



Planning and Community
Development Department
2880 International Circle
Colorado Springs, Colorado 80910
Phone: 719.520.6300
Fax: 719.520.6695
Website www.elpasoco.com

DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

PROJECT INFORMATION

Cul-de-sac Deviation Request

May 2022

Table of Contents

Application

- Legal Description
- Applicant Information, Engineer's Information, Declaration
- Deviation Request
- Limits of Consideration
- Criteria For Approval
- Review and Recommendation

EXHIBITS

1. SITE MAP
 2. PLAT MAP
 3. MAINTENANCE AGREEMENT
 4. EL PASO COUNTY CRITERIA
 5. BLACK FOREST FIRE AND RESCUE PROTECTION DISTRICT LETTER
 6. PRELIMINARY ROAD DESIGN PLANS
 7. EROSION CONTROL FACILITIES
-

Project Name : Forest Heights Estates

Schedule No.(s) : 52090-00-050; 52090-00-121; 52090-00-121 (Exhibit 1)

Legal Description : FOREST HEIGHTS ESTATES Legal Description:

A Tract of land in the Southwest 1/4 of Section 9, Township 12 South, Range 65 West, of the 6th P.M. County of El Paso, State of Colorado, more specifically described as follows;
Commencing at the West 1/4 corner of Section 9,
Thence Along the North line of said Southwest 1/4, N89°55'03"E a distance of 1391.55 feet to the Point of Beginning of the parcel to be described hereby;
Thence continue along said North line, N89° 55'03"E a distance of 506.51 feet to the Northwest corner of that parcel described at Book 2318, Page 387, of the records of the El Paso County Clerk and Recorder;
Thence S00°03'25"W along the West line of said parcel a distance of 430.00 feet;
Thence N89°55'03"E parallel to said North line, a distance of 506.81 feet to the Northmost West line of the parcel described in Book 721, Page 970 of said records;
Thence S00°09'20"W a distance of 60.00 feet;
Thence S89°55'03"W along the line of said parcel 459.94 feet;
Thence S00°11'43"W along the West line of said parcel a distance of 829.70 feet;
Thence S89°54'44"W a distance of 1941.21 feet to a point on the East Right of Way line of Herring Road;
Thence N00°03'25"E" along said East line a distance of 327.80 feet to the South line of that parcel described in Book 2371 Page 388 of said records;
Thence N89°55'03"E along the South line of said parcel a distance of 434.00 feet;
Thence; N00°03'25"E along the East line of said parcel a distance of 501.84 feet to the South line of that parcel described in Book 2215 Page 559 of said records
Thence along said South line N89°55'03"E along said South line distance of 449.43 feet to the East line of said parcel;
Thence N00°03'25"E along said East line a distance of 60.00 feet;
Thence N89°55'03"E a distance of 506.51 feet,
Thence; N00°03'25"E a distance of 430.00 feet to the Point of Beginning, except that parcel described in Book 2645, Page 207.

EXCEPTION PARCEL: Book 2645, Page 207 of the records of El Paso County, Colorado
A tract of land in the Southwest 1/4 of Section 9, Township 12 South, Range 65 West of the 6th p.m. County of El Paso, State of Colorado more particularly described as follows;
Commencing at the West 1/4 corner of said Section 9,
Thence along the West line of Section 9, S00°03'25"W a distance of 490.00 feet;
Thence N89°55'03"E a distance of 1090.00 feet to the Point of Beginning of the tract described hereby;
Thence N89°55'03"E a distance of 610.00 feet;
Thence S00°03'25"W a distance of 325.00 feet;
Thence S89°55'03"W a distance of 610.00 feet;
Thence N00°03'25"E a distance of 325.00 feet to the Point of Beginning.

This description contains 34.528 acres (not including the exception parcel).

TRACT A

Tract in Northwest quarter of the Southwest quarter of Section 9, Township 12 South, Range 65 West, of the 6th P.M. County of El Paso, State of Colorado, described as follows:
Commencing at the West 1/4 corner of said Section 9, Thence along the west line of said Section 9 S00°03'25"W a distance of 430.00 feet;
Thence N89°55'03"E 30.00 feet to a point on the West Right of Way line of Herring Road and the Point Of Beginning (P.O.B.) of the Tract described hereby;
Thence N89°55'03"E a distance of 435.00 feet;
Thence S01°00'46"W a distance of 60.01 feet;

Identify the specific ECM standard which a deviation is requested:

Section 2.3.8.A Cul-de-sacs (*Exhibit 4, Appendix*)

“ Cul-de-sacs shall have a minimum radius of 45 feet and a maximum length of 750 feet for urban conditions and a minimum radius of 50 feet and a maximum length of 1,600 feet for rural conditions, be designed in conformance with Figure 2-31 **maximum length of 1,600 feet for rural conditions**”

delete repeat text

Fill out.

State the reason for the requested deviation:

The existing Forest Heights Circle is approximately 2400 feet in length which dead ends at a cul-d-sac bulb. The existing cul-de-sac does not meet ECM standards in its current condition. The road was constructed in the mid 1970's. Minimal maintenance has been performed. The entire length of the road, approximately 2450 feet east of Herring Road, is to be reconstructed to meet current EPC criteria. The Typical Section has been revised to the Typical Section detail shown on the construction plans (*Exhibit 9*). A cul-de-sac is to be constructed to approximately the easterly boundary of the tract. All of the proposed improvements are to end at approximately 2,450 feet east of the easterly right of way line of Herring Road.

An option to the South (*Exhibit 9, Appendix*) was submitted by a resident in the existing subdivision. This purpose of this option was to eliminate the proposed cul-de-sac bulb. However, this would require the following improvements;

- a 60' easement/ right of way along the East and South line of Lot 4.
- the construction of a total of 3,200 feet of roadway
- Substantial construction within existing wetland areas
- the installation of a total of 4 additional culverts
- an onsite intersection with Forest Heights Circle
- significant erosion control facilities
- the loss of approximately 2.5 acres of useable land,
- the construction of a new intersection at Herring Road.
- The possibility of additional improvements required by the Black Forest Fire Department.

Exhibit 9 was not provided. Please be aware that this information is not necessary for this deviation.

Explain the proposed alternative and compare to the ECM standards (May provide applicable regional or national standards used as basis):

In order to provide access to all of the lots, a roadway to approximately the east property boundary line is required. The proposed improvements for the entire roadway construction are to include the following:

- Approximately 2450 feet of new gravel roadway
- Cul-de-sac bulb at the easterly end of the proposed road
- Three (3) culverts to replace the existing culverts at locations where existing swales cross the road.
- Two (2) emergency pull out required by the Black Forest Fire Rescue Protection District (*Exhibit 5, Appendix*) at stations
- Erosion control facilities
- Miscellaneous improvements at the Herring Road intersection

either remove the highlighted text or provide the stations

All of the proposed improvements are to be designed according to El Paso County criteria with the exception of modifications to the typical section which is described in another Deviation Request.

A set of preliminary roadway plans are included with this deviation request (*Exhibit 7, Appendix*)

Please identify the County max cul-de-sac length and the difference in the proposed and max. length.

Again, please determine whether there are any other options that should be considered before claiming the criteria is imposing an undue hardship.

LIMITS OF CONSIDERATION

(At least one of the conditions listed below must be met for this deviation request to be considered.)

- The ECM standard is inapplicable to the particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

Provide justification:

The existing road is a private road that has been in service since the 1970s. Recorded easements exist for ingress and egress along the entire length of Forest Heights Circle. The roadway is to remain private and will have a Maintenance Agreement (*Exhibit 6 Appendix*) for the maintenance of the road. This "option" is the only feasible one that has been considered. Even though the road is to remain private, all of the proposed improvements are to be designed in accordance with the current El Paso Design Criteria. The following is required;.

- Approximately 2450 feet of roadway to include a cul-de-sac bulb at the easterly end.
- Three (3) culverts replacing the existing culverts at locations where existing swales cross the roadway..
- Two (2) emergency pull outs required by the Black Forest Fire Rescue Protection District' (*Exhibit 5, Appendix*)
- Erosion control facilities
- Miscellaneous improvements at the Herring Road intersection

Modifications to the existing gravel road are not economically feasible since the existing roadway:

- is not located along the centerline of the right of way.
- does not meet the current design criteria.
- Additional fill is required to improve drainage.

Please discuss whether the length of the cul-de-sac can be reduced to meet ECM criteria for a rural road and/or why it must extend to the easterly end of the development.

Please be aware that the County is not requiring the roadway to be extended to the easterly end of the property. The roadway may terminate at the easterly boundary of the proposed lots 1 and 2 if you so choose.

This section is confusing as the proposed CD's show that the existing roadway will be modified. Additionally the deviation request cannot be based on financial considerations as stated in the section below. Please revise.

CRITERIA FOR APPROVAL

Per ECM section 5.8.7 the request for a deviation may be considered if the request is not based exclusively on financial considerations. The deviation must not be detrimental to public safety or surrounding property. The applicant must include supporting information demonstrating compliance with all of the following criteria:

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

Other than the maximum length requirement of 1,600 feet for a dead-end road, the length of this roadway is approximately 2450 feet. The cul-de-sac is to be constructed to the requirements of the ECM. The proposed improvements will achieve the intended result with a comparable and superior design and quality. The improvements include the following;

1. Design of the roadway and its appurtenances to the design criteria for El Paso County. Construction will provide a more stable road surface with consistent road widths, side slopes, and borrow ditch depths.
2. Widening of the travel way will provide safety to the residents.
3. Provision of an adequate cross slope of the travel way in order to eliminate ponding on the roadway and to provide efficient removal of stormwater.
4. Installation of borrow ditches designed to efficiently route storm water to the proposed culverts installed at the existing swale crossings
5. Installation of improved road surface materials.
6. The proposed roadway improvements will not be detrimental to public safety or the surrounding properties.
7. A Drainage Report has been prepared and submitted for this new subdivision. The report demonstrates that the proposed improvements have only a negligible impact on the storm water runoff from the site.

The **cul-de-sac** is to be constructed to the requirements of El Paso County. The proposed improvements are to include the following:

1. A diameter of 100 feet for the diameter of the "travelled portion" of the cul-de-sac
2. A diameter of 120 feet for the cul-de-sac bulb right-of-way.
3. Installation of roadside borrow ditches to efficiently route storm water to the proposed culverts shown at station 12+31 and 22+55 (*Exhibit 5, Appendix*).
4. Erosion control facilities will be installed at locations shown on the Grading and Erosion Plan (*Exhibit 7, Appendix*).
5. The proposed roadway will remain private with a Private Roadway Maintenance Agreement (*Exhibit 6, Appendix*).

The deviation will not adversely affect safety or operations.

The existing roadway has been in service since the 1970s and is considered to be safe. The deviation will not adversely affect safety of operations. The proposed improvements will improve the safety and operations with the following:

1. The cul-de-sac is to be constructed in accordance with the requirements for El Paso County.
2. Vehicle speeds are either to be posted at 25 mph or 15 mph. The Subdivision's Board will decide between a speed limit of 25 mph and 15 mph. Two (2) speed limit signs will be placed, one on south side of the road at station 0+60 facing the east bound traffic and the other on the north side at station 14+00 facing the west bound traffic. These signs are called out on the final construction plans included in this submittal (*Exhibit 5, Appendix*)
3. Cross slopes along the travel way will be constructed at 4%. ← add per County standards
4. Installation of borrow ditches to safely and efficiently route storm water to the culvert crossings

25 mph signs are indicated in the CD's

The deviation will not adversely affect maintenance and its associated cost.

The proposed improvements are expected to decrease the maintenance and its associated cost with the installation of the following:

1. The cross slope of the proposed roadway will help prevent stormwater from “standing” on the surface of the travel-way which in turn will reduce the chances for potholes forming.
2. The borrow ditches will help route the majority of storm water to the appropriate culvert in order to quickly remove standing water which has the potential of degrading the sub grade. The ponding on the existing roadway has been an issue with the residents.
3. Installation of erosion control improvements will reduce, if not eliminate, the maintenance of the existing wetland areas locate both upstream and downstream of the proposed culverts.

The deviation will not adversely affect aesthetic appearance.

The deviation will greatly increase the aesthetic appearance of the area. The existing cul-de-sac is irregular with not a consistent cross slope. This creates standing water which is very conducive to potholing. The drainage improvements are to be installed to prevent the water from entering the roadway and to direct it to an appropriate culvert.

The deviation meets the design intent and purpose of the ECM standards.

The design of the roadway, cul-de-sac, cross culverts, borrow ditches and erosion control facilities described above will be designed and constructed in accordance with the current criteria for El Paso County and the Black Forest Fire District.

The deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, as applicable.

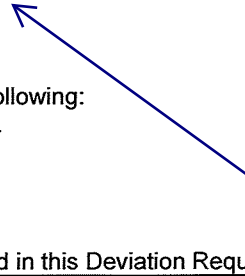
Temporary erosion control improvements are to be installed in order to help control the erosion until seed has been established, The location of the proposed erosion control measures is shown on the Grading and Erosion Control plan (*Exhibit 7 Appendix*). The erosion control measures include the following:

1. Erosion control logs
2. Staked hay bales.
3. Erosion control fabric
4. Seeding and mulching.

Permanent erosion and sediment control improvements will include the following:

1. Borrow ditches with ECM required slopes, seeded and mulched.
2. New road and driveway culverts with culvert ends.
3. Placing soil mixed riprap at the culvert outlets.
4. Erosion control blanket where required.

Examples of the erosion control facilities, *Exhibit 8 Appendix*, are included in this Deviation Request.



Please also state that the development meets the requirements of the County's MS4

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section _____ of the ECM is hereby granted based on the justification provided.

Γ Γ

L J

Denied by the ECM Administrator

This request has been determined not to have met criteria for approval. A deviation from Section _____ of the ECM is hereby denied.

Γ Γ

L J

ECM ADMINISTRATOR COMMENTS/CONDITIONS:

1.1. PURPOSE

The purpose of this resource is to provide a form for documenting the findings and decision by the ECM Administrator concerning a deviation request. The form is used to document the review and decision concerning a requested deviation. The request and decision concerning each deviation from a specific section of the ECM shall be recorded on a separate form.

1.2. BACKGROUND

A deviation is a critical aspect of the review process and needs to be documented to ensure that the deviations granted are applied to a specific development application in conformance with the criteria for approval and that the action is documented as such requests can point to potential needed revisions to the ECM.

1.3. APPLICABLE STATUTES AND REGULATIONS

Section 5.8 of the ECM establishes a mechanism whereby an engineering design standard can be modified when if strictly adhered to, would cause unnecessary hardship or unsafe design because of topographical or other conditions particular to the site, and that a departure may be made without destroying the intent of such provision.

1.4. APPLICABILITY

All provisions of the ECM are subject to deviation by the ECM Administrator provided that one of the following conditions is met:

- The ECM standard is inapplicable to a particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship on the applicant, and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

1.5. TECHNICAL GUIDANCE

The review shall ensure all criteria for approval are adequately considered and that justification for the deviation is properly documented.

1.6. LIMITS OF APPROVAL

Whether a request for deviation is approved as proposed or with conditions, the approval is for project-specific use and shall not constitute a precedent or general deviation from these Standards.

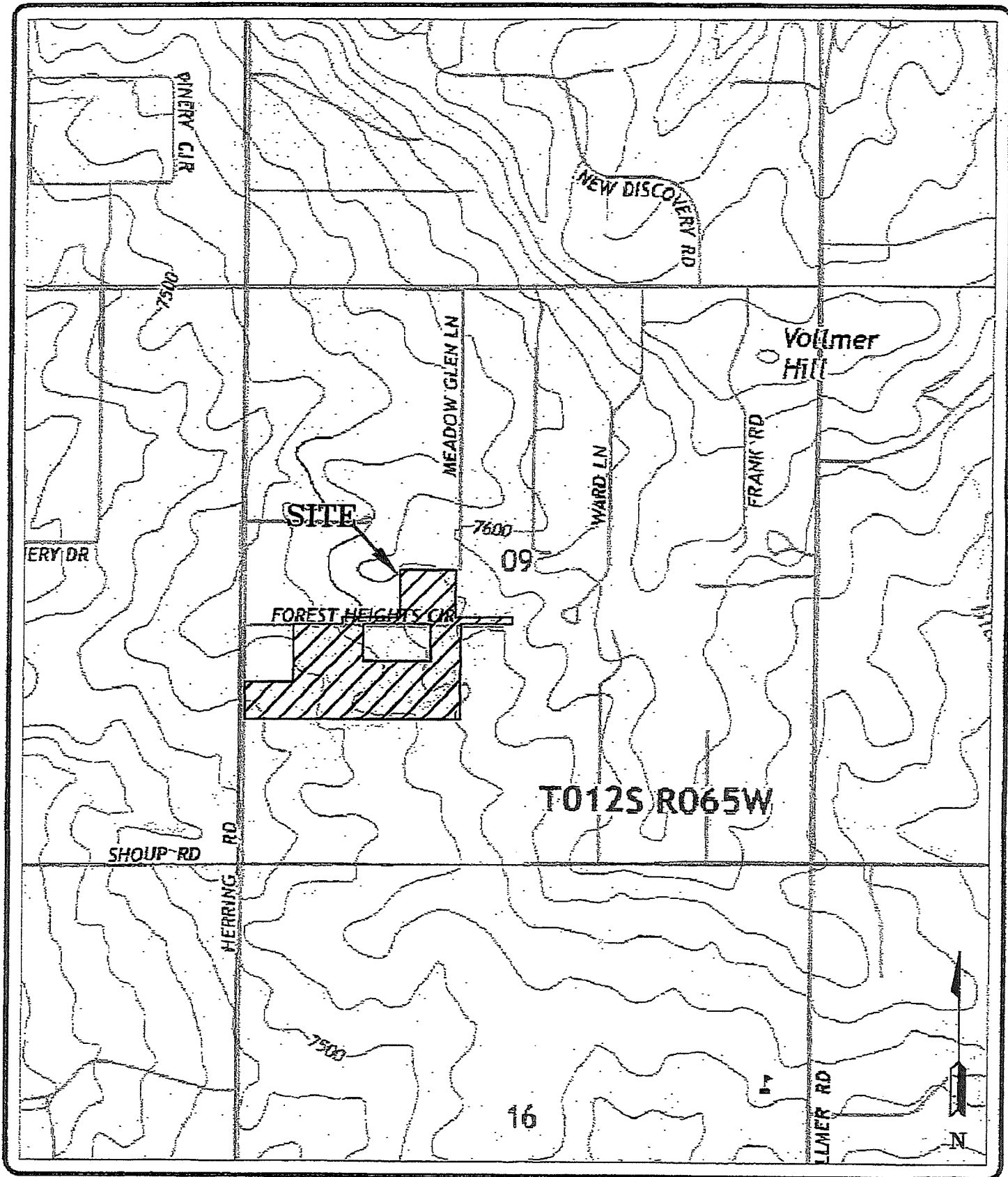
1.7. REVIEW FEES

A Deviation Review Fee shall be paid in full at the time of submission of a request for deviation. The fee for Deviation Review shall be as determined by resolution of the BoCC.

EXHIBITS

1. SITE MAP
2. PLAT MAP
3. MAINTENANCE AGREEMENT
4. EL PASO COUNTY CRITERIA
5. BLACK FOREST FIRE AND RESCUE PROTECTION DISTRICT LETTER
6. PRELIMINARY ROAD DESIGN PLANS
7. EROSION CONTROL FACILITIES

1. SITE MAP



ENTECH
ENGINEERING, INC.
515 ELKTON DRIVE
 COLORADO SPRINGS, CO. 80907 (719) 531-5599

USGS MAP
 DIDLEAU SUBDIVISION
 HERRING ROAD & FOREST HEIGHTS CIRCLE
 PASO COUNTY, CO.
 FOR: LDC, INC.

| | | | |
|---------------|------------------|----------|-------|
| DRAWN: LLL | DATE: 2/28/20 | CHECKED: | DATE: |
|---------------|------------------|----------|-------|

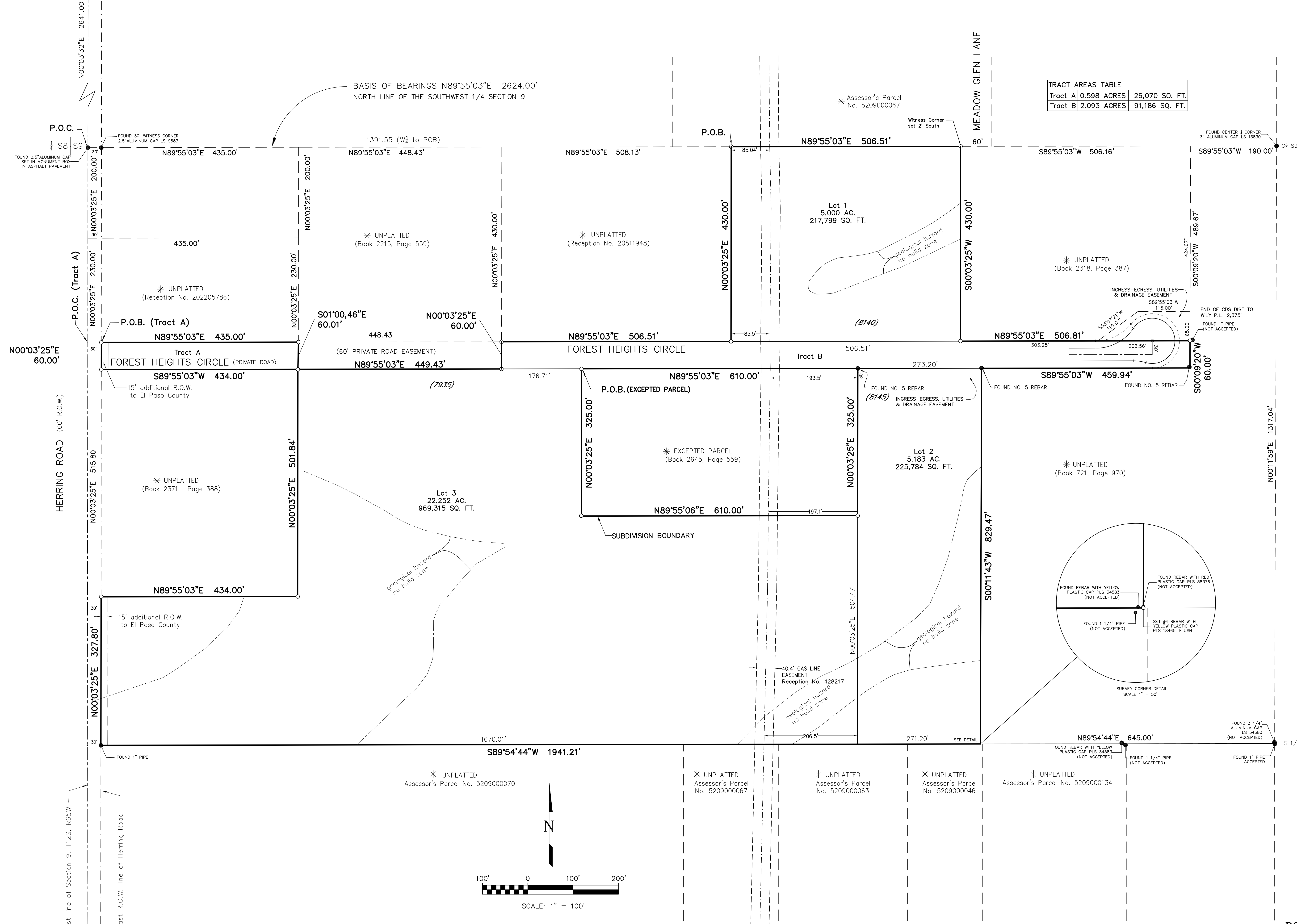
JOB NO:
192115

FIG NO:
2

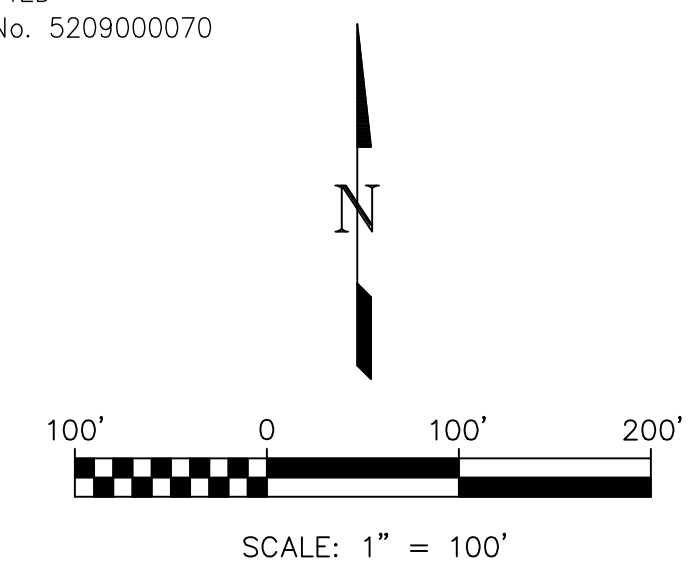
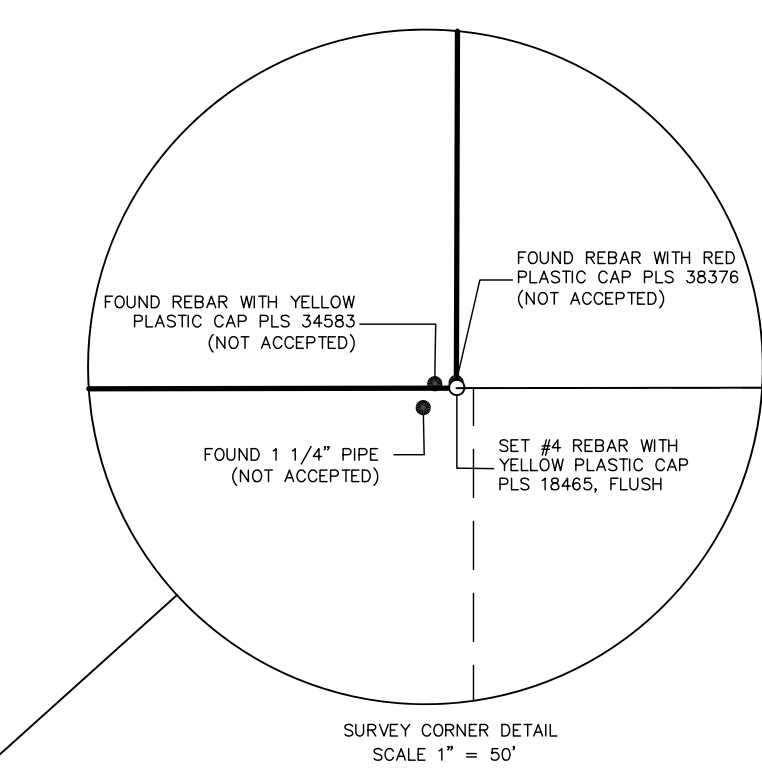
2.PLAT MAP

FOREST HEIGHTS ESTATES

FINAL PLAT
PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
COUNTY OF EL PASO, STATE OF COLORADO



| TRACT AREAS TABLE | |
|-------------------|----------------------------|
| Tract A | 0.598 ACRES 26,070 SQ. FT. |
| Tract B | 2.093 ACRES 91,186 SQ. FT. |



NOTICE: According to Colorado law you must commence any survey within three years after you first discover such defect. In no event may any action based on this survey be commenced more than ten years from the date of the certification.

CALL BEFORE YOU DIG ...

DIAL 811
48 HOURS BEFORE YOU DIG, CALL UTILITY LOCATORS FOR LOCATING GAS, ELECTRIC, WATER AND WASTEWATER.

| No. | Description | By | Date |
|-----|----------------|-----|----------|
| 1 | LOT REVISIONS | DAS | 02/23/22 |
| 2 | ROAD REVISIONS | DAS | 04/22/22 |

| | |
|--------------|-----------|
| H Scale: | 1"=100' |
| V Scale: | N/A |
| Designed By: | N/A |
| Drawn By: | DLK |
| Checked By: | DLK |
| Date: | 5/01/2020 |

Land Development Consultants, Inc.
PLANNING - SURVEYING
www.ldc-inc.com TEL: (719) 528-6133 FAX: (719) 528-8648
3888 MAUZELAND ROAD COLORADO SPRINGS, CO 80909

FOREST HEIGHTS ESTATES
FINAL PLAT
PART OF SW 1/4, SEC. 9, T12S, R65W, 6TH P.M.
COUNTY OF EL PASO, STATE OF COLORADO

Project No.: 18070
Sheet: 2 of 2

PCD File No. MS206

3.MAINTENANCE AGREEMENT

Please attach the most up to date agreement or you may remove the exhibit from the deviation request so that you don't have to keep updating with each change to the agreement.

ACCESS EASEMENT GRANT AND MAINTENANCE DECLARATION AND AGREEMENT
FOREST HEIGHTS CIRCLE

THIS ACCESS EASEMENT GRANT AND MAINTENANCE DECLARATION AND AGREEMENT, dated for reference this _____ day of _____, 2020, (Agreement) is made between Phyllis Didleau, Jon P. Didleaux, Lielani A Ritchie, Judith P Von Ahlefeldt, Charles F. Bauer and Shirley L. Bauer, Frederick J. Yonce and Judith P. Von Ahlefeldt (each individually an "Owner" and collectively the "Owners").

RECITALS:

- A. Phyllis Didleau is the owner of the real property situated in the County of El Paso, State of Colorado described on Exhibit A (Assessor Parcel # 5209000121) and the real property situated in El Paso County State of Colorado described on Exhibit A-1 (Assessor Parcel 5209000081).
- B. Phyllis Didleau and Jon Didleaux are the owners of real property situated in the County of El Paso, State of Colorado described on Exhibit B (Assessor Parcel # 5209000120).
- C. Jon P Didleaux is the owner of the real property situated in the County of El Paso, State of Colorado described on Exhibit C (Assessor Parcel # 5209000050).
- D. Lielani A Ritchie is the owner of the real estate situated in the County of El Paso, State of Colorado described on Exhibit D (Assessor Parcel # 5209000103).
- E. Charles, F. Bauer and Shirley L Bauer are the owners of the real property situated in the County of El Paso, State of Colorado described on Exhibit E (Assessor Parcel # 5209000100).
- F. Frederick J. Yonce is the owner of the real property situated in the County of El Paso, State of Colorado described on Exhibit F (Assessor Parcel # 509000119).
- G. Judith P. Von Ahlefeldt is the owner of the real property situated in the County of El Paso, State of Colorado described on Exhibit G.
- H. The Owners wish to establish a private right of way and road across the following described real estate owned by some of them. The real estate over which is the private right of way and road is legally described in Exhibit H (the "Private Road Land"). The Owners who own a portion of the Private Road Land are sometimes referred to herein as "Grantors."
- I. The Owners understand that El Paso County does not maintain private roads such as the one subject to this Agreement.
- J. The Owners wish to provide for and set forth their understandings and agreement with respect to use and maintenance of the private road and improvements thereon.
- K. Some of the Owners are processing the subdivision of their land through the subdivision regulations of El Paso County and desire to have this Agreement meet the requirements of El Paso County for County approval of such subdivision.

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following grants, agreement, covenants, declaration and restrictions are made:

1. Grant of Easement. Each of the Grantors hereby grants to each Owner and their successors and assigns, a nonexclusive easement for access, utilities and drainage for the benefit of each such Owner's respective parcel described above across the Private Road Land.
2. Use of the Owners' Real Estate. Use of the Private Road Land by the Owners is not confined to the present configuration of their respective properties, and the Owners or their successors may subdivide, reconfigure, construct improvements on or otherwise modify or use their property. However, the Owners agree to construct no fences or place any other obstructions on their respective properties in a manner which would prevent, or reasonably impede, vehicle or personnel travel, utility access or drainage across the Private Road Land. Otherwise, the respective Owners each shall have full use and occupancy of their respective real estate which is subject to the easement set forth above.
3. Maintenance of the Private Road. As a general standard, the Owners agree that they shall provide maintenance sufficient to provide reasonable access for emergency vehicles. The Owners agree to share the cost and expense of maintaining the improvements on the Private Road Land in good operating condition and to share equally the cost and expense of affecting any repair to said Improvements accruing from and after the date of this Agreement. For purposes of this cost sharing, each Owner shall pay a share for each residential dwelling unit on such Owner's real estate. For example, if there are seven parcels of real estate, and five residences (whether occupied or not), each Owner with a residence on such Owner's property shall pay one fifth (1/5th) of the cost of maintaining the improvements for each such residence on such Owner's property.
4. Maintenance Process. The Owners agree that unless Owners of the real estate with 60% of the dwelling units appoint a different Administrator, Jon P. Didleaux shall be the Administrator of this Agreement. Whenever in the opinion of the Administrator the road requires such maintenance, on behalf of the Owners the Administrator shall order and arrange for sufficient maintenance meet the standard above and to enable the Owners to use the roadway. Such maintenance shall include snow removal, grading, re-gravelling, cleaning culverts, weed treatment, tree and debris removal, and any other maintenance generally desired by Owners. The Administrator shall either (i) pay for such maintenance directly and be reimbursed by each Owner according to each Owner's proportionate share, or (ii) arrange to have each Owner directly pay the proportionate cost of such maintenance, or (iii) use some combination of the foregoing. To the extent the Administrator pays for any Owner's share, the Administrator shall have a lien on each such Owner's respective real estate as set forth above until such Owner's share is paid in full with interest accruing on any unpaid amount at the rate of 10% per annum simple interest and the Administrator shall be entitled to recover the costs of enforcing such lien and collecting such amount, including reasonable legal fees, expert witness fees and costs. The Administrator may refuse to order such maintenance until there is, in the Administrator's opinion, sufficient commitment or actual payment to reimburse the Administrator and pay for such maintenance. Unless otherwise agreed by Owners of the real estate with 60% of the dwelling units, the Administrator shall serve without compensation.

5. Binding Agreement. This Agreement shall be binding upon the undersigned Owners, and their respective successors, assigns, and personal representatives. This Agreement may not be revoked without the written unanimous consent of the affected Owners. This Agreement shall be recorded in the land records of the Office of the Clerk and Recorder of El Paso County, Colorado, and shall be a covenant running with the lands of the Owners as those lands are described herein above, and shall be enforceable by the Owners' successors and assigns and personal representatives. Any persons or other entities who acquire title to the Owners' property hereinabove described, whether by purchase or otherwise, shall be subject to the provisions of this Agreement to the same extent as if such parties had been signatory to this Agreement.

OWNERS:

STATE OF COLORADO

)

) ss.

COUNTY OF EL PASO

)

This instrument was acknowledged before me on _____, by _____.

[Seal]

_____, Notary Public
My commission expires: _____

3.MAINTENANCE AGREEMENT

please remove repeated
sheets

ACCESS EASEMENT GRANT AND MAINTENANCE DECLARATION AND AGREEMENT
FOREST HEIGHTS CIRCLE

THIS ACCESS EASEMENT GRANT AND MAINTENANCE DECLARATION AND AGREEMENT, dated for reference this _____ day of _____, 2020, (Agreement) is made between Phyllis Didleau, Jon P. Didleaux, Lielani A Ritchie, Judith P Von Ahlefeldt, Charles F. Bauer and Shirley L. Bauer, Frederick J. Yonce and Judith P. Von Ahlefeldt (each individually an "Owner" and collectively the "Owners").

RECITALS:

- A. Phyllis Didleau is the owner of the real property situated in the County of El Paso, State of Colorado described on Exhibit A (Assessor Parcel # 5209000121) and the real property situated in El Paso County State of Colorado described on Exhibit A-1 (Assessor Parcel 5209000081).
- B. Phyllis Didleau and Jon Didleaux are the owners of real property situated in the County of El Paso, State of Colorado described on Exhibit B (Assessor Parcel # 5209000120).
- C. Jon P Didleaux is the owner of the real property situated in the County of El Paso, State of Colorado described on Exhibit C (Assessor Parcel # 5209000050).
- D. Lielani A Ritchie is the owner of the real estate situated in the County of El Paso, State of Colorado described on Exhibit D (Assessor Parcel # 5209000103).
- E. Charles, F. Bauer and Shirley L Bauer are the owners of the real property situated in the County of El Paso, State of Colorado described on Exhibit E (Assessor Parcel # 5209000100).
- F. Frederick J. Yonce is the owner of the real property situated in the County of El Paso, State of Colorado described on Exhibit F (Assessor Parcel # 509000119).
- G. Judith P. Von Ahlefeldt is the owner of the real property situated in the County of El Paso, State of Colorado described on Exhibit G.
- H. The Owners wish to establish a private right of way and road across the following described real estate owned by some of them. The real estate over which is the private right of way and road is legally described in Exhibit H (the "Private Road Land"). The Owners who own a portion of the Private Road Land are sometimes referred to herein as "Grantors."
- I. The Owners understand that El Paso County does not maintain private roads such as the one subject to this Agreement.
- J. The Owners wish to provide for and set forth their understandings and agreement

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following grants, agreement, covenants, declaration and restrictions are made:

1. Grant of Easement. Each of the Grantors hereby grants to each Owner and their successors and assigns, a nonexclusive easement for access, utilities and drainage for the benefit of each such Owner's respective parcel described above across the Private Road Land.
2. Use of the Owners' Real Estate. Use of the Private Road Land by the Owners is not confined to the present configuration of their respective properties, and the Owners or their successors may subdivide, reconfigure, construct improvements on or otherwise modify or use their property. However, the Owners agree to construct no fences or place any other obstructions on their respective properties in a manner which would prevent, or reasonably impede, vehicle or personnel travel, utility access or drainage across the Private Road Land. Otherwise, the respective Owners each shall have full use and occupancy of their respective real estate which is subject to the easement set forth above.
3. Maintenance of the Private Road. As a general standard, the Owners agree that they shall provide maintenance sufficient to provide reasonable access for emergency vehicles. The Owners agree to share the cost and expense of maintaining the improvements on the Private Road Land in good operating condition and to share equally the cost and expense of affecting any repair to said Improvements accruing from and after the date of this Agreement. For purposes of this cost sharing, each Owner shall pay a share for each residential dwelling unit on such Owner's real estate. For example, if there are seven parcels of real estate, and five residences (whether occupied or not), each Owner with a residence on such Owner's property shall pay one fifth (1/5th) of the cost of maintaining the improvements for each such residence on such Owner's property.
4. Maintenance Process. The Owners agree that unless Owners of the real estate with 60% of the dwelling units appoint a different Administrator, Jon P. Didleaux shall be the Administrator of this Agreement. Whenever in the opinion of the Administrator the road requires such maintenance, on behalf of the Owners the Administrator shall order and arrange for sufficient maintenance meet the standard above and to enable the Owners to use the roadway. Such maintenance shall include snow removal, grading, re-gravelling, cleaning culverts, weed treatment, tree and debris removal, and any other maintenance generally desired by Owners. The Administrator shall either (i) pay for such maintenance directly and be reimbursed by each Owner according to each Owner's proportionate share, or (ii) arrange to have each Owner directly pay the proportionate cost of such maintenance, or (iii) use some combination of the foregoing. To the extent the Administrator pays for any Owner's share, the Administrator shall have a lien on each such Owner's respective real estate as set forth above until such Owner's share is paid in full with interest accruing on any unpaid amount at the rate of 10% per annum simple interest and the Administrator shall

5. Binding Agreement. This Agreement shall be binding upon the undersigned Owners, and their respective successors, assigns, and personal representatives. This Agreement may not be revoked without the written unanimous consent of the affected Owners. This Agreement shall be recorded in the land records of the Office of the Clerk and Recorder of El Paso County, Colorado, and shall be a covenant running with the lands of the Owners as those lands are described herein above, and shall be enforceable by the Owners' successors and assigns and personal representatives. Any persons or other entities who acquire title to the Owners' property hereinabove described, whether by purchase or otherwise, shall be subject to the provisions of this Agreement to the same extent as if such parties had been signatory to this Agreement.

OWNERS:

STATE OF COLORADO

)

COUNTY OF EL PASO

) ss.

)

This instrument was acknowledged before me on _____, by

_____.

[Seal]

_____, Notary Public

My commission expires: _____

4. EL PASO COUNTY CRITERIA

EXHIBIT 4

2.3.8. Roadway Terminations

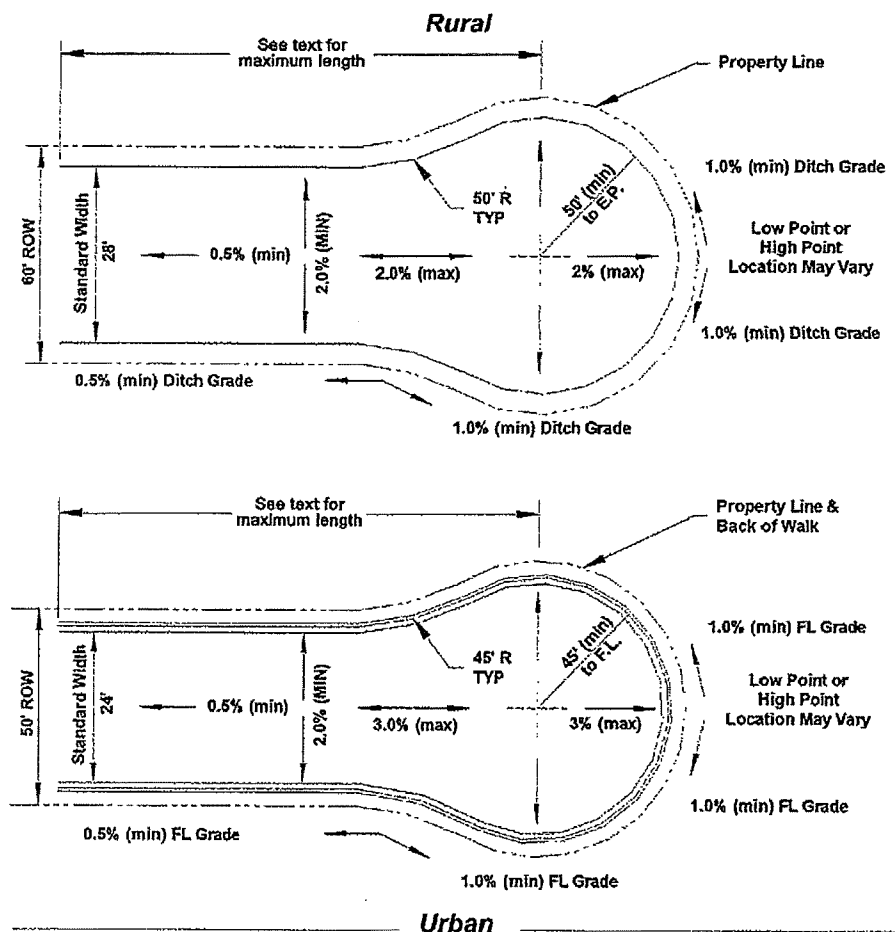
A.

Cul-de-Sacs. Cul-de-sacs shall be used only where absolutely necessary. Cul-de-sacs shall have a minimum radius of 45 feet and a maximum length of 750 feet for urban conditions and a minimum radius of 50 feet and a maximum length of 1,600 feet for rural conditions, be designed in conformance with Figure 2-31. The maximum length of cul-de-sac shall be measured from the right-of-way of the intersecting street to the center of the cul-de-sac bulb. Hammerhead turnarounds are not permitted as permanent roadway terminations. The cul-de-sac right-of-way width shall be consistent with the right-of-way associated with the roadway functional classification and provide for the turnaround, sidewalks, utilities, and necessary drainage facilities. A request for a deviation from the maximum length criteria will not be considered without an express written endorsement from the Fire District in which the proposed cul-de-sac is located.

In special cases where a divided 4 lane roadway that terminates adjacent to a subdivision or development, the length of the collector or local roads that intersect the divide 4 lane roadway shall be measured from the point of intersection with the divided 4 lane roadway regardless of the length of the terminated divided 4 lane roadway. In all other cases, the length of the cul-de-sac or terminated road shall be measured from the point at which the road providing access to a site begins.

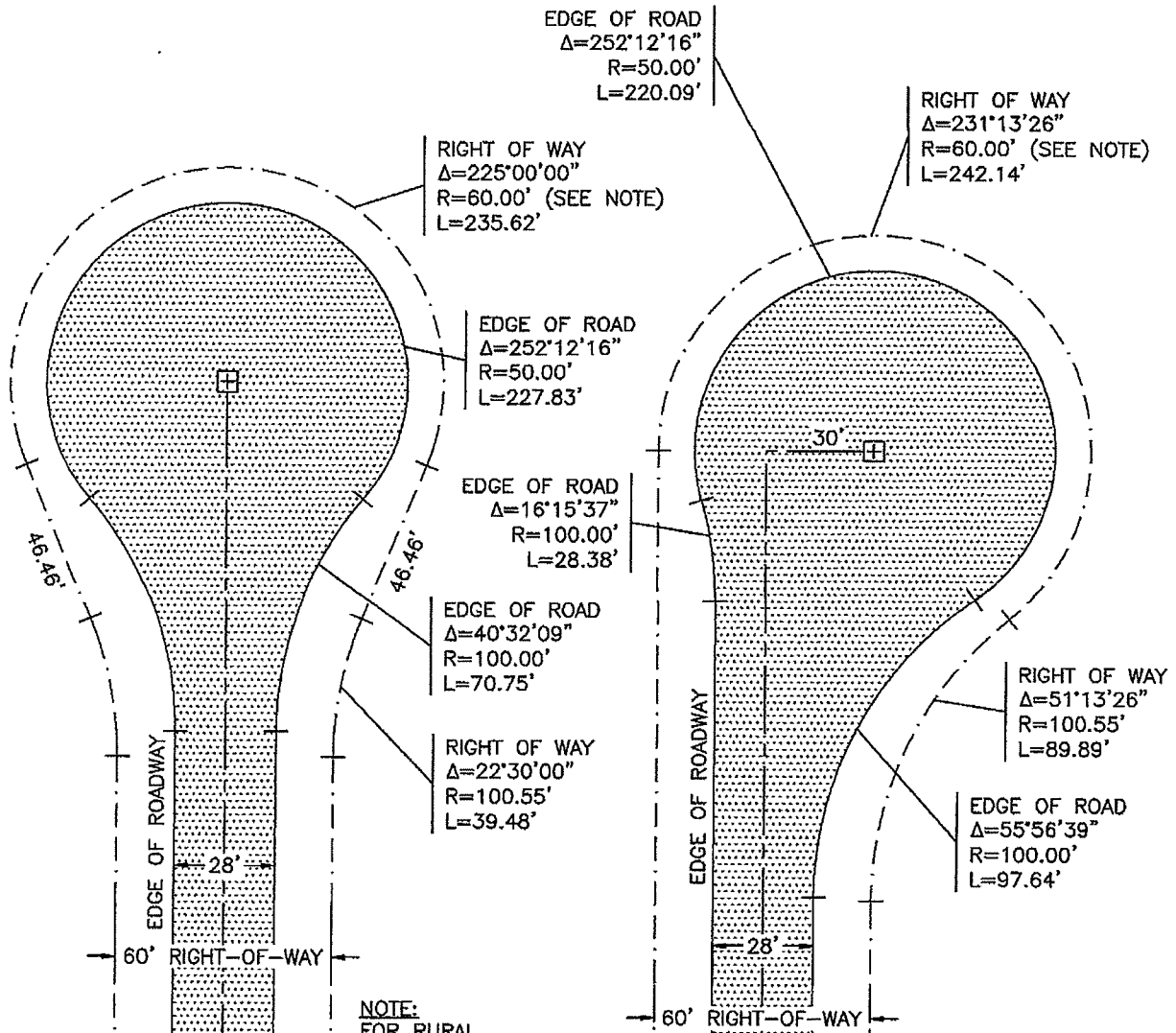
intersection with the divided 4 lane roadway regardless of the length of the terminated divided 4 lane roadway. In all other cases, the length of the cul-de-sac or terminated road shall be measured from the point at which the road providing access to a site begins.

Figure 2-31. Typical Cul-de-Sac Requirements (Urban and Rural)



B. Eyebrows

Eyebrows shall be permitted only on local roadways in conformance with Figure 2.32. The location of the curb shall be in conformance with the following:



NOTE:
 FOR RURAL
 INSTALLATIONS WHERE
 THERE IS A SIGNIFICANT
 DITCH REQUIRED AROUND
 THE OUTSIDE OF THE
 CUL-DE-SAC, AN
 ADDITIONAL EASEMENT IS
 REQUIRED ON THE PLAT
 TO ACCOMODATE THE
 DITCH AND SLOPES FOR
 MAINTANANCE.

5. BLACK FOREST FIRE AND RESCUE
PROTECTION DISTRICT LETTER



Black Forest Fire Rescue Protection District
11445 Teachout Road
Colorado Springs, Colorado 80908
Ph-719.495.4300
Fax 719.495.7504
Web- www.bffire.org

"Always Ready, Always Forward, Always Learning."

Office of the Fire Marshal

Thursday, August 27, 2020

Dear Ms. Ditleau

Thank you for reaching out to me regarding your future road needs for the Forest Heights Estates sub-division. Per our current code Black Forest Fire Rescue is requiring the following Fire Access to your sub.

1. **403.3 Fire apparatus access road. (2006 WUI code)**When required, fire apparatus access roads shall be all-weather roads with a minimum width of 20 feet (6096 mm) and a clear height of 13 feet 6 inches (4115 mm); shall be designed to accommodate the loads (75,000lbs) and turning radii for fire apparatus; and have a gradient negotiable by the specific fire apparatus normally used at that location within the jurisdiction. Dead-end roads in excess of 150 feet (45 720 mm) in length shall be provided with turnarounds as approved by the code official. An all-weather road surface shall be any surface material acceptable to the code official that would normally allow the passage of emergency service vehicle.
2. Per 2015 IFC (amended), sec D103.4. Requirements for Dead-End Fire Apparatus Access Roads we are requiring a minimum of an 80-foot diameter cul-de-sac with curb and gutter or a 100-foot diameter cul-de-sac without curb and gutter.
3. As the road length is approximately 2200 ft to cul-de-sac, we will require a minimum of two turnouts along the main access roadway for emergency vehicle turnarounds. These turnouts should be spaced and located for maximum efficiency and shall be no less than 30 ft in length and 10 ft deep.

As you begin development of your project please be advised that your project, if 5 or more homes, will require a firefighting water supply source which is generally a water cistern located with the project and accessible to all fire apparatus or departments working in our district. This information is found in the NFPA sec 1142 (Standard on Water Supplies for suburban and Rural Fire Fighting) chapters 7 & 8. I will be happy to sit down and go over these requirements with you as you progress in your project.

Thank you,

6. ~~PRELIMINARY~~ ROAD DESIGN PLANS

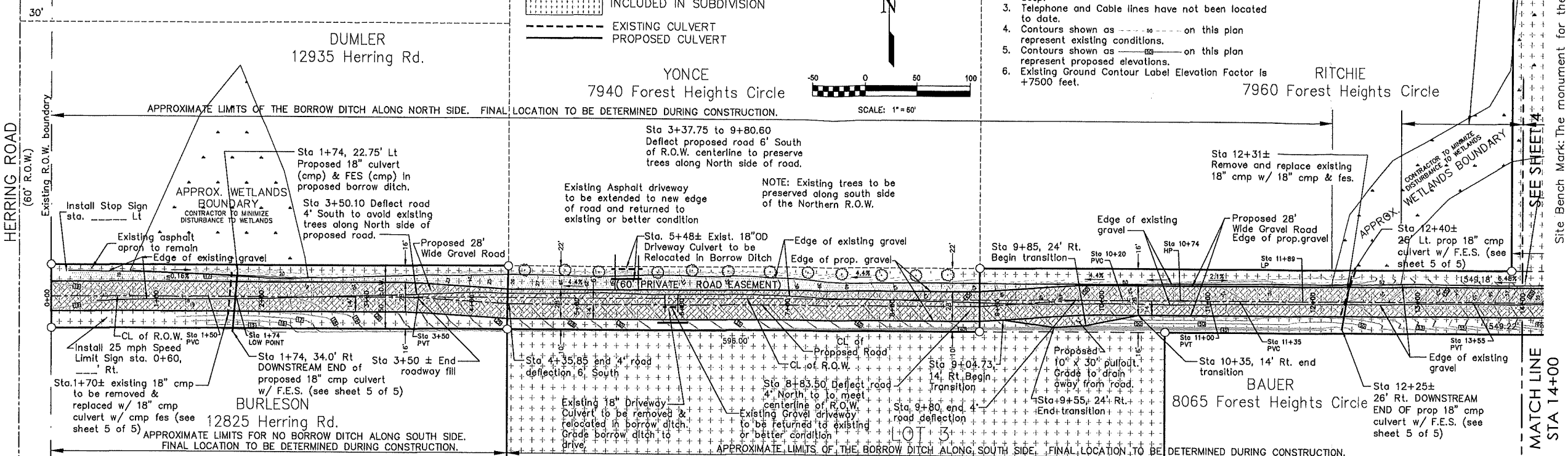
Please delete the word preliminary as the road design attached should be the final CD's submitted for review

FOREST HEIGHTS CIRCLE
STA 0+00 TO 14+00

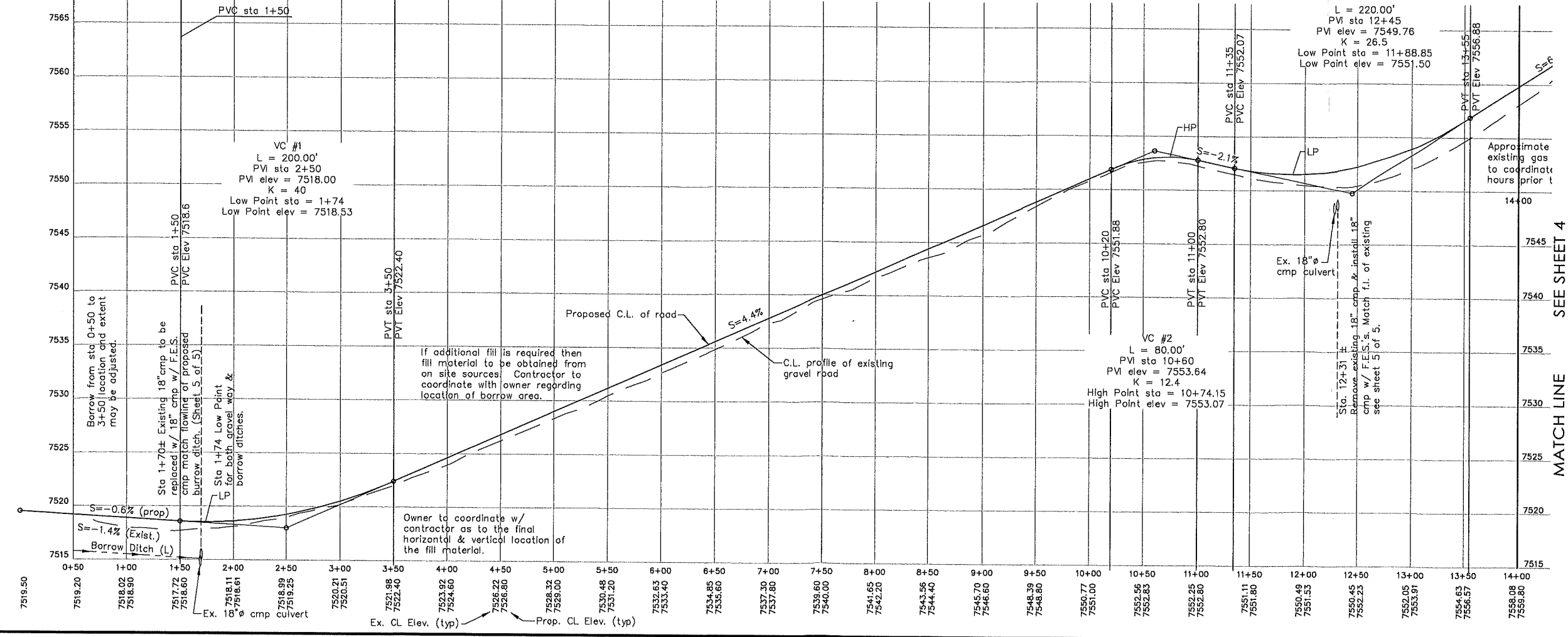
EXISTING GRAVEL ROADWAY
PROPOSED GRAVEL ROADWAY WIDENING
INCLUDED IN SUBDIVISION
EXISTING CULVERT
PROPOSED CULVERT

- Note:
- 2" gas line is located under the edge of the north edge of the gravel roadway.
 - Depth of potholes appears to be 2.5' to 3.5' deep.
 - Telephone and Cable lines have not been located to date.
 - Contours shown as --- on this plan represent existing conditions.
 - Contours shown as --- on this plan represent proposed elevations.
 - Existing Ground Contour Label Elevation Factor is +7500 feet.

APPROXIMATE LIMITS FOR NO BORROW DITCH ALONG NORTH SIDE. FINAL LOCATION TO BE DETERMINED DURING CONSTRUCTION.



HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 5'



Site Bench Mark: The monument for the center 1/4 corner of section 9. The monument is a 3 inch aluminum cap stamped LS 13830. Elevation - 7527.04

PRELIMINARY
NOT FOR CONSTRUCTION

THESE PLANS ARE INTENDED FOR SUBMITTAL REVIEW AND APPROVAL BY CITY/COUNTY PLANNING DEPARTMENTS AND SHOULD BE USED ONLY FOR CONSTRUCTION OR LAYOUT.

811 DIAL

CALL BEFORE YOU DIG ...

| REVISIONS | By | Date |
|-----------|-----|------------|
| 1 | DAS | 02-23-2022 |
| 2 | DAS | 04-12-2022 |

| | | | | | |
|-----------------|----------------|------------------|-----|-----|----------|
| H Scale: 1"=50' | V Scale: 1"=5' | Designed By: KCH | WCS | DLK | 07/15/21 |
| Drawn By: | Checked By: | | | | |

Land Development Consultants, Inc.

PLANNING • SURVEYING

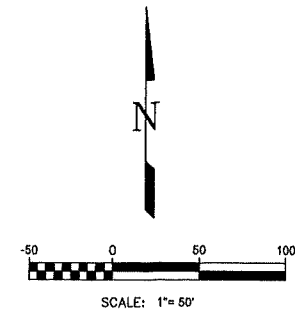
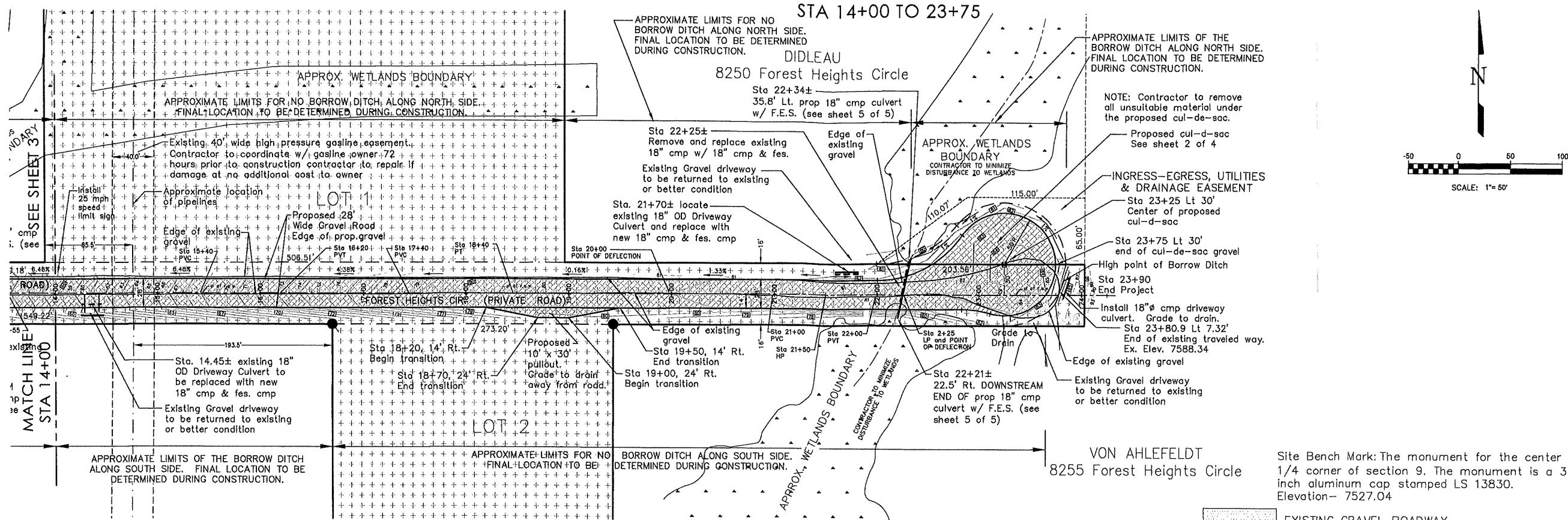
www.land-dev.com • TEL: (719) 528-6103 • FAX: (719) 528-0848

3808 MAZELAND ROAD • COLORADO SPRINGS, CO 80909

FOREST HEIGHTS CIRCLE
CONSTRUCTION DRAWINGS
PLAN AND PROFILE
0+00 TO 13+50

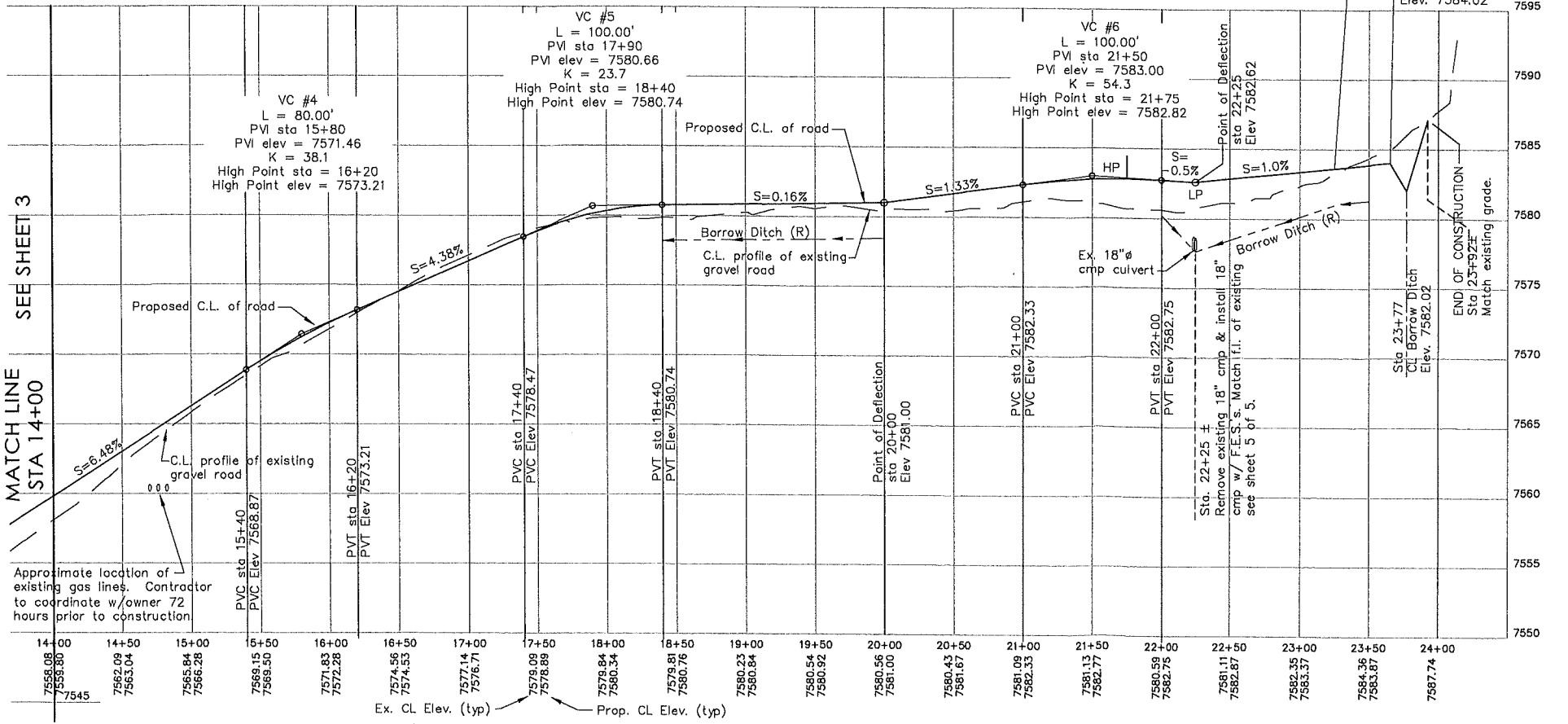
Project Number: 18070
Sheet: 3 of 5

FOREST HEIGHTS CIRCLE
STA 14+00 TO 23+75



HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 5'

- EXISTING GRAVEL ROADWAY
- PROPOSED GRAVEL ROADWAY WIDENING
- INCLUDED IN SUBDIVISION



SEE SHEET 3
MATCH LINE
STA 14+00

Approximate location of existing gas lines. Contractor to coordinate w/owner 72 hours prior to construction

PRELIMINARY
NOT FOR CONSTRUCTION
THESE PLANS ARE
INTENDED FOR SUBMITTAL
REVIEW AND APPROVAL BY
CITY/COUNTY AND SHOULD
NOT BE USED ON SITE FOR
CONSTRUCTION OR LAYOUT.

CALL BEFORE YOU DIG ...

811

DIAL 811

FOR LOCATING AND MARKING GAS, ELECTRIC, WATER
AND WASTEWATER

REVISIONS

| No. | Date | Description |
|-----|------------|----------------|
| 1 | 02-23-2002 | LOT REVISIONS |
| 2 | 04-12-2002 | ROAD REVISIONS |

| | |
|--------------|----------|
| H Scale: | 1"=50' |
| V Scale: | 1"=5' |
| Designed By: | KCH |
| Drawn By: | WCS |
| Checked By: | DLK |
| Date: | 07/15/21 |

Land Development Consultants, Inc.

PLANNING • SURVEYING

www.ldc-inc.com • TEL: (719) 526-6433 • FAX: (719) 526-6648

3889 MAJELAND ROAD • COLORADO SPRINGS, CO 80909

FOREST HEIGHTS CIRCLE

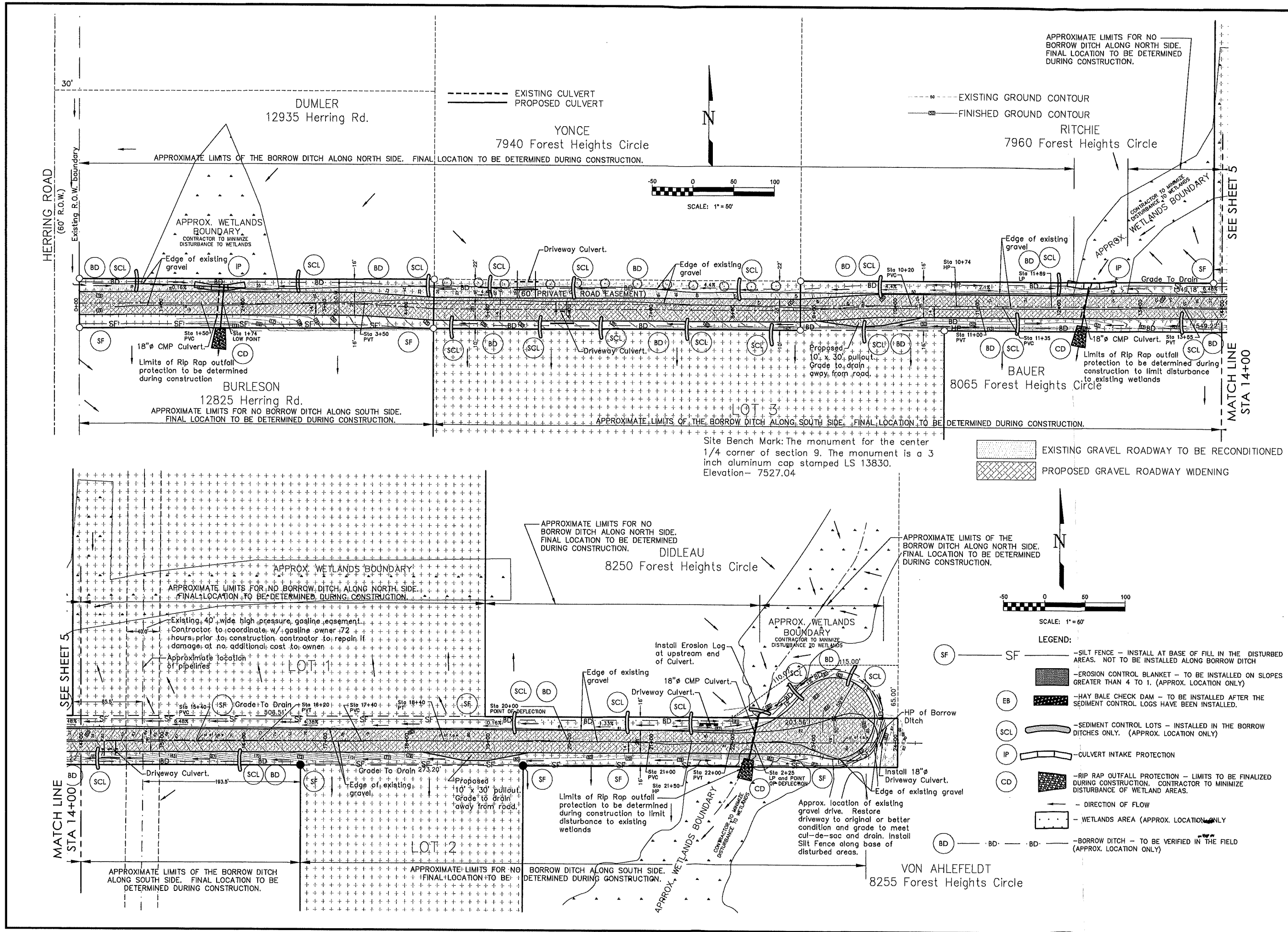
CONSTRUCTION DRAWINGS
PLAN AND PROFILE
13+50 TO 23+75

Project Number: **18070**

Sheet: **4 of 5**

P:\18000\18070-Division Property\0222 ENGINEERING\18070 FOREST HEIGHTS ROAD AND EROSION PLANS 04/02/20.DWG

7.EROSION CONTROL FACILITIES



PRELIMINARY NOT FOR CONSTRUCTION
 THESE PLANS ARE INTENDED FOR SUBMITAL REVIEW AND APPROVAL BY CITY/COUNTY PLANNING DEPARTMENTS AND SHOULD NOT BE USED ON SITE FOR CONSTRUCTION OR LAYOUT.
811
 DIAL 811
 CALL BEFORE YOU DIG ...
 48 HOURS BEFORE YOU DIG. CALL UTILITY LOCATORS FOR LOCATING AND MARKING GAS, ELECTRIC, WATER AND FIBER OPTIC.

| REVISIONS | No. | Description | DATE | BY | CHKD |
|-----------|----------------|-------------|------------|-----|------|
| 1 | LOT REVISIONS | | 02-23-2022 | DAS | |
| 2 | ROAD REVISIONS | | 04-12-2022 | DAS | |

H Scale: 1"=50'
 V Scale: 1"=5'
 Designed By: KCH
 Drawn By: WCS
 Checked By: DLK
 Date: 07/15/21

Land Development Consultants, Inc.
 PLANNING • SURVEYING
 www.ldc-inc.com • TEL: (719) 232-6133 • FAX: (719) 276-8848
 3808 MAIZELAND ROAD • COLORADO SPRINGS, CO 80908

FOREST HEIGHTS CIRCLE
 CONSTRUCTION DRAWINGS
 GRADING AND EROSION CONTROL PLAN
 Project Number: 18070
 Sheet: 2 of 4

P:\18070\18070-02.dwg; Property\2022\ENGINEERING\18070 FOREST HEIGHTS ROAD AND EROSION PLANS (4/22/22).DWG

16. Erosion Bales (EB)

1. DESCRIPTION:

Erosion Bales are temporary sediment control structures consisting of a row of entrenched and anchored weed free straw or hay bales.

2. CONTROL MEASURE USES

- Erosion Control
- Sediment Control
- Site/Materials Management

3. RELEVANT SPECIFICATION SECTIONS

Section 208 - Erosion Control

- a) 208.02.(a) - Materials
- b) 208.12 - Basis of Payment

4. RELEVANT M-STANDARD DETAILS

M-208-1, Sheet 10 of 11 (Erosion Bale Applications)

5. BASIS OF PAYMENT

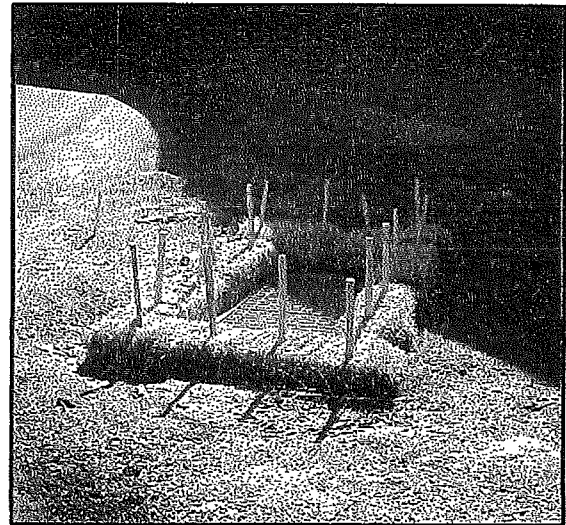
| Pay item | Description | Pay Unit |
|-----------|---------------------------|----------|
| 208-00011 | Erosion Bales (Weed Free) | EACH |

6. APPLICATIONS

- Install along toe of fill areas to use as temporary filters.
- Use to intercept runoff from ditches, swales, and sump areas.
- Use for Temporary Storm Drain Inlet Protection devices.

7. LIMITATIONS

- May be installed in constructed ditches but not in live channels.
- When these structures are used, a secondary sediment control measure must be installed.
- Effectiveness is reduced after 3 months of use.

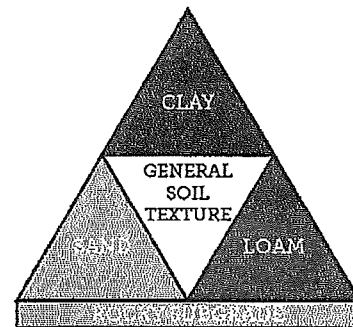


Erosion Bales installation around area inlets

8. CONTROL MEASURE SOILS TRIANGLE

SOIL TEXTURE AND SUBGRADE CONDITIONS

- APPROPRIATE
- SOMEWHAT APPROPRIATE
- NOT APPROPRIATE



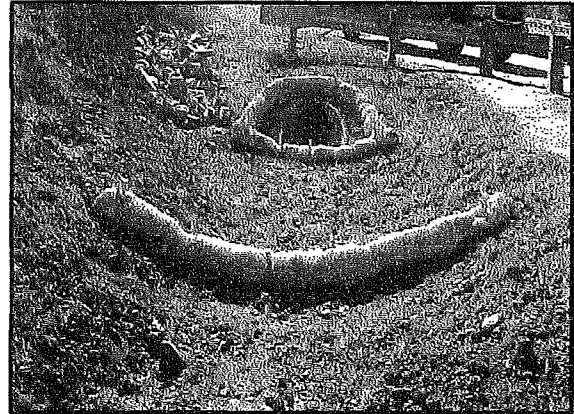
17. Erosion Logs (EL)



COLORADO
Department of Transportation

1. DESCRIPTION:

Erosion Logs are temporary control measures consisting of a bound cylindrical bundle of a combination of excelsior, straw, coconut fibers, wood chips, or compost and anchored to the ground with wooden stakes. It is used to reduce flow velocities, capture sediment and release runoff as sheet flow over stabilized areas.



Erosion Logs along construction access road

2. CONTROL MEASURE USES

- Erosion Control
- Sediment Control
- Site/Materials Management

3. RELEVANT SPECIFICATION SECTIONS

Section 208 - Erosion Control

- a) 208.02 (h) - Materials – Erosion Logs
- b) 208.05 (l) - Construction BMPS
- c) 208.11 - Method of Measurement
- d) 208.12 - Basis of Payment

4. RELEVANT M-STANDARD DETAILS

M-208-1, Sheet 2 of 11 (Erosion Log Applications)

M-208-1, Sheet 3 of 11 (Toe of Slope Protection Applications)

M-208-1, Sheet 6 of 11 (Erosion Log Installations)

5. BASIS OF PAYMENT

| Pay Item | Description | Pay Unit |
|-----------|------------------------------|----------|
| 208-00012 | Erosion Log Type 1 (9 inch) | LF |
| 208-00002 | Erosion Log Type 1 (12 inch) | LF |
| 208-00013 | Erosion Log Type 1 (20 Inch) | LF |
| 208-00007 | Erosion Log Type 2 (8 Inch) | LF |
| 208-00008 | Erosion Log Type 2 (12 Inch) | LF |
| 208-00009 | Erosion Log Type 2 (18 Inch) | LF |
| 208-00022 | Erosion Log Type 3 (9 Inch) | LF |
| 208-00023 | Erosion Log Type 3 (12 Inch) | LF |
| 208-00024 | Erosion Log Type 3 (20 Inch) | LF |
| 208-00026 | Coir Roll | LF |

6. APPLICATIONS

- Use to intercept surface runoff, reduce flow velocities, and capture sediment.
- Where long slopes are present and at grade breaks, use Erosion Logs to prevent formation of concentrated flow paths.
- Upgradient of stormwater inlets, use Erosion Logs to filter sediment and capture debris.
- When vegetation hasn't established, use Erosion Logs as check dams in small drainage ditches.
- Use as perimeter control for stockpiles locations.

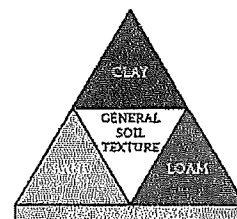
7. LIMITATIONS

- In ditches where continuous flows are expected, avoid using Erosion Logs
- Do not use below the ordinary high-water mark for stream applications.
- Can be dislodged after a storm event if appropriate anchoring is not provided.
- Only use as a temporary measure as bounding net is biodegradable and will release contents when degraded.

8. CONTROL MEASURE SOILS TRIANGLE

SOIL TEXTURE AND SUBGRADE CONDITIONS

- APPROPRIATE
- SOMEWHAT APPROPRIATE
- NOT APPROPRIATE



20. Silt Fence (SF)



1. DESCRIPTION:

Silt Fence is a temporary, entrenched sediment barrier made from woven geotextile fabric (in some cases with wire backing) and stretched across supporting wooden posts. It is used to intercept stormwater runoff containing sediment loads. Silt Fence is intended to allow sediment in surface runoff to settle before runoff leaves the project site.

2. CONTROL MEASURE USES

- Erosion Control
- Sediment Control
- Site/Materials Management

3. RELEVANT SPECIFICATION SECTIONS

Section 208 - Erosion Control

- a) 208.02.(b) - Materials
- b) 208.05.(c) - Construction of Control Measures
- c) 208.11 - Method of Measurement
- d) 208.12 - Basis of Payment

4. RELEVANT M-STANDARD DETAILS

M-208-1, Sheet 3 of 11 (Toe of Slope Protection Applications)

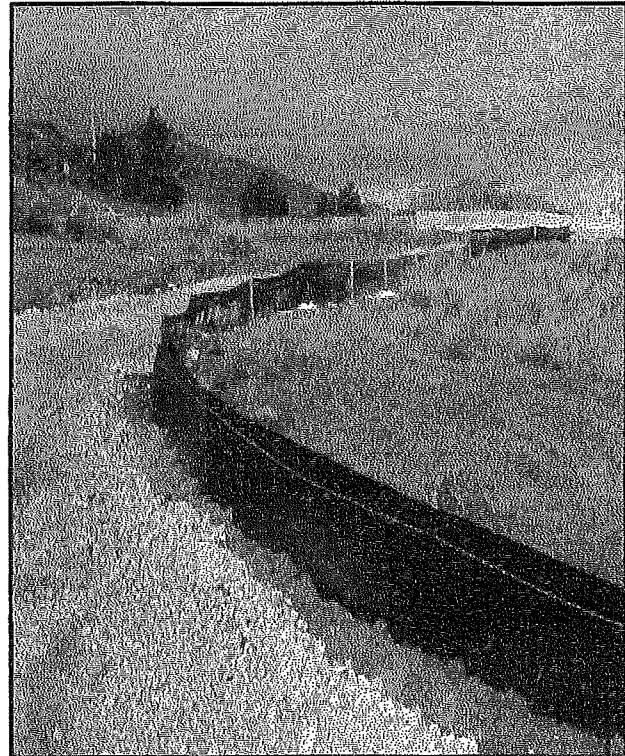
M-208-1, Sheet 8 of 11 (Silt Fence Applications)

5. BASIS OF PAYMENT

| Pay item | Description | Pay Unit |
|-----------|-------------------------|----------|
| 208-00020 | Silt Fence | LF |
| 208-00021 | Silt Fence (Reinforced) | LF |

6. APPLICATIONS

- Downgradient of a disturbed area
- Along the perimeter of receiving waters (e.g. streams, ponds, and wetlands)
- Along the perimeter of a construction site (for example, staging area, and stabilized construction roads)
- Around temporary stockpiles
- At the toe of fill of exposed and erodible soils.



Silt fence along perimeter of stabilized construction road

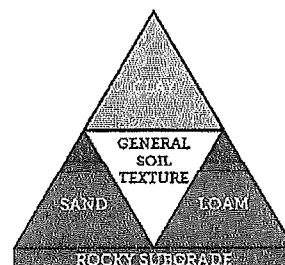
7. LIMITATIONS

- Not for intercepting concentrated flows (streams, channels, drainage paths).
- Limit use to drainage basin areas of 0.25 acres or less.
- Not suitable for mid-slope protection on slopes steeper than 4H:1V.
- Not suitable as flow diversion.
- Not suitable for areas where continuous ponding occurs.

8. CONTROL MEASURE SOILS TRIANGLE

SOIL TEXTURE AND SUBGRADE CONDITIONS

- APPROPRIATE
- ⊗ SOMEWHAT APPROPRIATE
- NOT APPROPRIATE



1. Check Dam (CD)

1. DESCRIPTION:

Check Dams (also referred to as a ditch check) are temporary control structures that can be constructed from rock, silt berms, or erosion logs. Check Dams can be installed across natural or constructed, and temporary or permanent, drainage ditches. They are intended to reduce the velocity of concentrated flows and reduce erosion potential within the ditch.

2. CONTROL MEASURE USES

- Erosion Control
- Sediment Control
- Site/Materials Management

3. RELEVANT SPECIFICATION SECTIONS

Section 208 - Erosion Control

- a) 208.02.(e)/(f) - Materials
- b) 208.05.(g)/(h) - Construction BMPS
- c) 208.11 - Method of Measurement
- d) 208.12 - Basis of Payment

4. RELEVANT M-STANDARD DETAILS

M-208-1, Sheet 11 of 11 (Rock Check Dam)

M-208-1, Sheet 6 of 11 (Drainage Ditch Applications)

5. BASIS OF PAYMENT

| Pay item | Description | Pay Unit |
|-----------|----------------|----------|
| 208-00041 | Rock Check Dam | EACH |
| 208-00004 | Silt Berm | LF |

6. APPLICATIONS

- Used to intercept and filter concentrated flows and dissipate erosive energy.
- Used to intercept flows along drainage ditches or channels prior to seeding and during establishment of seeded areas.
- Erosion Logs may be used to temporarily construct Check Dam control measures. Refer to the Erosion Logs fact sheet (No. 17) for more information.



Rock check dam along lined drainage ditch

7. LIMITATIONS

- Use only in open channels that receive runoff from an area 10 acres or less.
- Use only in constructed drainage channels and ditches, never in natural live streams.
- For temporary use only, not to be used as primary sediment capture structures.
- For use in unvegetated channels only, not for use in wetland areas or areas where vegetation has been established as they will damage the existing vegetation.

8. CONTROL MEASURE SOILS TRIANGLE

SOIL TEXTURE AND SUBGRADE CONDITIONS

- APPROPRIATE
- ⊗ SOMEWHAT APPROPRIATE
- NOT APPROPRIATE

