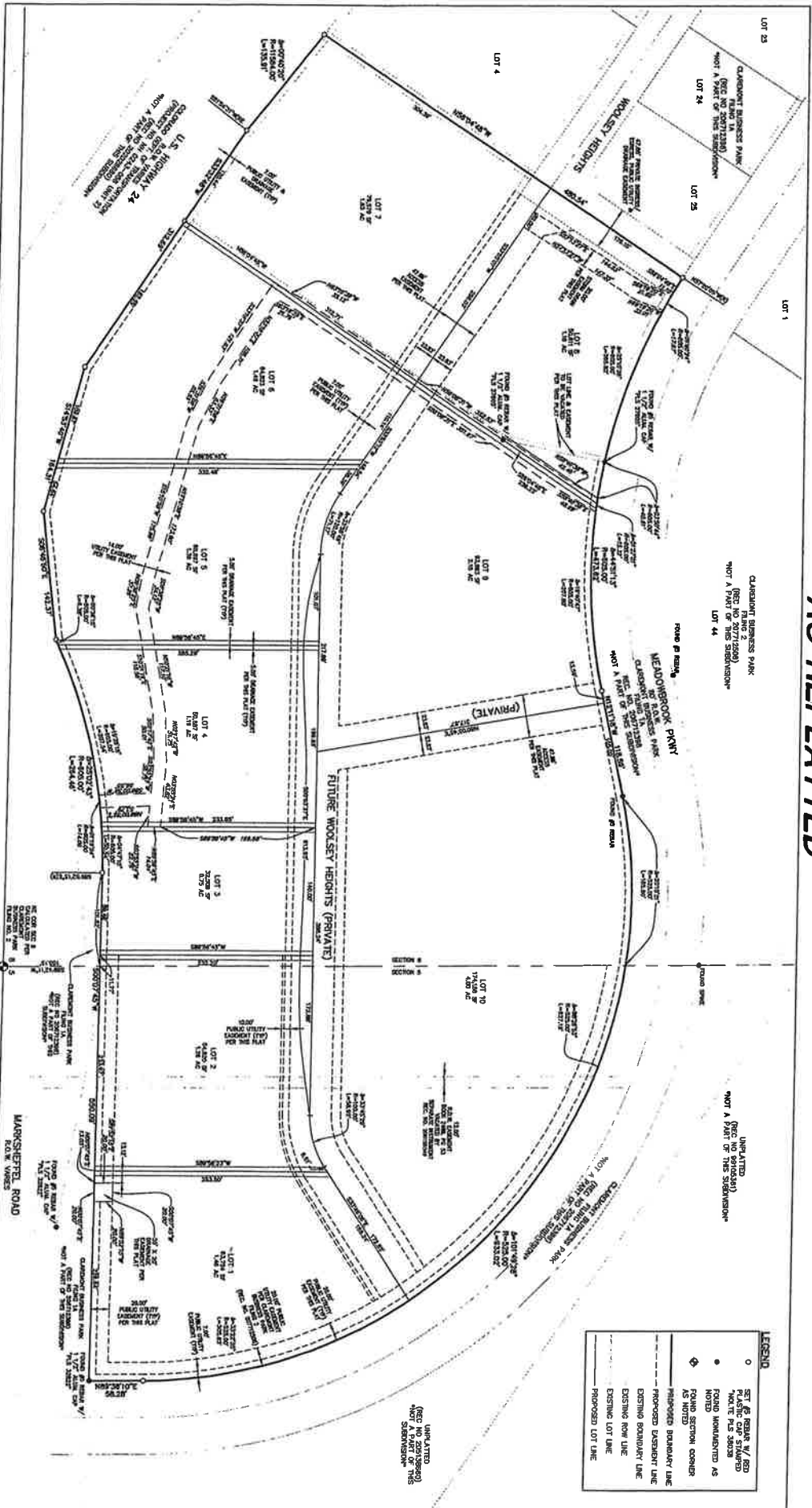
**LEGEND**

◆	TRUCK UNPAVEMENT AS NOTED
◆	TRUCK SPUR CORNER AS NOTED
---	EXISTING EASEMENT LINE
---	EXISTING EASEMENT LINE
---	EXISTING ROW LINE
---	EXISTING LOT LINE

**NOTE**  
 CLAREMONT BUSINESS PARK  
 FILING 3  
 DATE: 10/01/2008  
 JOB NUMBER: CS8018950  
 SHEET 2 OF 3

**CLAREMONT BUSINESS PARK, FILING 3**  
 A REPLAT OF TRACT G, CLAREMONT BUSINESS PARK FILING NO. 2  
 AND LOT 2, CLAREMONT BUSINESS PARK FILING 1A  
 A PORTION OF SECTION 5 & 8, TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN  
 CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO.

**AS REPLATTED**



**LEGEND**

- UNPLATTED
- SET AS BEAR W/ 250' PLASTIC CAP STAKES
- ◆ ROAD BOUNDARY AS NOTED
- ◆ ROAD SECTION CORNER AS NOTED
- PROPOSED BOUNDARY LINE
- - - PROPOSED EASEMENT LINE
- EXISTING BOUNDARY LINE
- EXISTING ROW LINE
- EXISTING LOT LINE
- - - PROPOSED LOT LINE



**NOTE**  
 CLAREMONT BUSINESS PARK  
 DATE: 10/01/08  
 JOB NUMBER: CSB07850  
 SHEET 3 OF 3

UNPLATTED (SEE NO. 20070800) NOT A PART OF THIS SUBDIVISION