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RESOLUTION NO. 25-105 BOARD OF COUNTY COMMISSIONERS COUNTY OF EL PASO, STATE OF COLORADO

RESOLUTION AUTHORIZING DISBURSEMENT OF EL PASO COUNTY ROAD IMPACT FEE FUNDS

WHEREAS, on December 11, 2018 and pursuant to Resolution No. 18-471, the Board of County Commissioners of El Paso County, Colorado (the "Board") updated the El Paso County Road Impact Fee Program ("Fee Program"); and

WHEREAS, the Fee Program allows for the reimbursement of credits granted for construction of Eligible Improvements as funds become available; and

WHEREAS, on December 4, 2012 and pursuant to Resolution No. 12-399, the Board entered into an intergovernmental agreement with El Paso County Public Improvement District No. 1 (the "District") regarding administration of the Fee Program (the "Fee Program IGA"); and

WHEREAS, pursuant to the Fee Program IGA, the District is responsible for disbursing reimbursements to third parties at the direction of the Board; and

WHEREAS, at a public meeting held on October 16, 2024, the Road Impact Fee Advisory Committee ("Advisory Committee") recommended to the Board that certain reimbursements be made from the Fee Program; and

WHEREAS, Advisory Committee recommended reimbursement of credits anticipated to be created, and in fact created on February 25, 2025 pursuant to Resolution 25-61, in favor of Colorado Springs Equities LLC in the amount of \$700,000.00 and

WHEREAS, the Board wishes to adopt the recommendations of the Advisory Committee.

NOW, THERE BE IT FURTHER RESOLVED that El Paso County Public Improvement District No. 1 is hereby requested to disburse \$ 700,000.00 to Colorado Springs Equities LLC.

BE IT FURTHER RESOLVED that the County Treasurer is authorized to make transfers between funds, including Transportation Impact Fees and / or Public Improvement District #'s 1, 2 and 3 funds as budgeted and between any other funds as budget adjustments occur throughout the year with notification from Financial Services.

DONE THIS 8th day of April 2025 at Colorado Springs, Colorado.

Steve Schleiker 04/08/2025 02:50:49 PM Doc \$0.00 14

Rec \$0.00

Pages 225028687

BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO

By: _

County Commissioner, Chair

ATTEST:

Steve Steve County

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Resolution No. 25-105 Attachment

Steve Schleiker 02/25/2025 03:22:31 PM Doc \$0.00 12 Rec \$9.00 Pages El Paso County, CO

RESOLUTION NO. 25-61

BOARD OF COUNTY COMMISSIONERS COUNTY OF EL PASO. STATE OF COLORADO

RESOLUTION TO APPROVE THE CREATION OF CREDITS IN THE ROAD IMPACT FEE PROGRAM TO COLORDO SPRINGS EQUITIES LLC FOR CONSTRUCTION OF **ELIGIBLE IMPROVEMENTS**

WHEREAS, on December 17, 2019 and pursuant to Resolution No. 19-471, the Board of County Commissioners of El Paso County, Colorado (the "Board") updated the El Paso County Road Impact Fee Program ("Fee Program"); and

WHEREAS, the Fee Program allows for the creation of credits granted for construction of Eligible Improvements: and

WHEREAS, the roundabout constructed at Meadowbrook Parkway and Newt Drive were built as Eligible Improvement by Colorado Springs Equities LLC; and

WHEREAS, on October 16, 2024, the Board preliminarily accepted the roundabout pursuant to Resolution 24-395; and

WHEREAS, at a public meeting held on January 23, 2025, the Road Impact Fee Advisory Committee ("Advisory Committee") found that all conditions in the Fee Program Implementation Document regarding creation of credits were met and recommended that the Board establish credits in the amount of \$700,000,00 in the name of Colorado Springs Equities LLC for the roundabout at Meadowbrook Parkway and Newt Drive, based on the information in Attachment A: and

WHEREAS, the Board wishes to adopt the recommendations of the Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of El Paso County, Colorado hereby approves the Credit Application by Colorado Springs Equities LLC and establishes Road Impact Fee Program credits in their name in the amount of \$700,000.00.

abruary 2025, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO

Carrie Geitner, Chair

County Ck

Attachment A

December 10, 2024

Victoria Chavez
Transportation Planning Manager
El Paso County Public Works
3275 Akers Drive
Colorado Springs, CO 80922

RE: REIMBURSEMENT OF CREDITS-EL PASO COUNTY ROAD IMPACT FEE CREDIT AGREEMENT FOR CROSSROADS MIXED USE PCD FILE NO. SF-21-029 & PPR-21-41

Ms. Chavez.

Colorado Springs Equities LLC ("CSE") has completed construction of the roundabout at SC Meadowbrook Parkway and Newt Dr. (UNR Collectors) per the approved plans and specifications and the El Paso County Board of County Commissioners has accepted the roundabout for Preliminary Acceptance per Resolution No. 24-395, recorded October 16, 2024, marked as 'Exhibit A'. M&S Civil Consultants, Inc. has certified to El Paso County that the roundabout improvements are complete per all approved plans and specifications. Please see the attached M&S Civil Consultants, Inc. letter dated June 5, 2024, marked as 'Exhibit B'.

CSE respectfully requests reimbursement of credits in the amount of \$700,000.00 for the roundabout construction as allowed for in the El Paso County Road impact Fee Credit Agreement for Crossroads Mixed Use Filing No. 1, PCD FILE NO. SF-21-029 & PPR-21-41, dated July 21, 2022 (the "Reimbursement Agreement") attached hereto and marked 'Exhibit C'. CSE has met all the conditions in the Reimbursement Agreement and certifies that all conditions of approval have been met and that all materials and subcontractors have been paid in full.

Please feel free to contact me if additional information is needed.

Sincerely,

Kelly Nelson, Development Manager

Colorado Springs Equities LLC

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Cc: Brad Walters, El Paso County Development Services

EXHIBIT A



Steve Schleiker 10/16/2024 00:52:00 AM Doc \$0.00 2 Rec \$0.00 Pages El Pero County, CO

RESOLUTION NO. 24-395

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

RESOLUTION TO APROVE APPLICATION FOR PRELIMINARY ACCEPTANCE OF CERTAIN STREETS WITHIN 24/94 BUSINES PARK FILING NO.1 / MEADOWBROOK CROSSING FILING NO. 1 THE EL PASO COUNTY ROAD MAINTENANCE SYSTEM.

WHEREAS, the Board of County Commissioners of El Paso County, Colorado, has received an application for preliminary acceptance of certain streets located within the unincorporated area of El Paso County, more particularly described herein, for addition and maintenance into the El Paso County Highway System; and

WHEREAS, the same have been inspected by El Paso County, and the investigations reveal the County should accept and maintain such streets;

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the preliminary acceptance for maintenance of streets within the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference, effective as of this date.

DONE THIS 15th day of OCTOBER, 2024, at Colorado Springs, Colorado.

B CONTROLLER CONTROLLER TO BE CONTROLLER

BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO

By: Cani Do



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APPLICATION FOR PRELIMINARY ACCEPTANCE INTO THE EL PASO COUNTY MAINTENANCE SYSTEM

APPLICANT Crossroads I FILE REFERENCE SF-16-005 and DAD NOTES	APPLICANT Crossroads Development Company, LLC REFERENCE ROAD NAME FROM FROM	5 121 1 8.T.S 8.44.8	PLAT DATE PLAT RECORDED BOCC HEARING LENGTH ROW FT/MI WIDTH	PLAT VAT RECORDED BOCC HEARING H ROW S I WIDTH	PLAT 14112 NDED 4/17/2017 and 3/20/2018 NING 15/10/2024 1 SURFACE SURF F/F H TYPE WOTH 09	3/20/2 24 SURF WDTH	8	CURB TYPE
MEADOWBROOK PRIVY	MEADOWBROOK PKWY (TC)	END OF MEDIAN	855'/0.16 mi	3	4" HALA/B" ABC	1 23	Ä	
2240 MEADOWBROOK PRIV	START OF MEDIAN	MEADOWEROOK PRMY (TC)	855/0.16 mi	ä	4" HMANS" ABC	16	Ħ	\$
3240 MEADOWAROOK PKWY	MEDAN	CDS TOTAL LENGTH ACCEPTED	794/0.15 mi 2804/0.47 mi	8	4" HMA/8" ABC	\$	ğ	<

APPROVALS

ASSEST SYSTEMS SUPERVISOR

INSPECTION SUPERVISOR

PCD DIRECTOR

CEPTANCE RECOMMENDED

EXHIBIT B



CIVIL CONSULTANTS, INC.

June 5, 2024

El Paso County
Planning & Community Development
2880 International Circle, Suite 110
Colorado Springs, CO 80910

Attn.: Project Manager

RE: Crossroads Mixed Use Filing No. 1

Meadowbrook Parkway

Dear Project Manager:

Per the approved construction drawings for "Crossroads Mixed Use Filing No. 1" improvements were made to construct Meadowbrook Parkway in compliance with the current El Paso County Engineering Criteria.

Based upon this information and periodic site visits to the project during significant/key phases of the construction, M&S Civil Consultants, Inc. is of the opinion that the roadway has been constructed in general compliance with the approved design plans, and specifications as filed with El Paso County.

Statement Of Engineer In Responsible Charge

To the best of my knowledge, information and belief, for the referenced project above, the improvements have been constructed in general compliance with the approved design plans and specifications as filed with El Paso County. In addition, to the best of my knowledge, information and belief, for the referenced project above, the site and adjacent properties (as affected by work performed under the County permit) are stable with respect to settlement and subsidence, sloughing of cut and fill slopes, revegetation or other ground cover, and that the improvements (public improvements, common development improvements, site grading and paving) meet or exceed the minimum design requirements.

Virgil A. Sanchez
Colorado P.E. No.37160
For and on behalf of M&S Civil
Consultants, Inc.





ROAD IMPACT FEE CREDIT AGREEMENT

Date: July 21, 2022 CROSSROADS MIXED USE PCD FILE NO. SF-21-029 & PFR-21-41

This Road Impact Fee Credit Agreement ("Agreement") is executed as of <u>July 21</u>, 20_22, by and between El Paso County ("County"), and COLORADO SPRINGS BQUITTES LLC, ("Contributor"). The County and the Contributor are referred to collectively as the "Parties."

PECITALS

- 1. The El Paso County Road Impact Fee Program ("Program") establishes a process through which an applicant may receive credits for any dedication of land for, contribution or payment toward, or construction of an Eligible Improvement or Eligible Intersection Improvement (as defined in the Program), or for a Colorado Department of Transportation (CDOT) signal encrow payment. Approval of a credit agreement is a prerequisite in the Program for the receipt of credits.
- 2. Colorado Springs Equities LLC, in connection with the development identified by name above and depicted on the map attached hereto as Exhibit A, intends to dedicate land for, contribute funds toward, or construct the Eligible Improvements and Eligible Intersection Improvements, or to make a CDOT signal escrow payment for an intersection, identified in Exhibit B, attached hereto and incorporated herein by reference.
- 3. The Parties desire to set forth in this Agreement an estimate of the Program credits that will be available to Contributor upon preliminary acceptance by the County of the Eligible Improvements and Eligible Intersection Improvements (collectively, "Improvements") in accordance with the El Paso County Engineering Criteria Manual, or upon deposit of the CDOT signal escrow funds, as applicable.

AGREEMENT

The Parties agree as follows:

Recitals. The Recitals set forth above are incomprated herein by this reference.



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- Allocation of Credits. Exhibit B includes an estimate of the Road Impact Fee credits for which Contributor will be eligible upon preliminary acceptance of the improvements or upon payment of the CDOT signal escrow payment.
- 3. Value of Credits. With respect to any improvements identified in Exhibit B, the parties acknowledge that Exhibit B correctly represents the credit amount based on preliminary construction drawings and plans and sets forth the current unit cost amounts. The final unit cost amount applicable to an improvement will be those in effect at the time the party responsible for constructing such improvement executes a Road impact Fee Credit Agreement. A final credit amount will be determined based on actual construction measurements at the time of preliminary acceptance. Requests for Deviation of ECM criteria may change the unit cost used to calculate the final credit amount.
- 4. Reimbursement of Credits. If credit reimbursement is requested, the reimbursement amount will be for the credit amount only. No interest is due on credits.
- 5. Compliance with Applicable Regulations. The Parties acknowledge that all credits shall be allocated and issued in accordance with the provisions of the Program, State statutes, and any other applicable regulations, all in effect at the time credits are to be issued, regardless of whether the provisions are mentioned within this Agreement. If all Program, State statute, Engineering Criteria Manual, and Land Development Code provisions are not followed, then the Agreement will be void and credits may not be issued. All Improvements receiving impact fee credits (affasts or reimbursements) shall be constructed in accordance with the standards found in the El Paso County Engineering Criteria Manual and Land Development Code for the functional classification of the particular street or read.
- 6. Acceptance of Improvements. The Parties acknowledge that Credits may be issued for any Improvements listed in Exhibit B only after the Improvements have been preliminarily accepted by the County as further detailed in the Program.
- 7. Incomplete Improvements. The Parties agree that if the County completes all or part of any of the Improvements listed in Exhibit B, the Contributor may only receive credits in proportion to the land dedicated for, funds contributed to, or portion of completed and preliminary accepted construction of the Improvements. If the Contributor is the party responsible for the construction of the Improvements listed in Exhibit B and defaults on such obligation, this agreement is null and void and the Contributor forfeits claim to all potential credits.



8. Expiration of Preliminary Agreement. This Agreement shall automatically become null and void upon the effective date of an update to the Road Impact Fee Program Study or the Major Transportation Corridors Plan if such plan removes from eligibility for credits or reimbursement the Improvements subject to this Agreement if construction of the Improvement has not commenced.



IN WITNESS WHEREOF, the parties hereto have hereunto set their hand the day and year first above written.

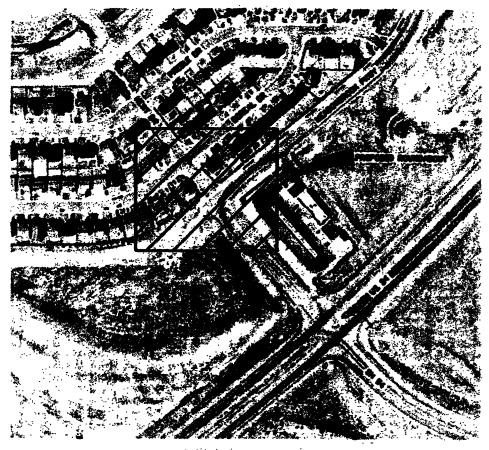
COL	ORADO SPRINGS EQUITAES LLC
By:	
	Danny Micntla / / / / / / / / / / / / / / / / / / /
EL P	ASO COUNTY V
By:	Van Minder
	Name Director, Planning and Community Development
By:	To the second se
	Name County Engineer
By:	Name
	Ree Program Administrator

APPROVED AS TO FORM

By: Kou L. Llage)
County Attorney's Office



Exhibit A



LOCATION MAP



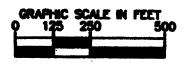


Exhibit 8 Road impact Fee Crefit Agreement Table of Eligible Improvement

Date (7/21/2022	Contact Information	
Contributor Colorado Springs Equities U.C.	. Hene	Denny Mentha
Project Name Crostroads Albed Use	Tibbe	Manager
Project Location (SC Meadowbrook Plays & Newt Dr	Company	Colorado Springs Equities LLC
Project Number PCD File No. SF-21-429 & PPR-21-41	Address	90 South Crecade Avenue, Suits 1500
	Conf	demy@theequityeroun.det
	Phone Member	719-449-469-4

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Entimented Oracle Value		\$ 700,000	
Lawyth X Unit Cost		\$ 700,000	
Unit Cost		\$ 700,000.00	
Segment Length in Linear Peet or Number Intermedion			
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Functional Class	٠	UNIX Collectors	
Line Improvement No. Type		Roundsbout	
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