

32

RESOLUTION NO. 22-310

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

**RECONSIDERATION OF A FINAL PLAT TO APPROVE THE PRAIRIE RIDGE FILING
NO. 1 FINAL PLAT (SF-20-010)**

WHEREAS, the Board of County Commissioners of El Paso County, Colorado previously approved the Final Plat for Prairie Ridge Filing No. 1 on April 24, 2008; and

WHEREAS, the Board of County Commissioners previously adopted Resolution No. 14-475, approving an extension to record all final plats approved from January 2, 2006 through and including April 28, 2009 until December 31, 2017; and

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the reconsideration of the Prairie Ridge Filing No. 1 final plat request as submitted and pursuant to the conditions contained herein, for the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference; and

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

1. All conditions of approval associated with approval of the Prairie Ridge Filing No. 1 final plat (PCD File No. SF-07-016) shall remain in effect except as modified herein or as otherwise required in order to comply with current subdivision development criteria.
2. Fees in lieu of regional parkland dedication in the amount of \$3,269.00 shall be paid to El Paso County.
3. 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 No. 19-471), 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.
4. Minor amendments to the final plat may be approved administratively by the Planning and Community Development Director if the proposed

Chuck Broerman
09/07/2022 10:18:07 AM
Doc \$0.00
Rec \$0.00

El Paso County, CO
4
Pages
222116983



amendments are consistent with the intent of the Board of County Commissioners' approval.

5. **Brown Road will retain its current alignment. Prior to recording the final plat, Applicant shall enter into an Escrow Agreement ("Agreement") with the County in which Applicants shall agree to participate in the completion of off-site public improvements to bring Broad Road into compliance with El Paso County local roadway standards ("Brown Road Improvements"). Said Agreement shall require separate approval by the Board. Said Agreement shall address the following:**
 - 1) **Applicants' total fair, equitable, and reasonably proportional contribution to the Brown Road Improvements shall be \$14,553 per lot for a total of \$101,871 structured as follows:**
 - a. **Prior to recording the final plat, Applicants shall deposit the sum of \$66,150 with the El Paso County Treasurer, which funds the County shall maintain and deposit in a separate, interest-bearing account not part of the County's operating budget.**
 - b. **Applicant shall require as a condition of sale and closing of each of the seven lots, at the time of closing each lot, payment by the buyer to Applicant of 1/7th of the remaining \$35,721 balance of the contribution, or \$5,103 per lot, which funds Applicants shall cause to be paid to Planning and Community Development Department who in turn will transfer funds to the El Paso County Treasurer for deposit into the above described account. Interest shall accrue on the amount of \$5,103 per lot from the date of recording of the Final Plat at an interest rate of 5 percent per annum simple interest.**
 - 2) **Said funds shall only be used for the purpose of construction, or contributing to the construction of, the Brown Road Improvements.**
 - 3) **On or before the expiration date, the County may use the funds, including any interest accrued thereon, only for the purpose of construction, or contributing to the construction of, the Brown Road Improvements. The expiration date is 5 years from the closing date of sale of the last lot in Prairie Ridge subdivision or 10 years from the date of the Agreement, whichever is later.**
 - 4) **Should the County not use said funds on or before the expiration date, the County shall return the funds to the applicants, their heirs, successors, and assigns (excluding individual lot owner successors), together with accrued interest.**
6. **The Subdivision Improvements Agreement, including the financial assurance estimate, as approved by the El Paso County Planning and**

Community Development Department, shall be filed at the time of recording the final plat.

DONE THIS 6th day of September, 2022, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By:





EXHIBIT A

That SONSHIP PROPERTIES, LLC, a Colorado Limited Liability Company being the owner of the following described tract of land to wit:

A parcel of land situated in the Southeast Quarter of the Southeast Quarter of Section 12, Township 11 South, Range 66 West of the 6th P.M., County of El Paso, State of Colorado, to wit:

The Southeast Quarter of the Southeast Quarter of said Section 12, except the Westerly 30.00 feet for public road purposes, and being described as follows:

Beginning at the Southeast corner of said Section 12, said corner monumented by an alloy capped steel pin marked PLS No. 25361;

thence S89°04'51"W, along the South line of the Southeast Quarter of the said Section 12, a distance of 1305.15 feet to a point 30.00 feet Easterly of the Southwest corner thereof, said corner monumented by a plastic capped steel pin marked PLS No. 23875;

thence N00°13'51"W, 30.00 feet Easterly of and parallel with the West line of the said Southeast Quarter of the Southeast Quarter of the said Section 12, a distance of 1325.59 feet to a point on the North line thereof, said corner monumented by a plastic capped steel pin marked PLS No. 23875;

thence N89°01'29"E, along the North line of the said Southeast Quarter of the Southeast Quarter of the said Section 12, a distance of 1307.46 feet to the Northeast corner thereof, said corner monumented by an alloy capped steel pin marked PLS No. 13830;

thence S00°07'55"E, along the East line of the said Southeast Quarter of the Southeast Quarter of the said Section 12, a distance of 1326.90 feet to the Point of Beginning;

Containing 39.769 acres, more or less.