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RESOLUTION NO. 18- 476

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

SUBDIVISION EXEMPTION FOR ROCK CREEK CANYON – SNELL  
SUBDIVISION EXEMPTION (EX-18-002)

WHEREAS, Section 30-28-101(10)(d), C.R.S., as amended, authorizes the Board of County Commissioners pursuant to resolution to exempt from the requirements of the subdivision regulations any division of land if the Board of County Commissioners determines that such division is not within the purposes of the statutory provisions governing subdivisions; and

WHEREAS, the City of Colorado Springs Parks, Recreation, and Cultural Services have applied for an exemption from the El Paso County Subdivision Regulations with reference to a this parcel as described in Exhibit A; and

WHEREAS, the City of Colorado Springs Parks, Recreation, and Cultural Services intend to utilize this 32 acre parcel and 8 acre parcel and that they be released from the requirements of a subdivision; and

WHEREAS, a public hearing was held by this Board on December 11, 2018; and

WHEREAS, the El Paso County Board of County Commissioners has found the proposed division does not fall within the purposes of the Colorado statutory provisions concerning subdivisions;

WHEREAS, based on the evidence, testimony, exhibits, study of the Master Plan for the unincorporated area of the County, comments of the El Paso County Planning and Community Development Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

1. That the exemption is consistent with and conforms to the El Paso County Land Development Code and the Master Plan.
2. That the exemption is a division of land determined not to be within the purpose of C.R.S. §§30-28-101, et. seq.
3. That legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Land Development Code and the Engineering Criteria Manual.

4. That the size, location, and availability of services to the proposed lots or parcels are reasonable, appropriate, and customary for the proposed use.
5. That no beneficial purpose would be served by requiring the platting of the subject property.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the petition by Rock Creek Canyon – Snell Subdivision for a Subdivision Exemption of a these parcel of property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference;

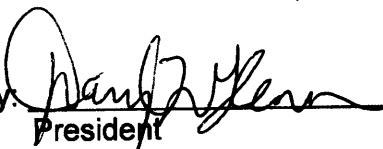
BE IT FURTHER RESOLVED the following condition shall apply to this approval:

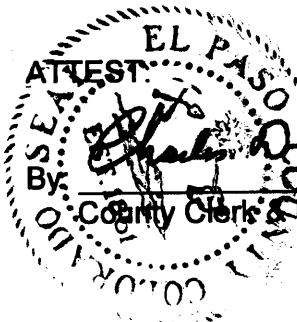

**CONDITIONS**

1. The land survey plat as approved by the Board of County Commissioners shall be deposited in the El Paso County Clerk and Recorder's Office.
2. The property owner shall provide a copy of the deed transferring ownership of the exemption parcel to the City of Colorado Springs for recording prior to depositing the land survey (exemption) plat with the El Paso County Clerk and Recorder's Office.

DONE THIS 11<sup>th</sup> day of December, 2018, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

By:   
President

  
ATTEST  
By:   
County Clerk & Recorder

## EXHIBIT A

### LEGAL DESCRIPTION

A tract or parcel of land for the City of Colorado Springs, State of Colorado, located within the Southwest Quarter of the Southeast Quarter of Section 26, Township 15 South, Range 67 West of the Sixth Principal Meridian, in El Paso County, Colorado, said tract or parcel of land being more particularly described as follows:

**The Southwest Quarter of the Southeast Quarter, all in Section 26, Township 15 South, Range 67 West of the 6<sup>th</sup> P.M., County of El Paso, State of Colorado;**

**Except a parcel of land describe as follows:**

Commencing at the South Quarter Corner of said Section 26, a 1992 Aluminum Cap on a 2½ inch pipe, thence North 89°43'16" East, along the South Line of the Southeast Quarter of said Section 26, a distance of 868.64 feet, to the TRUE POINT OF BEGINNING;

1. Thence North 0°03'53" West, a distance of 800.00 feet;
2. Thence North 86°53'58" East, a distance of 447.00 feet to a point on the East Line of the Southwest Quarter of the Southeast Quarter of said Section 26;
3. Thence along said East Line, South 0°10'41" East, a distance of 822.00 feet, to the East Sixteenth Corner of said Section 26;
4. Thence along the South Line of the Southeast Quarter of said Section 26, North 89°43'16" East, a distance of 448.00 feet, to the TRUE POINT OF BEGINNING, containing 8.326 acres, more or less.

The above described tract or parcel of land contains 31.918 acres, more or less.

**Basis of Bearings:** Bearings are based on the South Line of the Southeast Quarter of Section 26, Township 15 South, Range 67 West, of the Sixth Principal Meridian, being North 89°43'16" East, from the South Quarter Corner, a 1992 Aluminum Cap on a 2½ inch pipe, to the Southeast Corner of said Section 26, a 6"x6" granite stone in a mound.