



**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

Project Name : Latigo Filing 10
 Schedule No.(s) : 4200000352
 Legal Description : SEE ATTACHED – Exhibit C

APPLICANT INFORMATION

Company : WILLIAM GUMAN & ASSOCIATES
 Name : BILL GUMAN
 Owner Consultant Contractor
 Mailing Address : 731 NORTH WEBER STREET, SUITE 10, COLORADO SPRINGS, COLORADO, 80903

 Phone Number : (719) 633-9700
 FAX Number : N/A
 Email Address : BILL@GUMAN.NET

ENGINEER INFORMATION

Company : JR ENGINEERING
 Name : BRYAN LAW Colorado P.E. Number : 25043
 Mailing Address : 5475 TECH CENTER DRIVE, SUITE 235, COLORADO SPRINGS, COLORADO 80919

 Phone Number : 303-267-6254
 FAX Number : N/A
 Email Address : BLAW@JRENGINEERING.COM

OWNER, APPLICANT, AND ENGINEER DECLARATION

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal will be cause to have the project removed from the agenda of the Planning Commission, Board of County Commissioners and/or Board of Adjustment or delay review until corrections are made, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval.

Signature of owner (or authorized representative)

Date

Engineer's Seal, Signature
And Date of Signature

Γ

⌋

L

J

DEVIATION REQUEST (Attach diagrams, figures, and other documentation to clarify request)

A deviation from the standards of or in Section **ECM section 3.3.7 Permanent Storm Water Management Facilities** of the Engineering Criteria Manual (ECM) is requested for the proposed Temporary "Full Infiltration Treatment Control Pond".

Identify the specific ECM standard which a deviation is requested:

Stormwater detention is required typically for developed areas with the goal of releasing accumulated runoff at historic levels per ECM Section 3.3.7. Standard Post Construction Stormwater Detention Facilities are to provide water quality capture volume utilizing 1 of 6 BMP's as described in DCM Volume 2. This deviation request is to design and implement a modified Retention Pond that is proposed to be considered as a temporary full infiltration treatment control pond. Furthermore, this proposed pond will utilize an already existing infiltration/retention pond located at the corner of Latigo Boulevard and Eastonville Road. See Exhibit A

Provide full reference (title of report, date prepared, prepared by) and the reference PCD File No.

State the reason for the requested deviation:

As stated in the **Final Drainage report** a Full Spectrum Extended Detention Basin is ultimately proposed to be located just off of Black Squirrel Creek and along Eastonville Road (see attached exhibit). This pond will ultimately provide detention for Filings 10, 11 and 13. The ecological study and permitting for this pond will be extensive due to the fact that the pond outfall will lie within identified wetland and mouse habitat. While this permitting is taking place the owner is requesting to provide an "interim" infiltration pond as discussed above in order to move forward with Filing 10.

Update paragraph to make it clear the "interim" infiltration pond will be removed and replaced by the ultimate pond (EDB) with Filing 11.

Revise statement to infiltrate at least 99% of the runoff within 120 hours after the end of the 100yr event.

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

The proposed infiltration pond alternative is intended to be a dry pond and sized to capture and retain the 100 year stormwater runoff volume and through the process of infiltration drain the pond over 120 hours for the 100 year event. Field tests have been conducted by a Geotechnical Consultant utilizing a double ring infiltrometer to determine an infiltration rate. The infiltration rate was determined to be 2.5 inches per hour. The calculated pond volume will be approximately 60 ac-ft which will require the existing pond to be expanded. Further improvements as called out in the updated "Preliminary Geotechnical Investigation and Geologic Hazards Evaluation Latigo Trails Filings 9 and 10" revised March 31, 2022 by CTL Thompson recommends that the top 2 feet of the existing infiltration pond be scarified in order to loosen the compacted soil conditions.

Provide the time to infiltrate the 60 ac-ft. Include the calculation in the deviation. Identify the infiltration calculation method. Is it Horton's equation?

... office was also contacted in order to get a read from them on implementing this alternative. Email attached as Exhibit B. Several folks were contacted and brought into the conversation. The correspondence is as follows:

... question lie within a designated basin – Black Squirrel and therefore fall under CGW jurisdiction. Our ponds are with Rules 5.11.1 and 5.11.3. Saying so we would then submit an NOI to CGW for review and compliance, as

... January 14, 2020, another requirement has been instituted... per Rule 5.11.5, ponds constructed (or modified) January 14, 2020 must publish a notice in a local newspaper regarding the pond. This is so a holder of vested

Water Rights can bring an action before the Commission who will then determine if the intended pond has or will cause material injury to said Rights."

Add another paragraph explaining when the the detailed hydrology/hydraulic analysis will be submitted for review and approval. Staff assumes these will be included with the Final Drainage Report for Filing 10.

Identify the document these rules are referencing.

Write the full term and place the acronym in parentheses for the first time you use the term.

Attach the referenced rules in the deviation request.

PCD File No. SF-21-037

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 proposed infiltration pond is a common storm water catchment and treatment facility. With proper sizing, as discussed, will provide a safe and efficient treatment facility for the proposed interim condition.

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.

This deviation will achieve the intended result. The infiltration pond will provide the same intended outcome by providing and exceeding the WQCV as required under the ECM.

The deviation will not adversely affect safety or operations.

This deviation will not adversely affect safety or operations. The infiltration pond will be sized for the 100 year capture volume and therefore is not anticipated to pose a safety hazard in this area.

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

Maintenance of the infiltration pond will not be impacted.

The deviation will not adversely affect aesthetic appearance.

The deviation request will not have an adverse effect on the aesthetic appearance as this is an expansion of an existing facility.

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

The deviation request meets the design intent and purpose of the ECM standards. The proposed infiltration pond will exceed the WQCV as required under the ECM standards.

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.

Yes, the deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, this project is proposing Water Quality facilities as required by the criteria.

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 _____ 7

L _____ 7

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 _____ 7

L _____ 7

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

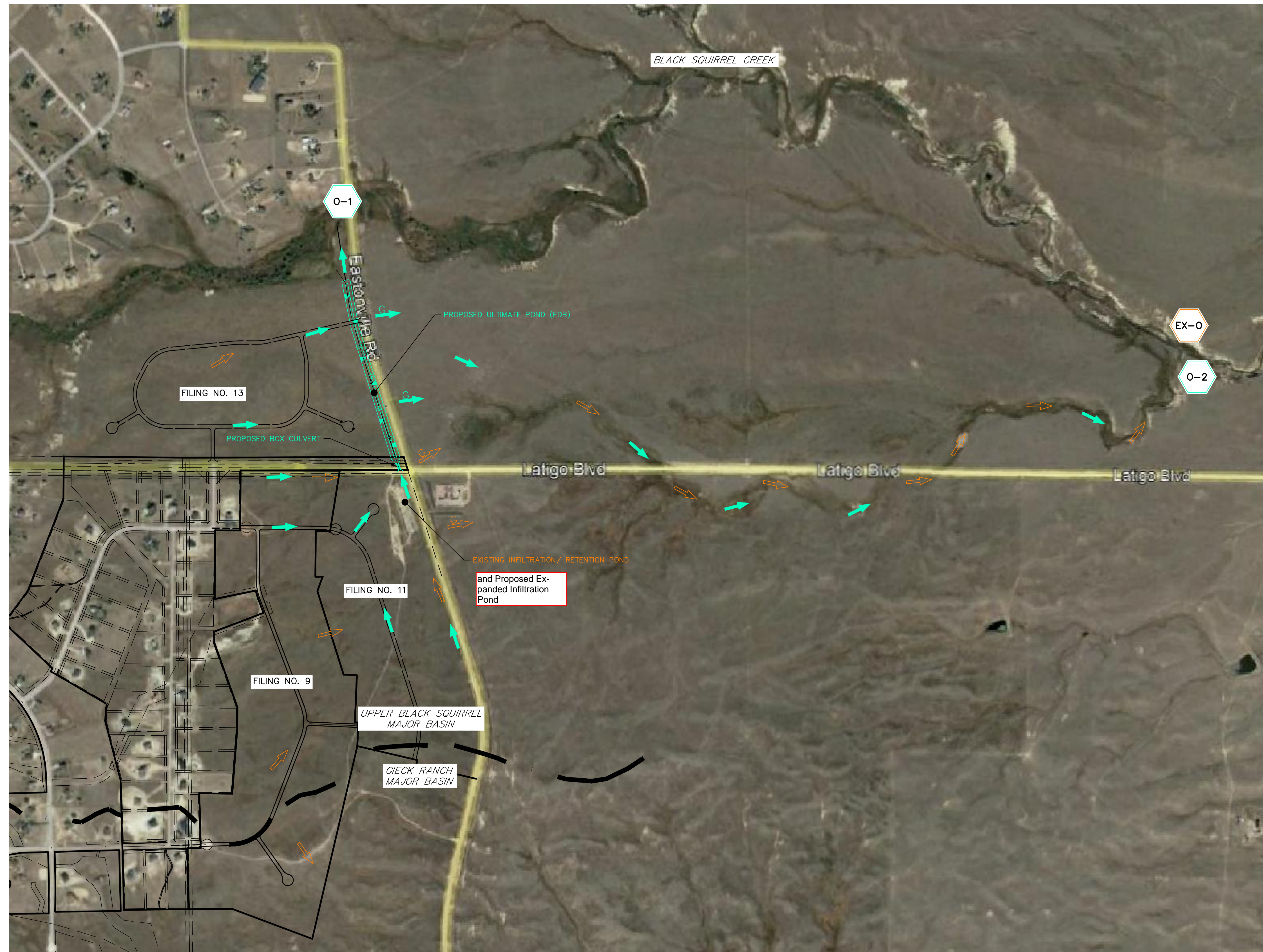
Whether a request for deviation is approved as proposed or with conditions, the approval is for project-specific use and shall not constitute a precedent or general deviation from these Standards.

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.

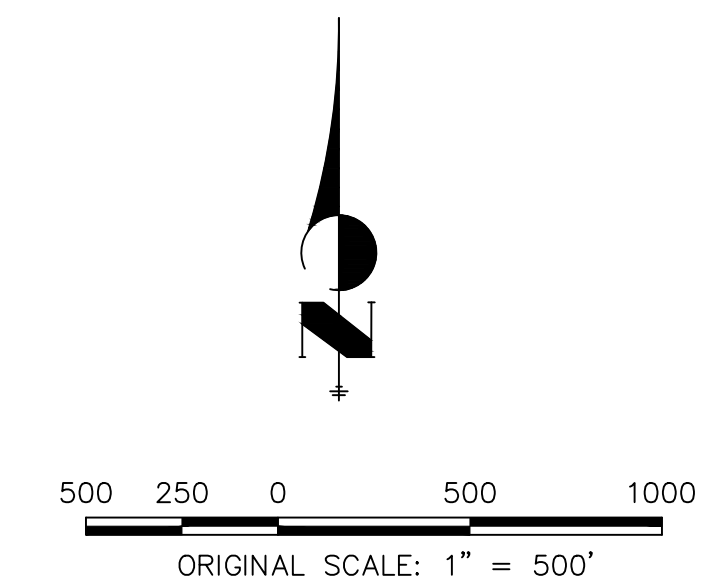
LATIGO TRAILS

BLACK SQUIRREL CREEK OUTFALL



LEGEND	
EXISTING FLOW ARROW	
PROPOSED FLOW ARROW	
EXISTING GROUND WATER FLOW ARROW	
PROPOSED GROUND WATER FLOW ARROW	
EXISTING OUTFALL	
PROPOSED OUTFALL	

EXHIBIT A



BLACK SQUIRREL CREEK OUTFALL
 LATIGO TRAILS
 JOB NO. 25175.01
 03/04/2022
 SHEET 1 OF 1



Centennial 303-740-9393 • Colorado Springs 719-593-2593
 Fort Collins 970-491-9888 • www.jrengineering.com

X:\2517501\Drawings\05-25-2021_Updated_Base\Presentations\BSCC_Outfall_Ultimate.dwg, 24/08/2022 3:08:24 PM, CS

Bryan Law

From: Vander Horst, Keith <keith.vanderhorst@state.co.us>
Sent: Friday, March 18, 2022 11:45 AM
To: Bryan Law
Cc: Hollister - DNR, Doug; Mark Perry; Grimes - DNR, Chris
Subject: Re: Latigo Trails Subdivision, El Paso County - Stormwater Management Proposal at this stage

Bryan:
I am afraid not. We have never published one of these notices.

Keith Vander Horst
Chief of Water Supply, Designated Basins



P 303-866-3581 ext. 8266
1313 Sherman St., Room 821, Denver, CO 80203
keith.vanderhorst@state.co.us | water.state.co.us

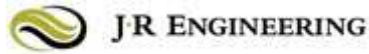
On Fri, Mar 18, 2022 at 10:24 AM Bryan Law <blaw@jrengineering.com> wrote:

Keith,

Thank you for your prompt attention and guidance. Would you or someone have a sample "go by" notice we could use.

Again thank you all for your assistance.

Bryan Law, PE | Client Manager



5475 Tech Center Drive, Ste 235 | Colorado Springs, CO 80909

Phone: 303-740-9393 | Direct: 303-267-6254

Cell: 719-964-6406 | Fax: 303-721-9019

Email: blaw@jrengineering.com

From: Vander Horst, Keith <keith.vanderhorst@state.co.us>

Sent: Friday, March 18, 2022 10:13 AM

To: Bryan Law <blaw@jrengineering.com>

Cc: Hollister - DNR, Doug <doug.hollister@state.co.us>; Mark Perry <Mark.Perry@state.co.us>; Grimes - DNR, Chris <chris.grimes@state.co.us>

Subject: Re: Latigo Trails Subdivision, El Paso County - Stormwater Management Proposal at this stage

Bryan:

Given the information Rule 5.11.5 requires to be published (location, surface area, design volume), the rule applies to any work on a pre-January 15, 2020 facility that changes the location or increases the surface area or volume of stormwater detained. Be advised that in order to reduce workload on staff we are not publishing notice of post-January 14, 2020 facilities, and notice of such facilities should not be submitted to staff of the Ground Water Commission (GWC). To comply with Rule 5.11.5 the developer should itself publish notice of the location and approximate surface area at design volume and a statement confirming that the facility has been designed to comply with Rules 5.11.1 and 5.11.3. You may want to know that staff of the Commission is currently in a process proposing to amend Rule 5.11.5 to have entities self publish such notices. Be advised that when staff of the Commission does publish items in the Upper Black Squirrel Creek designated basin we use the Ranchland News.

Keith Vander Horst
Chief of Water Supply, Designated Basins



P 303-866-3581 ext. 8266
1313 Sherman St., Room 821, Denver, CO 80203
keith.vanderhorst@state.co.us | water.state.co.us

On Thu, Mar 17, 2022 at 3:09 PM Grimes - DNR, Chris <chris.grimes@state.co.us> wrote:

Hi Byran,

The NOIs will need to be sent to the division office and dam safety team regardless of whether or not the structures are located within a designated groundwater basin. No need to duplicate that filing with the Commission if they are in a des. basin.

With regards to your question/comment - *In addition, as of January 14, 2020, another requirement has been instituted... per Rule 5.11.5, ponds constructed (or modified) after the date of January 14, 2020 must publish a notice in a local newspaper regarding the pond. This is so a holder of vested Water Rights can bring an action before the Commission who will then determine if the intended pond has or will cause material injury to said Rights. In a nutshell, is this what needs to happen?* I am not sure... I question whether the rule simply applies to a new "facility" (as a whole), or if any modifications to a facility (including construction of a new pond) that occur after 1/14/2020 require proof be provided to the Commission that the expansions/modifications are in compliance with Rules 5.11.1 and 5.11.3 (and then the Commission publishes those findings). Let's wait for Keith's comment on this so you have clear direction.

Chris Grimes

Ground Water Commission Staff



COLORADO
Division of Water Resources
Department of Natural Resources

P 303.866.3581 x 8253

C 303-263-6181

1313 Sherman Street, Room 818, Denver, CO 80203

chris.grimes@state.co.us / www.water.state.co.us

On Thu, Mar 17, 2022 at 2:35 PM Bryan Law <blaw@jrengineering.com> wrote:

Thank you all for your prompt and thoughtful input. Allow me to synopsise.

The two ponds in question lie within a designated basin – Black Squirrel and therefore fall under CGW jurisdiction.

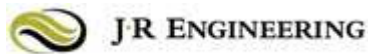
Our ponds are intended to comply with Rules 5.11.1 and 5.11.3. Saying so we would then submit an NOI to CGW for review and compliance, as normal.

In addition, as of January 14, 2020, another requirement has been instituted... per Rule 5.11.5, ponds constructed (or modified) after the date of January 14, 2020 must publish a notice in a local newspaper regarding the pond. This is so a holder of vested Water Rights can bring an action before the Commission who will then determine if the intended pond has or will cause material injury to said Rights.

In a nutshell, Is this what needs to happen?

I appreciate your help. Look forward to your response.

Bryan Law, PE | Client Manager



5475 Tech Center Drive, Ste 235 | Colorado Springs, CO 80909

Phone: 303-740-9393 | Direct: 303-267-6254

Cell: 719-964-6406 | Fax: 303-721-9019

Email: blaw@jrengineering.com

From: Grimes - DNR, Chris <chris.grimes@state.co.us>

Sent: Thursday, March 17, 2022 10:47 AM

To: Hollister - DNR, Doug <doug.hollister@state.co.us>

Cc: Bryan Law <blaw@jrengineering.com>; Mark Perry <Mark.Perry@state.co.us>; Keith Vanderhorst <keith.vanderhorst@state.co.us>

Subject: Re: Latigo Trails Subdivision, El Paso County - Stormwater Management Proposal at this stage

Thanks, Doug.

As Doug mentioned, if any of the structures within a designated groundwater basin capture/impound surface water or expose groundwater, that water falls under the jurisdiction of the Colorado Ground Water Commission ("Commission"). An extension of the Division of Water

Resources, the Commission is a regulatory and adjudicatory body authorized by the General Assembly to administer groundwater resources within the Designated Basins. Commission **Rule 5.11** (see link below) address stormwater detention and infiltration facilities:

<https://dnrweblink.state.co.us/dwr/ElectronicFile.aspx?docid=3559607&dbid=0>

As stated in Rule 5.11.5, new "facilities" constructed after 1/14/20 will require some review by the Commission and documentation meeting criteria as stated Rule 5.11.5 will need to be provided. Sounds like you are proposing some expansions/modifications. It is unclear to me if expansions of the "facility" would require publication by our office (as described in Rule 5.11.5). I don't think so but I have included Keith Vander Horst (Chief of Water Supply for Des. Basins) on this email to confirm for us.

For facilities/structures in operation prior to 1/14/20, I believe the Commission defers to the Division Engineer and the dam safety team on the construction standards.

Division offices, not the Commission, will review the Notice of Intent forms submitted.

Chris Grimes

Ground Water Commission Staff



COLORADO
Division of Water Resources
Department of Natural Resources

P 303.866.3581 x 8253

C 303-263-6181

1313 Sherman Street, Room 818, Denver, CO 80203

chris.grimes@state.co.us / www.water.state.co.us

On Thu, Mar 17, 2022 at 9:14 AM Hollister - DNR, Doug <doug.hollister@state.co.us> wrote:

Mr. Law,

The property in question is located within the Upper Black Squirrel Creek Designated Groundwater Basin and Stormwater Management is Governed by C.R.S 37-92-602. The exclusion for Fountain Creek drainage does not apply because these streams are not located in the Fountain Creek Drainage Basin area. I have included Chris Grimes from the Designated Basin team to the email string as an additional resource for structures in the Designated Basin. If there is an embankment being constructed as part of the stormwater management, then a Notice of Intent is required. Any basins constructed cannot expose groundwater as that is not allowed by statute.

Chris please provide any information that I may have missed.

Doug Hollister

District 10 Water Commissioner
North Regional Team Leader
Districts 10, 14, and 15



COLORADO
Division of Water Resources
Department of Natural Resources

C 719.338.2012

4255 Sinton Rd., Colorado Springs, CO 80907

doug.hollister@state.co.us | dwr.colorado.gov

On Thu, Mar 17, 2022 at 7:53 AM Perry - DNR, Mark <mark.perry@state.co.us> wrote:

Hi Brian, I'm forwarding your email to Doug Hollister, WD 10 Water Commissioner. I think he's the appropriate place to start with your questions.

Thank you Doug. Let me know if you need input from me.

Mark A. Perry, P.E.
Dam Safety Engineer
Colorado Dam Safety



COLORADO
Division of Water Resources
Department of Natural Resources

P 719-542-3368 x2118 | C 719-250-5606
314 E. Abriendo Ave., Suite B, Pueblo CO 81004
mark.perry@state.co.us | <https://dwr.colorado.gov/>

----- Forwarded message -----

From: **Bryan Law** <blaw@jrengineering.com>
Date: Wed, Mar 16, 2022 at 9:30 AM
Subject: Latigo Trails Subdivision, El Paso County - Stormwater Management Proposal at this stage
To: Perry - DNR, Mark <mark.perry@state.co.us>

Good Morning Mark,

I am writing you in hopes of getting a couple of questions answered and if our proposed storm water management scheme will require a formal submittal to the State or not. The project is a continuation of an older subdivision (Latigo Trails) which was done in the late 1990's and early 2000's and then stopped. Leaving an additional 5 Filings to be done. Attached is a high level sketch which shows the location of the existing infiltration/retention pond that has been in existence since the early 2000's. The sketch also shows the proposed course of the future outfall to Black Squirrel Creek (BSC).

The plan today is to start up again with Filing 9 and progress through the rest of the Filings through Filing 13 as shown. Filings 10 and 12 are south and lie outside the BSC Basin.

The existing infiltration/retention pond would continue to be utilized for the development of Filing 9 and be expanded if necessary. Infiltration/retention pond expansion, if necessary, would be a function of the results from the infiltration rates currently being investigated.

Does incorporating the infiltration/retention pond into the proposed storm water management of this project constitute some groundwater/surface water issue that may have to be addressed?

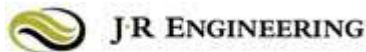
In the future (Filing 11), the infiltration/retention pond would be abandoned and flow would pass under Latigo Boulevard and convey north along Eastonville to a proposed Extended Detention Basin Pond at which point flow would be discharged to BSC. See attached BSC Outfall Ultimate sketch for a more detailed layout. This proposed routing is a diversion from historical patterns. But, given Eastonville Road has been in existence for a long time and has cut off the historical patterns we therefore are requesting that this “diversion” take place. Is this a condition that the State needs to further review?

We have had discussions with El Paso County regarding this proposal. They seem receptive, but, do want the States input at this stage.

Thank you for your attention in this matter and do look forward to your response.

Regards,

Bryan Law, PE | Client Manager



5475 Tech Center Drive, Ste 235 | Colorado Springs, CO 80909

Phone: 303-740-9393 | Direct: 303-267-6254

Cell: 719-964-6406 | Fax: 303-721-9019

Email: blaw@jrengineering.com

Latigo Filing No 10 - Exhibit C

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 16 AND A PORTION OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE SOUTHEAST CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "LS 24964 2000" FLUSH WITH THE GROUND AND AT THE SOUTHWEST CORNER BY A 2-1/2" ALUMINUM CAP STAMPED "LS 25955 1996" 0.35" BELOW GROUND, BEARING N89°25'55"W.

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE EAST LINE OF SAID SECTION 17, N00°24'42"W A DISTANCE OF 1,154.37 FEET, TO THE POINT BEING THE POINT OF BEGINNING;

THENCE S89°27'42"W A DISTANCE OF 1.79 FEET, TO THE SOUTHEASTERLY CORNER OF LOT 8, THE TRAILS FILING NO. 8 RECORDED UNDER RECEPTION NO. 207712541 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE ON THE BOUNDARY OF SAID THE TRAILS FILING NO. 8, THE FOLLOWING SIXTEEN (16) COURSES:

1. N01°32'00"W A DISTANCE OF 563.81 FEET;
2. N88°28'20"E A DISTANCE OF 125.09 FEET;
3. N01°31'40"W A DISTANCE OF 60.00 FEET;
4. N01°32'00"W A DISTANCE OF 445.29 FEET;
5. S89°31'51"E A DISTANCE OF 304.75 FEET;
6. N04°24'58"E A DISTANCE OF 601.43 FEET;
7. N00°28'09"E A DISTANCE OF 200.00 FEET;
8. N19°41'13"W A DISTANCE OF 634.23 FEET;
9. N00°28'09"E A DISTANCE OF 102.93 FEET;
10. N69°12'04"E A DISTANCE OF 486.05 FEET;
11. N20°47'56"W A DISTANCE OF 134.68 FEET, TO A POINT OF CURVE;
12. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 09°05'54" AND AN ARC LENGTH OF 84.16 FEET, TO A POINT OF NON-TANGENT;

13. S78°21'46"W A DISTANCE OF 388.55 FEET;
14. N00°28'09"E A DISTANCE OF 636.09 FEET;
15. S89°32'00"E A DISTANCE OF 230.48 FEET;
16. N00°28'00"E A DISTANCE OF 555.14 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF LATIGO BOULEVARD;

THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE, N89°48'42"E A DISTANCE OF 917.63 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING FIFTEEN (15) COURSES:

1. S09°07'03"W A DISTANCE OF 576.97 FEET, TO A POINT OF NON-TANGENT CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S09°07'03"W, HAVING A RADIUS OF 420.00 FEET, A CENTRAL ANGLE OF 08°39'03" AND AN ARC LENGTH OF 63.41 FEET, TO A POINT OF TANGENT;
3. N89°32'00"W A DISTANCE OF 68.00 FEET;
4. S00°28'00"W A DISTANCE OF 423.36 FEET;
5. N87°37'41"E A DISTANCE OF 68.09 FEET;
6. S20°16'04"W A DISTANCE OF 143.48 FEET;
7. S17°24'33"E A DISTANCE OF 809.98 FEET;
8. S87°35'59"E A DISTANCE OF 123.23 FEET;
9. S02°24'01"W A DISTANCE OF 437.00 FEET;
10. S87°35'59"E A DISTANCE OF 31.60 FEET;
11. S02°24'01"W A DISTANCE OF 218.11 FEET;
12. S13°09'53"W A DISTANCE OF 853.92 FEET;
13. S13°09'11"W A DISTANCE OF 977.68 FEET;
14. N69°28'15"W A DISTANCE OF 791.84 FEET;
15. S89°27'42"W A DISTANCE OF 398.27 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 4,428,810 SQUARE FEET OR 101.6715 ACRES.