



D E E P W A T E R P O I N T C O M P A N Y

TIMOTHY J. LEONARD
PRESIDENT

VIA E-MAIL

19 July 2019

Mr. Marcus Notheisen
Castle Rock Economic Development Council
 18 S. Wilcox St., Ste. 202
 Castle Rock, CO 80104

RE: Economic Assistance Agreement – HEI Civil and MCG Civil

Dear Marcus,

Thank you for your time the other day to work through some details on the access easement/parking and grading of the Open Space adjacent to HEI Civil's property.

Per our conversation regarding this retention and expansion of HEI Civil and MCG Civil at 5460 Montana Vista Way, Castle Rock, I have outlined a summary of the terms and conditions of an Economic Assistance Agreement acceptable to HEI Civil and MCG Civil to help the drafting of a legal document:

1. Parties: HEI Civil, a Colorado corp, or a related entity, 5460 Montana Vista Way, Castle Rock Town of Castle Rock, a home rule municipal corporation
2. HEI Civil and MCG Civil propose to construct a new 16,000 sf class A office building adjacent to its current headquarters at 5460 Montana Vista Way ("Construction") for the purposes of retaining its home office in Castle Rock and expanding its employment base, and offering Class A office space for rent to other primary employers in Castle Rock.
3. The Town's economic assistance policy outlines goals related to targeted businesses, the retention of primary, expanding quality employment, and the construction of new office space available to attract additional primary employers and increase the Town's resident workforce.
4. The jobs HEI Civil and MCG Civil will retain, relocate, and create are consistent with the Town's primary employment attraction criteria and the project is eligible for economic assistance from the Town.
5. Permit Rebate: The Town shall rebate to HEI Civil the Town Fees incurred by HEI Civil for the Construction as follows:

- a. 100% of the Town Fees for the building permit including the building permit review fees, administration cost recovery, the building permit, and Castle Rock use tax. These fees are estimated to be \$84,582.
 - b. 50% of the Town's impact fees including those for municipal facilities, fire, police, transportation, and storm water. These fees are estimated to be \$37,854, 50% of which is \$18,927.
 - c. 25% of the Town's site development fees including those for site development plan, construction document review, GESC review and permit, construction permit, inspection, and use tax for site construction. These fees are estimated to be \$10,860, 25% of which is \$2,715.
 - d. The amount of the Town Fees will be determined at the time of building permit application and approval. HEI Civil will pay all the Town Fees at the time of plan review and building permit issuance for the Construction.
 - e. HEI Civil will notify the Town and the Castle Rock Economic Development Council of its receipt of a certificate of occupancy ("CO"). HEI Civil will also submit an affidavit that as of the date of the receipt of the CO that 43 jobs have been retained by HEI Civil and 10 new jobs have been added by both HEI Civil and MCG Civil.
 - f. Upon receipt of the notice of a CO and the affidavit, the Town will pay to HEI Civil the Fee Rebate, as listed above, capped at \$99,999, within 30 days from the date the CO was issued on the Construction.
6. Access Easement, Parking, and Grading of Town Open Space:
- a. Access Easement:
 - i. HEI Civil will grant to the Town an access easement across its property to access the adjacent Open Space, as shown on the attached access easement/parking plan. This access easement will be permanent and HEI Civil's property association, Montana Vista Center Property Owners Association Inc. (MVPOA), will be responsible for its maintenance.
 - b. Parking Easement:
 - i. HEI Civil or MVPOA will grant to the Town a parking easement for six (6) spaces located on the attached access easement/parking plan. HEI Civil, or its assigns, will be responsible for the maintenance (snow removal) of the spaces. HEI Civil will grade and construct the parking spaces (asphalt, curb, gutter, striping, and signage "Parking for Open Space Only").
 - ii. The Town will be responsible for the processing and approval of the revision to the currently approved site plan to include a total of 16

additional parking spaces within nine (9) months of the execution of this Agreement. The Town will pay to HEI Civil, upon completion of the construction of the parking spaces, \$54,000 as a contribution for the construction of the spaces and the paved access driveway. The Town will be responsible for any future repairs of the improvements of its six spaces.

- iii. Upon completion of the construction of the parking spaces and the payment by the Town, the access and parking easement will become effective.

c. Grading:

- i. HEI Civil will perform the grading on the Town's open space in accordance with the attached grading plan at the time of construction of the new office building. The erosion control plan will include stripping the existing topsoil, replacing it after grading activities, and reseeding and establishing vegetation on the disturbed areas upon completion in accordance with the Town's standard permit requirements. The grading will be finished with rounding the tops of the slopes to create a gently and natural transition into the existing grades.
- ii. The approval of the plans for the grading and erosion control permits will be the responsibility of HEI Civil but the Town will not charge any additional fees if this work is performed at the same time as adjacent work on the office building site.

If these terms and conditions are consistent with the goals and policy of the Town and the Castle Rock Economic Development Council, you may draw up the Agreement for signature.

Sincerely,



Timothy J. Leonard
President

Cc: Dan Hudick

19 July 2019

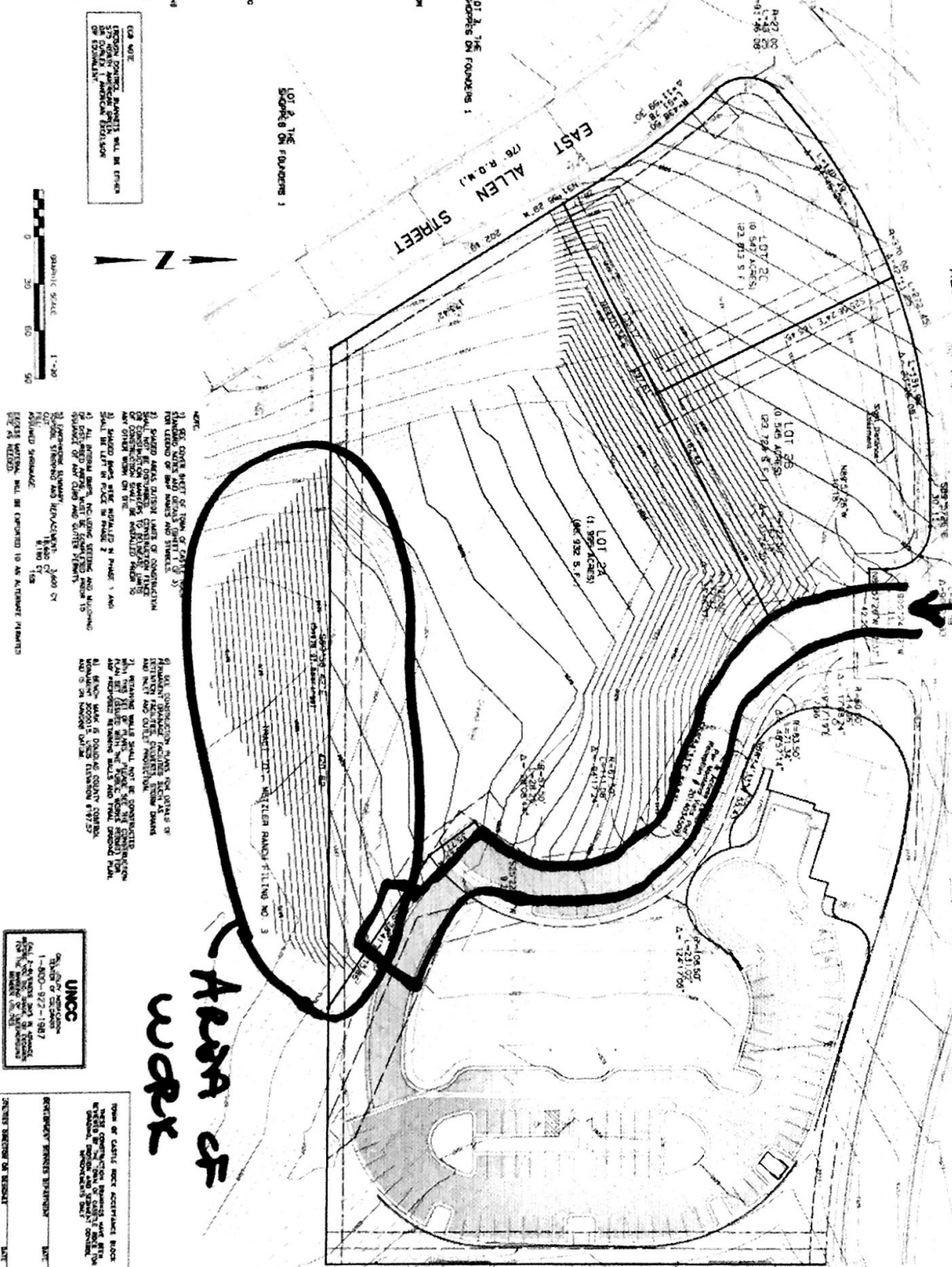
20' Acres Easement
To Access
GRAINS

ALEXANDER PLACE

GRAINS

Area of
work

- LEGEND
- 1. CHECK DAM
 - 2. CONCRETE ALLEYS
 - 3. CONCRETE FILLER ELEV
 - 4. CONCRETE WEDGGE AREA
 - 5. CONSTRUCTION TRUCK
 - 6. CONSTRUCTION WARE
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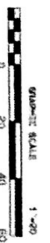
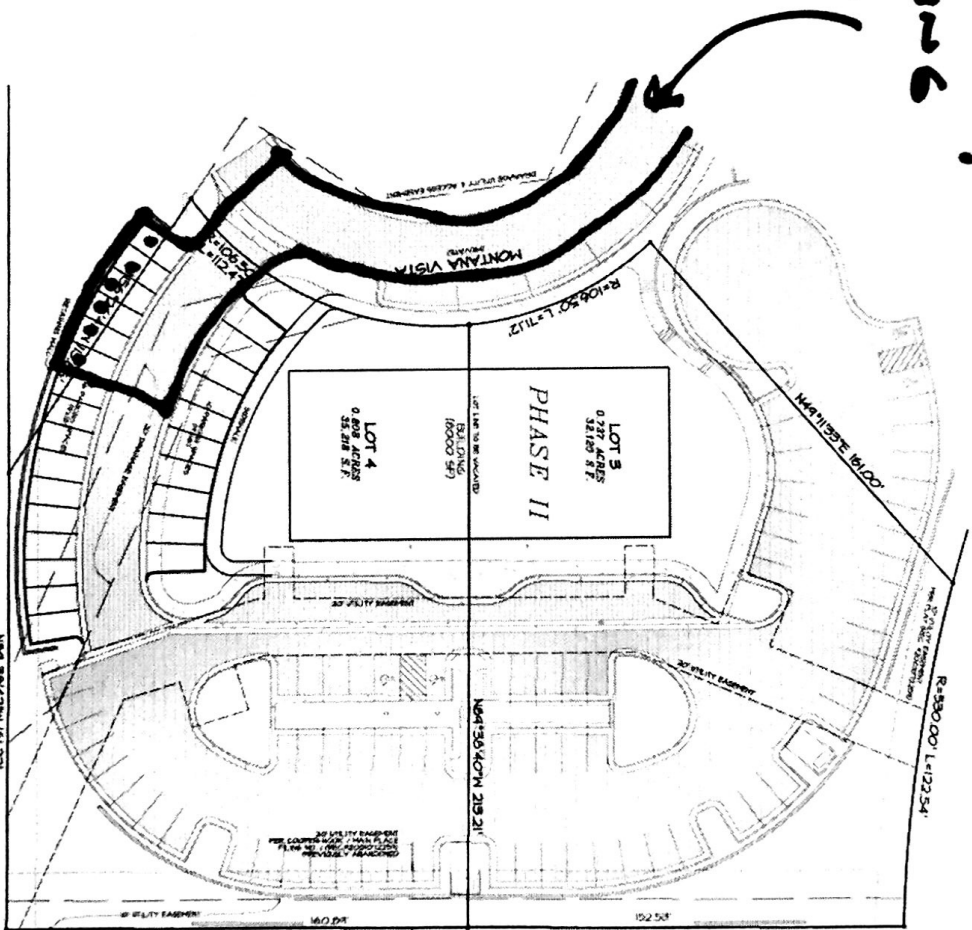


19 July 2019

20' Access
to
Parking
Spaces

MONTANA VISTA PHASE II
In Section 26, Township 7 South, Range 67 West,
6th P.M., Douglas County, Colorado

Parking
Access
to
Spaces



NOTES: 1. Subject to the terms, conditions, and specifications of the contract documents, the owner hereby authorizes the engineer to prepare and submit to the local authority for review and approval the final plat for the subdivision of the land shown on this plan. The engineer shall be responsible for the accuracy of the information furnished by the owner and for the correctness of the calculations and the preparation of the final plat. The engineer shall also be responsible for the accuracy of the information furnished by the owner and for the correctness of the calculations and the preparation of the final plat. The engineer shall also be responsible for the accuracy of the information furnished by the owner and for the correctness of the calculations and the preparation of the final plat.

DAVID E. MAYER Surveyor License No. 13-014	
Project: MONTANA VISTA PHASE II Location: Section 26, Township 7 South, Range 67 West, 6th P.M., Douglas County, Colorado Date: 19 July 2019	Sheet: 1 of 1 13-014