

PRE-SUBDIVISION SITE GRADING ACKNOWLEDGEMENT
AND RIGHT OF ACCESS FORM

The undersigned (“Applicant”) owns and holds legal title to the real property to be known as Copper Chase at Sterling Ranch Fil No. 1 (“Property”), which Property is legally described on Exhibit A attached hereto and incorporated herein by this reference.

Applicant seeks approval for Pre-Subdivision Site Grading under Section 6.2.6 of the El Paso County Land Development Code. As a condition of approval and issuance of Construction Permit No. _____, Applicant must complete and submit this Pre-Subdivision Site Grading Acknowledgement and Right of Access Form. In compliance therewith, by signing below, Applicant hereby acknowledges and agrees as follows:

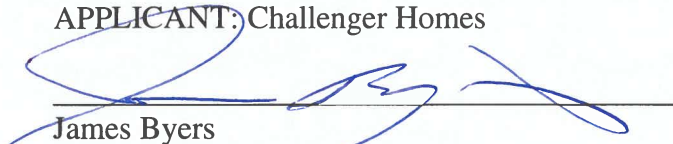
1. The approval and issuance of the Construction Permit does not guarantee or create a right in, or a right of expectation in, Applicant that the El Paso County Planning Commission will recommend or the Board of County Commissioners of El Paso County will approve Applicant’s preliminary plan or final plat for the Property. Applicant proceeds with grading under the Construction Permit at Applicant’s sole risk.
2. The Construction Permit shall be personal to the Applicant and shall not run with the land. Any successors and/or assigns of the Applicant desiring to proceed or continue with the Pre-Subdivision Site Grading approval shall execute their own Pre-Subdivision Site Grading Acknowledgement and Right of Access Form, obtain their own Construction Permit, and provide an updated Financial Assurance Estimate and replacement surety.
3. Applicant hereby grants to El Paso County, its employees, agents, contractors, and/or subcontractors the right of access to enter upon the Property at all reasonable hours for the following purposes in accordance with requirements of the El Paso County Engineering Criteria Manual (ECM), Section I.5:
 - a. To inspect and investigate for compliance with Construction Permit requirements, including, but not limited to, proper installation and maintenance of erosion and sediment control measures;
 - b. To inspect and investigate for completion of grading activities and soil stabilization requirements;
 - c. In the event of noncompliance with either of the above, to identify deficiencies, which may result in issuance of a Letter of Noncompliance describing such deficiencies to be corrected by Applicant; and
 - d. In the event the Applicant does not correct deficiencies identified in a Letter of Noncompliance, to draw on surety provided and perform the

work in order to correct said deficiencies pursuant to ECM Section I.6.1.H.

4. Applicant shall indemnify, defend, and forever hold harmless the Board of County Commissioners of El Paso County, their officers, employees, agents, contractors, and subcontractors, from any and all claim, demand, action, cause of action, loss, damage, injury, property damage, personal injury, death, liability, duty, obligation, costs and expenses (including attorney fees) arising out of or related to such entry on the Property. Nothing in this section shall be deemed to waive or otherwise limit the defenses available to the Board of County Commissioners pursuant to the Colorado Governmental Immunity Act or as otherwise provided by law.
5. In accordance with ECM Sections 5.3.15 and I.4.1C, Applicant is obligated to provide surety sufficient to make reasonable provision for completion of the grading, erosion control and final stabilization measures, in the amount set forth on Exhibit B attached hereto. Surety shall be in the form of cash, Certified or Cashier's Check, or letter of credit.
6. Applicant is responsible for providing any renewals of surety to ensure that there is never a lapse in security coverage. Applicant shall procure renewal/extension/replacement surety at least fifteen (15) days prior to the expiration of the surety then in effect. Failure to procure renewal/extension/replacement surety within this time limit shall allow the County to execute on the surety.
7. All of the grading, erosion control and final stabilization measures to be completed as identified on Exhibit B shall be constructed in compliance with the following:
 - a. All laws, resolutions and regulations of the United States, State of Colorado, El Paso County and its various agencies, affected special districts and/or servicing authorities.
 - b. Such other designs, drawings, maps, specifications, sketches and other matter submitted to and approved by any of the above-stated governmental entities.
8. All grading, erosion control, and final stabilization measures shall be completed by the Applicant within 12 (twelve) months from the date of notice to proceed in the Construction Permit. If Applicant determines that the completion date needs to be extended, Applicant shall submit a written request for a change in the completion date to the ECM Administrator at least 90 days in advance of the required completion date. The request shall include the reasons for the requested change in completion date, the proposed new completion date, and prove surety is in place to cover the extension time requested. The completion date for the Construction Permit may be extended at the discretion of the ECM Administrator. Failure to meet the original or extended completion date, as applicable, shall allow the County to execute on the surety.

IN WITNESS WHEREOF, the Applicant hereby executes this Pre-Subdivision Site Grading Acknowledgement and Right of Access Form this 14th day of August, 2023.

APPLICANT: Challenger Homes


James Byers
VP of Community Development

STATE OF COLORADO)
)ss.
COUNTY OF EL PASO)

ERIN GANAWAY
Notary Public
State of Colorado
Notary ID # 20234007746
My Commission Expires 02-27-2027

The foregoing instrument was acknowledged before me this 14th day of August, 2023, by Jim Byers.

Witness my hand and official seal.

My commission expires: 2-27-27


Notary Public

Meggan Herington, Executive Director
Planning and Community Development Department

Date

Approved as to Content and Form:

Assistant County Attorney

EXHIBIT A



212 N Wahsatch Ave, Ste 305
Colorado Springs, CO 80903
Mail to: PO Box 1360
Colorado Springs, CO 80901
719.955.5485

COPPER CHASE AT STERLING RANCH

LEGAL DESCRIPTION:

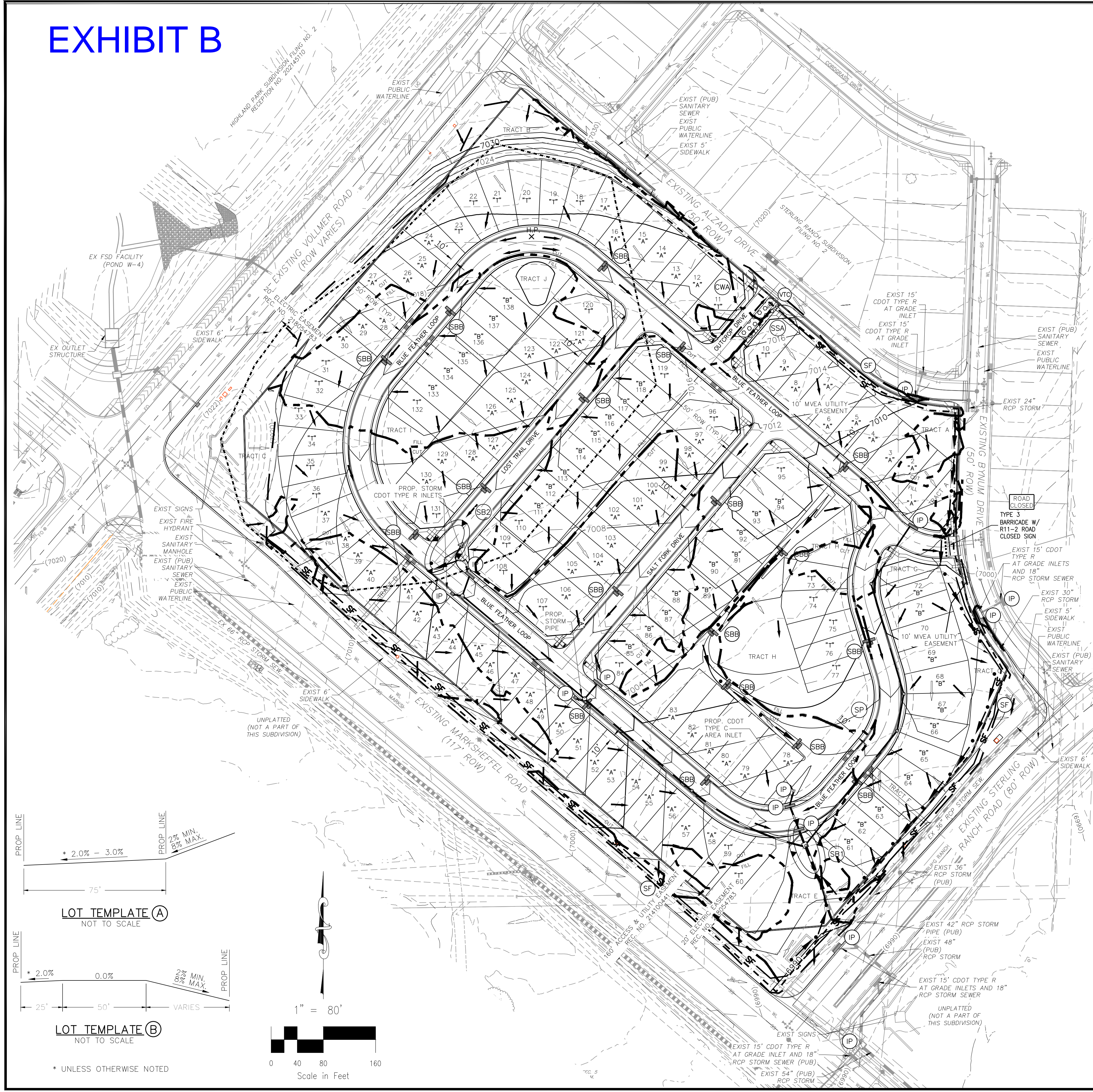
A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4, SE 1/4) OF SECTION 32, AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW 1/4, SW 1/4) OF SECTION 33, T12S, R65W OF THE 6TH P.M., AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4, NE 1/4) OF SECTION 5, T13S, R65W OF THE 6TH P.M., EL PASO COUNTY, COLORADO, BEING TRACT E, "STERLING RANCH FILING NO. 2" AS RECORDED UNDER RECEPTION NO. 222714894 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER'S OFFICE.

SAID PARCEL CONTAINS 856,016 SQUARE FEET (19.651 ACRES, MORE OR LESS).

PREPARED BY:

VERNON P. TAYLOR, COLORADO PLS NO. 25966 DATE
FOR AND ON BEHALF OF M&S CIVIL CONSULTANTS, INC

EXHIBIT B



LEGEND

- SITE BOUNDARY
- PROP MAJ CONT
- PROP MIN CONT
- EXIST MAJ CONT
- EXIST MIN CONT
- PROP STORM SEWER PIPE
- EXISTING STORM SEWER PIPE
- SILT FENCE-INITIAL
- STRAW BALE BARRIER - INTERIM
- VEHICLE TRACKING CONTROL-INITIAL
- TEMPORARY SEDIMENT BASIN-INITIAL
- INLET PROTECTION-FINAL
- CONCRETE WASHOUT-INITIAL
- SOIL STOCKPILE - INITIAL
- STABILIZED STAGING AREA - INITIAL
- CUT/FILL LINE
- LIMITS OF DISTURBANCE/CONSTRUCTION
- TEMPORARY DRAINAGE SWALE
- ADJACENT PROPERTY BOUNDARY
- SEDIMENT BASIN TRIBUTARY AREA
- PROPOSED PRIVATE UTILITY EASEMENT
- *PROPOSED MVEA EASEMENT
- LOT LINE
- EXISTING FIRE HYDRANT
- EXISTING SANITARY MANHOLE
- EXISTING SIGN
- EXISTING WATER VALVE
- PROPOSED INLET
- EXISTING FLOW DIRECTION ARROW
- PROPOSED FLOW DIRECTION ARROW
- FLARED END SECTION
- H.P. HIGH POINT
- L.P. LOW POINT
- "A" TYPE A LOT
- "B" TYPE B LOT
- "T" TRANSITION LOT
- 9 LOT NUMBER

SEDIMENT BASIN TABLE:

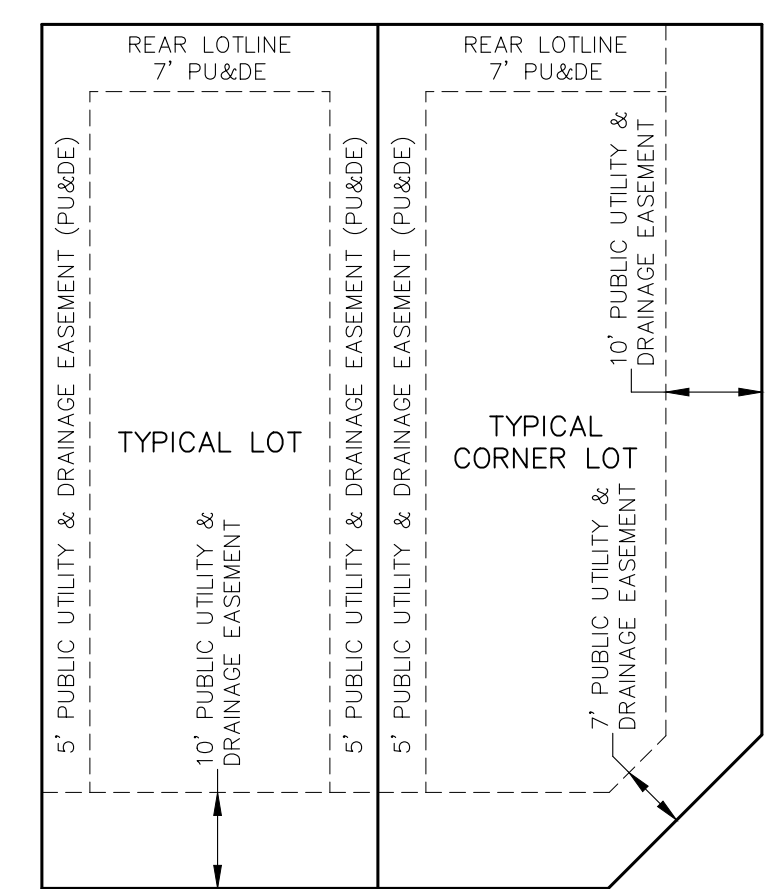
SEDIMENT BASIN NO.	UPSTREAM DRAINAGE AREA AC.	BASIN WIDTH FT.	BASIN LENGTH FT.	ANTIC. WATER HT FT.	REQ'D VOLUME C.F.	SPILLWAY LENGTH FT.	HOLE DIA. IN.	ROWS OF HOLES IN STANDPIPE
SB1	12	47.25	94.5	3	13,396	11	25/32	1
SB2	7	64	128	3	24,576	18	1	1

ADDITIONAL NOTES:

- STAGING AREA TO BE DETERMINED BY CONTRACTOR IN THE FIELD. THE LOCATIONS SHALL BE DELINEATED ON THIS PLAN BY THE CONTRACTOR.
- THE EROSION CONTROL DELINEATED ON THIS PLAN SHALL BE REGULARLY UPDATED BY THE CONTRACTOR.
- THE CONTRACTOR SHALL OBTAIN A COPY OF THE GEOTECHNICAL ENGINEERING REPORT AND KEEP A COPY ONSITE DURING ALL EARTHWORK OPERATIONS.
- THE CONTRACTOR SHALL PROVIDE SUFFICIENT BUFFER BETWEEN THE LIMITS OF DISTURBANCE AND AREAS IN WHICH NO GRADING SHALL OCCUR TO MAKE SUFFICIENT TIE IN BETWEEN THE PROPOSED GRADE AND EXISTING GRADE WHICH MAY NOT BE CLEARLY ILLUSTRATED ON THIS PLAN.
- EXISTING VEGETATION CONSISTS OF SPARSE NATIVE GRASSES AND SHRUBS. A VISUAL, POST CONSTRUCTION COMPARISON CAN BE PERFORMED WITH ADJACENT, UNDEVELOPED LAND.

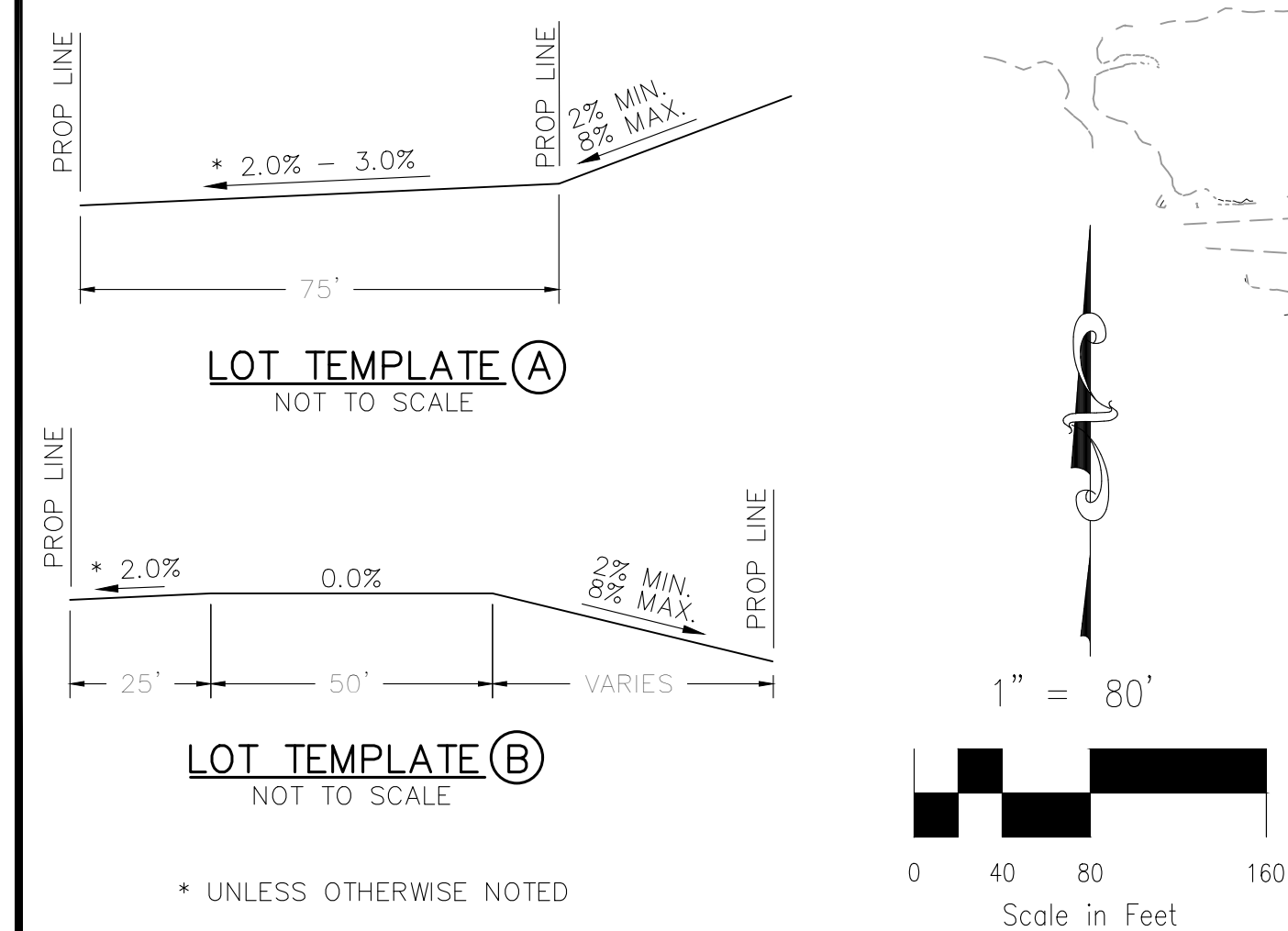
NARRATIVE NOTES:

- LOCATION OF STOCKPILES SHALL BE DETERMINED BY CONTRACTOR. ALL STOCKPILES SHALL REMAIN WITHIN THE CONSTRUCTION BOUNDARIES AS INDICATED ON THE SITE MAP.
- THE EXACT LOCATION FOR THE STABILIZED STAGING AREA, STORAGE EQUIPMENT AND TEMPORARY DISPOSAL AREAS SHALL BE DETERMINED IN THE FIELD BY THE CONTRACTOR. PLAN SHALL BE UPDATED BY CONTRACTOR UPON DETERMINATION OF EXACT LOCATION.
- FINAL STABILIZATION SHALL BE COMPLETED AT THE END OF THE CONSTRUCTION ACTIVITIES. ALL AREAS DISTURBED WITHIN THE CONSTRUCTION BOUNDARY/LIMITS OF DISTURBANCE AREA SHALL BE RESEEDED WITH NATIVE SEEDING.
- NO PORTION OF THE PROPOSED COPPER CHASE AT STERLING RANCH SITE LIES WITH A FEMA EFFECTIVE 100-YR FLOODPLAIN.
- EROSION CONTROL BLANKET SHALL BE USED ON SLOPES GREATER THAN 4:1.



FRONT/SIDE LOTLINES ALONG RIGHT-OF-WAY
TYPICAL LOT EASEMENTS
DETAIL
NOT TO SCALE
TYPICAL LOT PUBLIC EASEMENT DETAIL
(UNLESS OTHERWISE NOTED)

FOR LOCATING & MARKING GAS, ELECTRIC, WATER & TELEPHONE LINES
FOR BURIED UTILITY INFORMATION 48 HRS BEFORE YOU DIG CALL 1-800-922-1987



COPPER CHASE AT STERLING RANCH
GRADING & EROSION CONTROL PLAN

PROJECT NO. 09-014 DATE: 08/08/2023
SCALE: HORIZONTAL: N/A VERTICAL: N/A
DESIGNED BY: CWV DRAWN BY: CWV CHECKED BY: VAS

217 N. WASHATCH AVE., STE. 305
COLORADO SPRINGS, CO 80903
PHONE: 719.555.5485

CIVIL CONSULTANTS, INC.

FOR AND ON BEHALF OF M&S CIVIL CONSULTANTS, INC.

REGISTERED PROFESSIONAL ENGINEER
VIRGIL A. SANCHEZ, P.E. NO. 37160
08-10-23

REVISIONS: NO. DATE: BY: DESCRIPTION: APPROV. BY: DATE:

THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.

CAUTION

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