

December 17, 2024

HT Canyons South Development, L.P.
Richard Cross
1144 15th Street, Suite 2600
Denver, CO 80202

File No.: DV2021-313

**RE: Expiration of Letter of Credit No. 69622454 – Canyons South Filing 2
Phase 1 and Pond Warranty Performance Security.**

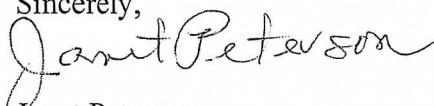
Dear Richard,

Please be advised that the letter of credit in the amount of \$70,141.95 held as Warranty Performance security for all phases for the above referenced project expires on **February 5, 2025**. This letter of credit should be amended to extend the expiration date for at least a **one-year period** and submitted to this office no later than *January 24, 2025*. It is the policy of Douglas County to maintain current security for all projects *until the improvements have been inspected and approved for final release* by the Engineering Inspections Division.

We must hear from you by January 25, 2025, or the matter will be heard before the Board of County Commissioners at the regular business meeting on January 28, 2025, for board resolution to approve the process to draw upon the letter of credit and hold the funds until completion of the project.

Per the terms and conditions of the Subdivision Improvements Agreement, dated February 9, 2022, security must remain in full force and effect until such time as the improvements have been inspected and approved for final release by Douglas County Engineering.

Please forward all correspondence concerning the letter of credit to my attention.

Sincerely,

Janet Peterson
Engineering Agreements Technician

Attachments

HT Canyons South Development, L.P.

December 17, 2024

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C: Janet Herman, P.E., Public Works Engineering Director
Zeke Lynch, P.E., Assistant Director Public Works Engineering
Simmons Bank, P.O. Box 7009, Pine Bluff, Arkansas, 71611
File

**SUBDIVISION IMPROVEMENT AGREEMENT
(Subdivision Improvement Plan Name and Number)
IRREVOCABLE LETTER OF CREDIT**

To: The Board of County Commissioners
of the County of Douglas
100 Third Street
Castle Rock, Colorado 80104

No: 69622454
Date: 02/05/2024

Gentlemen:

We hereby authorize you to draw on Simmons Bank
(Name of Bank)

P.O. Box 7009, Pine Bluff, Arkansas
(Street) *(City)* *(State)*

71611, for the account of HT Canyons South Development LP
(Zip) *(Name of Customer)*

2800 Post Oak Boulevard, Suite 400, Houston, Texas
(Street) *(City)* *(State)*

77056, up to an aggregate amount of Seventy Thousand One Hundred Forty One and Ninety Five Hundredths
(Zip) *(Dollars)*

(\$70,141.95) available by your drafts at sight accompanied by a certificate purportedly signed by the Chairman or the Acting Chairman of the Board of County Commissioners of Douglas County stating:

- (1) that Douglas County is entitled to draw under this Letter of Credit pursuant to that certain Agreement dated February 09, 2022 between the Board of County Commissioners of the County of Douglas and ; and HT Canyons South Development II LP
(Name of Customer)
- (2) the amount of money to be drawn on this Letter of Credit.

This Letter of Credit shall expire on February 05, 2025. This Letter shall expire prior to said date if Simmons Bank received a release purportedly signed by the Chairman
(Name of Bank)

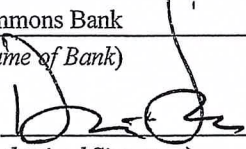
or the Acting Chairman of the Board of County Commissioners stating that all or a portion of this Letter of Credit is to be released.

All drafts drawn under this Letter of Credit are to be endorsed hereon and shall bear the clause DRAWN UNDER. Simmons Bank
(Name of Bank - must be drawable within Denver Metro area)

LETTER OF CREDIT NO. 69622454, DATED February 05, 2024.

We hereby agree with the drawers, endorsers, and bona fide holders of drafts drawn under and in accordance with the terms of this Letter of Credit that said drafts shall be duly honored on presentation to us at our office specified above on or before the expiration date. Further, we agree that all fees associated with this letter of credit shall not be the responsibility of Douglas County.

Subdivision
Improvement
Plan for
Public
Development

Simmons Bank
(Name of Bank)
By: 
(Authorized Signature)

Transaction Record



TRACKING NO.:
770846167734

SHIP DATE:
Dec 17, 2024

ESTIMATED SHIPPING CHARGES:
8.52 USD

From address

Douglas County
Janet Peterson
100 Third Street
80104 CO Castle Rock
US
Phone: 3036636240
jlpeterson@douglas.co.us

To address

HT Canyons South Dev, LP
Richard Cross
1144 15th Street, Ste. 2600
80202 CO DENVER
US
Phone: 3036636240

Package information

Pieces	Weight	Dimensions (LxWxH)	Carriage value	Package options
1 x	1.00 lb			n/a
Packaging type: Your Packaging		Service: FedEx Standard Overnight		Pickup / drop-off type: I'll drop off my shipment at a FedEx location

Billing information

Bill transportation cost to: *****155
Bill duties, taxes and fees to:
Your reference: DV 21 313
P.O. No.:
Invoice No.:
Department No.:

Please note: This transaction record is neither a statement nor an invoice, and does not confirm shipment tendered to FedEx or payment. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1000, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits; Consult the applicable FedEx Service Guide for details. The estimated shipping charge may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable FedEx Service Guide or the FedEx Rate Sheets for details on how shipping charges are calculated.

FedEx® Tracking

⋮

DELIVERED

Wednesday

12/18/24 at 11:05 AM

Signed for by: K.KING

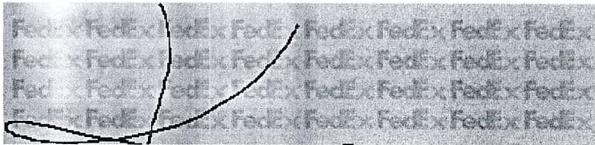
↓ Obtain proof of delivery

DELIVERY STATUS

Delivered ✓

📍 GPS delivery location

📦 Report missing package



ADD YOUR EMAIL TO STAY UPDATED ON THIS SHIPMENT

Janet2234

✘ Your email is invalid.

GET UPDATES

MORE OPTIONS

TRACKING ID

770846167734 ✎ ☆ 📄

FROM

Janet Peterson
Douglas County
100 Third Street
Castle Rock, CO US 80104
3036636240

Label Created

12/17/24 11:39 AM

WE HAVE YOUR PACKAGE

ENGLEWOOD, CO
12/17/24 5:52 PM

ON THE WAY

DENVER, CO
12/18/24 9:04 AM