

This submission before the board is misleading and includes verbiage leading to subverting my property owner rights as a resident of the Terra Ridge CIC property owners and its incorporation.

Developer Submissions include elements that attempt to violate HOA protections and State laws regarding HOA's, property owners rights, easements, and designated Common Interest Community (CIC) areas without the required approval of the CIC (including the requirement for a 80% approval of HOA property owners to modify or change access or use of the Equestrian Easement, and intent to deny free access to the equestrian easement from existing properties, which rezoning boundary lines and further creating a road or encumbrance would do (Covenants Article 9, Clause 20, Point b)

The Terra Ridge Common Interest Community existence and boundaries exist IAW:

2016 Colorado Revised Statutes. Title 38 - Property - Real and Personal
Real Property
Article 33.3 - Colorado Common Interest Ownership Act
Part 2 - Creation, Alteration, and Termination of Common Interest Communities
§ 38-33.3-209. Plats and maps.

1. Request that any Reference to Lots 5 & 6 be removed from all rezoning and developer submission documents, to preclude allowing inclusion in any rezoning and subsequent development submissions.
2. Request that the words Terra Ridge (or Fox Creek) should be removed from the name of the proposed development (Terra Ridge North, Fox Creek Estates, etc...) and all submitted documents.
3. Any Developer submittals that have included words describing breaking the defined CIC property lines, and changing Lot 6's legal boundary lines, allowing access to the development via an un-approved access road, should be removed from documents and be resubmitted.

Included in the submission to rezone the 39.75 acre property, is verbiage regarding Lots 5 & 6 of the Terra Ridge CIC. Lots 5 & 6 are defined within the Terra Ridge properties cannot be rezoned or boundary lines modified, or more than one dwelling per lot is not allowed, as implied regarding Lot 6 and previous submissions regarding the proposed development (TR By-laws, covenants).

https://www.terraridgepoa.com/_files/ugd/ec8c13_99e27dd5013b404da4f13f8905e845b0.pdf

https://www.terraridgepoa.com/_files/ugd/ec8c13_bcd9875f72e541578a4003dcc296ef7e.pdf

The submitted proposed development name on documents implies that it is within and part of the established covenanted Terra Ridge HOA CIC. Also, a previous development map submitted had used Fox Creek in the name (Fox Creek Estates), implying approval and reference to modify and construct Fox Creek Lane through an existing protected Terra Ridge Lot (not authorized), and add access and properties to the road fully contained within the CIC.

Submittals have included plans to Construct a road extension to the existing Fox Creek cul-de-sac requires changing the legal description, boundaries, and use is not allowed. Attempting to include Lots 5 and/or 6 in any rezoning, or previous and subsequent development plans is a step towards further Boundary modification of protected lots and usage; not allowed.

4. The rezoning boundary definitions includes modifying the boundaries of the CIC's Equestrian Easements, which are actually part of existing Terra Ridge homeowner properties. There has been no vote or approval to modify, remove, or construct a road or property on or across the CIC Equestrian Easement; usurping property owner and HOA control and use of their Equestrian Easement. Also introducing future safety hazards for existing residents. Ref covenants and CRS 38-33.3.

The described and approved application for rezoning was only for the Agricultural 39.75 acre property, outside of Terra Ridge, not the Residential TR Lots 5 & 6, which are part of the Terra Ridge Property Owners Association (TRPOA).

Exhibit A as part of the submission, addresses Terra Ridge Lots 5 & 6. Elsewhere in the developers submissions, the narrative description details development access to the planned Terra Ridge North development by extending Fox Creek Lane; This is despite the developer owning a separate Flag access lane to the development from Black Forest Road, as but had declined to convey property to the county, instead desiring non-approval access from the CIC Terra Ridge.

There can be no reference or request to rezone Terra Ridge Lots 5 & 6, which are part of Terra Ridge Filing Number 1 and 2, and part of the legally defined 22 year existing development, with Terra Ridge Property Owners Association (TRPOA) incorporation; with an HOA and Legal Covenants and defined boundaries. This could be used to erroneously and illegally imply and implement rezoning of those Lots 5 & 6.

There was no request to the HOA Property Owners to modify, cancel, subtract, or add properties to the Terra Ridge HOA, or its boundaries, roads, and Equestrian Easement.

Lot 5 (occupied) is part of Terra Ridge Filing Number 1, zoned RR-5, Single Family Residential with a well.

Lot 6 is also part of Terra Ridge Filing Number 1 also, zoned RR-5, and land use was once residential upon development, however, the land "use" now says Agricultural Grazing despite covenants defining specific limitations.

More than one unit on Lot 6, a road, or being part of a separate development, or non-residential CIC property use is not authorized by the HOA.

Changing any TRPOA property land use designation, use, or changing, adding, or removing the development's number of incorporated lots has not been submitted to or requested of Terra Ridge Property Owners, or approved, as required.

Changing the use and legal description of Lot 6 (or 5), TR Filing 1, to build a new extension to Fox Creek Lane that does not exist, to outside TRPOA's boundaries is not permissible.

Changing the nature, character, and legal descriptions is not approved of current property owners as required.

Expanding the number of homes and roads within the boundaries impacts traffic, noise levels, adds unwanted construction
Traffic and potential crime.

Our properties were purchased because of the Property Association, Covenants, and the Equestrian designed neighborhood. A majority vote of TRPO's is required would require legally cancelling or re-Incorporating entirely new documents (if the owners voted on).

Even though the meeting request is to supposedly only rezone the 39.75 acre property, much reference to Lots 5 & 6 of Terra Ridge, and Fox Creek Lane, and are part of County records. This citizen comment and request letter should also be documented as part of development proceedings going forward.