

SIGHT EASEMENT

THIS EASEMENT is entered into and effective as of the ___ day of November, 2021 (the "Effective Date") by and between Woodmoor Water & Sanitation District No 1 ("Grantor") and the Board of County Commissioners of El Paso County, Colorado ("Grantee").

RECITALS

- A. WHEREAS, Grantor owns that certain real property located in El Paso County legally described on the attached Exhibit A (the "Grantor Property");
- B. WHEREAS, Grantor is willing to grant to Grantee an easement over a portion of the Grantor Property described on the attached Exhibit B for the purpose of providing and maintaining proper sight distance and line of sight for a public roadway as set forth below.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby agrees as follows:

1. Grant of Easement. Grantor, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey to Grantee, its successors and assigns forever, a perpetual non-exclusive easement for the purpose of providing and maintaining proper sight distance and line of sight for a public roadway and road improvements over that portion of the Grantor Property depicted and described on the attached Exhibit B (the "Sight Distance Easement"). Grantor represents and warrants that it is the owner of the above-described real property and has the right to grant the Sight Distance Easement contemplated herein.
2. Restrictions of Use in Sight Distance Easement: Maintenance. Any object within the Sight Distance Easement above the Established Elevation, as defined hereafter, shall constitute a sight obstruction and shall be removed or lowered. The objects may include but are not limited to berms, buildings, parked vehicles on private property, cut slopes, hedges, trees, bushes, utility cabinets or tall crops. Trees maybe permitted at the discretion of the El Paso County Engineering Criteria Manual Administrator if pruned to at least 8 feet above the flowline elevation of the adjacent roadway. Maintenance of the sight distance easement shall be the responsibility of the Grantor. For purposes of this Section 2, "Established Elevation" shall mean 30 inches above the existing elevation of the roadway alignment at centerline as measured at right angles to the roadway as shown and noted in Exhibit C (the Existing Roadway Elevation).
3. Grantor Uses. Grantor retains the right to use any portion of the Grantor Property for any and all purposes which will not interfere with the Sight Distance Easement.

4. Binding Effect. The covenants, agreements, and obligations contained herein shall extend to, bind, and inure to the benefit of the parties hereto, their respective successors and assigns.

IN WITNESS WHEREOF, Grantor has caused this Sight Easement to be executed and effective as of the date set forth above.

GRANTOR:

[Handwritten Signature]

Print Name: Brian Bush, President

STATE OF COLORADO)
) ss.
 COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 9th day of November, 2021, by Brittany Petta.

Witness my hand and official seal.

My Commission Expires: August 6, 2025

[Handwritten Signature]

Notary Public

**BRITTANY RAE PETTA
 NOTARY PUBLIC
 STATE OF COLORADO**
 NOTARY ID 20214031311
 MY COMMISSION EXPIRES AUGUST 6, 2025

GRANTEE:

Board of County Commissioners
Of El Paso County, Colorado

ATTEST:

Chuck Broerman
County Clerk & Recorder

By: _____
Stan VanderWerf, Chair

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, Chair, Board of County Commissioners of El Paso County, Colorado, and as attested to by Chuck Broerman, County Clerk and Recorder.

Witness my hand and official seal.

My Commission Expires: _____

Notary Public

EXHIBIT A

GRANTOR PROPERTY

Lot 546, Woodmoor Greens,
as recorded in Plat Book U-2 at Page 51 of the Records of El Paso County, Colorado.

EXHIBIT B

SIGHT DISTANCE EASEMENT

As Attached



JR ENGINEERING
A Westlawn Company

SIGHT DISTANCE EASEMENT 01

PROPERTY DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 546, WOODMOOR GREENS RECORDED IN PLAT BOOK U-2 AT PAGE 51 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE LINE BETWEEN THE 30.00' WITNESS CORNER TO THE CENTER QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "PLS 10377 1997 30.00 WC" AND THE 30.0' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SAID SECTION 23, MONUMENTED BY A 1-1/2" ALUMINUM CAP STAMPED "LS 2692", SAID LINE BEARING S89°54'49"E AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE.

COMMENCING AT THE 30' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE N23°27'14"W A DISTANCE OF 1,386.93, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF LEGGINS WAY AS RECORDED IN PLAT BOOK U-2 AT PAGE 51 IN THE RECORDS OF THE EL PASO COUNTY, CLERK AND RECORDER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE, N35°09'46"E A DISTANCE OF 113.20 FEET, TO A POINT OF NON-TANGENT CURVE ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LEGGINS WAY;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N77°00'22"W, HAVING A RADIUS OF 150.00 FEET, A CENTRAL ANGLE OF 44°20'16" AND AN ARC LENGTH OF 116.08 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 843 SQUARE FEET OR 0.0194 ACRES.

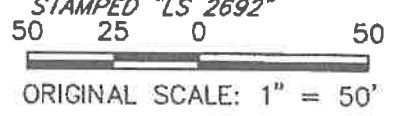
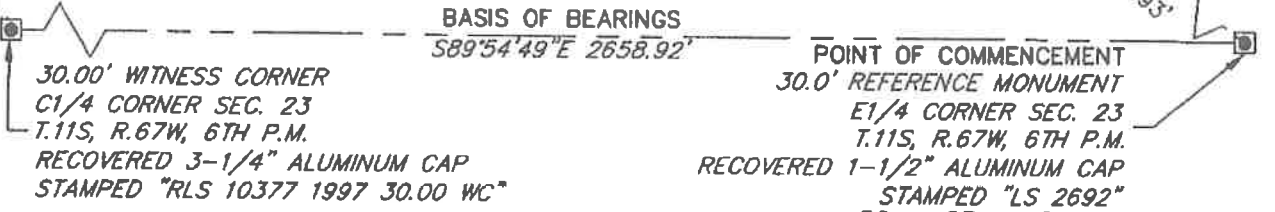
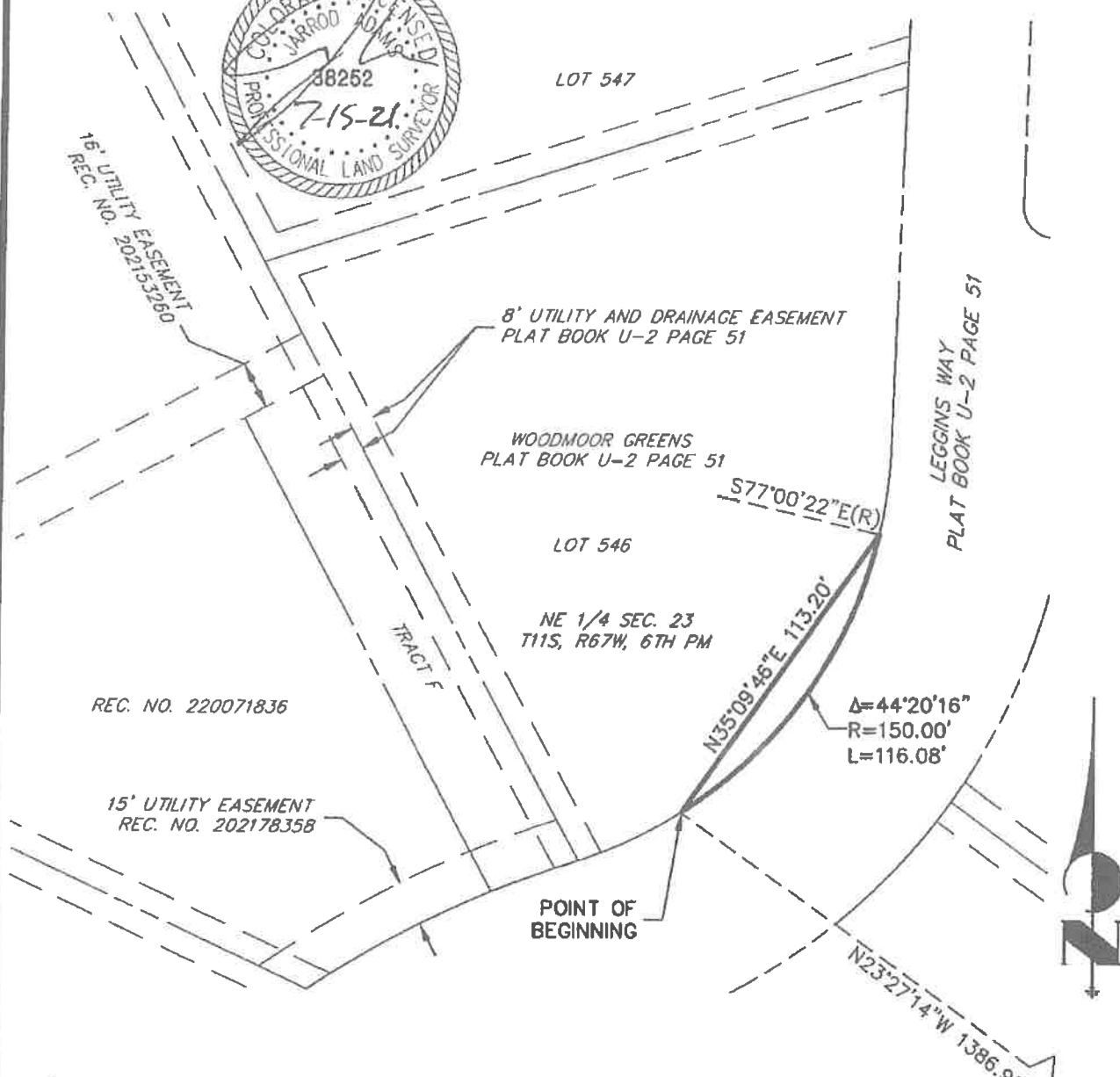
PROPERTY DESCRIPTION STATEMENT

I, JARROD ADAMS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE PROPERTY DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE, AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

JARROD ADAMS, PROFESSIONAL LAND SURVEYOR
COLORADO NO. 38252
FOR AND ON BEHALF OF JR ENGINEERING, LLC



EXHIBIT



NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED PROPERTY DESCRIPTION.

SIGHT DISTANCE EASEMENT 01
 CLOVERLEAF
 PROJECT NO.: 25186.00
 DATE: 07/15/2021

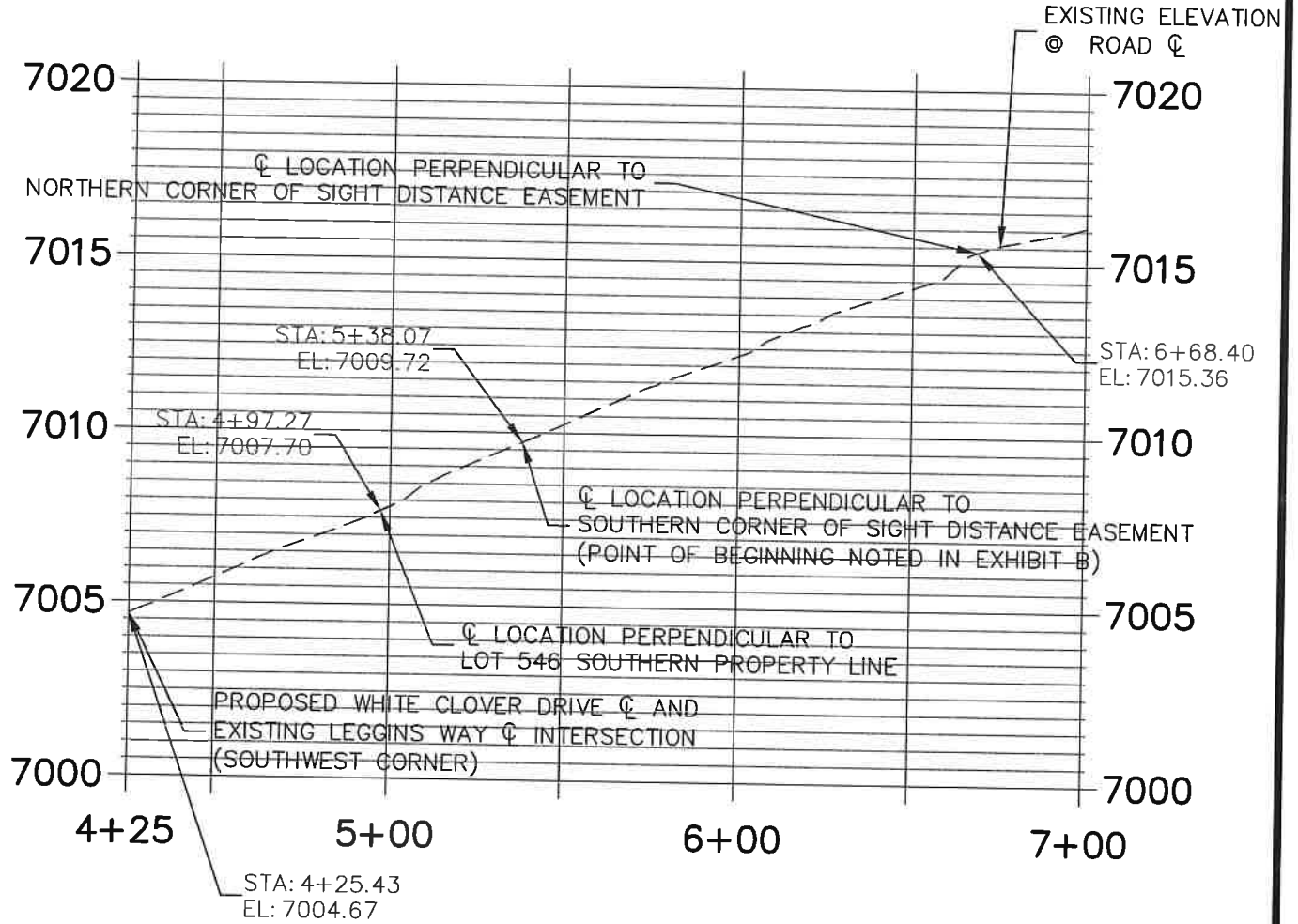
SHEET: 2 OF 2

J-R ENGINEERING
 A Westlan Company
 Centennial 303-740-9393 • Colorado Springs 719-583-2583
 Fort Collins 970-491-9888 • www.jr-engineering.com

EXHIBIT C

EXISTING ROADWAY ELEVATION

STA 4+25.43 TO 7+00.00



NOTE
VERTICAL DATUM : NAVD88



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

EXISTING ROADWAY
ELEVATION
CLOVERLEAF
JOB NO. 25186.00
10/25/2021
SHEET 3 OF 3



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