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El Paso County, CO

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RESOLUTION NO. 20-50

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO**

**RESOLUTION TO APPROVE A PARK LANDS AGREEMENT BETWEEN
STERLING RANCH METROPOLITAN DISTRICT AND EL PASO COUNTY
FOR HOMESTEAD AT STERLING RANCH FILING NO. 2**

WHEREAS, a Park Lands Agreement has been proposed between Sterling Ranch Metropolitan District (“District”) and El Paso County (“County”); and

WHEREAS, pursuant to the requirements of the El Paso County Land Development (the “Code”), the El Paso County Community Services Department estimates the Urban Park Fees for Homestead at Sterling Ranch Filing No. 2 to be \$29,952; and

WHEREAS, the District provided a Landscape Plan outlining the development of an urban park featuring landscaping, irrigation, picnic tables, benches, waste receptacles, and soft surface trails to be installed within Tract F of Sterling Ranch Master Plat Filing No. 1, which will provide urban recreation opportunities for residents living within Homestead at Sterling Ranch Filing No. 2 and the public; and

WHEREAS, the County desires to grant the Property Owner \$29,952 in Urban Park Credits, provided that the District installs improvements of an equal or greater value to certain parcels identified as Tract F in Sterling Ranch Master Plat Filing No. 1, which will provide urban recreation opportunities for residents living in Homestead at Sterling Ranch Filing No. 2 and the public; and

WHEREAS, the El Paso County Park Advisory Board unanimously endorsed the Park Land Agreement at their meeting on January 8, 2020; and

WHEREAS, the Board of County Commissioners has reviewed and supports the proposed Park Lands Agreement.

NOW, THEREFORE, BE IT RESOLVED, the Board of County Commissioners of El Paso County, Colorado, hereby approves the attached Park Lands Agreement and authorizes the Chairperson to execute all required documents.

DONE THIS 4th DAY OF FEBRUARY, 2020 at Colorado Springs, Colorado.

ATTEST:

By: Charles Broerman
County Clerk and Recorder



**BOARD OF COUNTY COMMISSIONERS OF
EL PASO COUNTY, COLORADO**

By: [Signature]
Chair

PARK LANDS AGREEMENT

HOMESTEAD AT STERLING RANCH FILING NO. 2

THIS PARK LANDS AGREEMENT ("the Agreement") is made and entered into this ^{LM} day of February, 2020, by and between STERLING RANCH METROPOLITAN DISTRICT ("Property Owner") and EL PASO COUNTY, BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS of EL PASO COUNTY COLORADO ("County").

RECITALS

A. Property Owner is the developer of a large parcel of property situated in an unincorporated portion of El Paso County, State of Colorado consisting of approximately 1,444 acres and commonly known and described as Sterling Ranch, which was approved for development by the Board of County Commissioners of El Paso County on November 13, 2008.

B. Property Owner is the owner of and in the process of completing the improvements for a portion of Sterling Ranch platted as Homestead at Sterling Ranch Filing No. 2 (the "Property") for development of 104 single-family lots, whose application is anticipated to be considered by the Planning Commission and the Board of County Commissioners in 2020.

C. Pursuant to the requirements of the El Paso County Land Development Code (the "Code"), the El Paso County Community Services Department estimates the Urban Park Fees for the Homestead at Sterling Ranch Filing No. 2 to be \$29,952.

D. The County desires to grant the Property Owner \$29,952 in Urban Park Fee Credits, provided that the Property Owner installs urban park improvements (the "Park Improvements") of an equal or greater value to those certain parcels identified as Tract F in Sterling Ranch Master Plat Filing No. 1 Final Plat, and which urban Park Improvements will provide urban recreation opportunities for the public and residents living in and around Homestead at Sterling Ranch Filing No. 2.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants hereinafter set forth, as well as the above Recitals, which are a material part hereof, the County and the Property Owner agree as follows:

1. Park Development and Obligations. Property Owner shall satisfy its urban park development requirements and obligations for the Property by installing or causing the installation of urban park amenities and landscaping within those parcels known as Sterling Ranch Master Plat Filing No. 1 Final Plat, Tract F, located southeast of the intersection of Vollmer Road and Briargate Parkway. By execution and recordation of this Agreement, the Property is hereby burdened and encumbered by this Agreement.

- a. From and after the date of recordation of the subdivision plat for the Property, the Property Owner shall install or cause to be installed certain urban Park Improvements within the designated tracts.

- b. The value of the contribution of Property Owner towards the Park Improvements installed shall be equal to or greater than \$29,952.
- c. The Property Owner will provide a site plan and a design and construction cost estimate for the Park Improvements to the County for review and approval prior the recording of the Final Plat for Homestead at Sterling Ranch Filing No.2.
- d. The Park Improvements shall include but are not limited to Homestead Park, including sod, trees, shrubs, irrigation, play surface, benches, and multi-use trails for use by the public and residents.
- e. The Park Improvements shall be fully completed within two years of the execution of this Agreement. If not completed within two years, the Urban Park Fees in the amount of \$29,952 will be immediately paid to the County by Property Owner. If the above-mentioned conditions are not satisfied within the two-year period, El Paso County Parks will not consider future applications within Sterling Ranch until the improvements have been completed or fees have been paid.
- f. Upon completion of the Park Improvements, El Paso County Parks staff will conduct an inspection of the site(s) and send to the Property Owner a Letter of Fulfillment to finalize the conditions of this Park Lands Agreement.
- g. The Park Improvements will remain for public use in perpetuity, consistent with the zoning of the property identified in the approved Sterling Ranch Phase I Preliminary Plan.

2. Maintenance. Unless otherwise mutually agreed by the Property Owner and the County, the Park Improvements will be maintained as shown on the approved site plan as described in Item 1.c. in perpetuity by the Property Owner for the benefit of the public.

3. Installation. The Property Owner, at no cost to the County, shall be responsible for the installation of all Park Improvements pursuant to this Agreement and pay or cause to be paid any necessary tap fees to properly irrigate the Park Improvements. Any and all Park Improvements are subject to review and acceptance by the County. All Park Improvements shall be installed in compliance with all applicable County regulations, resolutions, and standards.

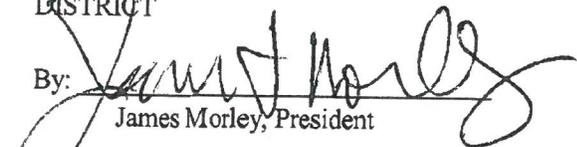
4. Successors and Assigns. This Agreement is binding on and inures to the benefit of the heirs, successors, and assigns of the Parties hereto, including any successive owners or developers of the Property.

IN WITNESS of the foregoing provisions, the Parties have executed this Agreement as of the date first entered above.

BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO

By: 
Chair

STERLING RANCH METROPOLITAN
DISTRICT

By: 
James Morley, President

ATTEST:


Clerk & Recorder



APPROVED AS TO FORM:


County Attorney's Office

November 21, 2019

Tim Wolken
El Paso County Community Services Department
2002 Creek Crossing
Colorado Springs, Colorado 80905

RE: Sterling Ranch Homestead Park (Tract F)

Dear Mr. Wolken:

On behalf of Sterling Ranch Metro District, I respectfully request that the Community Services Department consider our request to enter into a Parks Land Agreement to grant Sterling Ranch Metro District Urban Park Credits in the following amounts:

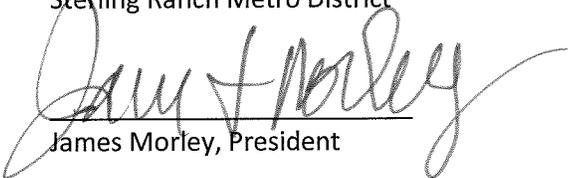
- Homestead Filing 2: 104 lots
 - o \$29,952.00 Urban Park Fees

Sterling Ranch Metro District will install improvements of an equal or greater value through construction of paved, multi-use recreational trails along the roadways, recreational areas, and dedicated open space. Please see the attached exhibit for the park improvements as well as the attached cost estimate. The County prepared Parks Land Agreement will cover the details of granting Sterling Ranch Metro District the Urban Park Credits.

Thank you in advance for your consideration in this matter and if you have any questions please do not hesitate to call.

Thank you,

Sterling Ranch Metro District



James Morley, President

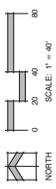
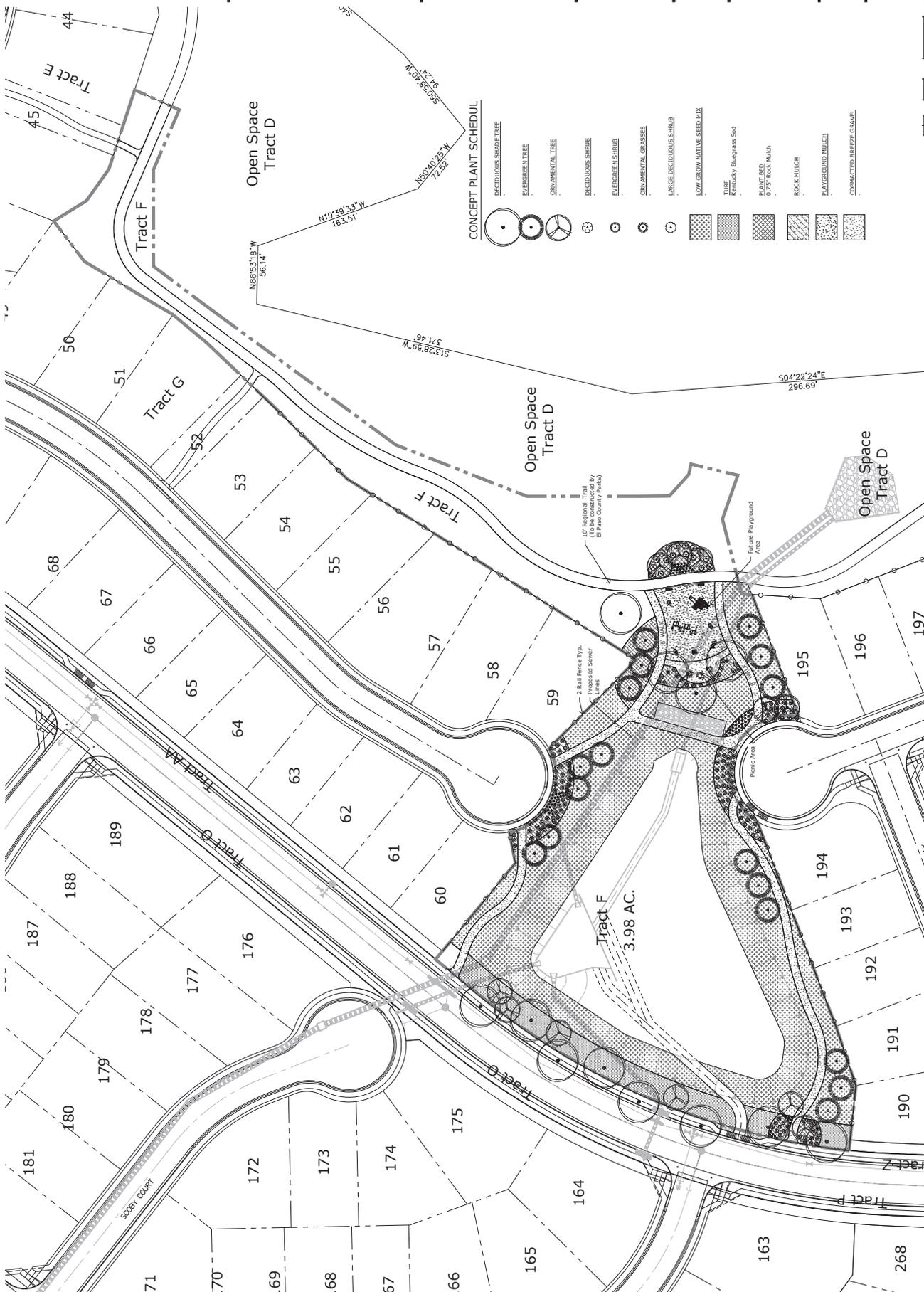
Sterling Ranch Phase 1

Tract F Homestead
Neighborhood Park
Exhibit

DATE: 11.20.19
PROJECT NO.: A. BAYVIEW
DRAWING NO.: 19.010

NEIGHBORHOOD
PARK CONCEPT

1
1 OF 1



CONCEPT PLANT SCHEDULE

- DECIDUOUS SHADE TREE
- EVERGREEN TREE
- ORNAMENTAL TREE
- DECIDUOUS SHRUB
- EVERGREEN SHRUB
- ORNAMENTAL GRASSES
- LARGE DECIDUOUS SHRUB
- LOW GROW NATIVE SEED MIX
- TURF Kentucky Bluegrass Sod
- PLANT BED 0.75' Rock Mulch
- ROCK MULCH
- PLAYGROUND MULCH
- COMPACTED BREEZE GRAVEL

**STERLING RANCH PHASE 1 TRACT F HOMESTEAD PARK
LANDSCAPE ESTIMATE**

CLIENT: Morely
 PROJECT NAME: Sterling Ranch Phase 1 Homestead Park
 LOCATION: Tract F of SR Phase 1
 DRAWING REF: SR Phase 1 Tract F Park Exhibit

UNIT PRICE DATE: 2019
 DATE: 11/22/2019
 PREPARER: N.E.S. Inc.

ITEM	SIZE	QUANTITY	UNIT	UNIT PRICES	TOTAL
Fine Grading					
Topsoil	4" deep		S.F.	PER CIVIL	
Fine Grade w/ Amendments		60,595	S.F.	\$0.04	\$2,423.80
				SUBTOTAL	\$2,423.80
Irrigation System (Lump Sum Acceptable)					
Irrigation Tap (PER DEVELOPER)			L.S.	\$0.00	\$0.00
Irrigation Meter Fee Cost	1 inch	1	L.S.	\$0.00	\$0.00
Irrigation		1	L.S.	\$82,992.50	\$82,992.50
				SUBTOTAL	\$82,992.50
Soil Preparation					
Sod/Turf Soil Preparation (3 C.Y./1,000 S.F.)		8,809	S.F.	\$0.15	\$1,321.35
Seed/Plant Bed Soil Preparation (2 C.Y./1,000 S.F.)		51,786	S.F.	\$0.12	\$6,214.32
				SUBTOTAL	\$7,535.67
Lawns, Grasses, and Wildflowers					
Turf - Bluegrass Sod		8,809	S.F.	\$0.50	\$4,404.50
Low Grow Native Seed Mix		47,511	S.F.	\$0.20	\$9,502.20
				SUBTOTAL	\$13,906.70
Trees, Plants					
Deciduous Trees	2.0" cal.	12	EA.	\$275.00	\$3,300.00
Ornamental Trees	1.5" cal.	11	EA.	\$200.00	\$2,200.00
Evergreen Trees	6' Ht.	17	EA.	\$300.00	\$5,100.00
Deciduous & Evergreen Shrubs	#5 cont.	161	EA.	\$25.00	\$4,025.00
Ornamental Grasses	#1 cont.	90	EA.	\$15.00	\$1,350.00
Groundcovers / Perennials	#1 cont.		EA.	\$15.00	\$0.00
				SUBTOTAL	\$15,975.00
Ground Cover					
3/4" Granite Mulch w/ Geo-Fabric Underlay	3" deep	372	S.F.	\$0.65	\$241.80
Playground Fiber Mulch	12" deep	3,903	S.F.	\$2.50	\$9,757.50
Compacted Breeze Gravel	4" deep	9,354	S.F.	\$1.50	\$14,031.00
Wood Mulch	3" deep	9,702	S.F.	\$0.45	\$4,365.90
Steel Edging (includes install)		1,068	L.F.	\$3.25	\$3,471.00
				SUBTOTAL	\$31,867.20
Site Amenities					
Benches		2	EA	\$1,500.00	\$3,000.00
Picnic Tables		3	EA	\$1,500.00	\$4,500.00
Waste Receptacles		2	EA	\$800.00	\$1,600.00
Standard Play Edge		258	LF	\$5.00	\$1,290.00
				SUBTOTAL	\$10,390.00
Landscape Labor / Installation Costs					

**STERLING RANCH PHASE 1 TRACT F HOMESTEAD PARK
LANDSCAPE ESTIMATE**

CLIENT: Morely	UNIT PRICE DATE: 2019
PROJECT NAME: Sterling Ranch Phase 1 Homestead Park	DATE: 11/22/2019
LOCATION: Tract F of SR Phase 1	PREPARER: N.E.S. Inc.
DRAWING REF: SR Phase 1 Tract F Park Exhibit	

ITEM	SIZE	QUANTITY	UNIT	UNIT PRICES	TOTAL
Landscape Ground Cover		60%	L.S.	\$42,300.00	\$25,380.00
Landscape Trees/Shrubs		30%	L.S.	\$16,000.00	\$4,800.00
				SUBTOTAL	\$30,180.00
				LANDSCAPE IMPROVEMENTS SUBTOTAL	\$192,847.07
				10% CONTINGENCY COST	\$19,284.71
TOTAL ESTIMATED LANDSCAPE COST				GRAND TOTAL	\$212,131.78
LANDSCAPE COST / SF		79,651	S.F.		\$2.66

NOTES:

1. Irrigation is estimated as \$1.25/SF for all Sod, Seed and Shrub beds.
2. Excludes grading cost.