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RESOLUTION NO. 18-316

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

APPROVE FINAL PLAT FOR LORSON RANCH EAST FILING NO. 1  
(SF-18-008)

WHEREAS, Lorson Conservation Invest I, LLLP; Lorson LLC, Nominee; Eagle Development Company; and Murray Fountain, LLC did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Lorson Ranch East Filing No. 1 Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on July 17, 2018, upon which date the Planning Commission did by formal resolution recommend approval of the final plat application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on July 31, 2018; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the master plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. The application was properly submitted for consideration by the Planning Commission.
2. 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.
3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.
4. All exhibits were received into evidence.

5. The subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is in substantial conformance with the approved preliminary plan.
7. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. 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)(1)] and the requirements of Chapter 8 of the Land Development Code.
9. A public sewage disposal system has been established or, 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.
10. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)].
11. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and Engineering Criteria Manual.
12. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
13. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
14. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Land Development Code.
15. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or

are financially guaranteed through the Subdivision Improvements Agreement so the impacts of the subdivision will be adequately mitigated.

16. The subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
17. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.].
18. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
19. 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 the Board of County Commissioners of El Paso County, Colorado, hereby approves the final plat application for the Lorson Ranch East Filing No. 1 Subdivision;

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

**CONDITIONS**

1. All Deed of Trust holders shall ratify the plat. The applicants shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of a plat, the subdivider shall provide the certification from the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The applicants shall submit the Mylar to Enumerations for addressing.

5. 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 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 species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the ECM Administrator or designee, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure construction of the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. The subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 16-454), or any amendments thereto, 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.
10. Park fees in lieu of land dedication for regional parks (Area 4) and urban park (Area 4) fees shall be paid at time of plat recordation.
11. Drainage, bridge, and surety fees for the Jimmy Camp Creek basin shall be paid, or existing developer credits deducted, at the time of final plat recording.
12. Applicants and Lorson Ranch Metropolitan District agree that all tracts adjacent to Lorson Boulevard and Fontaine Boulevard shall be reserved for potential public improvements to those roads. The Lorson Ranch Metropolitan District No. 1 will own and maintain these tracts until such time, if any, that the County requests the deeds conveying the portions of

these tracts necessary for right-of-way purposes to El Paso County at no cost to the County. El Paso County, its agent(s) or assignee(s) may request the deeds and construct roadway improvements within these tracts at any time at the County's sole discretion. Landscaping allowed to remain within the acquired right-of-way shall continue to be maintained by Lorson Ranch Metropolitan District No. 1 under a Landscape License Agreement allowing maintenance of landscaping within the platted rights-of-way within Lorson Ranch East Filing No. 1.

13. The Lorson Ranch Metropolitan District No. 1 shall accept and retain responsibility for maintaining detention/water quality facilities in Lorson Ranch East and the Jimmy Camp Creek East Tributary through the development.
14. The developer shall participate in a fair and equitable manner in the design and future construction of traffic signalization improvements at Marksheffel Road and Lorson Boulevard, which shall be constructed by the developer at the time signal warrants are met. The fair share attributed to Lorson Ranch East Filing No. 1 shall be deposited as escrow in the amount of \$86,003, corresponding to a roughly twenty nine (29%) proportionate impact of the remaining Lorson Ranch subdivision filings that are anticipated to add traffic to this intersection to a level warranting signalization. An escrow agreement, including a financial assurance estimate for the intersection signalization improvements, as approved by the Planning and Community Development Department Director and the County Attorney's Office, shall be completed and escrow deposited prior to recording the final plat.
15. In accordance with the Subdivision Improvements Agreement, the developer shall complete and receive preliminary acceptance, or provide financial assurances for the following improvements prior to recording the final plat for Lorson Ranch East Filing No. 1: Fontaine Boulevard and Lamprey Drive (including roundabout) from Stingray Drive east; East Tributary Jimmy Camp Creek Lorson Boulevard bridge; and East Tributary Jimmy Camp Creek Fontaine Boulevard bridge. The construction plans for these improvements were reviewed and approved separately prior to approval of the Filing No. 1 construction plans.
16. The construction of the Lorson Ranch Boulevard bridge spanning the Jimmy Camp Creek Main channel shall be constructed with Filing No. 1

prior to the issuance of the 1751<sup>st</sup> building permit issuance east of the Jimmy Camp Creek Main Channel.

**NOTATIONS**

1. Final plats not recorded within 12 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
2. No school fees are due upon plat recordation pursuant to a Site Dedication and Waiver of Fees in Lieu of Land Dedication agreement between Lorson, LLC, Widefield School District No. 3, and El Paso County, as originally approved by the Board of County Commissioners on April 12, 2012 and as amended by approval of the Board of County Commissioners on August 23, 2016.

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

DONE THIS 31st day of July, 2018, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

By: *David Glenn*  
President

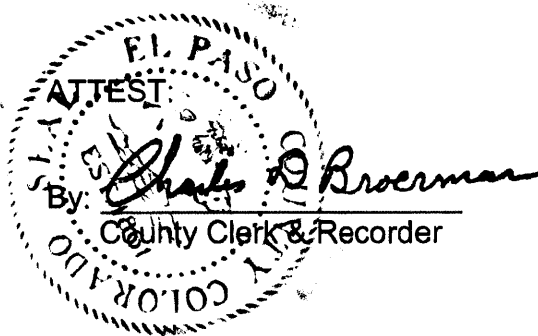


EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE SOUTHWEST QUARTER (SW 1/4) SECTION 13, AND IN THE SOUTHEAST QUARTER (SE 1/4) SECTION 14, AND IN THE NORTHEAST QUARTER (NE 1/4) SECTION 23, AND IN THE NORTHWEST QUARTER (NW 1/4) SECTION 24, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF "THE MEADOWS AT LORSON RANCH FILING NO. 3" AS RECORDED UNDER RECEPTION NO. 213713396 IN THE EL PASO COUNTY, COLORADO RECORDS;

THENCE ALONG THE EASTERLY AND NORTHERLY LINES THEREOF THE FOLLOWING FOURTEEN (14) COURSES;

- (1) THENCE N16°02'05"E A DISTANCE OF 99.98 FEET;
- (2) THENCE N27°12'00"E A DISTANCE OF 50.51 FEET;
- (3) THENCE N04°51'02"E A DISTANCE OF 216.25 FEET;
- (4) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 269.76 FEET, A CENTRAL ANGLE OF 64°17'38", (THE CHORD OF WHICH BEARS N34°59'15"E, 287.07 FEET), AN ARC DISTANCE OF 302.71 FEET;
- (5) THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 30.49 FEET, A CENTRAL ANGLE OF 56°05'16", (THE CHORD OF WHICH BEARS N38°38'30"E, 28.67 FEET), AN ARC DISTANCE OF 29.85 FEET;
- (6) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 349.56 FEET, A CENTRAL ANGLE OF 44°40'09", (THE CHORD OF WHICH BEARS N41°02'29"E, 265.68 FEET), AN ARC DISTANCE OF 272.52 FEET;
- (7) THENCE N44°09'22"E A DISTANCE OF 20.09 FEET;
- (8) THENCE N44°09'22"E A DISTANCE OF 174.77 FEET;
- (9) THENCE N00°18'56"E A DISTANCE OF 51.25 FEET;
- (10) THENCE N54°40'55"W A DISTANCE OF 36.93 FEET;
- (11) THENCE N20°11'44"E A DISTANCE OF 214.88 FEET;
- (12) THENCE N10°51'52"E A DISTANCE OF 291.59 FEET;
- (13) THENCE N00°23'56"W A DISTANCE OF 232.80 FEET;
- (14) THENCE S89°36'04"W A DISTANCE OF 492.30 FEET;

THENCE N00°23'26"W A DISTANCE OF 15.00 FEET TO THE SOUTHWEST CORNER OF TRACT I "PIONEER LANDING AT LORSON RANCH FILING NO. 2" AS RECORDED UNDER RECEPTION NO. 217713888 IN THE EL PASO COUNTY, COLORADO RECORDS;

THENCE N00°23'26"W ALONG THE WESTERLY LINE THEREOF 115.00 FEET TO THE SOUTHWEST CORNER OF TRACT B, "PIONEER LANDING AT LORSON RANCH FILING NO. 2";

THENCE N89°36'04"E ALONG THE SOUTH LINES OF TRACTS B, A AND E

"PIONEER LANDING AT LORSON RANCH FILING NO. 2" A DISTANCE OF 774.00 FEET;  
THENCE N03°27'30"E ALONG THE EASTERLY LINE OF TRACT E, "PIONEER LANDING AT LORSON RANCH FILING NO. 2" A DISTANCE OF 397.10 FEET;  
THENCE N49°33'31"E ALONG SAID EASTERLY LINE OF TRACT E, 447.73 FEET;  
THENCE N89°54'29"E A DISTANCE OF 221.61 FEET;  
THENCE S00°06'29"E A DISTANCE OF 663.09 FEET TO THE NORTH LINE OF AFORESAID TRACT I, "PIONEER LANDING AT LORSON RANCH FILING NO. 2";  
THENCE N89°35'55"E ALONG THE NORTH LINE THEREOF 621.20 FEET;  
THENCE N52°37'06"E A DISTANCE OF 48.23 FEET;  
THENCE N00°24'02"W A DISTANCE OF 94.82 FEET;  
THENCE N04°23'45"E A DISTANCE OF 101.66 FEET;  
THENCE N00°24'02"W A DISTANCE OF 41.44 FEET;  
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 595.00 FEET, A CENTRAL ANGLE OF 16°13'33", (THE CHORD OF WHICH BEARS N07°42'45"E, 167.94 FEET), AN ARC DISTANCE OF 168.50 FEET;  
THENCE N16°33'16"W A DISTANCE OF 33.97 FEET;  
THENCE N20°50'17"E A DISTANCE OF 50.00 FEET;  
THENCE N58°27'30"E A DISTANCE OF 33.75 FEET;  
THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 595.00 FEET, A CENTRAL ANGLE OF 56°56'49", (THE CHORD OF WHICH BEARS N54°17'59"E, 567.33 FEET), AN ARC DISTANCE OF 591.38 FEET;  
THENCE N71°26'26"E A DISTANCE OF 46.20 FEET;  
THENCE N02°33'09"W A DISTANCE OF 19.24 FEET;  
THENCE N87°26'51"E A DISTANCE OF 50.00 FEET;  
THENCE S02°33'09"E A DISTANCE OF 16.93 FEET;  
THENCE S47°33'09"E A DISTANCE OF 18.48 FEET;  
THENCE N87°26'51"E A DISTANCE OF 466.93 FEET;  
THENCE N42°26'51"E A DISTANCE OF 28.28 FEET;  
THENCE N02°33'09"W A DISTANCE OF 14.59 FEET;  
THENCE N87°26'51"E A DISTANCE OF 50.00 FEET;  
THENCE S02°33'09"E A DISTANCE OF 34.59 FEET;  
THENCE N87°26'51"E A DISTANCE OF 15.33 FEET;  
THENCE S02°33'09"E A DISTANCE OF 60.00 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF TRACT J, "PIONEER LANDING AT LORSON RANCH FILING NO. 2";  
THENCE S00°00'00"E ALONG SAID EAST LINE IN PART A DISTANCE OF 440.98 FEET;  
THENCE S43°26'12"E A DISTANCE OF 336.42 FEET TO THE NORTHEASTERLY LINE OF SAID TRACT J;  
THENCE S58°24'10"E ALONG SAID NORTHEASTERLY LINE 314.29 FEET TO THE MOST EASTERLY CORNER THEREOF;



THENCE S38°22'35"W ALONG THE EAST LINE OF TRACT J A DISTANCE OF 345.18 FEET;

THENCE CONTINUING ALONG SAID EAST LINE, S18°59'47"W A DISTANCE OF 99.98 FEET TO THE SOUTHEAST CORNER THEREOF;

THENCE N70°06'29"W ALONG THE SOUTH LINE OF TRACT J IN PART, 73.84 FEET;

THENCE S64°26'39"W A DISTANCE OF 28.50 FEET;

THENCE N70°01'19"W A DISTANCE OF 50.01 FEET;

THENCE N71°00'13"W A DISTANCE OF 377.73 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1431.92 FEET, A CENTRAL ANGLE OF 19°23'49", (THE CHORD OF WHICH BEARS N80°42'07"W, 483.46 FEET), AN ARC DISTANCE OF 485.78 FEET;

THENCE S89°35'42"W A DISTANCE OF 299.85 FEET;

THENCE S79°04'57"W A DISTANCE OF 43.45 FEET;

THENCE S49°44'55"W A DISTANCE OF 63.21 FEET;

THENCE S00°42'26"E A DISTANCE OF 206.57 FEET;

THENCE S03°59'22"W A DISTANCE OF 60.18 FEET;

THENCE S00°24'02"E A DISTANCE OF 309.91 FEET;

THENCE S38°57'34"E A DISTANCE OF 32.09 FEET;

THENCE S00°23'49"E A DISTANCE OF 50.00 FEET;

THENCE S37°56'32"W A DISTANCE OF 32.24 FEET;

THENCE S00°24'02"E A DISTANCE OF 339.68 FEET;

THENCE S39°00'02"E A DISTANCE OF 32.06 FEET;

THENCE S00°24'02"E A DISTANCE OF 50.00 FEET;

THENCE S38°14'24"W A DISTANCE OF 32.03 FEET;

THENCE S00°24'02"E A DISTANCE OF 589.10 FEET;

THENCE S33°38'32"E A DISTANCE OF 36.48 FEET;

THENCE N89°35'58"E A DISTANCE OF 64.05 FEET;

THENCE S38°22'41"W A DISTANCE OF 95.57 FEET;

THENCE S89°35'58"W A DISTANCE OF 554.18 FEET;

THENCE S50°57'37"W A DISTANCE OF 32.03 FEET;

THENCE S89°35'57"W A DISTANCE OF 50.00 FEET;

THENCE N52°06'10"W A DISTANCE OF 32.27 FEET;

THENCE S89°35'58"W A DISTANCE OF 924.41 FEET;

THENCE S51°38'32"W A DISTANCE OF 49.80 FEET;

THENCE S00°24'02"E A DISTANCE OF 41.57 FEET;

THENCE S89°35'58"W A DISTANCE OF 60.00 FEET;

THENCE N00°24'02"W A DISTANCE OF 38.12 FEET;

THENCE N47°05'26"W A DISTANCE OF 38.23 FEET;

THENCE S89°36'04"W A DISTANCE OF 125.90 FEET;

THENCE N86°49'21"W A DISTANCE OF 128.25 FEET;

THENCE S89°36'04"W A DISTANCE OF 232.72 FEET;

THENCE S89°36'04"W A DISTANCE OF 460.85 FEET;

THENCE S51°59'20"W A DISTANCE OF 29.49 FEET;

THENCE S89°36'04"W A DISTANCE OF 60.00 FEET;

THENCE N45°23'56"W A DISTANCE OF 14.14 FEET;  
THENCE S89°36'04"W A DISTANCE OF 14.74 FEET;  
THENCE N00°23'56"W A DISTANCE OF 80.00 FEET TO THE SOUTH LINE OF  
LOT 138, "THE MEADOWS AT LORSON RANCH FILING NO. 3";  
THENCE N89°36'04"E ALONG THE SOUTH LINE THEREOF AND ALONG THE  
SOUTH LINE OF 60 FOOT WIDE STINGRAY LANE AND ALONG THE SOUTH  
LINE OF TRACT A AND TRACT C, A DISTANCE OF 568.94 FEET TO THE  
POINT OF BEGINNING.  
SAID PARCEL CONTAINS A CALCULATED AREA OF 126.254 ACRES MORE  
OR LESS.