

Chuck Broerman

El Paso County, CO

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RESOLUTION NO. 22-132

BOARD OF COUNTY COMMISSIONERS COUNTY OF EL PASO, STATE OF COLORADO

RESOLUTION TO APPROVE A PARK LANDS AGREEMENT BETWEEN GLEN DEVELOPMENT COMPANY, GLEN METROPOLITAN DISTRICT NO. 3 AND EL PASO COUNTY FOR GLEN AT WIDEFIELD FILING NO. 11

WHEREAS, a Park Lands Agreement has been proposed between Glen Development Company ("Property Owner"), Glen Metropolitan District No. 3 ("District") and El Paso County ("County"); and

WHEREAS, pursuant to the requirements of the El Paso County Land Development (the "Code"), the El Paso County Community Services Department estimates the 2019 Urban Park Fees for Glen at Widefield Filing No. 11 to be \$30,385; and

WHEREAS, the Property Owner and the District provided a Trail Plan outlining the development of approximately 3.5 miles of trail, a picnic pavilion and picnic table, benches, trash receptacles and signage to be installed within The Glen at Widefield East Property, which will provide urban recreation opportunities for residents living within The Glen at Widefield East and the public; and

WHEREAS, the County desires to grant the Property Owner \$30,385 in Urban Park Credits, provided that the Property Owner and the District installs improvements of an equal or greater value to certain parcels identified as Tract D in The Glen at Widefield Filing No. 11 Final Plat, which will provide urban recreation opportunities for residents living within the Glen at Widefield East and the public; and

WHEREAS, the El Paso County Park Advisory Board endorsed this Park Land Agreement for Filing No. 11 at their meeting on April 13, 2022; and

WHEREAS, the Board of County Commissioners has reviewed and supports the proposed Park Lands Agreement.

NOW, THEREFORE, BE IT RESOLVED, that Stan VanderWerf, duly elected, qualified member and Chair of the Board of County Commissioners, or Cami Bremer, duly elected, qualified member and Vice-Chair, of the Board of County Commissioners, be and is hereby authorized and appointed on behalf of the Board to execute any and all documents necessary to carry out the intent of the Board as described herein.

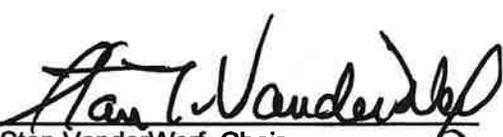
DONE THIS 26th DAY OF APRIL, 2022 at Colorado Springs, Colorado.

ATTEST:

By: 
County Clerk and Recorder



BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO

By: 
Stan VanderWerf, Chair

**PARK LANDS AGREEMENT
Glen at Widefield Filing No. 11**

THIS PARK LANDS AGREEMENT ("the Agreement") is made and entered into this _____ day of _____, 2022, by and between Glen Development Company ("Property Owner"), Glen Metropolitan District No. 3 ("District") and EL PASO COUNTY, BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS of EL PASO COUNTY COLORADO ("County").

RECITALS

A. Property Owner is the owner of a parcel of property situated in an unincorporated portion of El Paso County, State of Colorado consisting of approximately 292 acres and commonly known and described as the Glen at Widefield East (the "Property").

B. The Board of County Commissioners approved a Preliminary Plan application on June 28, 2016 for the Property that includes six filings for development of 578 single-family lots.

C. Property Owner is in the process of completing a Final Plat application for a portion of the Property to be platted as The Glen at Widefield Filing No. 11 for development of 103 single-family lots.

D. Pursuant to the requirements of the El Paso County Land Development Code (the "Code"), the El Paso County Development Services Department estimates the 2019 Urban Park Fees for The Glen at Widefield Filing No. 11 to be \$30,385.

E. Property Owner and the District provided a Trail Plan outlining the development of approximately 3.5 miles of trail, a picnic pavilion and picnic table, benches, trash receptacles and signage to be installed within The Glen at Widefield East Property, which will provide urban recreation opportunities for residents living within The Glen at Widefield East and the public.

F. The County desires to grant the Property Owner \$30,385 in Urban Park Credits, provided that the Property Owner and the District installs improvements of an equal or greater value to certain parcels within the Glen at Widefield East identified as Tract D within Glen at Widefield Filing No. 11, which will provide urban recreation opportunities for residents living in The Glen at Widefield East and the public.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants hereinafter set forth, as well as the above Recitals, which are a material part hereof, the County and the Property Owner agree as follows:

1. **Trail C Development and Obligations.** Property Owner and the District shall satisfy its urban park development requirements and obligations for The Glen at Widefield Filing No. 11 by installing 3,000 linear feet of trail, specifically identified as Trail C Southern Northern Half in the Trail Plan attached hereto and incorporated herein by this reference within open space Tract D of the Glen at Widefield Filing No. 11 in lieu of paying \$30,385 in Urban Park Fees at the time of recording the final plat. By execution and recordation

of this Agreement, The Glen at Widefield East Property is hereby burdened and encumbered by this Agreement.

- a. From and after the date of recordation of the subdivision plat for The Glen at Widefield Filing No. 11, the Property Owner and the District shall install or cause to be installed the Improvements within the designated tract as described in this Agreement.
 - b. The value of the Improvements installed shall be equal to or greater than \$30,385.
 - c. The Property Owner and the District will provide plans, specifications, and a construction cost estimate for the Improvements to the County for review and approval prior to the recording of the final plat for The Glen at Widefield Filing No. 11.
 - d. The Improvements shall be fully completed within two years of the execution of this Agreement. If not completed within two years, the Urban Park Fees in the amount of \$30,385 will be immediately paid to the County. If the above-mentioned conditions are not satisfied with the two-year period, El Paso County Parks will not consider future applications within The Glen at Widefield East until the Improvements have been completed or fees have been paid.
 - e. The Improvements shall remain open for public use in perpetuity, consistent with the zoning of the property identified in the approved The Glen at Widefield East Preliminary Plan and The Glen at Widefield Filing No. 11.
2. Maintenance. Unless otherwise mutually agreed by the Property Owner, District and the County, the Improvement will be maintained in perpetuity either by the Property Owner or The Glen Metropolitan District No. 3 for the benefit of the public.
3. Installation. The Property Owner and the District, at no cost to the County, shall be responsible to install or cause to be installed all Improvements pursuant to this Agreement. Any and all Improvements are subject to review and acceptance by the County. All Improvements shall be installed in compliance with all applicable County regulations, resolutions, and standards.
4. Successors and Assigns. This Agreement is binding on and inures to the benefit of the heirs, successors, and assigns of the Parties hereto, including any successive owners or developers of the Property.

IN WITNESS of the foregoing provisions, the Parties have executed this Agreement as of the date first entered above.

**BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO**

By: _____

Stan VanderWerf, President

ATTEST:

Chuck Broerman
Clerk & Recorder

APPROVED AS TO FORM:



Steven Klaffley (Mar 16, 2022 09:09 MDT)
County Attorney's Office

Glen Development Company

By: _____
Title: Assistant Vice President

Glen Metropolitan District No. 3

By: _____
Title: Vice President

March 4th 2022

To Whom It May Concern,

I am writing the following letter in order to describe our intent to continue construction of the planned trail system through the open space surrounding our project.

We are now preparing our fifth filing in the Glen at Widefield East subdivision known as Filing No. 11. This filing is a continuation of our development of the Glen at Widefield East. This filing will contain 103 residential lots. In conjunction with this filing, we intend to construct the southern portion of Trail "C" from the southern terminus to the intersection with Poa Annua as shown on the attached exhibit. In exchange for our construction of the trails we would like to enter into a Parklands Agreement with El Paso County in an effort to use our park fees for this large project. As shown in the attached Exhibit B the estimated cost for the improvements associated with Filing No. 11 are \$42,205 and the park fees associated with Filing 11 are \$30,385, based on fees as of today's date.

As previously mentioned this is a continuation of our overall trail master plan for the area. Although we are behind our original schedule, all the infrastructure for our first four filings (7, 8, 9, & 10) has been constructed.

With the trails associated with these filings complete, we have now completed trails "A", "B", "E", as well as the portion of trail "C" between trail "A" and trail "D" as shown on the attached Exhibit.

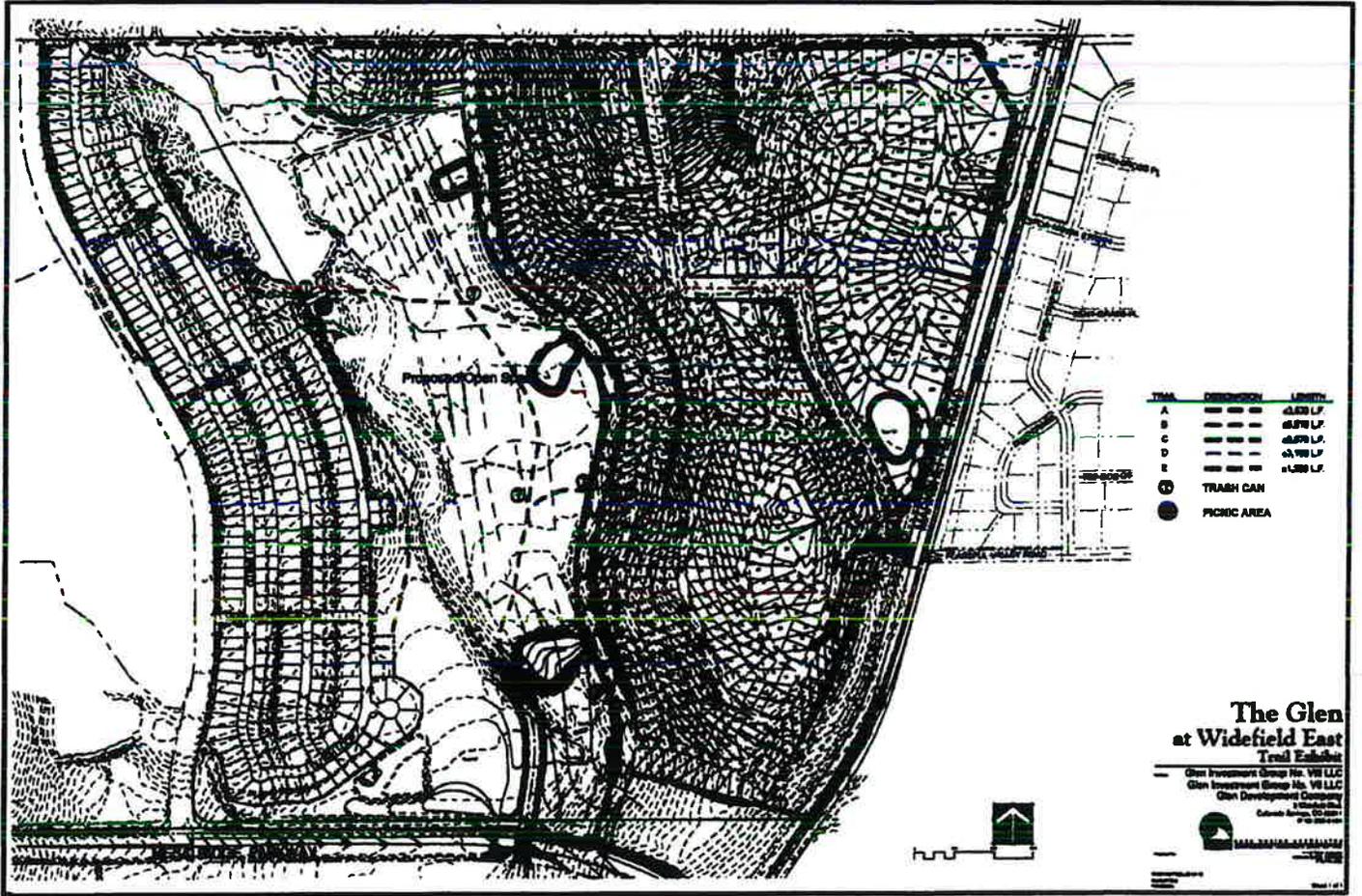
I hope this shows a clear picture of our intent for the area, however, if you have any further questions or need any more information please do not hesitate to contact me.

Thank You,

A handwritten signature in black ink, appearing to read "J. Ryan Watson". The signature is stylized and somewhat cursive.

J. Ryan Watson

Glen Development



Glen 11
103 Lots

* Updated to reflect construction of approx 3000' of Trail "C" from southern terminus to Poa Annua intersection

Trail C				
Estimated Length	3000			
Estimated Width	6'			
Costs	Quantity	Unit	Price	Total
Trail Installation	3000	LF	\$11	\$33,000
Trash Receptacles	2	EA	\$600	\$1,200
Signage	1	EA	\$2,500	\$2,500
Contingency				\$5,505.00
Trail Total				



