

December 16, 2024

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

File No.: DV2022-097

**RE: Expiration of Letter of Credit No. 69622454 – Canyons South Filing 3  
All Phases Warranty Performance Security.**

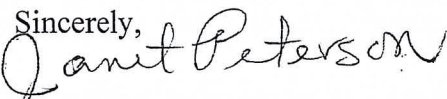
Dear Richard,

Please be advised that the letter of credit in the amount of \$256,751.00 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 August 16, 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 16, 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



**DOUGLAS COUNTY**  
 FEB 16 2024  
 ENGINEERING SERVICES

**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 Two Hundred Fifty Six Thousand Seven Hundred Fifty One dollars  
 (Zip) (Dollars)

(\$256,751.00) 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 August 10, 2022 between the Board of County Commissioners of the County of Douglas and ; and HT Canyons South Development 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.

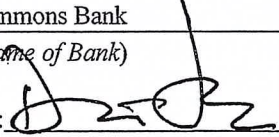
**COPY**

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.:  
770822733595

SHIP DATE:  
Dec 16, 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., L.P.**  
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
<b>Packaging type:</b> Your Packaging		<b>Service:</b> FedEx Standard Overnight		<b>Pickup / drop-off type:</b> 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 22 097

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



SHOPRUNNER by FedEx

The holiday countdown has begun. Get gifts in time with free 2-day shipping.

SHOP NOW

DELIVERED

# Tuesday

12/17/24 at 10:41 AM

Signed for by: K.KAY

Obtain proof of delivery

How was your delivery?

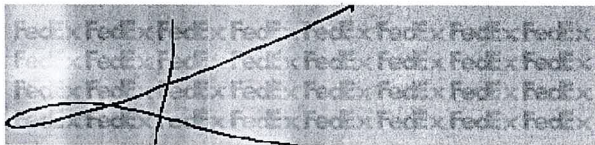


DELIVERY STATUS

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

770822733595

FROM

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

Label Created  
12/16/24 4:29 PM

WE HAVE YOUR PACKAGE