

9-29-00

Qwest



Dear Developer:

Enclosed you will find several forms relating to telephone service associated with the development of your property.

The Letter or Intent explains the four options available for telephone service to the property. It requires the signature of the owner or designee and must be returned to Qwest before we can proceed with plans for your project. Please retain the pink copy for your records and return the signed white and yellow copies.

The Requirements to Developer outlines specifications and responsibilities associated with providing telephone facilities to the development. It also requires the signature of the owner or developer of the property. Please retain the yellow copy and return the signed white copy.

The Tentative Construction Schedule provides us with critical information required to satisfy your telephone needs. Please fill in as much information as possible, and contact us with any changes as they occur.

Sometimes information is missing from the initial plans we receive. If this is the case, there is a form enclosed specifying the information required. Please provide the requested information at your earliest convenience.

Return the completed forms to:

Gene Bramble  
Qwest Communications  
13333 W. Selma Highway  
Casa Grande, AZ 85222

Upon receipt of this package with the required signatures, we will begin the engineering process for telephone service to your development. If you have any questions, please feel free to contact me at (520) 426-6743.

Sincerely,

Gene Bramble  
Field Engineer



## LETTER OF INTENT

The Federal Communications Commission (FCC) provides guidelines for telephone serving arrangements. This letter serves as documentation of the intended building use, and of the service configuration to be provided by Qwest Communications.

Serving CO NNX: \_\_\_\_\_ Date: 9-29-00

Building Owner or Designee: Tierra Rica Development, Inc. Pensions

Development: Tierra Rica Estates

Building Address: Signal Peak 703 acc Belair Rd & Woodhuff Rd

(Postal Address)

City: Casa Grande County: Pinal State: az Zip: 85222

Planned Use: Please check appropriate designation.

Multi-Tenant/Unit 7  
(Options 1,2,3 or 4)

Single Tenant/Unit 305  
(Options 1 or 4)

The Premises Owner or Designee must select one of the serving arrangements described below.

- \_\_\_\_\_ 1. Qwest Communications facilities will terminate at one mutually agreed upon location upon entry into or on the building, normally at the lowest common serving point. The building owner and/or tenants will provide, manage, and maintain building cable and wire placed beyond the Demarcation Point Location.
- ☒ 2. Qwest Communications will terminate facilities at common locations as determined by the company and mutually agreed upon by the premises owner or designee throughout the building (terminal rooms, utility closets, etc). Qwest Communications will provide, manage, and maintain the building cable and registration jacks that denote the Demarcation Points. The Demarcation Points will be accessible to end-users at these locations (Option 2 is **not** an option for single tenant buildings.)
- \_\_\_\_\_ 3. Qwest Communications will terminate facilities at locations determined by the company at one mutually agreed upon location within the individually occupied space/unit(s), or within 12" or a similarly reasonable distance of cable/wire entry. Qwest will provide, manage, and maintain the building cable, network terminating wire, and registration jacks that denote the Demarcation Point. (Option 3 is **not** an option for single tenant buildings.)
- \_\_\_\_\_ 4. Qwest Communications will terminate facilities at one mutually agreed upon location on the property. The premises owner and/or tenants will provide, manage, and maintain building wire and cable placed beyond the Demarcation Point Location.

It is the responsibility of the Premises Owner to provide and maintain adequate termination space and supporting structures for telephone cable/wire within the building or on private property, as stated in the state and local tariffs.

If a building designation changes from multi to single tenancy, a PBX or switch is installed, and Qwest Communications has placed regulated facilities after the effective date of the tariff, Qwest Communications owned facilities will be purchased by the Premises Owner for a fair market price, removed and/or disabled at the Premises Owner's expense.

This is to certify that the person signing below is the campus or building developer, owner, or their designee, and this document accurately reflects the intended use of this building at the time and will be relied upon by Qwest in its provisioning and any regulatory or legal proceedings related to this property.

Signature: Harilyn L Griffiths, Trustee - Tierra Rica Devel. Inc Pensions

Printed Name: HARLYN L GRIFFITHS

(Please Designate -- Building/Property Owner -- Designee Property Owner)

Company: \_\_\_\_\_ Tel Number: (\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_

USWC Engineer: \_\_\_\_\_

Engineer District: \_\_\_\_\_ Tel Number: \_\_\_\_\_

COPIES:

OSP ENGINEERING DISTRICT  
(White-Yellow)

PREMISES OWNER  
(Pink)

Development Tierra Rica Estates  
Address Casa Grande, AZ  
Wire Center \_\_\_\_\_  
Date 9-29-00



REQUIREMENTS TO DEVELOPER

(COMMERCIAL BUILDINGS, APARTMENTS, CONDOMINIUMS, MOBILE HOME PARKS, SUBDIVISIONS)

Following is a list of general requirements to be met for QWEST Communications to place buried telephone facilities in your development:

1. Coordination of plans with other utilities, and our Telco Facilities Engineer, must be completed not less than three (3) months prior to the anticipated trench date. This minimum interval allows for engineering, material ordering, and crew scheduling. Changes in schedules should be forwarded immediately to our Telco Facilities Engineer. QWEST will engineer the facilities to the Main Point of Presence (MPOP) based on the receipt of developer specification drawings; however, the developer may incur additional costs, as covered in paragraph 9, should plans change after engineering is completed. QWEST has found it imperative to have assurance that new developments materialize and require service. For this reason, a Land Development Agreement (LDA) may need to be established between the developer and QWEST prior to facility placement throughout the development. Land Development Agreements consist of a contractual agreement and billing which must be negotiated, completed, and monies received by QWEST prior to the anticipated trench/conduit date. Allow not less than three months for this procedure.
2. To meet the required service date, adequate time must be allowed for placing and splicing of telephone cables with no interference from contractors and contractor's materials. The interval varies with the size of the development and shall allow one (1) month; plus one (1) day per thousand (1000') feet of trench. Any additional time requirements will be discussed at the preconstruction meeting.
3. The QWEST Telco Facility Engineer will provide requirements to the developer to furnish trenches, conduits, plywood, backboards, grounds, etc. The developer will also be required to furnish conduit for the sleeving of streets or concrete drives if required.
4. A common trench with specific utilities may be permitted; however, any cost incurred by QWEST in providing trenches for other utilities will be billed to the developer. Also, any contractual arrangement between the developer and another utility for trenching and backfill will not relieve you of any responsibility to provide trenches or conduits for telephone facilities.
5. Paving, curbs, and sidewalks should not be installed prior to telephone work unless agreed to by all parties concerned and adequate provisions for installation of facilities are provided by the developer.
6. All grades must be within six (6") inches of final grade. Grade stakes and properly pins must be visible at the time of installation.
7. Where telephone terminal cabinets are to be used, the terminal cabinet must be in place and permanently attached to the building prior to placement of any cable. All telephone terminal cabinets used must meet QWEST requirements and be approved by the Telco Joint Trench Inspector. Any future access into the cabinet must be made via conduit through existing knockouts in the box or drilled directly through the back of the box. On all inside terminals, QWEST will require a door key be furnished to us for placement in a Telco provided lock box which will be placed near the terminal room entrance.
8. In mobile home developments a power pedestal equipped with a telephone mounting bracket shall be provided at a location agreed to by the Telco Facilities Engineer. No telephone facilities will be placed beneath existing trailers or future trailers with skirting in place or under slabs.
9. The Telco Joint Trench Inspector must be called when the above items are ready for inspection. Should any item fail to meet our requirements after two (2) allotted inspections, trip charges (as determined by our Telco Joint Trench Inspector) of **\$120.00** may be imposed upon the developer until our requirements are met and passed. Changes in design or placement of telephone facilities as a result of developer modification will constitute a non-refundable charge to the developer. This includes phasing and trench date changes in excess of 90 days from original trench date, and any changes initiated by the developer that results in redesign and/or reconstruction of telephone facilities.
10. From the start of telephone construction work in the development until completion of construction, grading, or other work by the developer, the developer agrees to indemnify, hold harmless, and reimburse QWEST for any and all loss, injury, or damage to QWEST's property located within the development. This includes the cost of replacement or repair to its property arising from any damage to its pedestals, underground conduit, wires, and cables in the development whether caused by the developer, his employees, agents, third party, or unknown party. The developer shall not be required to indemnify, hold harmless, or reimburse QWEST in the event of such loss, injury, or damage is caused exclusively by an act of God or solely by an act of QWEST, its agents, or employees.

Coordinate planning and design questions with our Telco Facility Engineer \_\_\_\_\_,  
at \_\_\_\_\_.

Please note that no telephone engineering design work will begin until the signed, white copy of this letter is returned. The enclosed Tentative Construction Schedule must be returned at this time. For your convenience, a self-addressed stamped envelope is enclosed.

In the event the interest held by the undersigned in the lands comprising the subject development shall be transferred or conveyed to a subsequent owner-developer, said owner developer shall be subject to the conditions as outlined above and will be so notified of their obligations by the undersigned.

Following these requirements will assure our providing facilities for you in the most efficient and expeditious manner.

Yours truly,

Concurred in, 9-29-00 192000

Tierra Rica Development, Inc.  
Developer  
Firm Name \_\_\_\_\_

Field Engineer