

COMMISSIONERS: HOLLY WILLIAMS, DISTRICT 1 CARRIE GEITNER, DISTRICT 2 STAN VANDERWERF, DISTRICT 3 LONGINOS GONZALEZ, JR., DISTRICT 4 CAMI BREMER, DISTRICT 5

### PLANNING & COMMUNITY DEVELOPMENT

**To:** El Paso County Board of County Commissioners

- From:Ryan Howser, AICP, Principal PlannerJeff Rice, PE, Interim Professional Standards EngineerMeggan Herington, AICP, Executive Director
- **Date:** November 14, 2024
- Subject:Request for a two-year extension to record the first Final Plat of the Eagle Rising<br/>Preliminary Plan (PCD File No. SP205)
- **Summary:** A request by Casas Limited Partnership #4 and IQ Investors, LLC for approval of the third two-year extension to record the first Final Plat within the Eagle Rising Preliminary Plan boundary (PCD File No. SP205). The 70.97-acre property is zoned RR-2.5 (Residential Rural) and is located approximately one-half (1/2) mile east of Black Forest Road and immediately north of the anticipated Briargate Parkway eastern extension. If approved, the extension would move the expiration date of the Preliminary Plan from November 15, 2024, to November 14, 2026.

### Background:

A Preliminary Plan for the Eagle Rising Subdivision, consisting of 70.97 acres, proposed for residential development consisting of 17 lots, was heard and approved by the Board of County Commissioners on September 24, 2013 (PCD file no. SP12006, BoCC Resolution 13-407). The 2013 Preliminary Plan approval included five (5) conditions of approval and three (3) notations. Notation number two (2) states:

Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

A Final Plat was submitted in 2015, however, it was never completed or scheduled for a public hearing before the Planning Commission or the Board of County Commissioners due to staff review comments not being addressed by the applicant with a resubmittal. The 2015 project was subsequently closed due to inactivity and the Preliminary Plan was therefore deemed expired. The applicant submitted another Final Plat application in 2018. Again, due to the project being inactive for over one year, the Final Plat application was closed. No Final Plat has been approved to date. The

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**BOCC Report Packet** Page 1 of 28

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applicant requested that the Preliminary Plan be reconsidered on September 11, 2020, to allow the approval to be reactivated and extended for two years; this request was approved by the BoCC, creating a new expiration date of December 8, 2022 (BoCC Resolution No. 20-423).

BoCC Resolution No. 20-423 included a condition of approval requiring that all documents associated with the Preliminary Plan be brought up to all current standards, due to updates to the Land Development Code and Engineering Criteria Manual since the 2013 approval (see Condition No. 6). BoCC Resolution No. 20-423 also authorized the PCD Director to approve minor modifications to the layout administratively.

The applicant did not provide the documents to satisfy Condition No. 6 of BoCC Resolution No. 20-423. On January 17, 2022, the project was closed due to being inactive for over one year. The applicant requested that the Preliminary Plan be reopened and again reconsidered to allow the approval to be reactivated and extended for two years, creating a new expiration date of November 15, 2024. The same conditions of approval were applied to the Preliminary Plan extension request in order to satisfy the conditions of approval placed on BoCC Resolution No. 20-423. The BoCC approved the request on November 15, 2022 (BoCC Resolution No. 22-402). The applicant subsequently provided the documents to satisfy Condition No. 6 of BoCC Resolution No. 20-423 and Staff determined the BoCC's condition to have been met on April 16, 2024.

The applicant submitted a Final Plat application for Eagle Rising Filing No. 1 on July 29, 2022, which is currently under review by Staff (PCD File No. SF2225).

The BoCC approved a request to establish a water sufficiency finding for the Preliminary Plan and authorize administrative Final Plats on August 8, 2024 (BoCC Resolution No. 24-307).

### **Current Request:**

The applicant is now requesting the BoCC approve the third two-year extension to record the first Final Plat for the Preliminary Plan for Eagle Rising. All previous conditions and notations associated with the Eagle Rising Preliminary Plan, Resolution No. 13-407, Resolution No. 20-423, Resolution No. 22-402, and Resolution No. 24-307 shall remain valid and in full effect.

Staff recommends one additional condition to be placed upon the Eagle Rising Preliminary Plan:

To assure compliance with note 4 on the Preliminary Plan, each Final Plat that includes property shown as right-of-way for the cul-de-sac extension of Kurie Road (the "Kurie Road Extension") shall dedicate such right-of-way to El Paso County for public road purposes at the time of platting.

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BOCC Report Packet Page 2 of 28

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### Analysis:

The above condition is being proposed by Staff to ensure that the appropriate land for the cul-de-sac is dedicated to El Paso County and to ensure compliance with Sections 7.2.1.D.3.f and 8.5.4.A.1 of the El Paso County Land Development Code for the appropriate Final Plats within the boundary of the Preliminary Plan.

Staff provided initial comments for the Eagle Rising Filing No. 1 Final Plat on September 1, 2022, identifying the need for the depiction of property for right-of-way for the cul-de-sac extension of Kurie Road (the "Kurie Road Extension") on the Final Plat in order to ensure conformance with the Preliminary Plan. Staff most recently provided review comments on October 3, 2024, with the Kurie Road extension remaining an outstanding issue; a resubmittal has not yet been received to address these comments.

Land Development Code Section 7.2.1.D.3.f consists of the review criteria for a Final Plat; specifically, the following criterion may not be met by the Final Plats if the land allocated for the Kurie Road extension is not appropriately depicted:

The subdivision is in substantial conformance with the approved preliminary plan.

Staff has determined that the proposed Final Plat which subdivides property over the approved culde-sac configuration is not in substantial conformance with the approved Preliminary Plan.

Code Section 8.5.4.A.1 states the following:

The owner shall dedicate the entire right-of-way for roads, trails, and other public improvements associated with the division of land in accordance with standards in this Code, the ECM, and the MTCP. Dedications shall be shown on the plat and meet the general dedication requirements of this Code. The County requirements regarding Roadway Functional Classification, Roadway Design Criteria, and Access Criteria are included in Chapter 2 of the ECM.

Staff has determined that this Code section cannot be met by the Final Plat without the depiction of and dedication of the appropriate land area for the necessary right-of-way, and the proposed condition of approval will ensure compliance with this Section of the Land Development Code.

Additionally, the requirement to dedicate land for the Kurie Road extension will ensure compliance with Section 2.3.8.C.1 of the Engineering Criteria Manual (ECM). Kurie Road currently terminates at

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BOCC Report Packet Page 3 of 28

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the northerly property boundary of the Eagle Rising Preliminary Plan with Eagle Wing Drive terminating at the Preliminary Plan's westerly boundary. The existing section of Kurie Road is a public right-of-way and was planned to provide access to and possibly through the 70.9-acre site to include a potential connection to Eagle Wing Drive, also a public right-of-way. Temporary easements were provided at the terminus of both public roads to accommodate the development of Eagle Rising. Pursuant to the ECM, temporary easements for road termini are intended as turnarounds for emergency response and are used when the adjacent site is anticipated to continue the roadway at a future date; no direct access shall be allowed off the anticipated cul-de-sac unless the cul-de-sac is designed to be permanent. When the road is extended, at some future time, the responsibility for conversion of the cul-de-sac to the typical road cross section and site restoration shall be the owner/developer requiring the street extension.

### Attachments:

- 1. BoCC Resolution No. 13-407
- 2. BoCC Resolution No. 20-423
- 3. BoCC Resolution No. 22-402
- 4. BoCC Resolution No. 24-307
- 5. Eagle Rising Preliminary Plan
- 6. Proposed Eagle Rising Filing No. 1 Final Plat
- 7. Draft BOCC Resolution



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 El Paso County

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RESOLUTION NO. 13- 407

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

### APPROVE PRELIMINARY PLAN REQUEST FOR (EAGLE RISING) (SP-12-006)

WHEREAS, Casa Limited Partnership #4 and IQ Investors, LLC did file an application with the Development Services Department of El Paso County for the approval of a Preliminary Plan for Subdivision for the herein described property in the unincorporated area of El Paso County; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on August 20, 2013, upon which date the Planning Commission did by formal resolution recommend approval of the subject application with conditions and notations; and

WHEREAS, a public hearing was held by this Board on September 24, 2013; and

WHEREAS, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the county, recommendations of the El Paso County Planning Commission, comments of the El Paso County Development Services Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

- 1. That proper posting, publication and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of El Paso County.
- 2. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at those hearings.
- 3. That the proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
- 4. That the subdivision is consistent with the purposes of the El Paso County Land Development Code.
- 5. That the subdivision is in conformance with the subdivision design standards and any approved Sketch Plan.
- 6. That a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance

> with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of the Land Development Code.

- 7. That a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Land Development Code.
- 8. That all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions [C.R.W. §30-28-133(6)(c)].
- 9. That adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the <u>Land Development Code</u> and the <u>Engineering Criteria Manual</u> are provided by the design.
- 10. That the proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encouraging a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefor, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.
- 11. That necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
- 12. That the subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the <u>Land Development Code</u>.
- 13. That the proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
- 14. That all data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.

- 15. That the proposed subdivision of land conforms to the El Paso County Zoning
   Resolutions.
- 16. That for the above-stated and other reasons, the proposed subdivision is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of El Paso County, Colorado, hereby approves the request by Casa Limited Partnership #4 and IQ Investors, LLC for Preliminary Plan of Eagle Rising Subdivision for property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by reference.

BE IT FURTHER RESOLVED that the following conditions and notations shall be placed upon this approval:

### **RECOMMENDED CONDITIONS OF APPROVAL**

- The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
- 2. No additional building permits for single-family residences shall be issued prior to approval and recordation of subsequent final plat(s) to create additional lots within the preliminary plan area.
- Applicable park, school, drainage, bridge and road impact fees shall be paid to the El Paso County Development Services Department at the time of recording any final plat.
- 4. A driveway access permit will be required from the El Paso County Development Services Department for any access to a county-maintained roadway.
- 5. A floodplain certification letter shall be provided by a professional engineer with every final plat for the approved preliminary plan area.

### NOTATIONS

1. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.

- 2. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.
- 3. The property is subject to the County Road Impact Fee Program. At the time of final plat, the Subdivider(s) will be required to pay traffic impact fees in accordance with the County Road Impact Fee Program (Resolution 12-382), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

AND BE IT FURTHER RESOLVED that the record and recommendations of the El Paso County Planning Commission be adopted.

BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO By: der

DONE THIS 24th day of August 2013 at Colorado Springs, Colorado.

### Exhibit A

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 29, SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF PARK FOREST ESTATES FILING NO 2 (PLAT BOOK B-2 AT PAGE 52); THENCE S 00° 13'40"E ON THE WEST LINE OF THE EAST HALF OF SAID SECTION 29, A DISTANCE OF 1413.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 00° 13'40"W, 1413.98 FEET; THENCE N89 ° 14' 16"E. ON THE SOUTHERLY BOUNDARY OF SAID PARK FOREST ESTATES, A DISTANCE OF 375.32 FEET TO THE SOUTHEAST CORNER OF LOT 14. BLOCK 18 OF SAID PARK FOREST ESTATES: THENCE N89°13'46"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 60.00 FEET TO THE EAST LINE OF KURIE ROAD; THENCE N89°33' 1.7"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 237.50 FEET; THENCE N89°20'43''E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 149.96 FEET: THENCE S00°39'26"E. DEPARTING SAID SOUTHERLY BOUNDARY OF PARK FOREST ESTATES, A DISTANCE OF 231.57 FEET; THENCE S43°12'03"E, A DISTANCE OF 433.08 FEET; THENCE \$43°12'03"E, A DISTANCE OF 56.61 FEET; THENCE N88°33'24"E, A DISTANCE OF 0.10 FEET TO THE NORTHWEST CORNER OF LOT 1 POCO SUBDIVISION ACCORDING TO THE TO THE OFFICIAL MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF EL PASO COUNTY, COLORADO, AS RECEPTION N'O. 2406425; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 1 THE FOLLOWING SIX (6) COURSES:

S16°04'20"E, 158.01 FEET;

S02°43'41"W, 265.73 FEET:

N84°46'48"W, 71..67 FEET; SO0° 11'34"W, 147.46 FEET;

300 1134 W, 147.40 FEET,

N88°32'26"E, 150.00 FEET;

S01 °27'34"E, 275.63 FEET; THENCE S89°45'28"W DEPARTIN

THENCE S89°45'28"W DEPARTING SAID WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 766.08 FEET; THENCE N00°14'32"W, 100.00 FEET; THENCE S89°45'28"W, 152.00 FEET; THENCE S00°14'32"E, 200.00 FEET; THENCE S89°45'28"W, 152.00 FEET; THENCE N00°14'32"W, 1.00.00 FEET; THENCE S89°45'28"W, 201,18 FEET TO A POINT ON SAID WEST LINE OF THE EAST HALF OF SAID SECTION 29, SAID POINT BEING THE TRUE PONT OF BEGINNING.

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 29, SAID PONT BEING ON THE SOUTHERLY BOUNDARY OF PARK FOREST ESTATES FILING NO. 2 (PLAT BOOK B-2 AT PAGE 52), THENCE N89° 14' 16"E, ON THE SOUTHERLY BOUNDARY OF SAID PARK FOREST ESTATES, A DISTANCE OF 375.32 FEET TO THE SOUTHEAST CORNER OF LOT 14, BLOCK 18 OF SAID PARK FOREST ESTATES; THENCE N89'13'46"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 60.00 FEET TO THE EAST LINE OF KURIE ROAD; THENCE N89°33' 17"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 237.50 FEET; THENCE N89°20'43"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE

OF 149.96 FEET: THENCE S00°39'26"E, DEPARTING SAIDSOUTHERLY BOUNDARY OF PARK FOREST ESTATES, A DISTANCE OF 231.57 FEET; THENCE S43°12'03"E, A DISTANCE OF 433.08 FEET; THENCE S43°12'03"E, A DISTANCE OF 56.61 FEET; THENCE N88°33'24"E, A DISTANCE OF 0.10 FEET TO THE NORTHWEST CORNER OF LOT 1 POCO SUBDIVISION ACCORDING TO THE TO THE OFFICIAL MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF EL PASO COUNTY, COLORADO, AS RECEPTION NO. 2406425; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 1 THE FOLLOWING SIX (6) COURSES: SI6°04'20"E, 158.01 FEET; S02°43'41'W, 265.73 FEET: N84°46'48"W, 71.67 FEET; S00°11'34"W, 147.46 FEET; N88°32'26"E, 150.00 FEET; S01 °27'34"E, A DISTANCE OF 275.63 FEET TO THE TRUE PONT OF BEGINNING; THENCE S01 °27'34"E, A DISTANCE OF 178.87 FEET; THENCE S34°54'56"W, A DISTANCE OF 563.22 FEET; THENCE S00°00'00"E, A DISTANCE OF 344.55 FEET; THENCE N90°00'00"E, A DISTANCE OF 87.56 FEET; THENCE S00°00'00"E, A DISTANCE OF 459.65 FEET: THENCE S89°59'26"W. A DISTANCE OF 1035.05 FEET TO A PONT ON THE WEST LINE OF THE EAST HALF OF SAID SECTION 29; THENCE NO0°13'40"W, ALONG SAID WEST LINE, A DISTANCE OF 1439.98 FEET TO A POINT WHICH IS DRAWN S 89° 45'28" W FROM THE POINT OF BEGINNING: THENCE N 89°45'28"E, A DISTANCE OF 201.18 FEET; THENCE S00°14'32"E, 100.00FEET; THENCE N89'45'28"E, 152.00 FEET; THENCE N00°14'32"W, 200.00 FEET; THENCE N89°45'28"E, 152.00 FEET; THENCE S00°14'32"E, 100.00 FEET; THENCE N89°45'28"E, 766.08 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

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### RESOLUTION NO. 20-423

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

RECONSIDERATION OF A PRELIMINARY PLAN TO APPROVE A TWO YEAR TIME EXTENSION TO RECORD THE FIRST FINAL PLAT FOR EAGLE RISING PRELIMINARY PLAN

WHEREAS, the Board of County Commissioners of El Paso County, Colorado ("Board"), previously adopted Resolution No. 13-407, approving the Preliminary Plan for Eagle Rising;

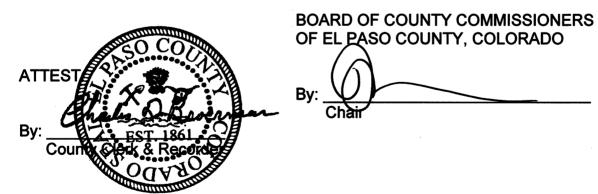
NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the extension of time of two years in which to have the first final plat filing recorded for Eagle Rising Preliminary Plan request as submitted, for the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference;

BE IT FURTHER RESOLVED the following conditions shall be placed upon this approval:

- The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
- 2. No additional building permits for single-family residences shall be issued prior to approval and recordation of subsequent final plat(s) to create lots within the preliminary plan area.
- 3. Applicable park, school, drainage, bridge and road impact fees shall be paid to the El Paso County Planning and Community Development Department at the time of recording any final plat.
- 4. A driveway access permit will be required from the El Paso County Planning and Community Development Department for any access to a County-maintained roadway.

- 5. Authority is given to the PCD Director to administratively approve minor amendment(s) to the preliminary plan. The Director shall have the authority to determine whether any proposed future amendment to the plan constitutes a major or minor amendment to the plan. All major amendments to the plan shall be processed as such, including hearings before the Planning Commission and Board of County Commissioners.
- 6. The preliminary plan, including all supporting documents, shall be in accordance with the current standards of the <u>Land Development Code</u> and <u>Engineering Criteria Manual</u>. The applicant shall revise, pursuant to the current standards, and submit at a minimum the following documentation and reports for approval:
  - a. Natural Feature Report
  - b. Wetland Analysis
  - c. Clearance Letter from the US Fish and Wildlife Service
  - d. Soils and Geology Report
  - e. Preliminary Drainage Report
  - f. Grading and Erosion Control Plan
  - g. Traffic Impact Study
- 7. The applicant will be required to obtain a water sufficiency finding from the Board of County Commissioners with all future final plat(s) applications.

DONE THIS 8<sup>th</sup> day of December 2020, at Colorado Springs, Colorado.



Resolution No. \_\_\_\_ EXHIBIT A

### NORTH PORTION - ( 10195 KURIE ROAD)

**LEGAL DESCRIPTION:** 

THAT PORTION OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., EL PASO COUNTY, COLORADO DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 29, SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF PARK FOREST ESTATES FILING NO 2 (PLAT BOOK B-2 AT PAGE 52); THENCE S 00° 13'40"E ON THE WEST LINE OF THE EAST HALF OF SAID SECTION 29, A DISTANCE OF 1413.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 00° 13'40"W, 1413.98 FEET; THENCE N89°14'16"E, ON THE SOUTHERLY BOUNDARY OF SAID PARK FOREST ESTATES, A DISTANCE OF 375.32 FEET TO THE SOUTHEAST CORNER OF LOT 14, BLOCK 18 OF SAID PARK FOREST ESTATES; THENCE N89°13'46"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 60.00 FEET TO THE EAST LINE OF KURIE ROAD; THENCE N89°33'17"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 237.50 FEET; THENCE N89°20'43"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 149.96 FEET; THENCE S00°39'26"E, DEPARTING SAID SOUTHERLY BOUNDARY OF PARK FOREST ESTATES, A DISTANCE OF 231.57 FEET; THENCE S43°12'03"E, A DISTANCE OF 433.08 FEET; THENCE S43°12'03"E, A DISTANCE OF 56.61 FEET; THENCE N88°33'24"E, A DISTANCE OF 0.10 FEET TO THE NORTHWEST CORNER OF LOT 1 POCO SUBDIVISION ACCORDING TO THE TO THE OFFICIAL MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF EL PASO COUNTY, COLORADO, AS RECEPTION NO. 2406425; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 1 THE FOLLOWING SIX (6) COURSES:

S16°04'20"E, 158.01 FEET; S02°43'41"W, 265.73 FEET: N84°46'48"W, 71.67 FEET; S00°11'34"W, 147.46 FEET; N88°32'26"E, 150.00 FEET; S01°27'34"E, 275.63 FEET;

THENCE S89°45'28"W DEPARTING SAID WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 766.08 FEET; THENCE N00°14'32"W, 100.00 FEET; THENCE S89°45'28"W, 152.00 FEET; THENCE S00°14'32"E, 200.00 FEET; THENCE S89°45'28"W, 152.00 FEET; THENCE N00°14'32"W, 100.00 FEET; THENCE S89°45'28"W, 201.18 FEET TO A POINT ON SAID WEST LINE OF THE EAST HALF OF SAID SECTION 29, SAID POINT BEING THE TRUE POINT OF BEGINNING.

DESCRIPTION PREPARED BY: M & S CIVIL CONSULTANTS, INC. 102 EAST PIKES PEAK AVE. STE.306 COLORADO SPRINGS, COLORADO

### SOUTH PORTION -(10115 KURIE ROAD)

LEGAL DESCRIPTION:

THAT PORTION OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 29, SAID POINT BEING ON THE SOUTHERLY

BOCC Report Packet Page 13 of 28 BOUNDARY OF PARK FOREST ESTATES FILING NO. 2 (PLAT BOOK B-2 AT PAGE 52), THENCE N89°14'16"E, ON THE SOUTHERLY BOUNDARY OF SAID PARK FOREST ESTATES, A DISTANCE OF 375.32 FEET TO THE SOUTHEAST CORNER OF LOT 14, BLOCK 18 OF SAID PARK FOREST ESTATES; THENCE N89°13'46"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 60.00 FEET TO THE EAST LINE OF KURIE ROAD; THENCE N89°33'17"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 237.50 FEET; THENCE N89°20'43"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 149.96 FEET; THENCE S00°39'26"E, DEPARTING SAIDSOUTHERLY BOUNDARY, A DISTANCE OF 149.96 FEET; THENCE S00°39'26"E, DEPARTING SAIDSOUTHERLY BOUNDARY OF PARK FOREST ESTATES, A DISTANCE OF 231.57 FEET; THENCE S43°12'03"E, A DISTANCE OF 433.08 FEET; THENCE S43°12'03"E, A DISTANCE OF 56.61 FEET; THENCE N88°33'24"E, A DISTANCE OF 0.10 FEET TO THE NORTHWEST CORNER OF LOT 1 POCO SUBDIVISION ACCORDING TO THE TO THE OFFICIAL MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF EL PASO COUNTY, COLORADO, AS RECEPTION NO. 2406425; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 1 THE FOLLOWING SIX (6) COURSES:

S16°04'20"E, 158.01 FEET; S02°43'41"W, 265.73 FEET: N84°46'48"W, 71.67 FEET; S00°11'34"W, 147.46 FEET; N88°32'26"E, 150.00 FEET;

S01°27'34"E, A DISTANCE OF 275.63 FEET TO THE TRUE POINT OF BEGINNING; THENCE S01°27'34"E, A DISTANCE OF 178.87 FEET; THENCE S34°54'56"W, A DISTANCE OF 563.22 FEET; THENCE S00°00'00"E, A DISTANCE OF 344.55 FEET; THENCE N90°00'00"E, A DISTANCE OF 87.56 FEET; THENCE S00°00'00"E, A DISTANCE OF 459.65 FEET; THENCE S89°59'26"W, A DISTANCE OF 1035.05 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF SAID SECTION 29; THENCE N00°13'40"W, ALONG SAID WEST LINE, A DISTANCE OF 1439.98 FEET TO A POINT WHICH IS DRAWN S 89° 45'28" W FROM THE POINT OF BEGINNING; THENCE N 89°45'28"E, A DISTANCE OF 201.18 FEET; THENCE S00°14'32"E, 100.00FEET; THENCE N89°45'28"E, 152.00 FEET; THENCE N00°14'32"W, 200.00 FEET; THENCE N89°45'28"E, 152.00 FEET; THENCE S00°14'32"E, 100.00 FEET; THENCE N89°45'28"E, 766.08 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

DESCRIPTION PREPARED BY: M & S CIVIL CONSULTANTS, INC. 102 EAST PIKES PEAK AVE. STE 306 COLORADO SPRINGS, COLORADO 80903 BOLC

Chuck Broerman 11/16/2022 11:33:07 AM Doc \$0.00 4 Rec \$0.00 Pages



### **RESOLUTION NO. 22-402**

### BOARD OF COUNTY COMMISSIONERS

### COUNTY OF EL PASO

### STATE OF COLORADO

### RECONSIDERATION OF A PRELIMINARY PLAN TO APPROVE A TWO-YEAR TIME EXTENSION TO RECORD THE FIRST FINAL PLAT FOR EAGLE RISING PRELIMINARY PLAN

WHEREAS, the Board of County Commissioners of El Paso County, Colorado ("Board"), previously adopted Resolution No. 13-407, approving the Preliminary Plan for Eagle Rising;

WHEREAS, the Board of County Commissioners of El Paso County, Colorado ("Board"), previously adopted Resolution No. 20-423, approving a two-year time extension to record the first final plat for the Preliminary Plan for Eagle Rising;

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the extension of time of two years in which to have the first final plat filing recorded for Eagle Rising Preliminary Plan request as submitted, for the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference;

BE IT FURTHER RESOLVED the following conditions shall be placed upon this approval:

- The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
- 2. No additional building permits for single-family residences shall be issued prior to approval and recordation of subsequent final plat(s) to create lots within the preliminary plan area.
- 3. Applicable park, school, drainage, bridge and road impact fees shall be paid to the El Paso County Planning and Community Development Department at the time of recording any final plat.
- 4. A driveway access permit will be required from the El Paso County Planning and Community Development Department for any access to a County-maintained roadway.

Resolution No. 22-402 Page 2

- 5. Authority is given to the PCD Director to administratively approve minor amendment(s) to the preliminary plan. The Director shall have the authority to determine whether any proposed future amendment to the plan constitutes a major or minor amendment to the plan. All major amendments to the plan shall be processed as such, including hearings before the Planning Commission and Board of County Commissioners.
- 6. The preliminary plan, including all supporting documents, shall be in accordance with the current standards of the <u>Land Development Code</u> and <u>Engineering Criteria Manual</u>. The applicant shall revise, pursuant to the current standards, and submit at a minimum the following documentation and reports for approval:
  - a. Natural Feature Report
  - b. Wetland Analysis
  - c. Clearance Letter from the US Fish and Wildlife Service
  - d. Soils and Geology Report
  - e. Preliminary Drainage Report
  - f. Grading and Erosion Control Plan
  - g. Traffic Impact Study
- 7. The applicant will be required to obtain a water sufficiency finding from the Board of County Commissioners with all future final plat(s) applications.

DONE THIS 15<sup>th</sup> day of November 2022, at Colorado Springs, Colorado.

ATTEST: By: County Clerk & Recorder

BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO

Bv

### Resolution No. <u>22-402</u> EXHIBIT A

### NORTH PORTION - ( 10195 KURIE ROAD)

LEGAL DESCRIPTION:

THAT PORTION OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., EL PASO COUNTY, COLORADO DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-OUARTER OF SAID SECTION 29, SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF PARK FOREST ESTATES FILING NO 2 (PLAT BOOK B-2 AT PAGE 52); THENCE S 00° 13'40"E ON THE WEST LINE OF THE EAST HALF OF SAID SECTION 29, A DISTANCE OF 1413.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 00° 13'40"W, 1413.98 FEET; THENCE N89'14'16"E, ON THE SOUTHERLY BOUNDARY OF SAID PARK FOREST ESTATES, A DISTANCE OF 375.32 FEET TO THE SOUTHEAST CORNER OF LOT 14, BLOCK 18 OF SAID PARK FOREST ESTATES; THENCE N89°13'46"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 60.00 FEET TO THE EAST LINE OF KURIE ROAD; THENCE N89°33'17"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 237.50 FEET; THENCE N89°20'43"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 149.96 FEET; THENCE S00°39'26"E, DEPARTING SAID SOUTHERLY BOUNDARY OF PARK FOREST ESTATES, A DISTANCE OF 231.57 FEET; THENCE S43°12'03"E, A DISTANCE OF 433.08 FEET; THENCE \$43°12'03"E, A DISTANCE OF 56.61 FEET; THENCE N88°33'24"E, A DISTANCE OF 0.10 FEET TO THE NORTHWEST CORNER OF LOT 1 POCO SUBDIVISION ACCORDING TO THE TO THE OFFICIAL MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF EL PASO COUNTY, COLORADO, AS RECEPTION NO. 2406425; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 1 THE FOLLOWING SIX (6) COURSES:

S16°04'20"E, 158.01 FEET; S02°43'41"W, 265.73 FEET: N84°46'48"W, 71.67 FEET; S00°11'34"W, 147.46 FEET; N88°32'26"E, 150.00 FEET; S01°27'34"E, 275.63 FEET;

THENCE S89°45'28"W DEPARTING SAID WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 766.08 FEET; THENCE N00°14'32"W, 100.00 FEET; THENCE S89°45'28"W, 152.00 FEET; THENCE S00°14'32"E, 200.00 FEET; THENCE S89°45'28"W, 152.00 FEET; THENCE N00°14'32"W, 100.00 FEET; THENCE S89°45'28"W, 201.18 FEET TO A POINT ON SAID WEST LINE OF THE EAST HALF OF SAID SECTION 29, SAID POINT BEING THE TRUE POINT OF BEGINNING.

DESCRIPTION PREPARED BY: M & S CIVIL CONSULTANTS, INC. 102 EAST PIKES PEAK AVE. STE.306 COLORADO SPRINGS, COLORADO

### SOUTH PORTION -(10115 KURIE ROAD)

LEGAL DESCRIPTION:

THAT PORTION OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 29, SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF PARK FOREST ESTATES FILING NO. 2 (PLAT BOOK B-2 AT PAGE 52), THENCE N89°14'16"E, ON THE SOUTHERLY BOUNDARY OF SAID PARK FOREST ESTATES, A DISTANCE OF 375.32 FEET TO THE SOUTHEAST CORNER OF LOT 14, BLOCK 18 OF SAID PARK FOREST ESTATES; THENCE N89°13'46"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 60.00 FEET TO THE EAST LINE OF KURIE ROAD; THENCE N89°33'17"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 237.50 FEET; THENCE N89°20'43"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 149.96 FEET; THENCE S00°39'26"E, DEPARTING SAIDSOUTHERLY BOUNDARY OF PARK FOREST ESTATES, A DISTANCE OF 231.57 FEET; THENCE S43°12'03"E, A DISTANCE OF 433.08 FEET; THENCE S43°12'03"E, A DISTANCE OF 56.61 FEET; THENCE S43°12'03"E, A DISTANCE OF 0.10 FEET TO THE NORTHWEST CORNER OF LOT 1 POCO SUBDIVISION ACCORDING TO THE TO THE OFFICIAL MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF EL PASO COUNTY, COLORADO, AS RECEPTION NO. 2406425; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 1 THE FOLLOWING SIX (6) COURSES:

S16°04'20"E, 158.01 FEET; S02°43'41"W, 265.73 FEET: N84°46'48"W, 71.67 FEET; S00°11'34"W, 147.46 FEET; N88°32'26"E, 150.00 FEET; S01'27'24"E, DISTANCE

S01°27'34"E, A DISTANCE OF 275.63 FEET TO THE TRUE POINT OF BEGINNING; THENCE S01°27'34"E, A DISTANCE OF 178.87 FEET; THENCE S34°54'56"W, A DISTANCE OF 563.22 FEET; THENCE S00°00'00"E, A DISTANCE OF 344.55 FEET; THENCE N90°00'00"E, A DISTANCE OF 87.56 FEET; THENCE S00°00'00"E, A DISTANCE OF 459.65 FEET; THENCE S89°59'26"W, A DISTANCE OF 1035.05 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF SAID SECTION 29; THENCE N00°13'40"W, ALONG SAID WEST LINE, A DISTANCE OF 1439.98 FEET TO A POINT WHICH IS DRAWN S 89° 45'28" W FROM THE POINT OF BEGINNING; THENCE N 89'45'28"E, A DISTANCE OF 201.18 FEET; THENCE S00°14'32"E, 100.00FEET; THENCE N89°45'28"E, 152.00 FEET; THENCE N00°14'32"W, 200.00 FEET; THENCE N89°45'28"E, 152.00 FEET; THENCE S00°14'32"E, 100.00 FEET; THENCE N89°45'28"E, 766.08 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

DESCRIPTION PREPARED BY: M & S CIVIL CONSULTANTS, INC. 102 EAST PIKES PEAK AVE. STE 306 COLORADO SPRINGS, COLORADO 80903

BOCC Report Packet Page 18 of 28



Steve Schleiker 08/08/2024 02:24:28 PM Doc \$0.00 2 Rec \$0.00 Pages



### **RESOLUTION NO. 24-307**

### BOARD OF COUNTY COMMISSIONERS

### COUNTY OF EL PASO

### STATE OF COLORADO

### REQUEST TO AMEND THE EAGLE RISING PRELIMINARY PLAN TO INCLUDE A FINDING OF SUFFICIENCY WITH REGARDS TO WATER QUALITY, QUANTITY, AND DEPENDABILITY (PCD FILE NO. SP242)

WHEREAS, the Board of County Commissioners of El Paso County, Colorado ("Board"), previously adopted Resolution No. 13-407, approving the Preliminary Plan for Eagle Rising;

WHEREAS, the Board of County Commissioners of El Paso County, Colorado ("Board"), previously adopted Resolution No. 20-423, approving a two-year time extension to record the first Final Plat for the Preliminary Plan for Eagle Rising;

WHEREAS, the Board of County Commissioners of El Paso County, Colorado ("Board"), previously adopted Resolution No. 22-402, approving a two-year time extension to record the first Final Plat for the Preliminary Plan for Eagle Rising;

WHEREAS, the approval included a finding of water sufficiency with regards to water quality, quantity, and dependability from the County Attorney's Office;

WHEREAS, the aforementioned finding of water sufficiency with regards to water quality, quantity, and dependability from the County Attorney's Office has been rendered invalid due to the expiration of documentation;

WHEREAS, the applicant has since obtained an updated finding of water sufficiency with regards to water quality, quantity, and dependability from the County Attorney's Office;

WHEREAS, the applicant is requesting the BoCC authorize administrative approval for all subsequent Final Plats within the Preliminary Plan area; and

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, authorize administrative approval for all subsequent Final Plats within the Preliminary Plan area; and

BE IT FURTHER RESOLVED that all conditions of approval associated with the original approval of the Eagle Rising Preliminary Plan shall remain valid and in full effect; and

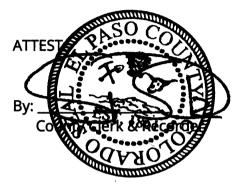
Resolution No. 24-307 Page 2

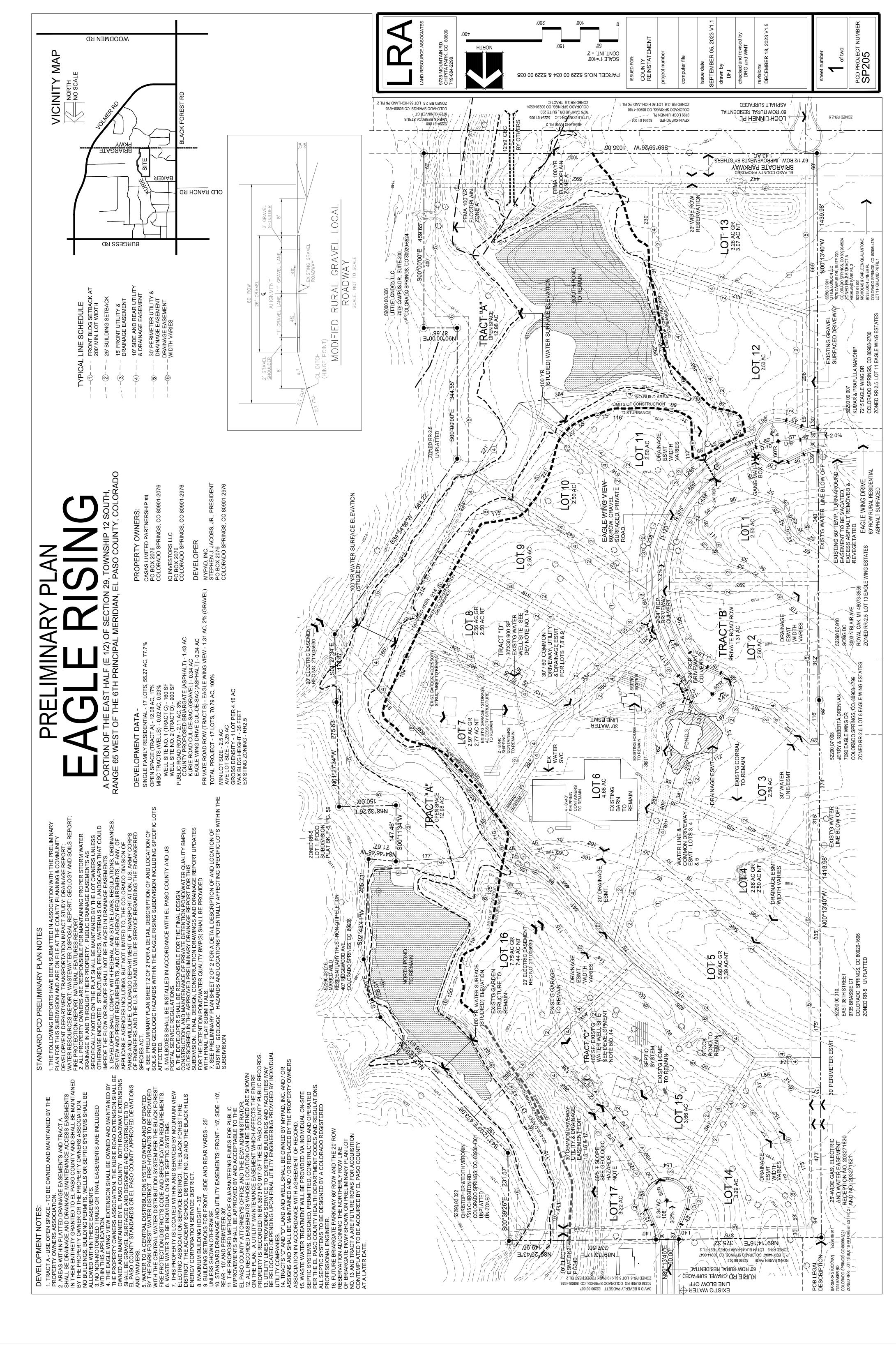
BE IT FURTHER RESOLVED that all requirements contained in the Water Supply Review and Recommendations, dated July 15, 2024, as provided by the County Attorney's Office shall be adhered to.

DONE THIS 8<sup>th</sup> day of August 2024 at Colorado Springs, Colorado.

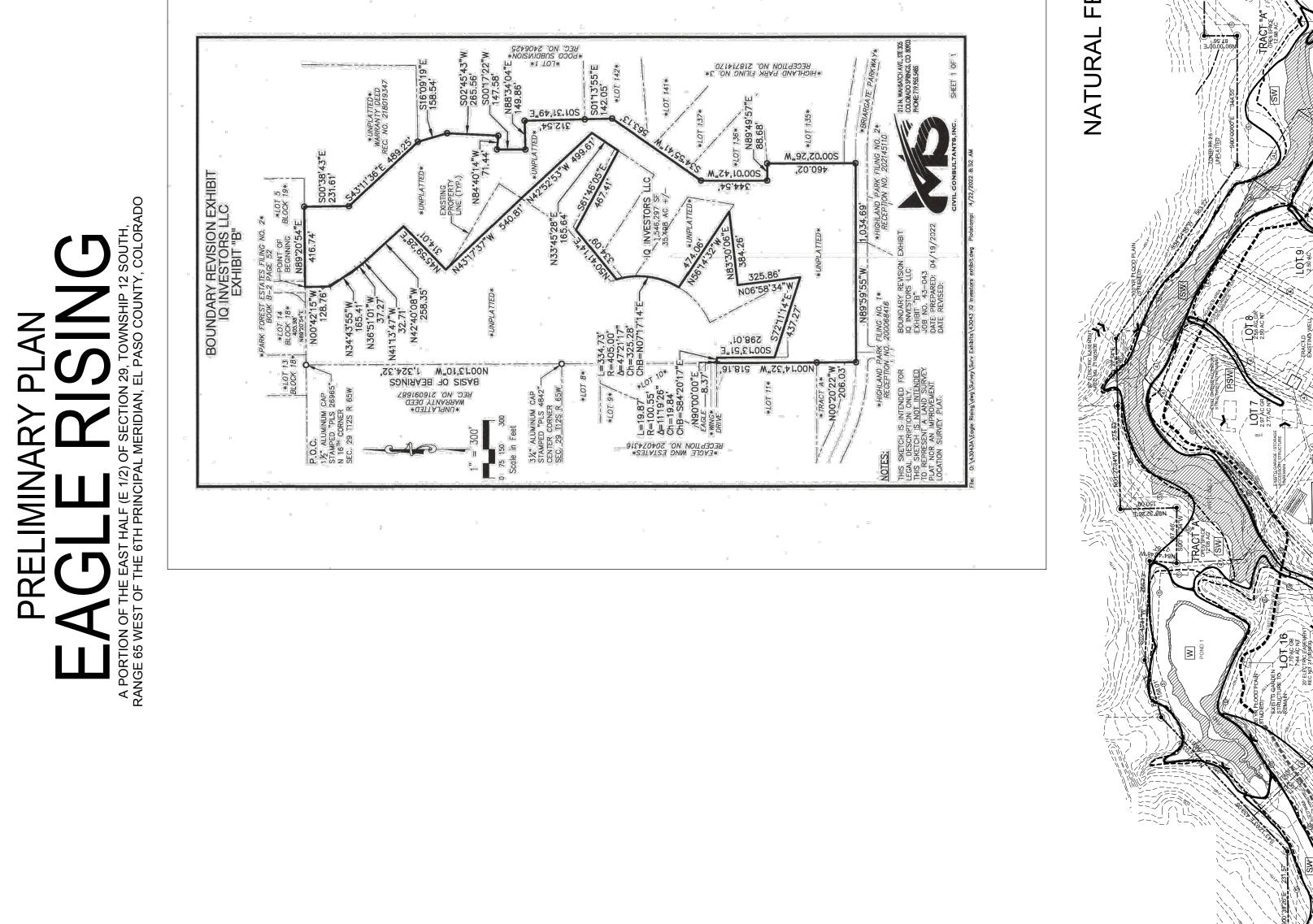
BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO

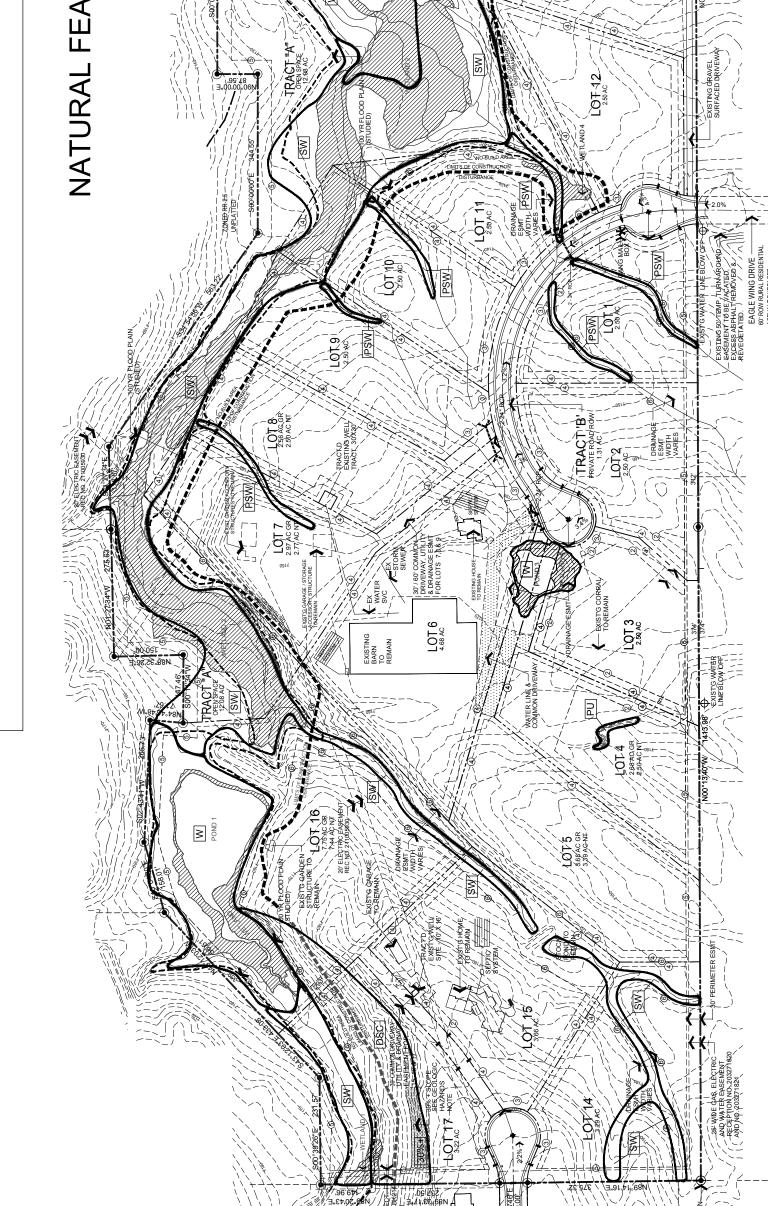
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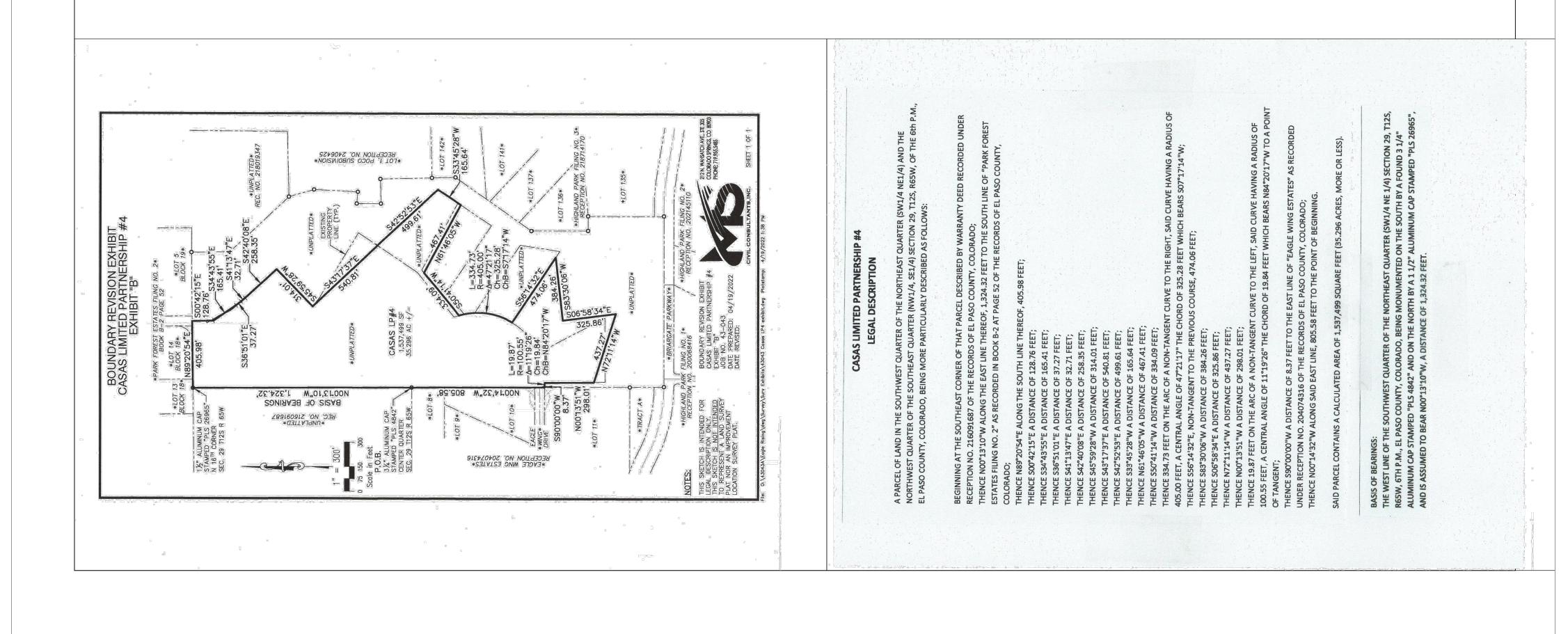




		LAND RESOURCE ASSOCIATES B736 MOUNTAIN RD. CHIPITA PARK, CO 80809 719-684-2298 CHIPITA PARK, CO 80809 719-684-2298	PARCEL NO.S 5229 00 034 & 5229 00 035 PLAN SCALE 1"=200' CONT. INT. = 2' """"""""""""""""""""""""""""""""""""	ISSUED FOR: COUNTY REINSTATEMENT project number computer file issue date September 05, 2023 drawn by DFJ DFJ checked and revised by DFJ Checked and revised by DFJ Checked and revised by DFJ Checked and revised by DFJ DFJ Checked and revised by DFJ DFCEMBER 18, 2023 V1.5	sheet number 2 of two PCD PROJECT NUMBER SP205
IQ INVESTORS LLC LEGAL DESCRIPTION A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4 NE1/4) AND THE WEST HALF OF THE SOUTHEAST QUARTER (W1/2, SE1/4) SECTION 29, T125, R65W, OF THE 6th P.M., EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED BY WARRANTY DEED RECORDED UNDER RECEPTION NO. 216091687 OF THE RECORDS OF EL PASO COUNTY, COLORADO; THENCE N89°20'54"E ALONG THE SOUTH LINE OF "PARK FOREST ESTATES FILING NO. 2" AS RECORDED IN BOOK D-2 AT PAGE 52 IN THE RECORDS OF EL PASO COUNTY, COLORADO; A DISTANCE OF 405.98 FEET TO THE POINT OF	<ul> <li>BERNINGE DIREC SOFTIMUNG N897/2054°E. ALONG SAID SOUTH LINE À DISTANCE OF 446.74 FEET TO THE NORTHWEST DIREC SOFTIMUNG N897/2054°E. ALONG SAID SOUTH LINE À DISTANCE OF 446.74 FEET TO THE NORTHWEST RECORDS OF EL ARSO COUNTY. COLONADO. TENERCE ALONG THE WEST LINES THEREOF THE FELLOWING TWO (2) COURSES: TENERCE SAOTUSTWA CON 233.64 FEET) TENERCE ALONG THE WEST LINES THEREOF THE FELLOWING TWO (2) COURSES: THENCE SAOTUSTWA CON 233.64 FEET) THENCE SAOTUSTWA CON 24065455 OF THE RECORDS OF EL PASO COUNTY, COLONADO. SUBDIVISION'S A RECORDED UNDER RECEPTION NO. 2.24065455 OF THE RECORDS OF EL PASO COUNTY, THENCE SAOTUSTWA DISFANCE OF 158.54 FEET) THENCE SAOTUSTWA DISFANCE OF 158.54 FEET</li></ul>	THENCE NO65'83'4'' VA DISTANCE OF 3235.86 FEFT; THENCE NO65'83:34''VA DISTANCE OF 332.68 FEFT; THENCE NS5'3:30'06'FE DISTANCE OF 332.68 FEFT; THENCE NS5'3:32''VA DISTANCE OF 437.11'T' THE CHORD OF 335.28 FEFT WHICH BEARS N07'1/14''E; 405.00 FEFT A CENTRAL ANGLE OF 47'71'17' THE CHORD OF 335.28 FEFT WHICH BEARS N07'1/14''E; THENCE NS9'31'14''E, NON-TANGENT TO THE PREVIOUS COURSE, 334.09 FEFT; THENCE NS9'31'14''E, NON-TANGENT TO THE PREVIOUS COURSE, 334.09 FEFT; THENCE NS9'31'14''E, NON-TANGENT TO THE PREVIOUS COURSE, 334.09 FEFT; THENCE S61'46'05''E A DISTANCE OF 465' 41 FETT; THENCE S61'46'05''E A DISTANCE OF 465' 41 FETT; THENCE N33'45'28''E A DISTANCE OF 465, 41 FETT; THENCE N33'45'28''E A DISTANCE OF 495.61 FEET; THENCE N33'45'28''E A DISTANCE OF 495.61 FEET; THENCE N43'3'5'28''E A DISTANCE OF 349.61 FEET; THENCE N43'3'5'28''' A DISTANCE OF 33.21 FEET; THENCE N43'3'5'3'''' A DISTANCE OF 33.21 FEET; THENCE N43'3'5'3''''' A DISTANCE OF 33.21 FEET; THENCE N43'3'5'''''''''''''''''''''''''''''''''	Basis OF BEARINGS: THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (\$W1/4 NE 1/4) SECTION 29, 1128 RESW, 6FTH P.M., EL PASO COUNTY, COLORADO, BEING MONUMENTED ON THE SOUTH BY A 1 1/2" ALUMINUM CAP STAMPED "PLS 4842" AND ON THE NORTH BY A 1 1/2" ALUMINUM CAP STAMPED "PLS 26965"; ALUMINUM CAP STAMPED "PLS 4842" AND ON THE NORTH BY A 1 1/2" ALUMINUM CAP STAMPED "PLS 26965"; ALUMINUM CAP STAMPED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. BOD IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEET. AND IS ASSUMED TO BEAR NOO"13"10"W, A DISTANCE OF 1,324.32 FEE	TYPICAL LINE SCHEDULE 	
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EXIST'G WATER A MATER A BUYIDA BEVERY PROFET 5230 03 007 LINE BLOW OFF INVERT R ROW OFF ZONED RAL LOT SKY IN PROFENS 10 MALL IN A MALL I 

BOCC Report Packet Page 22 of 28 PROPERTY IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN RESOLUTION NO. 22–402 OF THE BOARD OF COUNTY COMMISSIONERS, AS RECORDED AT REC. NO. 222141806 OF THE EL PASO COUNTY RECORDS. APPROVAL OF THIS PLAT REMOVES CONDITION NO. 2 REGARDING ADDITIONAL BUILDING PERMITS.

NG REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH JARY PLAN/FINAL PLAT FOR THIS SUBDIVISION AND ARE ON COUNTY PLANNING AND COMMUNITY DEVELOPMENT : TRANSPORTATION IMPACT STUDY; DRAINAGE REPORT; URCES REPORT; WASTEWATER DISPOSAL REPORT; GEOLOGY EPORT; FIRE PROTECTION AND WILDFIRE MITIGATION PLAN; ATURES REPORT.

LOCATIONS WILL REQUIRE BLACK FOREST FIRE STRICT APPROVAL. NO NEW DRIVEWAY ONTO AN EL ROAD SHALL BE ESTABLISHED UNLESS AN ACCESS EEN GRANTED BY EL PASO COUNTY. DRIVEWAYS ST FOR 10195 KURIE DRIVE AND 7495 EAGLE WING DUAL LOT OWNERS ARE RESPONSIBLE FOR ANY IVEWAY CULVERT CONSTRUCTION AND DRIVEWAY GRADING. OF LOTS 3, 4, 5, 6 AGREE TO FILL POND FOR GINEERING IS REQUIRED. ADDITIONAL ACCESS TO LOTS 4, vIDED BY ACCESS EASEMENTS. THE CONSTRUCTION OF WAYS TO LOTS 4, 5, AND 7 ARE NOT REQUIRED TO IG PERMITS. NO ADDITIONAL DRIVEWAYS CAN BE WITHOUT OWNERS ASSOCIATION APPROVAL.

OWNERS SHALL BE REQUIRED TO PAY TRAFFIC IMPACT RDANCE WITH THE EL PASO COUNTY ROAD IMPACT FEE OLUTION (RESOLUTION NO. 19–471), OR ANY AMENDMENTS R PRIOR TO THE TIME OF BUILDING PERMIT SUBMITTAL, ATION, IF NOT PAID AT TIME OF FINAL PLAT RECORDING UMENTED ON ALL SALES DOCUMENTS TO ENSURE THAT A WOULD FIND THE FEE OBLIGATION BEFORE THE SALE OF

ARE ADVISED THAT SEVERAL AREAS ON THIS FILING OGIC HAZARDS INCLUDING STANDING WATER, WET AREAS, HIGH WATER, AND POTENTIALLY UNSTABLE SLOPES. THESE CONSTRAINTS AND RESPONSE TO COLORADO VEY COMMENTS ARE REFERENCED IN THE ENTECH REPORT NO. 221458, DATED JANUARY 25, 2023. LOT EBUILDERS AND ENGINEERS SHOULD CONSULT THIS REPORT ORADO GEOLOGIC SURVEY REVIEW COMMENTS, WHICH ARE THE EL PASO COUNTY PLANNING AND COMMUNITY DEPARTMENT, ONLINE VIA EDARP AND FROM THE EAGLE S ASSOCIATION. ADDITIONAL INVESTIGATIONS BY SOILS THE TIME OF FOUNDATION DESIGN ARE REQUIRED TO BE W THE SITE TO DETERMINE BASEMENT FEASIBILITY AND MITIGATION SOLUTIONS ONCE BUILDING SITES HAVE BEEN

ADE INHABITED BASEMENTS ARE PROHIBITED UNTIL ONITORING ESTABLISHES FEASIBILITY. EARTH-BERMED -OUT BASEMENTS WITH ONE OR MORE SIDES ABOVE TY FOUNDATION DRAIN OUTFLOW TO THE SURFACE DO NOT REQUIRE GROUND WATER MONITORING. FENCE CROSSES LOT LINES ON LOTS 3 AND 4.

20. EXISTING HOUSE AT 7495 EAGLE WING DRIVE, INDOOR ARENA, STABLE, EQUIPMENT SHOP, CONTAINERS, AND BARN ON LOT 6 EXCEEDS CURRENT BUILDING SIZE REQUIREMENTS AND 10% IMPERVIOUS SURFACE AREA OF LOT AND ARE ALLOWED BY EL PASO COUNTY AND EAGLE RISING OWNERS ASSOCIATION.
 21. LOT 7 REQUIRES BUILDING PERMIT FOR MAIN HOUSE PRIOR TO APPLYING FOR ADDITIONAL BUILDING PERMIT FOR MAIN HOUSE PRIOR TO APPLYING FOR ADDITIONAL BUILDING PERMITS. EXISTING GARAGE, CHICKEN FACILITY, TOOL CONTAINER, FENCE, AND GREENHOUSE ARE ALLOWED BY EL PASO COUNTY AND EAGLE RISING OWNERS ASSOCIATION. LOT 10 EXISTING HOUSE AT 10195 KURIE RD., DETACHED GARAGE AND DRIVEWAY ACCESS TO KURIE ROAD ARE ALLOWED BY EL PASO COUNTY AND EAGLE RISING OWNERS ASSOCIATION.

TING THIS SUBDIVISION SHOULD BE READ BY LOT ATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS ED AT RECEPTION NO. OF THE ASO COUNTY. INCORPORATION FOR THE EAGLE RISING OWNERS IMENTS ARE FILED UNDER INSTRUMENT NO. THE OFFICE OF SECRETARY OF STATE.

Ч TRACT A (EAGLE WING VIEW, PRIVATE ROAD) SHALL BE OWNED AND MAINTAINED BY THE EAGLE RISING OWNERS ASSOCIATION, THEREFORE EL PASO COUNTY SHALL NOT BEAR ANY RESPONSIBILITY OF THE MAINTENANCE OF THIS PRIVATE TRACT. TRACT IS MORE OR LESS COINCIDENTAL WITH THE ACCESS EASEMENT GRANTED IN PERMANENT EASEMENT AGREEMENT RECORDED UNDER RECEPTION NO. 220120887 THE EL PASO COUNTY RECORDS. TRACT A WILL NOT BE MAINTAINED BY EL PASO COUNTY.

24.

C LAND AND WELLS SHALL BE OWNED BY MYPAD, INC., NS. THE EXISTING WELLS ON TRACTS B AND C SHALL BE RATED, MAINTAINED, AND REPLACED BY THE EAGLE RATED, MAINTAINED, AND REPLACED BY THE EAGLE S ASSOCIATION IN ACCORDANCE WITH INCLUSION CORDED OCTOBER 4, 2013 UNDER RECEPTION NO. CORDED OCTOBER 4, 2013 UNDER RECEPTION NO. 2014CW3010 RECORDED NOVEMBER 15, 2014 UNDER RECEPTION 2014CW3010 RECORDED NOVEMBER 13, 2015 UNDER 215123578 OBLIGATE PARK FOREST WATER DISTRICT HE WATER SUPPLY FOR "STOCK WATERING, COMMON AREA RIGATION, HOBBY USE AND IRRIGATION OF COMMUNITY CCESS GRANTED TO MYPAD, INC. AND THE EAGLE RISING CIATION WILL BE GRANTED BY IQ INVESTORS, LLC BY EMENT AGREEMENT.

26. PER FINAL DRAINAGE REPORT: EAGLE RISING FILING NO. 1, IF TOTAL LOT IMPERVIOUS AREA EXCEEDS 10 PERCENT, INDIVIDUAL LOT SITE PLAN MUST BE ENGINEERED TO MEET WATER QUALITY REQUIREMENTS. 27. THIS PROPERTY IS SUBJECT TO A STORMWATER FACILITY MAINTENANCE AGREEMENT AND EASEMENT AS RECORDED AT RECEPTION NO. 0F THE RECORDS OF EL PASO COUNTY. THE EAGLE RISING OWNERS ASSOCIATION IS RESPONSIBLE FOR MAINTENANCE OF THE SUBJECT DRAINAGE FACILITIES.

28. WHEN FOUR OR MORE LOTS ACCESS KURIE ROAD, A TURNAROUND IS REQUIRED TO BE CONSTRUCTED AS SHOWN ON THE PRELIMINARY PLAN. OWNER'S ASSOCIATION REQUIRES ADVANCED NOTICE FOR ALL NON-EMERGENCY ACCESS. 29.

# SURVEYORS CERTIFICATE

ONS I VERNON P. TAYLOR, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON DATE OF SURVEY, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:10,000; AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISION, OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE EL PASO COUNTY LAND DEVELOPMENT CODE.

2024. DAY OF ATTEST THE ABOVE ON THIS \_

P. TAYLOR O PLS NO. 25966, ON BEHALF OF IL CONSULTANTS, INC. VERNON P. COLORADO I FOR AND OI M&S CIVIL (

### NOTICE:

NG TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED VY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE ATION SHOWN HEREON. ACCORDING TO COLC SURVEY WITHIN THRE UPON ANY DEFECT I CERTIFICATION SHOW

**CERTIFICATE:** COMMISSIONERS COUNTY Ы BOARD

CHAIR, BOARD OF COUNTY COMMISSIONERS

DATE

DIRECTOR, PLANNING AND COMMUNITY DEVELOPMENT

DATE

# **CLERK AND RECORDER:**

STATE OF COLORADO ) ) SS COUNTY OF EL PASO )

THE RECORDS OF RECORD IN MY OFFICE AT РF I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR 0'CLOCK ...., THIS DAY OF AND DULY RECORDED UNDER RECEPTION NO. EL PASO COUNTY, COLORADO.

RECORDER AND CLERK COUNTY PASO SCHLEIKER, EL BY: STEVE

### FEES:

4,486.46 \$ 3,060.00 \$ 61,516.11 \$ 4,140.00 ⇔ BASIN COTTONWOOD CREEK DRAINAGE FEES: **SUMMARY:** –WAY SCHOOL FEES: BRIDGE FEES: PARK FEES: 10 LOTS 3 TRACTS <u>RIGHT-OF-</u>

33.594 ACRES 1.323 ACRES 0.341 ACRES 35.258 ACRES

TOTAL

212 N. WAHSATCH AVE., STE 305 COLORADO SPRINGS, CO 80903 PHONE: 719.955.5485

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SHEET 1 OF

CIVIL CONSULTANTS, INC

05/17/2024 07/30/2024 09/06/2024 09/18/2024 10/17/2024

REVISED: REVISED: REVISED: REVISED: REVISED:

DATE DATE DATE DATE DATE DATE

 EAGLE RISING FILING NO. 1

 FINAL PLAT

 JOB NO. 43-043

 JOB NO. 43-043

 DATE PREPARED: 06/30/2022

 DATE REVISED: 01/31/2023

 DATE REVISED: 01/31/2023

 DATE REVISED: 03/14/2023

 DATE REVISED: 03/11/2023

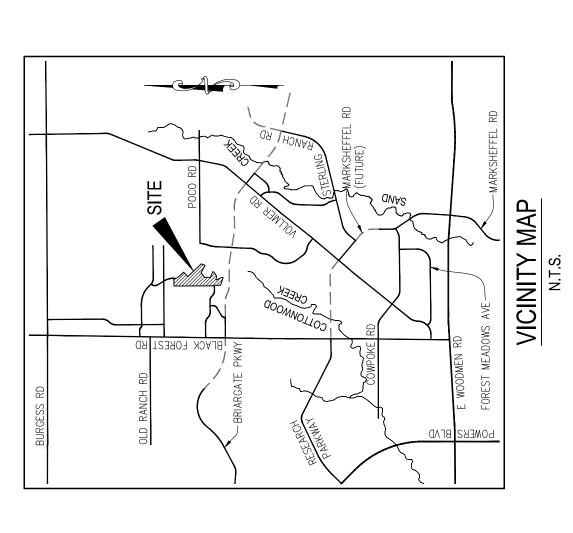
 DATE REVISED: 08/28/2023

 DATE REVISED: 11/20/2023

95.28% 3.75% 0.97%

100.00%

A PORTION OF THE EAST HALF (E1/2) OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO 0 Z FILING **RISING** EAGLE



# **'DEDICATION STATEMENT:**

**CERTIFICATE**,

**OWNERS** 

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO LOTS, TRACTS, STREETS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF "EAGLE RISING FILING NO. 1". ALL PUBLIC IMPROVEMENTS SO PLATTED ARE HEREBY DEDICATED TO PUBLIC USE AND SAID OWNER DOES HEREBY COVENANT AND AGREE THAT THE PUBLIC MOROVEMENTS WILL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS AND THAT PROPER DRAINAGE AND EXOSION CONTROL FOR SAME WILL BE PROVIDED AT SAID OWNER'S EXPENSE, ALL TO THE SATISFACTION OF THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO. UPON ACCEPTANCE BY RESOLUTION, ALL PUBLIC IMPROVEMENTS SO DEDICATED WILL BECOME MATTERS OF MAINTENANCE BY EL PASO COUNTY, COLORADO. UPON ACCEPTANCE BY RESOLUTION, ALL PUBLIC MOROVEMENTS SO DEDICATED WILL BECOME MATTERS OF MAINTENANCE BY EL PASO COUNTY, COLORADO. UPON ACCEPTANCE BY RESOLUTION, ALL PUBLIC MEROVEMENTS SO DEDICATED WILL BECOME MATTERS OF MAINTENANCE BY ELPASO COUNTY, COLORADO. UPON ACCEPTANCE BY RESOLUTION, ALL PUBLIC MEROVEMENTS SO DEDICATED WILL BECOME MATTERS OF MAINTENANCE BY ELPASO COUNTY, COLORADO. UPON ACCEPTANCE BY RESOLUTION, ALL PUBLIC MEROVEMENTS SO DEDICATED WILL BECOME MATTERS OF MAINTENANCE BY ELPASO COUNTY, COLORADO. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITES AND COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

РF DAY #4, A COLORADO LIMITED INSTRUMENT THIS ED PARTNERSHIP 2024, A.D. PARTNERSHIP, HAS EXECUTED THIS THE AFOREMENTIONED CASAS LIMIT

STEPHEN J. JACOBS, JR, AS PRESIDENT, MYPAD, INC., A COLORADO CORPORATION, THE GENERAL PARTNER, CASAS LIMITED PARTNERSHIP #4, A COLORADO LIMITED PARTNERSHIP

ACKNOWLEDGED BEFORE ME THIS THIS

GENERAL PARTNER, CASAS LIMITED PARTNERSHIP #4, A STEPHEN J. JACOBS, JR, AS PRESIDENT, MYPAD, INC.

SEAL: WITNESS BY HAND AND OFFICIAL MY COMMISSION EXPIRES: NOTARY PUBLIC:

Ö প্র В TRACTS ATE FOR

THE DEDICATION OF TRACTS B AND C FOR THE PURPOSES SPECIFIED IN PLAT IS HEREBY ACCEPTED FOR OWNERSHIP BY MYPAD INC., AND MAINTENANCE BY MYPAD INC., A COLORADO CORPORATION

NO. 1". "EAGLE RISING FILING ЮF PLAT

PRESIDENT, MYPAD INC., A COLORADO CORPORATION

A COLORADO 

## **GENERAL PLAT NOTES:**

- 1. FLOODPLAIN STATEMENT: ACCORDING TO FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 08041C0527G, DATED DECEMBER 7, 2018, THE PROPERTY COMPRISING "EAGLE RISING FILING NO. 1" IS LOCATED WITHIN ZONE X, AREA OF MINIMAL FLOOD HAZARD. FURTHERMORE, THE MASTER DEVELOPMENT DRAINAGE PLAN / PRELIMINARY DRAINAGE REPORT DATED MARCH 7, 2024 IDENTIFIED THE CALCULATED 100-YEAR WATER SURFACE ELEVATIONS OF NEARBY COTTONWOOD CREEK. ALL LOTS OF "EAGLE RISING FILING NO. 1" ARE LOCATED OUTSIDE OF THE CALCULATED 100-YEAR WATER SURFACE ELEVATION EXTENTS. ALL STRUCTURES SHALL BE AT LEAST 2 FEET ABOVE THE NEAREST 100-YEAR WATER SURFACE ELEVATION AS INDICATED BY THE NO-BUILD / DRAINAGE EASEMENT LINES SHOWN HEREON. <del>.</del>
  - THIS PLAT DOES NOT CONSTITUTE A TITLE SEARCH BY M&S CIVIL CONSULTANTS, INC FOR EITHER OWNERSHIP OR EASEMENTS OF RECORD. FOR THE EASEMENTS OF RECORD SHOWN HEREON, M&S CIVIL CONSULTANTS RELIED ON A COMMITMENT FOR TITLE INSURANCE ISSUED JUNE 20, 2022 BY LEGACY TITLE GROUP AS AGENT FOR STEWART TITLE COMPANY WITH AN EFFECTIVE DATE OF JUNE 14, 2022 AT 8:00 A.M., COMMITMENT NO. 1705644. 2 N
- UNLESS SHOWN OTHERWISE, ALL SIDE LOT LINES ARE HEREBY PLATTED WITH A TEN (10) FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT. ALL FRONT LOT LINES WITH A FIFTEEN (15) FOOT WIDE PUBLIC IMPROVEMENT AND DRAINAGE EASEMENT, REAR LOT LINES ARE HEREBY PLATTED WITH A TEN (10) FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT. LOTS 1, 2, 3, 4, 5, 9, AND 10 ARE PLATTED WITH A THIRTY (30') WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT (AS SHOWN ON SHEET 2). THE RESPONSIBILITY FOR MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNER.
   4. MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH EL PASO COUNTY DEPARTMENT OF TRANSPORTATION AND UNITED STATES POSTAL SERVICES REGULATIONS. m.
  - 4.
    - ഹ
- WASTE WATER TREATMENT WILL BE PROVIDED VIA INDIVIDUAL ON-SITE SEPTIC SYSTEMS, DESIGNED, PERMITTED, CONSTRUCTED AND OPERATED PER THE EL PASO COUNTY PUBLIC HEALTH DEPARTMENT AND THE COLORADO STATE HEALTH DEPARTMENT'S CODES AND REGULATIONS. SEWAGE TREATMENT IS THE RESPONSIBILITY OF EACH INDIVIDUAL PROPERTY OWNER. THE EL PASO COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT MAY REQUIRE AN ENGINEER DESIGNED SYSTEM PRIOR TO PERMIT APPROVAL. THESE SYSTEMS MAY COST MORE TO DESIGN, INSTALL, AND MAINTAIN.
  - ю.
- WATER SERVICES FOR ALL LOTS AND THE FIVE (5) EXISTING FIRE HYDRANTS IS PROVIDED BY THE PARK FOREST WATER DISTRICT, SUBJECT TO THE DISTRICT'S RULES, REGULATIONS AND SPECIFICATIONS.
   INDIVIDUAL LOT OWNERS ACKNOWLEDGE ACCEPTANCE OF OFF-SITE HISTORIC STORMWATER FLOWS AND EAGLE RISING FILING NO. 1 DEVELOPED FLOWS. PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. PUBLIC EASEMENTS AS SPECIFICALLY NOTED ON THE PLAT SHALL BE MAINTAINIED BY THE INDIVIDUAL LOT OWNERS UNLESS OTHERWISE INDICATED. ALL PROPERTY OWNERS SHALL MAINTAIN THE PORTION OF DRAINAGE EASEMENTS WITH THEIR PROPERTIES.
   STRUCTURES, FENCES, MATERIALS, OR LANDSCAPING THAT COULD IMPEDE THE FLOW OF RUNOFF SHALL NOT BE PLACED IN DRAINAGE EASEMENTS. NO STRUCTURE OR FENCIFICAL OWNERS ARE PERMITTED WITHIN THE AREAS DESIGNATED "NO-BUILD" AREAS.
  - ø.
- THE ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
  - ELECTRIC SERVICE PROVIDED BY MOUNTAIN VIEW ELECTRIC. NATURAL GAS SERVICE PROVIDED BY BLACK HILLS ENERGY. 10. . б
- FIBER-OPTIC TELECOM SERVICE PROVIDED BY CENTURY LINK AND OTHERS. 1.
- 12. THE DEVELOPER AND EL PASO COUNTY SHALL COMPLY WITH FEDERAL AND STATE LAWS, REGULATIONS ORDINANCES, REVIEW AND PERMIT REQUIREMENTS, AND OTHER AGENCY REQUIREMENTS, IF ANY, OF APPLICABLE AGENCIES INCLUDING, BUT NOT LIMITED TO, THE COLORADO DEPARTMENT OF PARKS AND WILDLIFE, COLORADO DEPARTMENT OF TRANSPORTATION, U.S. ARMY CORP. OF ENGINEERS, THE U.S. FISH AND WILDLIFE SERVICE AND/OR COLORADO DEPARTMENT OF STATE PARKS AND WILDLIFE REGARDING THE ENDANGERED SPECIES ACT, PARTICULARLY AS IT RELATES TO THE PREBLE'S MEADOW JUMPING MOUSE AS A LISTED THREATENED SPECIES. 12.
- No LOT, OR INTEREST THEREIN, SHALL BE SOLD, CONVEYED, OR IN COLOT, OR INTEREST THEREIN, SHALL BE SOLD, CONVEYED, OR BUILDING FERMITS BE ISSUED, UNTIL AND UNLESS EITHER THE REQUIRED PUBLIC IMPROVEMENTS HAVE BEEN CONSTRUCTED AND COMPLETED AND PUBLIC IMPROVEMENTS HAVE BEEN CONSTRUCTED AND COMPLETED AND PRELIMINARILY ACCEPTED IN ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE APPLICANT/OWNER AND EL PASO COUNTY AS RECORDED UNDER RECEPTION NUMBER IN THE OFFICE OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO OR, IN THE ALTERNATIVE, OTHER COLLATERAL IS PROVIDED TO MAKE PROVISION FOR THE COMPLETION OF SAID IMPROVEMENTS IN ACCORDANCE WITH THE EL PASO COUNTY LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL. ANY SUCH ALTERNATIVE COLLATERAL MUST BE APPROVED BY THE BOARD OF COUNTY COLLATERAL MUST BE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OR, IF PERMITTED BY THE BOARD OF COUNTY CORMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS ACREEMENT, BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR AND MEET THE POLICY AND PROCEDURE REQUIREMENTS OF EL PASO COUNTY PRIOR TO THE RELEASE BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUSIONERS OR, IF PERMITED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUSIONERS OF ALL IMPROVEMENTS AGREEMENT APPROVAL OF ANY LOTS FOR SALE, CONVEYANCE OR TRANSFER. THIS PLAT RESTRICTION MAY BE REMOVED OR RESCINDED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT BY THE PLANNING AND COMMUSIONERS OF ALL IMPROVEMENTS AGREEMENT BY THE PLANNING AND COMMUSIONERS OF ALL IMPROVEMENTS REQUIRED TO RE CONSTRUCTED AND PRELIMINARY ACCEPTANCE BY THE EL PASO BOARD OF COUNTY COMMISSIONERS OF ALL IMPROVEMENTS REQUIRED TO RE CONSTRUCTED AND PRELIMINARY ACCEPTANCE BY THE ELPASO BOARD OF COUNTY COMMISSIONERS OF ALL IMPROVEMENTS REQUIRED TO RE CONSTRUCTED AND PRELIMINARY ACCEPTANCE BY THE ADS OF A CONVERTING AND PRELIMINARY ACCEPTANCE TH ANY SUBDIVISION D IN ACCORDANC AUTHORIZED BY RANTED LOTS A IAL RELEASE AGREEMENT АΥ OR TRANSFER MA PLANNED PARTIAL IMPROVEMENTS AG ы.
- THE FOLLOWING REP THE PRELIMINARY PI FILE AT THE COUNT DEPARTMENT: TRAN WATER RESOURCES AND SOILS REPORT; NATURAL FEATURES DRIVEWAYS, ENGINEE 5, AND 7 PROVIDED PLATTED DRIVEWAYS OBTAIN BUILDING PE CONSTRUCTED WITHO NEW DRIVEWAY LOC PROTECTION DISTRIC PASO COUNTY ROAL PERMIT HAS BEEN ( CURRENTLY EXIST F DRIVE. INDIVIDUAL NECESSARY DRIVEW. . COVENANTS AFFECT OWNERS. DECLARA (CCRS) IS RECORDE RECORDS OF EL PA ENTIRELY SUB-GRA GROUND WATER MO LEVELS AND WALK-GRADE AND GRAVIT GRADE DAYLIGHT DO THE PROPERTY OWN FEES IN ACCORDAN PROGRAM RESOLUTI HERETO, AT OR PR THE FEE OBLIGATIOI SHALL BE DOCUMEN TITLE SEARCH WOUI THE PROPERTY. THE ARTICLES OF II ASSOCIATION DOCUI 20181706832 OF TH LOT OWNERS ARE CONTAIN GEOLOGIC SEASONALLY HIGH LOCATION OF THES GEOLOGIC SURVEY ENGINEERING REPO OWNERS, HOMEBUIL AND THE COLORAD AND THE COLORAD AVAILABLE AT THE DEVELOPMENT DEP RISING OWNERS AS ENGINEER AT THE CONDUCTED ON TH SELECTION OF MITH ON TH E. ESSARY Dr. L OWNERS O EXISTING CORRAL TERMINED. DRIVE. NECESS IF ALL 20. 23. 19. 21. 22. 15. 16. 17. 18. 4.
- 25.
- LANDSCAPE IRRIGAT CONNERTHE WA LANDSCAPE IRRIGAT GARDENS". AC AGREEMENT RECORI 213125555 AND RE NO. 214084282, AN CASE NUMBER 2014 RECEPTION TRACTS B AND C I AND OR ASSIGNS. EQUIPPED, OPERATI OWNERS ASSOCI SEPARATE EASE

KNOW ALL MEN BY THESE PRESENTS:

THAT CASAS LIMITED PARTNERSHIP #4, A COLORADO LIMITED PARTNERSHIP, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

## LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4 NE1/4) AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4, SE1/4) SECTION 29, T12S, R65W, OF THE 6th P.M., EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED BY WARRANTY DEED RECORDED UNDER RECEPTION NO. 216091687 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE

S41'06'13"W A DISTANCE OF 33.89 FEET; S25'42'00"E A DISTANCE OF 276.39 FEET; S01'08'27"W A DISTANCE OF 43.93 FEET; S27'43'52"E A DISTANCE OF 27.54 FEET; THENCE

THENCE

THENCE THENCE

THENCE

S27'43'52"E A DISTANCE OF 27.54 FEET; S07'08'16"E A DISTANCE OF 32.61 FEET; N72'20'57"W A DISTANCE OF 437.27 FEET; N00'23'34"W A DISTANCE OF 298.01 FEET; 19.87 FEET ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE A RADIUS OF 100.55 FEET, A CENTRAL ANGLE OF 11'19'26" THE CHORD OF E 19.87 FEET ( A RADIUS OF THENCE HAVING

19.84 FEET WHICH BEARS N84'30'00"W TO A POINT OF TANGENT; THENCE S89'15'17"W A DISTANCE OF 8.18 FEET TO THE EAST LINE OF "EAGLE WING ESTATES" AS RECORDED UNDER RECEPTION NO. 204074316 OF THE RECORDS OF EL

PASO COUNTY, COLORADO; THENCE N00°23'00"W ALONG SAID EAST LINE, 805.83 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS A CALCULATED AREA OF 1,535,822 SQUARE FEET (35.258 ACRES, MORE OR LESS). SAID

## BASIS OF BEARINGS:

A PORTION OF THE NORTH-SOUTH CENTERLINE OF SECTION 29, T12S, R65W, 6<sup>TH</sup> P.M., EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE SOUTH 1/16<sup>TH</sup> QUARTER WITH A FOUND 2 1/2" ALUMINUM CAP STAMPED "S1/16 S29 – 1997 – PLS 4842" FROM WHICH THE NORTH 1/16<sup>TH</sup> QUARTER, MONUMENTED WITH A 2 1/2" ALUMINUM CAP STAMPED "RAMPART SURVEY, INC – N1/16 SEC. 29 – 2005 – PLS 26965", BEARS NO0"23'34"W A DISTANCE OF 2,647.80 FEET. ALL BEARINGS ARE GRID BEARINGS OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983, BASED ON SIMULTANEOUS STATIC GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS OF THE MONUMENTS AT THE ENDS OF THE BASIS OF BEARINGS LINE. DATE OF OBSERVATIONS: DECEMBER 12, 2022, LENGTH OF OBSERVATIONS: 1 HOUR 42

BASIS OF DATE OF ( MINUTES.

### ن ان প্র $\square$ Ą TRACTS FOR **CERTIFICATE** <u>ACCEPTANCE</u>

EAGLE RISING OWNERS ASSOCIATION

THE DEDICATION OF TRACT A FOR THE PURPOSES SPECIFIED IN PLAT NOTE 24 IS HEREBY ACCEPTED FOR OWNERSHIP AND MAINTENANCE BY THE EAGLE RISING OWNERS

25 S SPECIFIED IN PLAT NOTE 25 ISING OWNERS ASSOCIATION. FILING NO. 1". TRACTS B AND C FOR THE PURPOSES SPEC D FOR MAINTENANCE BY THE EAGLE RISING C ED FOR THIS PLAT OF "EAGLE RISING FILING IS HEREBY ACCEPTED FOR MAPPROVAL IS GRANTED FOR ASSOCIATION. THE DEDICATION OF <u>N</u>

STEPHEN J. JACOBS, JR, AS PRESIDENT, EAGLE RISING OWNERS ASSOCIATION Щ.

 $\sim\sim$ COUNTY OF EL PASO STATE OF COLORADO

SS

SEAL: WITNESS BY HAND AND OFFICIAL

MY COMMISSION EXPIRES:

NOTARY PUBLIC:

STATE OF COLORADO

.:-Е

SS COUNTY OF EL PASO

WAS THE FOREGOING INSTRUMENT

2024, A.D. BY COLORADO CORPORATION, THE COLORADO LIMITED PARTNERSHIP Ч  $\triangleleft$ 

CERTIFIC ACCEPTANCE

THIS RISING OWNERS ASSOCIATION. APPROVAL IS GRANTED FOR 1 RISING

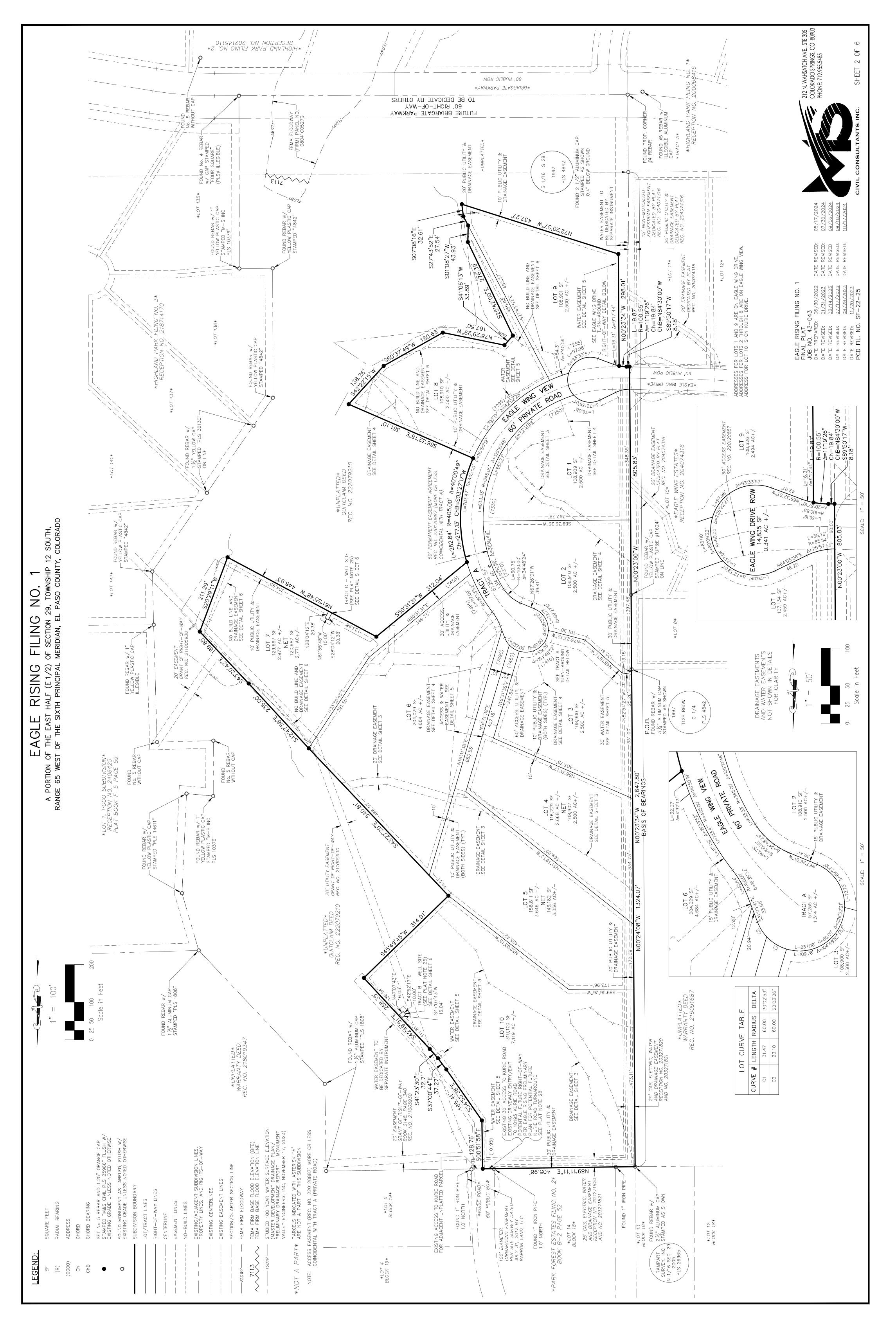
STEPHEN J. JACOBS, JR, AS SS  $\sim\sim$ STATE OF COLORADO BY:

OF EL PASO COUNTY

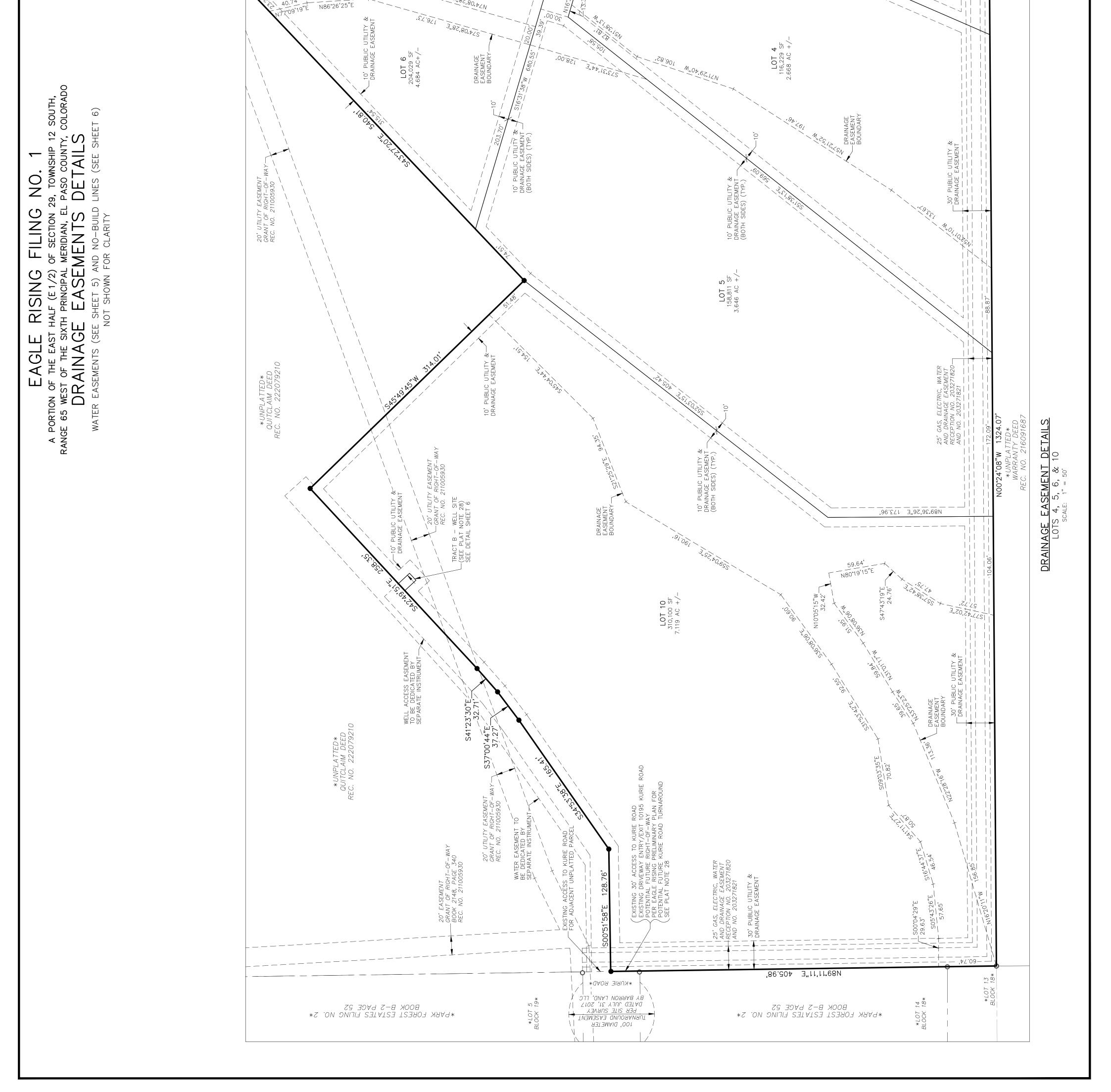
WITNESS BY HAND AND OFFICIAL ACKNOWLEDGED E 2024, A.D. BY SI CORPORATION

MY COMMISSION EXPIRES:

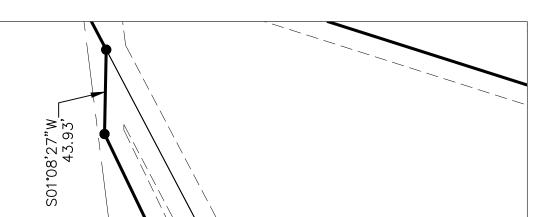
NOTARY PUBLIC:



SQUARE FEET RADIAL BEARING ADDRESS CHORD BEARING ADDRESS CHORD BEARING SET No. 5 REBAR AND 1.25" ORANGE CAP STAWED "M&S GNUL PLS 25966" FLUSH W/ STAWED "M&S GNUL PLS 25966" FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE FOUND MONUMENT AS LABELED, FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE FOUND MONUMENT AS LABELED, FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE CONTROMONIANT AS LABELED, FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE STAWED "M&S GNIL PLS 25966" FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE CONTROMONIANT LOT/TRACT LINES RIGHT-OF-WAY LINES RIGHT-OF-WAY LINES RIGHT-OF-WAY EXISTING CANTERLINE EXISTING CANTERLINE EXISTING CANTERLINES EXISTING CANTERLINE EXISTING CANTERLINES EXISTING CANTERLINES EXISTING CANTERLINES EXISTING CANTERNON LINES, PROPERTY LINES EXISTING CANTERNON LINES, RIGHT-OF-WAY EXISTING CANTERLINES EXISTING CONTERLINES EXISTING CONTERLINES EXISTING CANTERLINES EXISTING CONTERLINES EXISTING CONTERLINES EXISTING CANTERNON LINES, MICHTS-OF-WAY EXISTING CONTERLINES EXISTING		212 N. WAHSATCH AVE., STE 305 COLORADO SPRINGS, CO 80903 PHONE: 719.955.5485 SHEET 3 OF 6
		CONSULTANTS, INC.
		05/17/2024 07/30/2024 09/06/2024 09/18/2024 09/17/2024 09/17/2024
		DATE REVISED: DATE REVISED: DATE REVISED: DATE REVISED: DATE REVISED: DATE REVISED:
	$1^{2} = 50^{2}$ Scale in Feet	EAGLE RISING FILING NO. 1         FINAL PLAT         JOB NO. 43-043         JOB NO. 43-043         DATE REVISED:       01/31/2023         DATE REVISED:       03/14/2023         DATE REVISED:       01/31/2023         DATE REVISED:       01/31/2023
$\begin{array}{c} 577'09'19''W + \frac{586'26'25''W}{54.20'} & 70.00' \\ 577'09'19''W + \frac{586'26'25''W}{54.20'} & 70.00' \\ 750' 40.74' + \frac{64.95'}{86'26'25''E} & 70.00''E \\ 750' 40''E & 70.00''E & 70.00''E & 70.00''E \\ 750' 40''E & 70.00''E & 70.00''E & 70.00''E \\ 750' 40''E & 70.00''E & 70.00''E & 70.00''E \\ 750' 40''E & 70.00''E & 70.00''E & 70.00''E \\ 750' 40''E & 70.00''E & 70.00''E & 70.00''E & 70.00''E \\ 750' 80''E & 70.00''E & 70.00$	M. 82.80. t/N	



LEGEND: SF SQUAR (R) RADIAL (R) RADIAL (R) CHORD Ch CHORD Ch CHORD	SQUARE FEET RADIAL BEARING ADDRESS CHORD CHORD ET No 5 REBAR AND 1.25" ORANGE CAP STAMPED "M&S CIVIL PLS 25966" FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE STAMPED "M&S CIVIL PLS 25966" FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE FOUND MONUMENT AS LABELED, FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE FOUND MONUMENT AS LABELED, FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE FOUND MONUMENT AS LABELED, FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE FOUND MONUMENT AS LABELED, FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE FOUND MONUMENT AS LABELED, FLUSH W/ EXISTING GRADE UNLESS NOTED OTHERWISE SUBDIVISION BOUNDARY LOT/TRACT LINES RIGHT-OF-WAY LINES CONTEMINT AS LABELED, FLUSH W/ EXISTING CATENLINES EXISTING CATENLINES EXISTING CATENLINES EXISTING CATENLINES
PAF PAF ARE ARE NOTE: ACCESS EASEM CONCIDENTAL	— SECTION/QUARTER SECTION LINE PARCELS INDICATED WITH ASTERISK "*" ARE NOT A PART OF THIS SUBDIVISION ACCESS EASEMENT (REC. NO. 220120887) MORE OR LESS COINCIDENTAL WITH TRACT A (PRIVATE ROAD)



REVISED: REVISED: REVISED: REVISED: REVISED: DATE DATE DATE DATE DATE DATE ILING NO. I. 043 D: 06/30/2022 01/31/2023 03/14/2023 07/17/2<sup>r</sup> 08/2<sup>r</sup> -

 EAGLE RISING FILING NO. 1

 FINAL PLAT

 JOB NO. 43-043

 DATE PREPARED:

 DATE REVISED:
 06/30/2022

 DATE REVISED:
 01/31/2023

 DATE REVISED:
 03/14/2023

 DATE REVISED:
 03/14/2023

 DATE REVISED:
 03/14/2023

 DATE REVISED:
 03/14/2023

 DATE REVISED:
 01/31/2023

 DATE REVISED:
 08/28/2023

 DATE REVISED:
 11/20/2023

 DATE REVISED:
 11/20/2023

 DATE REVISED:
 11/20/2023

05/17/2024 07/30/2024 09/06/2024 09/18/2024 10/17/2024

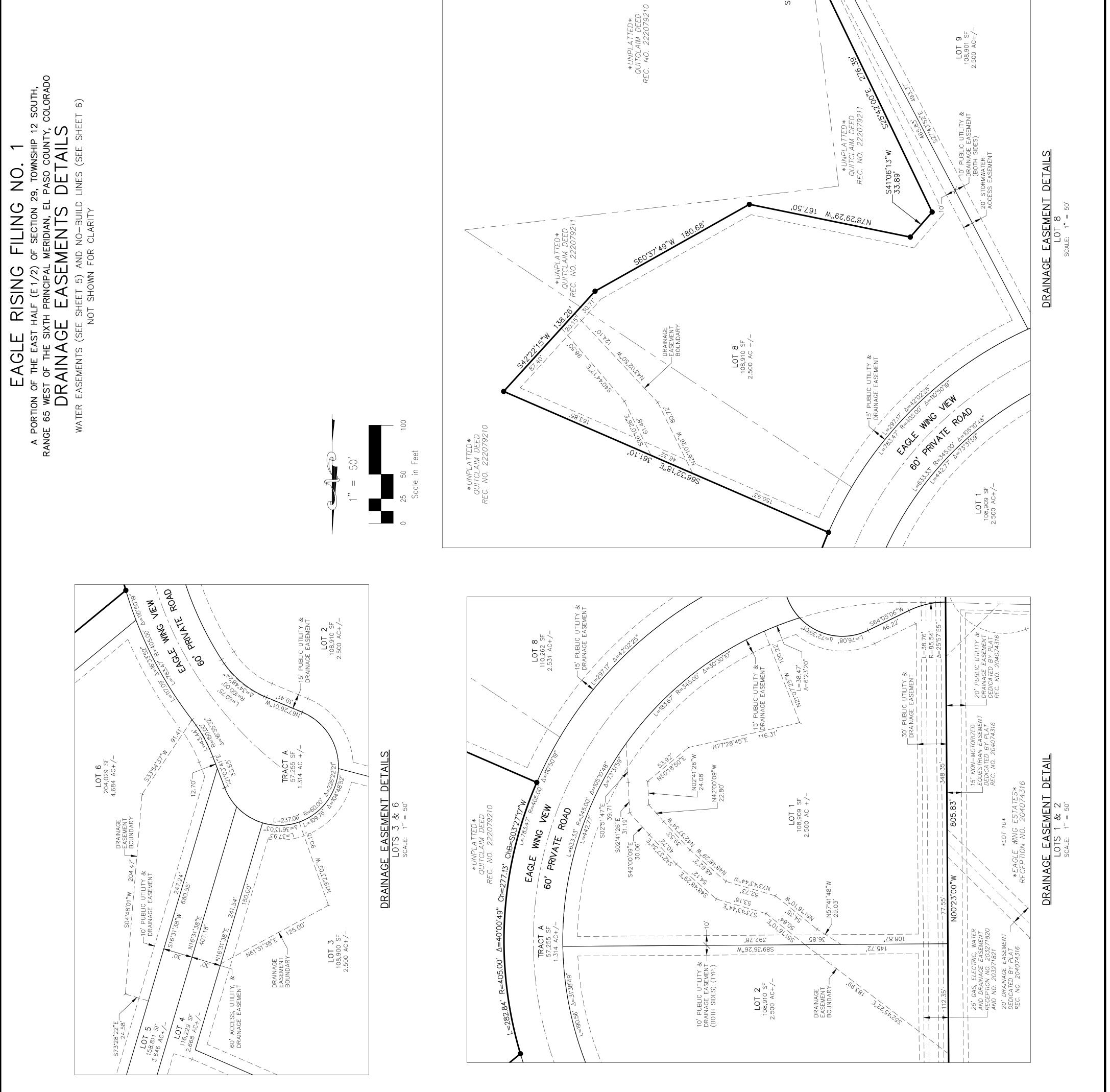
212 N. WAHSATCH AVE., STE 305 COLORADO SPRINGS, CO 80903 PHONE: 719.955.5485

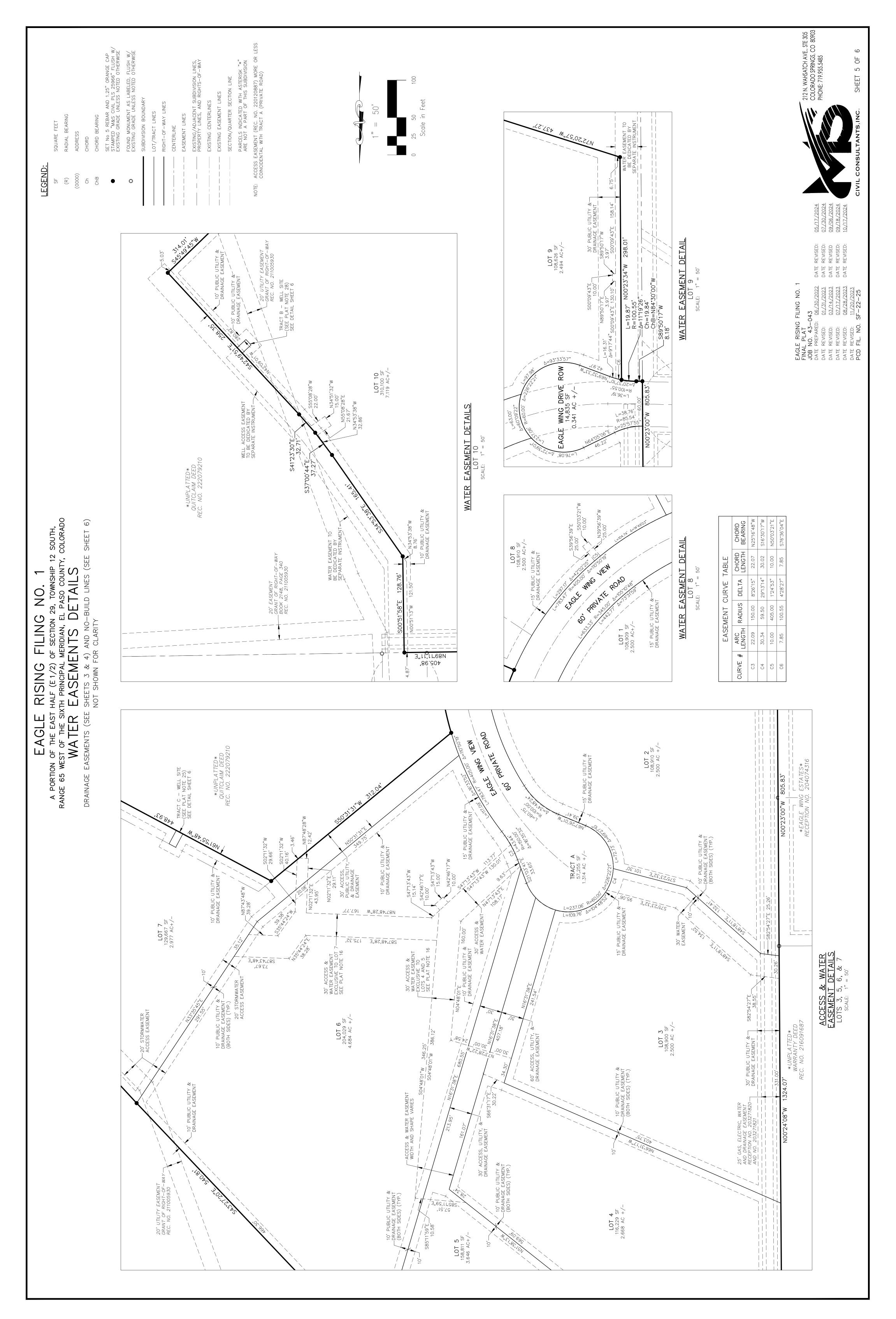
4 SHEET NTS, INC

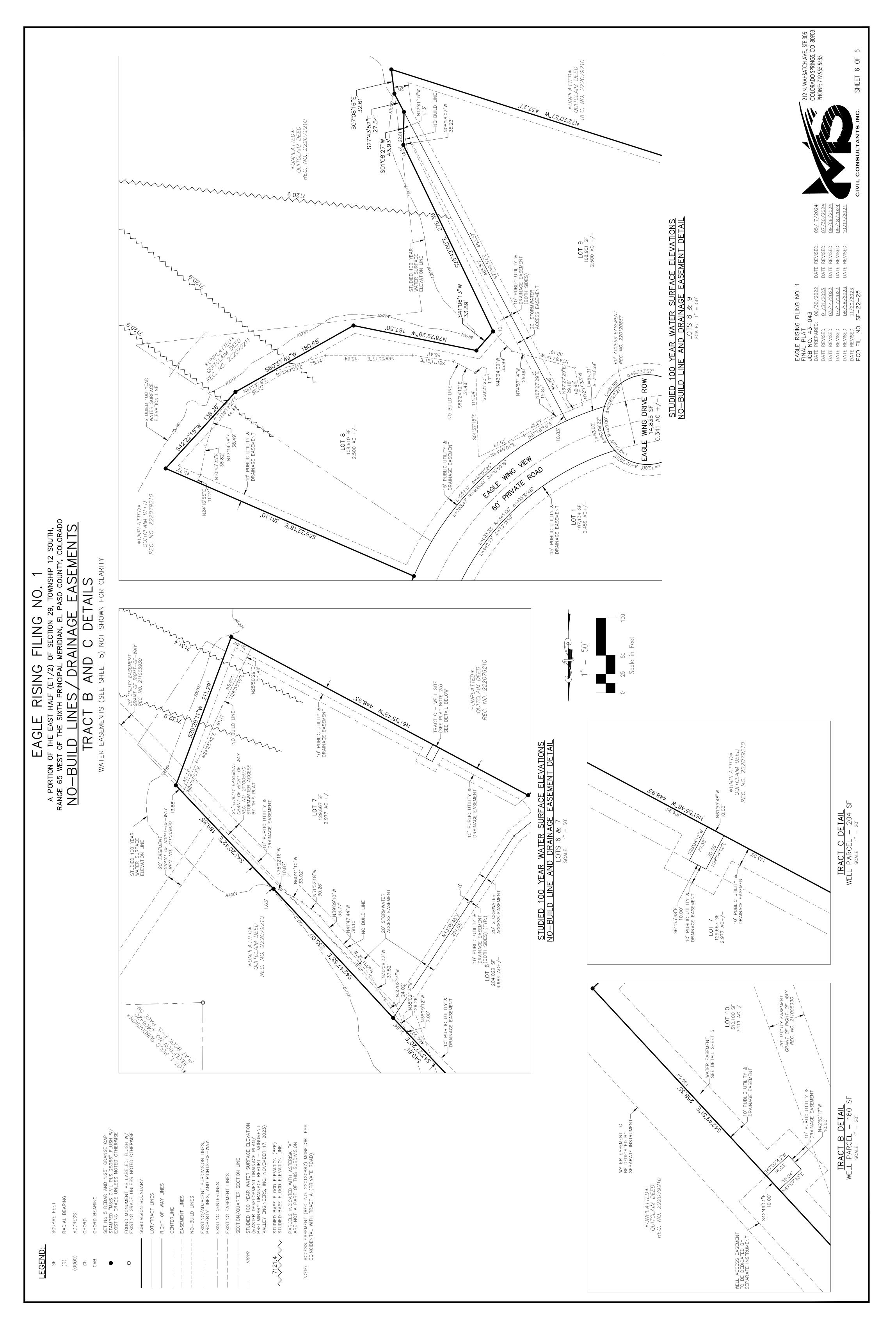
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### **RESOLUTION NO. 24-**

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

### REQUEST TO APPROVE A TWO-YEAR TIME EXTENSION TO RECORD THE FIRST FINAL PLAT FOR EAGLE RISING PRELIMINARY PLAN (SP205)

WHEREAS, the Board of County Commissioners of El Paso County, Colorado ("Board") previously adopted Resolution No. 13-407, approving the Preliminary Plan for Eagle Rising with an expiration date of August 24, 2015;

WHEREAS, the Board previously adopted Resolution No. 20-423, approving a reconsideration of the expired Eagle Rising Preliminary Plan and the first two-year extension to record the first Final Plat for the Preliminary Plan for Eagle Rising with an expiration date of December 8, 2022;

WHEREAS, the Board previously adopted Resolution No. 22-402, approving a second two-year extension to record the first Final Plat for the Preliminary Plan for Eagle Rising with an expiration date of November 15, 2024;

WHEREAS, the Board previously adopted Resolution No. 24-307, amending the Eagle Rising Preliminary Plan to include a finding of water sufficiency with regards to water quality, quantity, and dependability, and therefore authorizing administrative approval for all subsequent Final Plats within the Preliminary Plan area;

WHEREAS, the Applicant is now requesting a third two-year extension to record the first Final Plat for the Preliminary Plan for Eagle Rising with a proposed expiration date of November 14, 2026; and

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the extension of time of two years in which to have the first final plat filing recorded for Eagle Rising Preliminary Plan request as submitted, for the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference.

BE IT FURTHER RESOLVED that all conditions of approval associated with the original approval of the Eagle Rising Preliminary Plan, Resolution No. 13-407, Resolution No. 20-423, Resolution No. 22-402, and Resolution No. 24-307 shall remain valid and in full effect.

BE IT FURTHER RESOLVED that the following additional condition shall be placed upon the Eagle Rising Preliminary Plan:

To assure compliance with note 4 on the Preliminary Plan, each Final Plat that includes property shown as right-of-way for the cul-de-sac extension of Kurie Road (the "Kurie Road

Extension") shall dedicate such right-of-way to El Paso County for public road purposes at the time of platting.

DONE THIS 14<sup>th</sup> day of November 2024 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO

ATTEST:

Ву:\_\_\_\_\_

Chair

By: \_\_\_\_\_ County Clerk & Recorder

### EXHIBIT A

### NORTH PORTION - (10195 KURIE ROAD)

### LEGAL DESCRIPTION:

THAT PORTION OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6<sup>™</sup> P.M., EL PASO COUNTY, COLORADO DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-OUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 29, SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF PARK FOREST ESTATES FILING NO 2 (PLAT BOOK B-2 AT PAGE 52); THENCE S 00° 13'40"E ON THE WEST LINE OF THE EAST HALF OF SAID SECTION 29, A DISTANCE OF 1413.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE N 00° 13'40"W, 1413.98 FEET; THENCE N89° 14'16"E, ON THE SOUTHERLY BOUNDARY OF SAID PARK FOREST ESTATES, A DISTANCE OF 375.32 FEET TO THE SOUTHEAST CORNER OF LOT 14, BLOCK 18 OF SAID PARK FOREST ESTATES; THENCE N89°13'46"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 60.00 FEET TO THE EAST LINE OF KURIE ROAD; THENCE N89°33'17"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 237.50 FEET; THENCE N89° 20'43"E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 149.96 FEET; THENCE S00°39'26"E, DEPARTING SAID SOUTHERLY BOUNDARY OF PARK FOREST ESTATES, A DISTANCE OF 231.57 FEET; THENCE S43°12'03"E, A DISTANCE OF 433.08 FEET; THENCE S43°12'03"E, A DISTANCE OF 56.61 FEET; THENCE N88°33'24"E, A DISTANCE OF 0.10 FEET TO THE NORTHWEST CORNER OF LOT 1 POCO SUBDIVISION ACCORDING TO THE TO THE OFFICIAL MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF EL PASO COUNTY, COLORADO, AS RECEPTION NO. 2406425; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 1 THE FOLLOWING SIX (6) COURSES:

S16°04'20"E, 158.01 FEET; S02°43'41"W, 265.73 FEET: N84°46'48"W, 71.67 FEET; S00°11'34"W, 147.46 FEET; N88°32'26"E, 150.00 FEET; S01°27'34"E, 275.63 FEET;

THENCE S89°45′28″W DEPARTING SAID WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 766.08 FEET; THENCE N00°14′32″W, 100.00 FEET; THENCE S89°45′28″W, 152.00 FEET; THENCE S00°14′32″E, 200.00 FEET; THENCE S89°45′28″W, 152.00 FEET; THENCE N00°14′32″W, 100.00 FEET; THENCE S89°45′28″W, 201.18 FEET TO A POINT ON SAID WEST LINE OF THE EAST HALF OF SAID SECTION 29, SAID POINT BEING THE TRUE POINT OF BEGINNING.

DESCRIPTION PREPARED BY: M & S CIVIL CONSULTANTS, INC. 102 EAST PIKES PEAK AVE. STE.306 COLORADO SPRINGS, COLORADO 80903

### SOUTH PORTION - (10115 KURIE ROAD)

LEGAL DESCRIPTION:

THAT PORTION OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 29, SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF PARK FOREST ESTATES FILING NO. 2 (PLAT BOOK B-2 AT PAGE 52), THENCE N89°14′16″E, ON THE SOUTHERLY BOUNDARY OF SAID PARK FOREST ESTATES, A DISTANCE OF 375.32 FEET TO THE SOUTHEAST CORNER OF LOT 14, BLOCK 18 OF SAID PARK FOREST ESTATES; THENCE N89°13′46″E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 60.00 FEET TO THE EAST LINE OF KURIE ROAD; THENCE N89°33′17″E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 237.50 FEET; THENCE N89°20′43″E ALONG SAID SOUTHERLY BOUNDARY, A DISTANCE OF 149.96 FEET; THENCE S00°39′26″E, DEPARTING SAIDSOUTHERLY BOUNDARY OF PARK FOREST ESTATES, A DISTANCE OF 231.57 FEET; THENCE S43°12′03″E, A DISTANCE OF 433.08 FEET; THENCE S43°12′03″E, A DISTANCE OF 56.61 FEET; THENCE N88°33′24″E, A DISTANCE OF 0.10 FEET TO THE NORTHWEST CORNER OF LOT 1 POCO SUBDIVISION ACCORDING TO THE TO THE OFFICIAL MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF EL PASO COUNTY, COLORADO, AS RECEPTION NO. 2406425; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 1 THE FOLLOWING SIX (6) COURSES:

S16°04'20"E, 158.01 FEET; S02°43'41"W, 265.73 FEET: N84°46'48"W, 71.67 FEET; S00°11'34"W, 147.46 FEET; N88°32'26"E, 150.00 FEET;

S01°27'34"E, A DISTANCE OF 275.63 FEET TO THE TRUE POINT OF BEGINNING; THENCE S01°27'34"E, A DISTANCE OF 178.87 FEET; THENCE S34°54'56"W, A DISTANCE OF 563.22 FEET; THENCE S00°00'00"E, A DISTANCE OF 344.55 FEET; THENCE N90°00'00"E, A DISTANCE OF 87.56 FEET; THENCE S00°00'00"E, A DISTANCE OF 459.65 FEET; THENCE S89°59'26"W, A DISTANCE OF 1035.05 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF SAID SECTION 29; THENCE N00°13'40"W, ALONG SAID WEST LINE, A DISTANCE OF 1439.98 FEET TO A POINT WHICH IS DRAWN S 89° 45'28" W FROM THE POINT OF BEGINNING; THENCE N 89°45'28"E, A DISTANCE OF 201.18 FEET; THENCE S00°14'32"E, 100.00FEET; THENCE N89°45'28"E, 152.00 FEET; THENCE N00°14'32"W, 200.00 FEET; THENCE N89°45'28"E, 152.00 FEET; THENCE S00°14'32"E, 100.00 FEET; THENCE N89°45'28"E, 766.08 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

DESCRIPTION PREPARED BY: M & S CIVIL CONSULTANTS, INC. 102 EAST PIKES PEAK AVE. STE 306 COLORADO SPRINGS, COLORADO 80903