



Planning and Community  
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## DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

### PROJECT INFORMATION

Project Name : Saddlehorn Ranch  
 Schedule No.(s) : 4300000561, 4400000562, 4300000556  
 Legal Description : SEE ATTACHED – Exhibit D

### APPLICANT INFORMATION

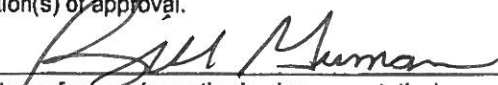
Company : WILLIAM GUMAN & ASSOCIATES  
 Name : BILL GUMAN  
 Owner  Consultant  Contractor  
 Mailing Address : 731 NORTH WEBER STREET, SUITE 10, COLORADO SPRINGS, COLORADO, 80903  
  
 Phone Number : (719) 633-9700  
 FAX Number : N/A  
 Email Address : BILL@GUMAN.NET

### ENGINEER INFORMATION

Company : JR ENGINEERING  
 Name : MIKE BRAMLETT Colorado P.E. Number : 32314  
 Mailing Address : 5475 TECH CENTER DRIVE, SUITE 235, COLORADO SPRINGS, COLORADO 80919  
  
 Phone Number : 719-593-2593  
 FAX Number : N/A  
 Email Address : MBRAMLETT@JRENGINEERING.COM

### OWNER, APPLICANT, AND ENGINEER DECLARATION

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal will be cause to have the project removed from the agenda of the Planning Commission, Board of County Commissioners and/or Board of Adjustment or delay review until corrections are made, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval.

  
 Signature of owner (or authorized representative)

04-SEP-2020  
 Date

Engineer's Seal, Signature  
 And Date of Signature





**DEVIATION REQUEST** (Attach diagrams, figures, and other documentation to clarify request)

A deviation from the standards of or in Section **ECM section 2.2.4 Roadway Functional Classifications** of the Engineering Criteria Manual (ECM) is requested for the Judge Orr Road cross section.

Identify the specific ECM standard which a deviation is requested:

The 824 acre Curtis Road Development Traffic Impact Analysis indicates Judge Orr Road is classified as a "4 Lane Minor Arterial" in the El Paso County 2040 Major Transportation Corridors Plan. The ECM currently has no standard cross section for a 4 lane minor arterial. It is assumed that a 4 lane minor arterial (rural) cross section would add a 12 ft travel lane in each direction to Figure 2-5 Typical Rural Minor Arterial Cross Section (two lane). See Exhibit A

State the reason for the requested deviation:

The purpose of this deviation is to document the cross-section and ROW dedication necessary to be shown on the preliminary plan.

Explain the proposed alternative and compare to the ECM standards (May provide applicable regional or national standards used as basis):

See Exhibit A for available ECM cross sections and See Exhibit B for the existing Judge Orr Road cross section.

The applicant will provide a 90 foot half right of way on all plats adjacent to Judge Orr Road consistent with the anticipated ROW needs identified in the MTCP.

The applicant is also subject to the El Paso County Road Impact Fee per resolution No. 19-471 and is therefore paying its fair and equitable share of necessary improvements identified in the MTCP.

**LIMITS OF CONSIDERATION**

(At least one of the conditions listed below must be met for this deviation request to be considered.)

- The ECM standard is inapplicable to the particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

Provide justification:

The MTCP minor 4-lane arterial cross-section is not provided in the Engineering Criteria Manual.

**CRITERIA FOR APPROVAL**

Per ECM section 5.8.7 the request for a deviation may be considered if the request is **not based exclusively on financial considerations**. The deviation must not be detrimental to public safety or surrounding property. The applicant must include supporting information demonstrating compliance with **all of the following criteria**:

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

This request is not based on financial considerations. There is not enough ROW to accommodate a 4-lane minor arterial street section. Per Table 10 of the Traffic Impact Study, Judge Orr is MTCP Project No. C15 and applicant will pay into the Fee program traffic impact fees to participate in funding the project. See Exhibit C

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations as Judge Orr Road is an existing, operable roadway

As final plats take access to Judge Orr Road the each intersection will be designed to accommodate the requirements listed in Table 10 Roadway Improvements of the Traffic Impact Study.

The deviation will not adversely affect maintenance and its associated cost.

Maintenance of the roadways will not be impacted as the existing roadway will be left in its existing condition at this time.

The deviation will not adversely affect aesthetic appearance.

The deviation has no bearing on the aesthetic appearance.

The deviation meets the design intent and purpose of the ECM standards.

Yes, the deviation meets the design intent and purpose of the ECM standards. Once ROW can be obtained, the road can be built out to the full 4-lane minor arterial street section.

The deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, as applicable.

Yes, the deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, this project is proposing Water Quality facilities as required by the criteria.

**REVIEW AND RECOMMENDATION:**

**Approved by the ECM Administrator**

This request has been determined to have met the criteria for approval. A deviation from Section 2.2.4 of the ECM is hereby granted based on the justification provided.

|   |  |   |
|---|--|---|
| ┌ | <b>APPROVED</b>  | ┐ |
|   | <b>Engineering Department</b>                                  |   |
|   | <i>01/05/2021 6:55:29 PM</i>                                   |   |
|   | <i>dsdnijkamp</i>  |   |
| L | <b>EPC Planning &amp; Community<br/>Development Department</b> | J |

**Denied by the ECM Administrator**

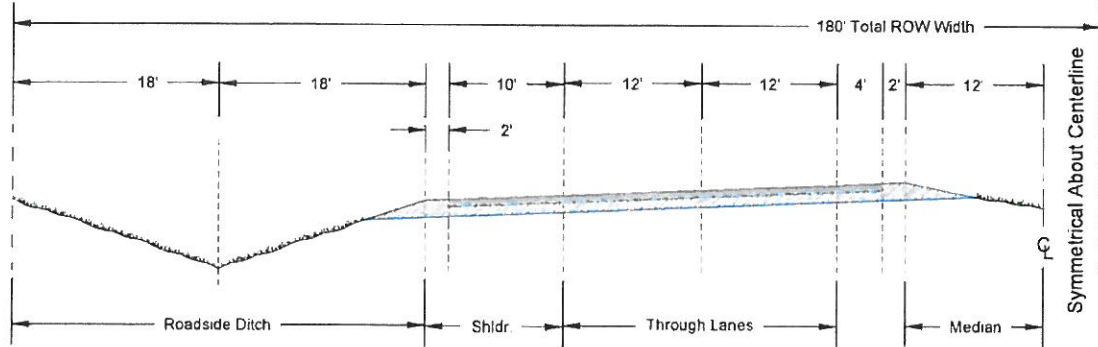
This request has been determined not to have met criteria for approval. A deviation from Section \_\_\_\_\_ of the ECM is hereby denied.

|   |  |   |
|---|--|---|
| ┌ |  | ┐ |
| L |  | J |

**ECM ADMINISTRATOR COMMENTS/CONDITIONS:**

# Exhibit A

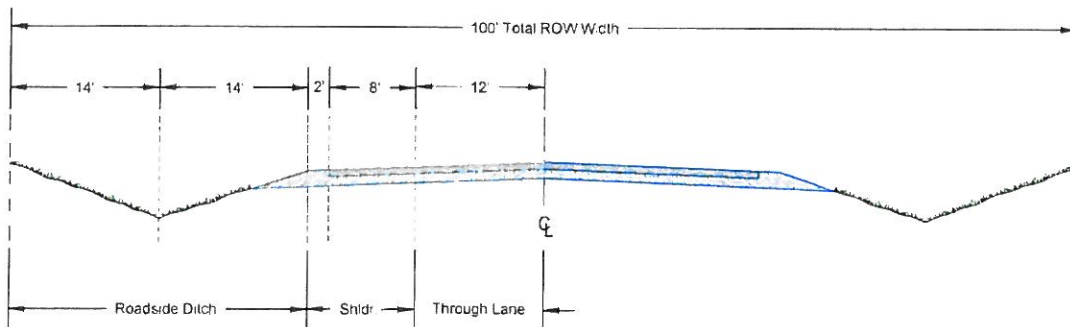
Figure 2-4. Typical Rural Principal Arterial Partial Cross-Section (4 Lane)



### 3. Minor Arterial

Minor arterials serve high-speed and high-volume traffic over medium distances, or are anticipated to serve this kind of traffic within a twenty-year period. Access is restricted through prescribed distances between intersections, use of medians, and no full movement parcel access (See Figure 2-5). Minor arterial status is assigned to rural roadways where the probability of significant travel demand in the future is high. Rights-of-way, easements, setbacks, and access limitations shall be pursued through the land development process on properties adjacent to minor arterials.

Figure 2-5. Typical Rural Minor Arterial Partial Cross Section



### 4. Major Collector

Major collectors serve as links between local access and arterial facilities over medium-to-long distances. Major collectors are managed to

## Exhibit A - cont

**Table 2-3. Roadway Design Criteria Continued**

| Criteria   | Concern   | Guideline  |
|--|---|--|
| Minimize Space Devoted to Road Use                 | It is desirable to minimize local road mileage, thereby reducing construction and maintenance costs, as well as permitting the most efficient use of land. Roads should also have an appearance commensurate with their function. | Roads should be designed to complement local character.  |
| Relate Road to Topography                          | Local roads are more attractive and economical if constructed to closely adhere to topography (minimize cut and fill).  | The important role that roads play in the overall storm drainage system can be enhanced by closely following existing topography.  |
| Layout Road to Achieve Optimum Subdivision of Land | The arrangement of roads should allow for economical and practical patterns, shapes, and sizes of adjacent lots. Roads as a function of land use must not unduly hinder the development of land.                                  | Distances between roads, number of roads, and related elements all have a bearing on efficient subdivision of an area. Access to adjoining properties should also be encouraged. |

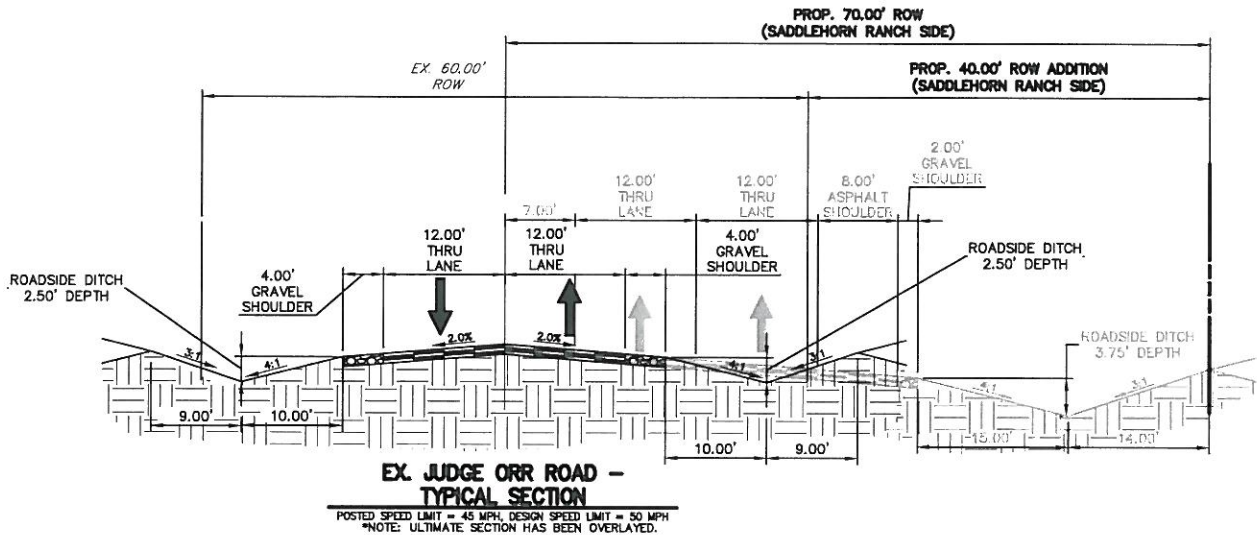
### 2.3.2 Design Standards by Functional Classification

Section 2.2.4 of these standards identifies the Roadway Functional Classifications recognized and used by the County. Table 2-4 through Table 2-7 summarize many of the minimum roadway design standards by category and functional classification. Detailed road Standard Drawings are provided in Appendix F.

**Table 2-4. Roadway Design Standards for Rural Expressways and Arterials**

| Criteria                              | Expressways        |                    | Arterials          |                    | Minor              |
|---------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|                                       | 6 Lane             | 4 Lane             | 6 Lane Principal   | 4 Lane Principal   |                    |
| Design Speed / Posted Speed (MPH)     | 70 / 65            | 70 / 65            | 70 / 65            | 70 / 65            | 60 / 55            |
| Clear Zone                            | 34'                | 34'                | 34'                | 34'                | 30'                |
| Minimum Centerline Curve Radius       | 2,050 <sup>1</sup> | 2,050 <sup>1</sup> | 2,050 <sup>1</sup> | 2,050 <sup>1</sup> | 1,505 <sup>1</sup> |
| Number of Through Lanes               | 6                  | 4                  | 6                  | 4                  | 2                  |
| Lane Width                            | 12'                | 12'                | 12'                | 12'                | 12'                |
| Right-of-Way                          | 210'               | 180'               | 210'               | 180'               | 100'               |
| Paved Width                           | 56 <sup>2</sup>    | 38 <sup>2</sup>    | 56 <sup>2</sup>    | 38 <sup>2</sup>    | 40'                |
| Median Width                          | 24'                | 24'                | 24'                | 24'                | n/a                |
| Outside Shoulder Width (paved/gravel) | 12'(10'/2')        | 12'(10'/2')        | 12'(10'/2')        | 12'(10'/2')        | 10'(8'/2')         |
| Inside Shoulder Width (paved/gravel)  | 12'(10'/2')        | 6'(4'/2')          | 12'(10'/2')        | 6'(4'/2')          | n/a                |
| Design ADT                            |                    | 48,000             |                    | 40,000             | 10,000             |
| Design Vehicle                        | WB-67              | WB-67              | WB-67              | WB-67              | WB-67              |
| Access Permitted                      | No                 | No                 | No                 | No                 | No                 |
| Access Spacing                        | n/a                | n/a                | n/a                | n/a                | n/a                |
| Intersection Spacing                  | 1 mile             | 1 mile             | ½ mile             | ½ mile             | ¼ mile             |
| Parking Permitted                     | No                 | No                 | No                 | No                 | No                 |
| Minimum Flowline Grade                | 1%                 | 1%                 | 1%                 | 1%                 | 1%                 |

# Exhibit B



X:\2510000.a\1\2514200\Drawings\Blocks\2514200\_Ex Judge Orr Road X Section\_recover.dwg, 8.5x11 Portrait, 5/4/2020 8:36:55 AM, mcmullana

SADDLEHORN RANCH  
 DEVIATION REQUEST  
 EX. JUDGE ORR ROAD  
 2514200  
 5/4/20  
 SHEET 1 OF 1



Centennial 303-740-9393 • Colorado Springs 719-593-2593  
 Fort Collins 970-491-9888 • www.jrengineering.com



# Exhibit C

**Table 10: Roadway Improvements for Saddlehorn Ranch**

| Offsite Intersections                                    |   |   |  |
|--|---|---|--|
| Item #   | Improvement   | Timing  | Responsibility   |
| <b>US Highway 24/Judge Orr Intersection</b>              |   |   |  |
| 1.1  | Realignment of Judge Orr Road at US Highway 24 per CDOT Hwy 24 PEL Study  | Future (the PEL study identified this as high priority project with a time frame of less than 5 years)                                  | CDOT   |
| 1.2  | Southwest-bound right-turn deceleration lane on US 24 approaching Judge Orr Road  | As required by other development(s) or with realignment of US 24/ Judge Orr   | CDOT or by others  |
| 1.3  | Construct southwest-bound right-turn acceleration lane on US 24 at Judge Orr Road   | As required by other development(s) or with realignment of US 24/ Judge Orr   | CDOT or by others  |
| 1.4  | Eastbound left-turn lane on Judge Orr Road approaching US 24  | With realignment of US 24/ Judge Orr  | CDOT   |
| 1.5  | Westbound dual left-turn lanes on Judge Orr Road approaching US 24  | With realignment of US 24/ Judge Orr  | CDOT   |
| 1.6  | Northeast-bound right-turn deceleration lane on US 24 approaching Judge Orr Road  | With realignment of US 24/ Judge Orr  | CDOT   |
| 1.7  | Eastbound right-turn deceleration lane on Judge Orr Road approaching US 24  | As required by other development(s) or with realignment of US 24/ Judge Orr   | CDOT or by others  |
| <b>US Highway 24/Stapleton Intersection</b>              |   |   |  |
| 2.1  | Signalize the intersection  | Once warrants are met   | CDOT is collecting escrow from area developments impacting this intersection with each subdivision filing  |
| <b>Curtis Road/Falcon Highway</b>                        |   |   |  |
| 3.1  | Lengthen eastbound left-turn lane to ECM standards on Falcon Highway approaching Curtis Road  | Currently warranted by ECM  | Escrow for pro-rata share of improvement or construction at the time of Phase 2 development (fee program credit per fee program provisions)      |
| 3.2  | <b>Long Term:</b> In the case of a future signalized intersection - Construct southbound right-turn deceleration lane on Curtis Road approaching Falcon Highway | Upon Signalization  | Escrow for pro-rata share of improvement or construction if warranted at the time of development (fee program credit per fee program provisions) |
| 3.2  | <b>Long Term:</b> Reconstruct intersection as a modern roundabout (or signalize the intersection)   | Once LOS of AWSC drops below acceptable levels (roundabout); or once signal warrants are met (for conversion to a signal or roundabout) | El Paso County -- This intersection will be fee-program eligible for a signal/roundabout and applicant will pay fee program traffic impact fees  |
| <b>Adjacent County Arterial Roadway ROW Requirements</b> |   |   |  |
| 4.1  | Judge Orr Right-of-Way Dedication - 4 Lane Minor Arterial, Rural 130' to 150' estimated right-of-way dedication' (Note: 4-lane Rural Principal is 180')         | Shown in 2040 MTCP  | Applicant  |
| 4.2  | Judge Orr - 4 Lane Minor Arterial - Beyond above dedication, no additional right-of-way preservation needed   | Shown in 2060 Corridor Pres Plan  | Applicant  |
| 4.3  | Curtis Road - 2 Lane Rural Principal Arterial 130' to 150' estimated right-of-way dedication (Note: 4-lane Rural Principal is 180')                             | Shown in 2040 MTCP  | Applicant  |
| 4.4  | Curtis Road - 4 Lane Rural Principal Arterial 180' right-of-way preservation  | Shown in 2060 Corridor Pres Plan  | Applicant  |
| <b>Roadway Segment Improvements</b>                      |   |   |  |
| 5.1  | Falcon Highway - Upgrade to Two-Lane Rural Minor Arterial   | Shown in 2040 MTCP  | MTCP Project No. U5; Details TBD; applicant will pay fee program traffic impact fees   |
| 5.2  | Judge Orr Road - Widen to Four Lane Rural Minor Arterial  | Shown in 2040 MTCP  | MTCP Project No. C15; Details TBD; - applicant will pay fee program traffic impact fees.   |
| 5.3  | Curtis Road - Upgrade to Two-Lane Rural Principal Arterial  | Shown in 2040 MTCP  | MTCP Project No. U1; Applicant per rezone condition of approval, potentially subject to fee program credit.                                      |
| <b>Internal Subdivision Roadways</b>                     |   |   |  |
| 6.1  | Construct internal streets to County Rural Local Standards  | As development occurs and as needed for access  | Applicant  |
| <b>Adjacent Intersection and Access Intersections</b>    |   |   |  |
| Item #   | Improvement   | Timing  | Responsibility   |
| <b>Judge Orr/Curtis Road Intersection</b>                |   |   |  |
| 7.1  | Westbound right-turn deceleration lane  | Once peak hour westbound right turn volume exceeds 50 vehicles per hour.  | Escrow for improvement or construction if warranted at the time of development (fee program credit per fee program provisions)                   |
| 7.2  | Eastbound right-turn deceleration lane  | Currently warranted by ECM  | Escrow for improvement or construction at the time of Phase 2 development (fee program credit per fee program provisions)                        |
| 7.3  | Potentially sign for all way stop sign control (AWSC)   | Once warrants for AWSC are met  | El Paso County   |
| 7.4  | <b>Long Term:</b> Reconstruct intersection as a modern roundabout (or signalize the intersection)   | Once LOS of AWSC drops below acceptable levels (roundabout); or once signal warrants are met (for conversion to a signal or roundabout) | El Paso County, This intersection will be fee-program eligible for a signal/roundabout and applicant will pay fee program traffic impact fees.   |
| 7.5  | <b>Long Term:</b> In the case of a future signalized intersection - lengthening of northbound and southbound left-turn deceleration lanes.                      | As needed based on future speed limit and turning volume/stacking length criteria.  | Escrow for improvement or construction if warranted at the time of development (fee program credit per fee program provisions)                   |
| <b>Judge Orr/Barrosito Trail</b>                         |   |   |  |
| 8.1  | No Auxiliary Turn Lanes Required  | -   | -  |
| <b>Judge Orr/Del Cambre Trail</b>                        |   |   |  |
| 9.1  | No Auxiliary Turn Lanes Required  | -   | -  |
| <b>Curtis Road/Oscuro Trail</b>                          |   |   |  |
| 10.1   | <b>Short Term</b><br>No Auxiliary Turn Lanes Required   | -   | -  |
| 10.2   | <b>Long Term</b><br>Construct northbound right-turn deceleration lane on Curtis Rd approaching the site access  | With Phase 2/3 site development   | Applicant  |
| <b>Curtis Road/North Site Access</b>                     |   |   |  |
| 11.1   | <b>Short Term</b><br>No Auxiliary Turn Lanes Required   | -   | -  |
| 11.2   | <b>Long Term</b><br>Construct southbound left-turn deceleration lane on Curtis Rd approaching the site access   | With Phase 2/3 site development   | Applicant  |
| 11.3   | <b>Long Term</b><br>Construct northbound right-turn deceleration lane on Curtis Rd approaching the site access  | With Phase 2/3 site development   | Applicant  |

*Source: LSC Transportation Consultants, Inc.*

PROPERTY DESCRIPTION: **Exhibit D**

PARCEL A:

A PARCEL OF LAND LOCATED IN SECTION 3, TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S 89 DEGREES 21 MINUTES 33 SECONDS E, ALONG THE NORTH LINE OF SAID SECTION 3, 5275.27 FEET TO THE NORTHEAST CORNER THEREOF; THENCE S 00 DEGREES 04 MINUTES 45 SECONDS E, ALONG THE EAST LINE OF SAID SECTION 3, 1841.19 FEET; THENCE N 89 DEGREES 49 MINUTES 04 SECONDS W, 5280.38 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 3; THENCE N 00 DEGREES 05 MINUTES 14 SECONDS E, ALONG SAID WEST LINE, 1883.39 FEET TO THE POINT OF BEGINNING.

EXCEPT THOSE PORTIONS CONVEYED TO EL PASO COUNTY BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, IN SPECIAL WARRANTY DEEDS RECORDED JANUARY 29, 2015 AT RECEPTION NO. 215008985 AND RECEPTION NO. 215008986.

PARCEL B:

A PARCEL OF LAND LOCATED IN SECTION 3, TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE N 00 DEGREES 05 MINUTES 14 SECONDS E, ALONG THE WEST LINE OF SAID SECTION 3, 1974.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, N 00 DEGREES 05 MINUTES 14 SECONDS E, 1649.14 FEET; THENCE S 89 DEGREES 49 MINUTES 04 SECONDS E, 5280.38 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 3; THENCE S 00 DEGREES 04 MINUTES 45 SECONDS E, ALONG SAID EAST LINE, 1649.15 FEET; THENCE N 89 DEGREES 49 MINUTES 04 SECONDS W, 5285.17 FEET TO THE POINT OF BEGINNING.

PARCEL C:

A PARCEL OF LAND LOCATED IN SECTION 3 AND SECTION 10, TOWNSHIP 13 SOUTH, RANGE 64 WEST, OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE N 00 DEGREES 05 MINUTES 14 SECONDS E, ALONG THE WEST LINE OF SAID SECTION 3, 327.11 FEET; THENCE S 89 DEGREES 49 MINUTES 04 SECONDS E, 5289.95 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 3; THENCE S 00 DEGREES 04 MINUTES 45 SECONDS E, ALONG SAID EAST LINE, 327.11 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 3; THENCE S 00 DEGREES 57 MINUTES 38 SECONDS W, ALONG THE EAST LINE OF SAID SECTION 10, 1320.52 FEET TO THE SOUTHEAST CORNER OF THE

NORTH HALF OF THE NORTH HALF OF SAID SECTION 10; THENCE N 89 DEGREES 48 MINUTES 49 SECONDS W, ALONG THE SOUTH LINE OF SAID NORTH HALF OF THE NORTH HALF OF SAID SECTION 10, 5285.51 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N 00 DEGREES 43 MINUTES 38" SECONDS E, ALONG THE WEST LINE OF SAID SECTION 10, 1320.06 FEET TO THE POINT OF BEGINNING.

Per the Commitment for Title Insurance, issued by Westcor Land Title Insurance Company, Commitment No. 56676ECS, dated August 2, 2018.

PARCEL 21:

A PORTION OF THE SOUTH HALF OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 3; THENCE ALONG THE EAST LINE OF SAID SECTION 3, S00°42'25"E (BEARINGS ARE RELATIVE TO THE NORTH LINE OF SECTION 3, BEING MONUMENTED AT THE WESTERLY END BY A FOUND NO.6 REBAR WITH A 3-1/4" ALUMINUM CAP IN A VAULT, STAMPED "PLS 17496", AND AT THE EASTERLY END BY A FOUND NO. 6 REBAR WITH 3-1/2" ALUMINUM CAP IN A VAULT, STAMPED "LS 17496", AND MEASURED TO BEAR S89°59'26"E, A DISTANCE OF 5275.03 FEET), A DISTANCE OF 3490.37 FEET, TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED IN THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 213021177, IN THE OFFICIAL RECORDS OF EL PASO COUNTY; SAID CORNER ALSO BEING THE POINT OF BEGINNING; THENCE S00°42'25"E, CONTINUING ALONG THE WEST LINE OF THAT PARCEL DESCRIBED IN THE QUIT CLAIM DEED RECORDED AT RECEPTION NO.213113100, IN SAID OFFICIAL RECORDS, A DISTANCE OF 1647.65 FEET, TO THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED IN THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 213043391, IN SAID OFFICIAL RECORDS; THENCE S89°33'10"W, ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 5289.71 FEET, TO A POINT LYING ON THE WEST LINE OF SAID SECTION 3; THENCE ALONG SAID WEST LINE, N00°32'28"W, A DISTANCE OF 1645.40 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL, RECORDED AT RECEPTION NO. 213021177, IN SAID OFFICIAL RECORDS; THENCE N89°31'43"E, ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 5284.95 FEET, TO THE POINT OF BEGINNING.

Per the Commitment for Title Insurance, issued by Land Title Guarantee Company, Order No. SC55073032, dated October 1, 2018.

Being more particularly described by metes and bounds as follows:

**COMMENCING** at the Northeast Corner of Section 3, Township 13 South, Range 64 West of the 6<sup>th</sup> Principal Meridian; thence along the east line of said Section 3, S00°42'27"E (Basis of bearings is the North line of Section 3, Township 13 South, Range 64 West of the 6th Principal Meridian, monumented at the West end by a No. 6 Rebar with a 3-1/4" aluminum cap, properly marked, in a monument box, "PLS 17496" and at the East end by a No. 6 rebar with a 3-1/2" aluminum cap, properly marked, in a monument box, "PLS 17496", having a measured bearing and distance of S89°59'23"E, 5275.26'. Bearings are relative to Colorado State Plane Central Zone (0502)), a distance of 30.00 feet, to the **POINT OF BEGINNING**; thence continuing along

said east line, S00°42'27"E, a distance of 5,435.28 feet, to the Southeast Corner of said Section 3, said point also being the Northeast Corner of Section 10, Township 13 South, Range 64 West of the 6<sup>th</sup> Principal Meridian; thence along the east line of the North 1/2 of the North 1/2 of said Section 10, S00°19'54"W, a distance of 1,320.51 feet, to the North 1/16<sup>th</sup> Corner of said Section 10; thence leaving said east line and along the south line of the North 1/2 of the North 1/2 of said Section 10, S89°34'02"W, a distance of 2,642.78 feet, to the North-Center-Center 1/16<sup>th</sup> Corner of said Section 10; thence continuing along said south line, S89°34'07"W, a distance of 2,612.73 feet, to a point that is 30.00 feet distant from the North 1/16<sup>th</sup> Corner of said Section 10, said point also being a point on the east right-of-way line of Curtis Road; thence along said east right-of-way line and 30.00 feet parallel to the west line of said North 1/2 of the North 1/2 of said Section 10, N00°05'54"E, a distance of 1,319.14 feet, to a point that is 30.00 distant to the Northwest Corner of said Section 10, also being the Southwest corner of said Section 3; thence continuing along said east right-of-way line, along the following four (4) courses:

1. N00°32'28"W, a distance of 4,608.42 feet;
2. N89°27'32"E, a distance of 19.98 feet;
3. N00°32'28"W, a distance of 820.00 feet;
4. N44°46'13"E, a distance of 40.00 feet,

to a point on the south right-of-way line of Judge Orr Road, thence along said south right-of-way line, along the following three (3) courses:

1. S89°59'23"E, a distance of 822.24 feet;
2. N00°00'37"E, a distance of 20.00 feet;
3. S89°59'23"E, a distance of 4,374.49 feet,

to the **POINT OF BEGINNING**.

Containing 35,565,654 S.F. or 816.475 acres, more or less.

**DEVIATION REQUEST** (Attach diagrams, figures, and other documentation to clarify request)

A deviation from the standards of or in Section **ECM section 2.2.4 Roadway Functional Classifications** of the Engineering Criteria Manual (ECM) is requested for the Judge Orr Road cross section.

Identify the specific ECM standard which a deviation is requested:

The 824 acre Curtis Road Development Traffic Impact Analysis indicates Judge Orr Road is classified as a "4 Lane Minor Arterial" in the El Paso County 2040 Major Transportation Corridors Plan. The ECM currently has no standard cross section for a 4 lane minor arterial. It is assumed that a 4 lane minor arterial (rural) cross section would add a 12 ft travel lane in each direction to Figure 2-5 Typical Rural Minor Arterial Cross Section (two lane). See Exhibit A

State the reason for the requested deviation:

The purpose of this deviation is to document the cross-section and ROW dedication necessary to be shown on the preliminary plan.

Explain the proposed alternative and compare to the ECM standards (May provide applicable regional or national standards used as basis):

See Exhibit A for available ECM cross sections and See Exhibit B for the existing Judge Orr Road cross section.

The applicant will provide a 90 foot half right of way on all plats adjacent to Judge Orr Road consistent with the anticipated ROW needs identified in the MTCP.

The applicant is also subject to the El Paso County Road Impact Fee per resolution No. 19-471 and is therefore paying its fair and equitable share of necessary improvements identified in the MTCP.

**LIMITS OF CONSIDERATION**

(At least one of the conditions listed below must be met for this deviation request to be considered.)

- The ECM standard is inapplicable to the particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

Provide justification:

The MTCP minor 4-lane arterial cross-section is not provided in the Engineering Criteria Manual.

**CRITERIA FOR APPROVAL**

Per ECM section 5.8.7 the request for a deviation may be considered if the request is **not based exclusively on financial considerations**. The deviation must not be detrimental to public safety or surrounding property. The applicant must include supporting information demonstrating compliance with **all of the following criteria**:

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

This request is not based on financial considerations. There is not enough ROW to accommodate a 4-lane minor arterial street section. Per Table 10 of the Traffic Impact Study, Judge Orr is MTCP Project No. C15 and applicant will pay into the Fee program traffic impact fees to participate in funding the project. See Exhibit C

The deviation will not adversely affect safety or operations.

The deviation will not adversely affect safety or operations as Judge Orr Road is an existing, operable roadway

As final plats take access to Judge Orr Road the each intersection will be designed to accommodate the requirements listed in Table 10 Roadway Improvements of the Traffic Impact Study.

The deviation will not adversely affect maintenance and its associated cost.

Maintenance of the roadways will not be impacted as the existing roadway will be left in its existing condition at this time.

The deviation will not adversely affect aesthetic appearance.

The deviation has no bearing on the aesthetic appearance.

The deviation meets the design intent and purpose of the ECM standards.

Yes, the deviation meets the design intent and purpose of the ECM standards. Once ROW can be obtained, the road can be built out to the full 4-lane minor arterial street section.

The deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, as applicable.

Yes, the deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, this project is proposing Water Quality facilities as required by the criteria.

**REVIEW AND RECOMMENDATION:**

**Approved by the ECM Administrator**

This request has been determined to have met the criteria for approval. A deviation from Section \_\_\_\_\_ of the ECM is hereby granted based on the justification provided.

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**Denied by the ECM Administrator**

This request has been determined not to have met criteria for approval. A deviation from Section \_\_\_\_\_ of the ECM is hereby denied.

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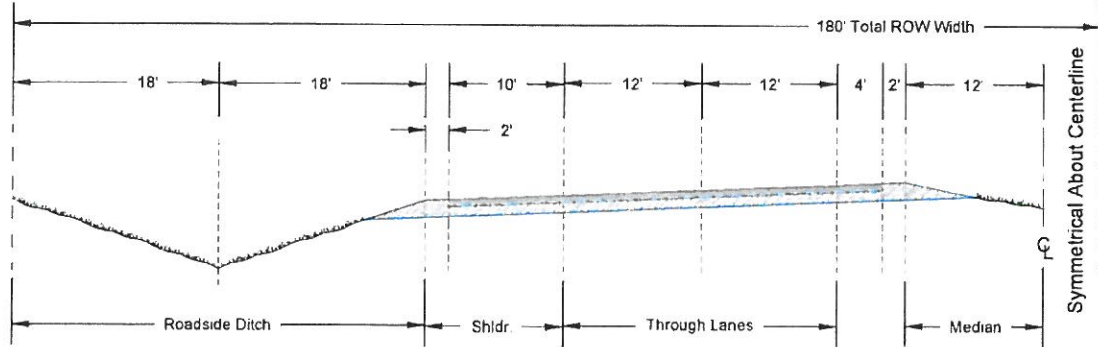
J

**ECM ADMINISTRATOR COMMENTS/CONDITIONS:**



# Exhibit A

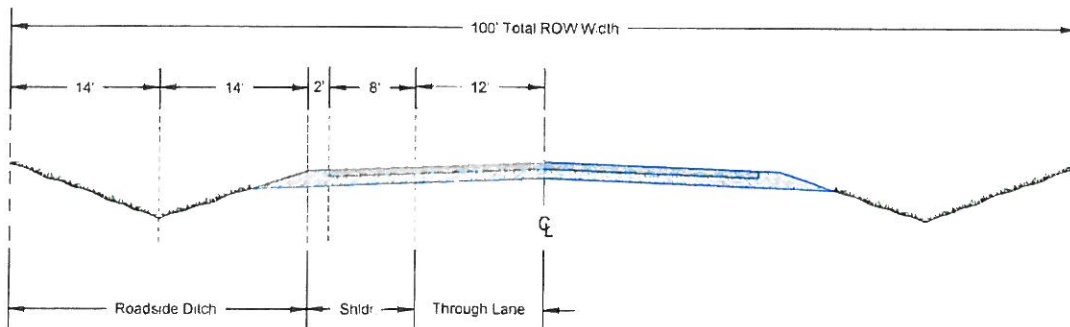
Figure 2-4. Typical Rural Principal Arterial Partial Cross-Section (4 Lane)



### 3. Minor Arterial

Minor arterials serve high-speed and high-volume traffic over medium distances, or are anticipated to serve this kind of traffic within a twenty-year period. Access is restricted through prescribed distances between intersections, use of medians, and no full movement parcel access (See Figure 2-5). Minor arterial status is assigned to rural roadways where the probability of significant travel demand in the future is high. Rights-of-way, easements, setbacks, and access limitations shall be pursued through the land development process on properties adjacent to minor arterials.

Figure 2-5. Typical Rural Minor Arterial Partial Cross Section



### 4. Major Collector

Major collectors serve as links between local access and arterial facilities over medium-to-long distances. Major collectors are managed to

## Exhibit A - cont

**Table 2-3. Roadway Design Criteria Continued**

| Criteria   | Concern   | Guideline  |
|--|---|--|
| Minimize Space Devoted to Road Use                 | It is desirable to minimize local road mileage, thereby reducing construction and maintenance costs, as well as permitting the most efficient use of land. Roads should also have an appearance commensurate with their function. | Roads should be designed to complement local character.  |
| Relate Road to Topography                          | Local roads are more attractive and economical if constructed to closely adhere to topography (minimize cut and fill).  | The important role that roads play in the overall storm drainage system can be enhanced by closely following existing topography.  |
| Layout Road to Achieve Optimum Subdivision of Land | The arrangement of roads should allow for economical and practical patterns, shapes, and sizes of adjacent lots. Roads as a function of land use must not unduly hinder the development of land.                                  | Distances between roads, number of roads, and related elements all have a bearing on efficient subdivision of an area. Access to adjoining properties should also be encouraged. |

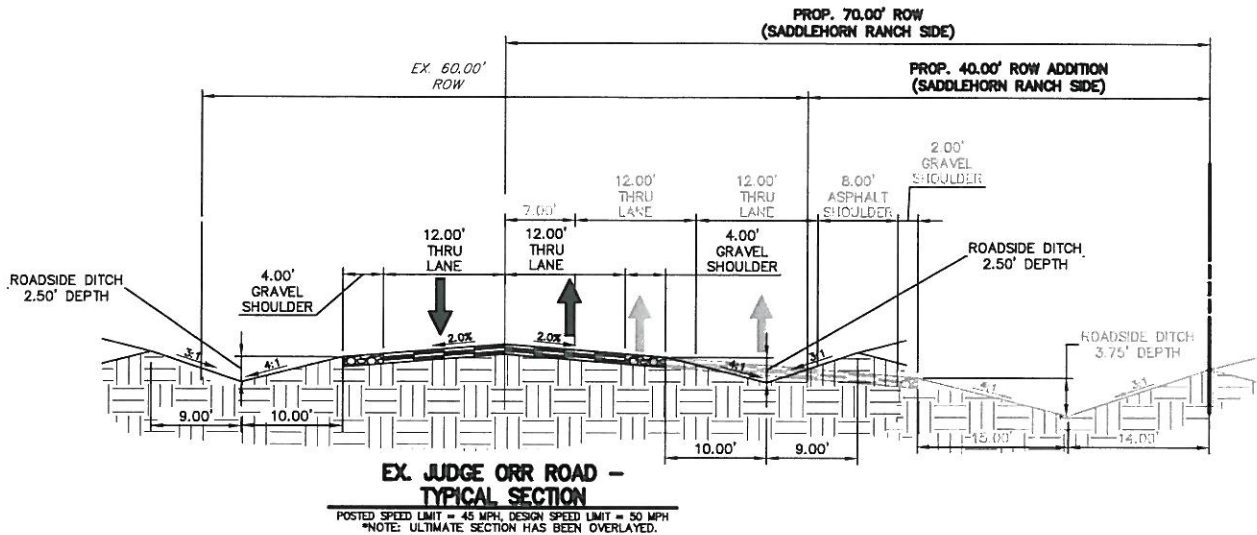
### 2.3.2 Design Standards by Functional Classification

Section 2.2.4 of these standards identifies the Roadway Functional Classifications recognized and used by the County. Table 2-4 through Table 2-7 summarize many of the minimum roadway design standards by category and functional classification. Detailed road Standard Drawings are provided in Appendix F.

**Table 2-4. Roadway Design Standards for Rural Expressways and Arterials**

| Criteria                              | Expressways        |                    | Arterials          |                    | Minor              |
|---------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|                                       | 6 Lane             | 4 Lane             | 6 Lane Principal   | 4 Lane Principal   |                    |
| Design Speed / Posted Speed (MPH)     | 70 / 65            | 70 / 65            | 70 / 65            | 70 / 65            | 60 / 55            |
| Clear Zone                            | 34'                | 34'                | 34'                | 34'                | 30'                |
| Minimum Centerline Curve Radius       | 2,050 <sup>1</sup> | 2,050 <sup>1</sup> | 2,050 <sup>1</sup> | 2,050 <sup>1</sup> | 1,505 <sup>1</sup> |
| Number of Through Lanes               | 6                  | 4                  | 6                  | 4                  | 2                  |
| Lane Width                            | 12'                | 12'                | 12'                | 12'                | 12'                |
| Right-of-Way                          | 210'               | 180'               | 210'               | 180'               | 100'               |
| Paved Width                           | 56 <sup>2</sup>    | 38 <sup>2</sup>    | 56 <sup>2</sup>    | 38 <sup>2</sup>    | 40'                |
| Median Width                          | 24'                | 24'                | 24'                | 24'                | n/a                |
| Outside Shoulder Width (paved/gravel) | 12'(10'/2')        | 12'(10'/2')        | 12'(10'/2')        | 12'(10'/2')        | 10'(8'/2')         |
| Inside Shoulder Width (paved/gravel)  | 12'(10'/2')        | 6'(4'/2')          | 12'(10'/2')        | 6'(4'/2')          | n/a                |
| Design ADT                            |                    | 48,000             |                    | 40,000             | 10,000             |
| Design Vehicle                        | WB-67              | WB-67              | WB-67              | WB-67              | WB-67              |
| Access Permitted                      | No                 | No                 | No                 | No                 | No                 |
| Access Spacing                        | n/a                | n/a                | n/a                | n/a                | n/a                |
| Intersection Spacing                  | 1 mile             | 1 mile             | ½ mile             | ½ mile             | ¼ mile             |
| Parking Permitted                     | No                 | No                 | No                 | No                 | No                 |
| Minimum Flowline Grade                | 1%                 | 1%                 | 1%                 | 1%                 | 1%                 |

# Exhibit B



SADDLEHORN RANCH  
 DEVIATION REQUEST  
 EX. JUDGE ORR ROAD  
 2514200  
 5/4/20  
 SHEET 1 OF 1

 **J-R ENGINEERING**  
 A Westrian Company

Centennial 303-740-9393 • Colorado Springs 719-593-2593  
 Fort Collins 970-491-9888 • www.jrengineering.com

# Exhibit C

| Table 10: Roadway Improvements for Saddlehorn Ranch      |   |   |  |
|--|---|---|--|
| Offsite Intersections                                    |   |   |  |
| Item #   | Improvement   | Timing  | Responsibility   |
| <b>US Highway 24/Judge Orr Intersection</b>              |   |   |  |
| 1.1  | Realignment of Judge Orr Road at US Highway 24 per CDOT Hwy 24 PEL Study  | Future (the PEL study identified this as high priority project with a time frame of less than 5 years)                                  | CDOT   |
| 1.2  | Southwest-bound right-turn deceleration lane on US 24 approaching Judge Orr Road  | As required by other development(s) or with realignment of US 24/ Judge Orr   | CDOT or by others  |
| 1.3  | Construct southwest-bound right-turn acceleration lane on US 24 at Judge Orr Road   | As required by other development(s) or with realignment of US 24/ Judge Orr   | CDOT or by others  |
| 1.4  | Eastbound left-turn lane on Judge Orr Road approaching US 24  | With realignment of US 24/ Judge Orr  | CDOT   |
| 1.5  | Westbound dual left-turn lanes on Judge Orr Road approaching US 24  | With realignment of US 24/ Judge Orr  | CDOT   |
| 1.6  | Northeast-bound right-turn deceleration lane on US 24 approaching Judge Orr Road  | With realignment of US 24/ Judge Orr  | CDOT   |
| 1.7  | Eastbound right-turn deceleration lane on Judge Orr Road approaching US 24  | As required by other development(s) or with realignment of US 24/ Judge Orr   | CDOT or by others  |
| <b>US Highway 24/Stapleton Intersection</b>              |   |   |  |
| 2.1  | Signalize the intersection  | Once warrants are met   | CDOT is collecting escrow from area developments impacting this intersection with each subdivision filing  |
| <b>Curtis Road/Falcon Highway</b>                        |   |   |  |
| 3.1  | Lengthen eastbound left-turn lane to ECM standards on Falcon Highway approaching Curtis Road  | Currently warranted by ECM  | Escrow for pro-rata share of improvement or construction at the time of Phase 2 development (fee program credit per fee program provisions)      |
| 3.2  | <b>Long Term:</b> In the case of a future signalized intersection - Construct southbound right-turn deceleration lane on Curtis Road approaching Falcon Highway | Upon Signalization  | Escrow for pro-rata share of improvement or construction if warranted at the time of development (fee program credit per fee program provisions) |
| 3.2  | <b>Long Term:</b> Reconstruct intersection as a modern roundabout (or signalize the intersection)   | Once LOS of AWSC drops below acceptable levels (roundabout); or once signal warrants are met (for conversion to a signal or roundabout) | El Paso County -- This intersection will be fee-program eligible for a signal/roundabout and applicant will pay fee program traffic impact fees  |
| <b>Adjacent County Arterial Roadway ROW Requirements</b> |   |   |  |
| 4.1  | Judge Orr Right-of-Way Dedication - 4 Lane Minor Arterial, Rural 130' to 150' estimated right-of-way dedication' (Note: 4-lane Rural Principal is 180')         | Shown in 2040 MTCP  | Applicant  |
| 4.2  | Judge Orr - 4 Lane Minor Arterial - Beyond above dedication, no additional right-of-way preservation needed   | Shown in 2060 Corridor Pres Plan  | Applicant  |
| 4.3  | Curtis Road - 2 Lane Rural Principal Arterial 130' to 150' estimated right-of-way dedication (Note: 4-lane Rural Principal is 180')                             | Shown in 2040 MTCP  | Applicant  |
| 4.4  | Curtis Road - 4 Lane Rural Principal Arterial 180' right-of-way preservation  | Shown in 2060 Corridor Pres Plan  | Applicant  |
| <b>Roadway Segment Improvements</b>                      |   |   |  |
| 5.1  | Falcon Highway - Upgrade to Two-Lane Rural Minor Arterial   | Shown in 2040 MTCP  | MTCP Project No. U5; Details TBD; applicant will pay fee program traffic impact fees   |
| 5.2  | Judge Orr Road - Widen to Four Lane Rural Minor Arterial  | Shown in 2040 MTCP  | MTCP Project No. C15; Details TBD; - applicant will pay fee program traffic impact fees.   |
| 5.3  | Curtis Road - Upgrade to Two-Lane Rural Principal Arterial  | Shown in 2040 MTCP  | MTCP Project No. U1; Applicant per rezone condition of approval, potentially subject to fee program credit.                                      |
| <b>Internal Subdivision Roadways</b>                     |   |   |  |
| 6.1  | Construct internal streets to County Rural Local Standards  | As development occurs and as needed for access  | Applicant  |
| <b>Adjacent Intersection and Access Intersections</b>    |   |   |  |
| Item #   | Improvement   | Timing  | Responsibility   |
| <b>Judge Orr/Curtis Road Intersection</b>                |   |   |  |
| 7.1  | Westbound right-turn deceleration lane  | Once peak hour westbound right turn volume exceeds 50 vehicles per hour.  | Escrow for improvement or construction if warranted at the time of development (fee program credit per fee program provisions)                   |
| 7.2  | Eastbound right-turn deceleration lane  | Currently warranted by ECM  | Escrow for improvement or construction at the time of Phase 2 development (fee program credit per fee program provisions)                        |
| 7.3  | Potentially sign for all way stop sign control (AWSC)   | Once warrants for AWSC are met  | El Paso County   |
| 7.4  | <b>Long Term:</b> Reconstruct intersection as a modern roundabout (or signalize the intersection)   | Once LOS of AWSC drops below acceptable levels (roundabout); or once signal warrants are met (for conversion to a signal or roundabout) | El Paso County, This intersection will be fee-program eligible for a signal/roundabout and applicant will pay fee program traffic impact fees.   |
| 7.5  | <b>Long Term:</b> In the case of a future signalized intersection - lengthening of northbound and southbound left-turn deceleration lanes.                      | As needed based on future speed limit and turning volume/stacking length criteria.  | Escrow for improvement or construction if warranted at the time of development (fee program credit per fee program provisions)                   |
| <b>Judge Orr/Barrosito Trail</b>                         |   |   |  |
| 8.1  | No Auxiliary Turn Lanes Required  | -   | -  |
| <b>Judge Orr/Del Cambre Trail</b>                        |   |   |  |
| 9.1  | No Auxiliary Turn Lanes Required  | -   | -  |
| <b>Curtis Road/Oscuro Trail</b>                          |   |   |  |
| 10.1   | <b>Short Term</b><br>No Auxiliary Turn Lanes Required   | -   | -  |
| 10.2   | <b>Long Term</b><br>Construct northbound right-turn deceleration lane on Curtis Rd approaching the site access  | With Phase 2/3 site development   | Applicant  |
| <b>Curtis Road/North Site Access</b>                     |   |   |  |
| 11.1   | <b>Short Term</b><br>No Auxiliary Turn Lanes Required   | -   | -  |
| 11.2   | <b>Long Term</b><br>Construct southbound left-turn deceleration lane on Curtis Rd approaching the site access   | With Phase 2/3 site development   | Applicant  |
| 11.3   | <b>Long Term</b><br>Construct northbound right-turn deceleration lane on Curtis Rd approaching the site access  | With Phase 2/3 site development   | Applicant  |

Source: LSC Transportation Consultants, Inc.

PROPERTY DESCRIPTION: **Exhibit D**

PARCEL A:

A PARCEL OF LAND LOCATED IN SECTION 3, TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S 89 DEGREES 21 MINUTES 33 SECONDS E, ALONG THE NORTH LINE OF SAID SECTION 3, 5275.27 FEET TO THE NORTHEAST CORNER THEREOF; THENCE S 00 DEGREES 04 MINUTES 45 SECONDS E, ALONG THE EAST LINE OF SAID SECTION 3, 1841.19 FEET; THENCE N 89 DEGREES 49 MINUTES 04 SECONDS W, 5280.38 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 3; THENCE N 00 DEGREES 05 MINUTES 14 SECONDS E, ALONG SAID WEST LINE, 1883.39 FEET TO THE POINT OF BEGINNING.

EXCEPT THOSE PORTIONS CONVEYED TO EL PASO COUNTY BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, IN SPECIAL WARRANTY DEEDS RECORDED JANUARY 29, 2015 AT RECEPTION NO. 215008985 AND RECEPTION NO. 215008986.

PARCEL B:

A PARCEL OF LAND LOCATED IN SECTION 3, TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE N 00 DEGREES 05 MINUTES 14 SECONDS E, ALONG THE WEST LINE OF SAID SECTION 3, 1974.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, N 00 DEGREES 05 MINUTES 14 SECONDS E, 1649.14 FEET; THENCE S 89 DEGREES 49 MINUTES 04 SECONDS E, 5280.38 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 3; THENCE S 00 DEGREES 04 MINUTES 45 SECONDS E, ALONG SAID EAST LINE, 1649.15 FEET; THENCE N 89 DEGREES 49 MINUTES 04 SECONDS W, 5285.17 FEET TO THE POINT OF BEGINNING.

PARCEL C:

A PARCEL OF LAND LOCATED IN SECTION 3 AND SECTION 10, TOWNSHIP 13 SOUTH, RANGE 64 WEST, OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE N 00 DEGREES 05 MINUTES 14 SECONDS E, ALONG THE WEST LINE OF SAID SECTION 3, 327.11 FEET; THENCE S 89 DEGREES 49 MINUTES 04 SECONDS E, 5289.95 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 3; THENCE S 00 DEGREES 04 MINUTES 45 SECONDS E, ALONG SAID EAST LINE, 327.11 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 3; THENCE S 00 DEGREES 57 MINUTES 38 SECONDS W, ALONG THE EAST LINE OF SAID SECTION 10, 1320.52 FEET TO THE SOUTHEAST CORNER OF THE

NORTH HALF OF THE NORTH HALF OF SAID SECTION 10; THENCE N 89 DEGREES 48 MINUTES 49 SECONDS W, ALONG THE SOUTH LINE OF SAID NORTH HALF OF THE NORTH HALF OF SAID SECTION 10, 5285.51 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N 00 DEGREES 43 MINUTES 38" SECONDS E, ALONG THE WEST LINE OF SAID SECTION 10, 1320.06 FEET TO THE POINT OF BEGINNING.

Per the Commitment for Title Insurance, issued by Westcor Land Title Insurance Company, Commitment No. 56676ECS, dated August 2, 2018.

PARCEL 21:

A PORTION OF THE SOUTH HALF OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 3; THENCE ALONG THE EAST LINE OF SAID SECTION 3, S00°42'25"E (BEARINGS ARE RELATIVE TO THE NORTH LINE OF SECTION 3, BEING MONUMENTED AT THE WESTERLY END BY A FOUND NO.6 REBAR WITH A 3-1/4" ALUMINUM CAP IN A VAULT, STAMPED "PLS 17496", AND AT THE EASTERLY END BY A FOUND NO. 6 REBAR WITH 3-1/2" ALUMINUM CAP IN A VAULT, STAMPED "LS 17496", AND MEASURED TO BEAR S89°59'26"E, A DISTANCE OF 5275.03 FEET), A DISTANCE OF 3490.37 FEET, TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED IN THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 213021177, IN THE OFFICIAL RECORDS OF EL PASO COUNTY; SAID CORNER ALSO BEING THE POINT OF BEGINNING; THENCE S00°42'25"E, CONTINUING ALONG THE WEST LINE OF THAT PARCEL DESCRIBED IN THE QUIT CLAIM DEED RECORDED AT RECEPTION NO.213113100, IN SAID OFFICIAL RECORDS, A DISTANCE OF 1647.65 FEET, TO THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED IN THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 213043391, IN SAID OFFICIAL RECORDS; THENCE S89°33'10"W, ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 5289.71 FEET, TO A POINT LYING ON THE WEST LINE OF SAID SECTION 3; THENCE ALONG SAID WEST LINE, N00°32'28"W, A DISTANCE OF 1645.40 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL, RECORDED AT RECEPTION NO. 213021177, IN SAID OFFICIAL RECORDS; THENCE N89°31'43"E, ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 5284.95 FEET, TO THE POINT OF BEGINNING.

Per the Commitment for Title Insurance, issued by Land Title Guarantee Company, Order No. SC55073032, dated October 1, 2018.

Being more particularly described by metes and bounds as follows:

**COMMENCING** at the Northeast Corner of Section 3, Township 13 South, Range 64 West of the 6<sup>th</sup> Principal Meridian; thence along the east line of said Section 3, S00°42'27"E (Basis of bearings is the North line of Section 3, Township 13 South, Range 64 West of the 6th Principal Meridian, monumented at the West end by a No. 6 Rebar with a 3-1/4" aluminum cap, properly marked, in a monument box, "PLS 17496" and at the East end by a No. 6 rebar with a 3-1/2" aluminum cap, properly marked, in a monument box, "PLS 17496", having a measured bearing and distance of S89°59'23"E, 5275.26'. Bearings are relative to Colorado State Plane Central Zone (0502)), a distance of 30.00 feet, to the **POINT OF BEGINNING**; thence continuing along

said east line, S00°42'27"E, a distance of 5,435.28 feet, to the Southeast Corner of said Section 3, said point also being the Northeast Corner of Section 10, Township 13 South, Range 64 West of the 6<sup>th</sup> Principal Meridian; thence along the east line of the North 1/2 of the North 1/2 of said Section 10, S00°19'54"W, a distance of 1,320.51 feet, to the North 1/16<sup>th</sup> Corner of said Section 10; thence leaving said east line and along the south line of the North 1/2 of the North 1/2 of said Section 10, S89°34'02"W, a distance of 2,642.78 feet, to the North-Center-Center 1/16<sup>th</sup> Corner of said Section 10; thence continuing along said south line, S89°34'07"W, a distance of 2,612.73 feet, to a point that is 30.00 feet distant from the North 1/16<sup>th</sup> Corner of said Section 10, said point also being a point on the east right-of-way line of Curtis Road; thence along said east right-of-way line and 30.00 feet parallel to the west line of said North 1/2 of the North 1/2 of said Section 10, N00°05'54"E, a distance of 1,319.14 feet, to a point that is 30.00 distant to the Northwest Corner of said Section 10, also being the Southwest corner of said Section 3; thence continuing along said east right-of-way line, along the following four (4) courses:

1. N00°32'28"W, a distance of 4,608.42 feet;
2. N89°27'32"E, a distance of 19.98 feet;
3. N00°32'28"W, a distance of 820.00 feet;
4. N44°46'13"E, a distance of 40.00 feet,

to a point on the south right-of-way line of Judge Orr Road, thence along said south right-of-way line, along the following three (3) courses:

1. S89°59'23"E, a distance of 822.24 feet;
2. N00°00'37"E, a distance of 20.00 feet;
3. S89°59'23"E, a distance of 4,374.49 feet,

to the **POINT OF BEGINNING**.

Containing 35,565,654 S.F. or 816.475 acres, more or less.

**DEVIATION REQUEST** (Attach diagrams, figures, and other documentation to clarify request)

A deviation from the standards of or in Section **ECM section 2.2.4 Roadway Functional Classifications** of the Engineering Criteria Manual (ECM) is requested for the Judge Orr Road cross section.

Identify the specific ECM standard which a deviation is requested:

The 824 acre Curtis Road Development Traffic Impact Analysis indicates Judge Orr Road is classified as a "4 Lane Minor Arterial" in the El Paso County 2040 Major Transportation Corridors Plan. The ECM currently has no standard cross section for a 4 lane minor arterial. It is assumed that a 4 lane minor arterial (rural) cross section would add a 12 ft travel lane in each direction to Figure 2-5 Typical Rural Minor Arterial Cross Section (two lane). See Exhibit A

State the reason for the requested deviation:

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Explain the proposed alternative and compare to the ECM standards (May provide applicable regional or national standards used as basis):

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**LIMITS OF CONSIDERATION**

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- The ECM standard is inapplicable to the particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

Provide justification:

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**CRITERIA FOR APPROVAL**

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The deviation will not adversely affect maintenance and its associated cost.

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The deviation has no bearing on the aesthetic appearance.

The deviation meets the design intent and purpose of the ECM standards.

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The deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, as applicable.

Yes, the deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, this project is proposing Water Quality facilities as required by the criteria.

**REVIEW AND RECOMMENDATION:**

**Approved by the ECM Administrator**

This request has been determined to have met the criteria for approval. A deviation from Section \_\_\_\_\_ of the ECM is hereby granted based on the justification provided.

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**Denied by the ECM Administrator**

This request has been determined not to have met criteria for approval. A deviation from Section \_\_\_\_\_ of the ECM is hereby denied.

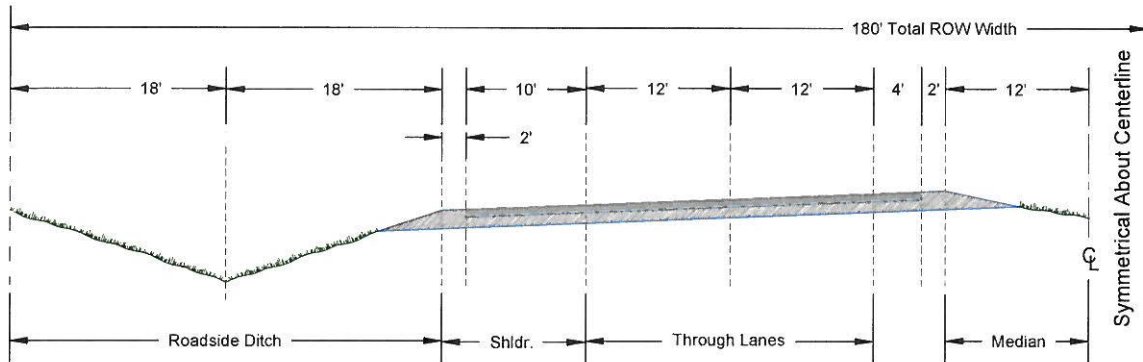
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**ECM ADMINISTRATOR COMMENTS/CONDITIONS:**

# Exhibit A

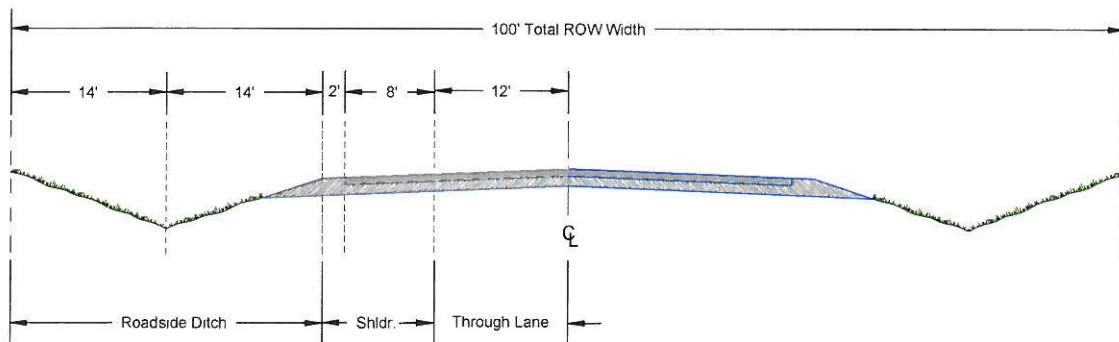
Figure 2-4. Typical Rural Principal Arterial Partial Cross-Section (4 Lane)



### 3. Minor Arterial

Minor arterials serve high-speed and high-volume traffic over medium distances, or are anticipated to serve this kind of traffic within a twenty-year period. Access is restricted through prescribed distances between intersections, use of medians, and no full movement parcel access (See Figure 2-5). Minor arterial status is assigned to rural roadways where the probability of significant travel demand in the future is high. Rights-of-way, easements, setbacks, and access limitations shall be pursued through the land development process on properties adjacent to minor arterials.

Figure 2-5. Typical Rural Minor Arterial Partial Cross Section



### 4. Major Collector

Major collectors serve as links between local access and arterial facilities over medium-to-long distances. Major collectors are managed to

## Exhibit A - cont

**Table 2-3. Roadway Design Criteria Continued**

| Criteria   | Concern   | Guideline  |
|--|---|--|
| Minimize Space Devoted to Road Use                 | It is desirable to minimize local road mileage, thereby reducing construction and maintenance costs, as well as permitting the most efficient use of land. Roads should also have an appearance commensurate with their function. | Roads should be designed to complement local character.  |
| Relate Road to Topography                          | Local roads are more attractive and economical if constructed to closely adhere to topography (minimize cut and fill).  | The important role that roads play in the overall storm drainage system can be enhanced by closely following existing topography.  |
| Layout Road to Achieve Optimum Subdivision of Land | The arrangement of roads should allow for economical and practical patterns, shapes, and sizes of adjacent lots. Roads as a function of land use must not unduly hinder the development of land.                                  | Distances between roads, number of roads, and related elements all have a bearing on efficient subdivision of an area. Access to adjoining properties should also be encouraged. |

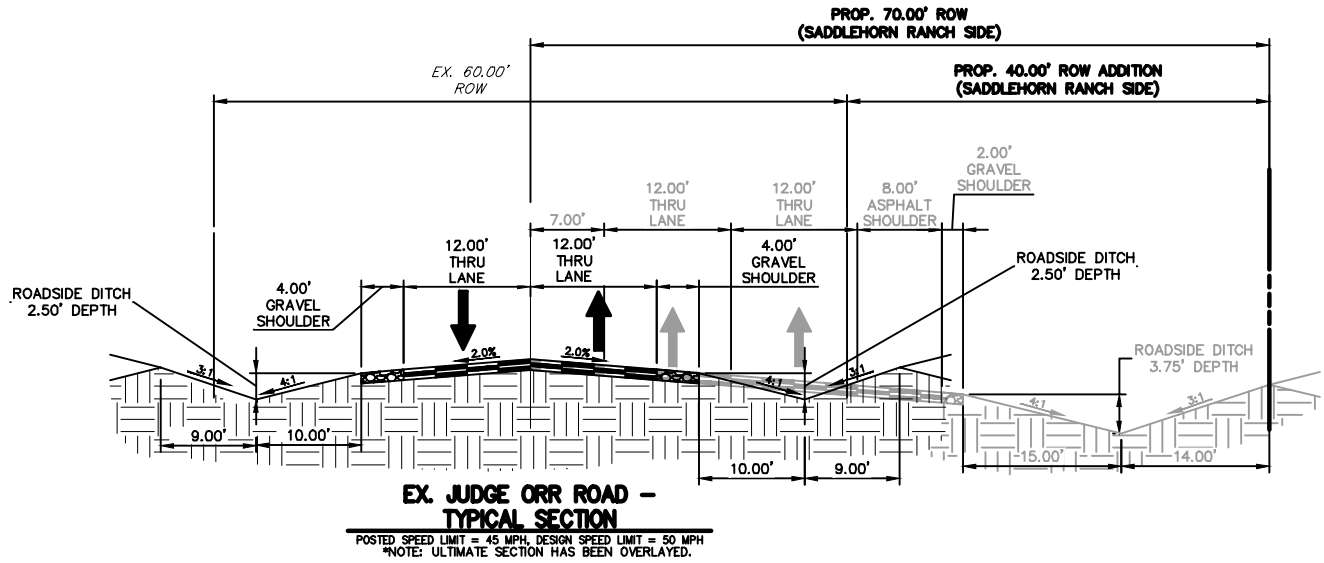
### 2.3.2 Design Standards by Functional Classification

Section 2.2.4 of these standards identifies the Roadway Functional Classifications recognized and used by the County. Table 2-4 through Table 2-7 summarize many of the minimum roadway design standards by category and functional classification. Detailed road Standard Drawings are provided in Appendix F.

**Table 2-4. Roadway Design Standards for Rural Expressways and Arterials**

| Criteria                              | Expressways         |                     | Arterials           |                     | Minor               |
|---------------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
|                                       | 6 Lane              | 4 Lane              | 6 Lane Principal    | 4 Lane Principal    |                     |
| Design Speed / Posted Speed (MPH)     | 70 / 65             | 70 / 65             | 70 / 65             | 70 / 65             | 60 / 55             |
| Clear Zone                            | 34'                 | 34'                 | 34'                 | 34'                 | 30'                 |
| Minimum Centerline Curve Radius       | 2,050' <sup>1</sup> | 2,050' <sup>1</sup> | 2,050' <sup>1</sup> | 2,050' <sup>1</sup> | 1,505' <sup>1</sup> |
| Number of Through Lanes               | 6                   | 4                   | 6                   | 4                   | 2                   |
| Lane Width                            | 12'                 | 12'                 | 12'                 | 12'                 | 12'                 |
| Right-of-Way                          | 210'                | 180'                | 210'                | 180'                | 100'                |
| Paved Width                           | 56' <sup>2</sup>    | 38' <sup>2</sup>    | 56' <sup>2</sup>    | 38' <sup>2</sup>    | 40'                 |
| Median Width                          | 24'                 | 24'                 | 24'                 | 24'                 | n/a                 |
| Outside Shoulder Width (paved/gravel) | 12'(10'/2')         | 12'(10'/2')         | 12'(10'/2')         | 12'(10'/2')         | 10'(8'/2')          |
| Inside Shoulder Width (paved/gravel)  | 12'(10'/2')         | 6'(4'/2')           | 12'(10'/2')         | 6'(4'/2')           | n/a                 |
| Design ADT                            |                     | 48,000              |                     | 40,000              | 10,000              |
| Design Vehicle                        | WB-67               | WB-67               | WB-67               | WB-67               | WB-67               |
| Access Permitted                      | No                  | No                  | No                  | No                  | No                  |
| Access Spacing                        | n/a                 | n/a                 | n/a                 | n/a                 | n/a                 |
| Intersection Spacing                  | 1 mile              | 1 mile              | ½ mile              | ½ mile              | ¼ mile              |
| Parking Permitted                     | No                  | No                  | No                  | No                  | No                  |
| Minimum Flowline Grade                | 1%                  | 1%                  | 1%                  | 1%                  | 1%                  |

# Exhibit B



SADDLEHORN RANCH  
DEVIATION REQUEST  
EX. JUDGE ORR ROAD  
2514200  
5/4/20  
SHEET 1 OF 1



**J-R ENGINEERING**

A Westrian Company

Centennial 303-740-9393 • Colorado Springs 719-593-2593  
Fort Collins 970-491-9888 • [www.jrengineering.com](http://www.jrengineering.com)

# Exhibit C

| Table 10: Roadway Improvements for Saddlehorn Ranch      |   |   |   |
|--|---|---|---|
| Offsite Intersections                                    |   |   |   |
| Item #   | Improvement   | Timing  | Responsibility  |
| <b>US Highway 24/Judge Orr Intersection</b>              |   |   |   |
| 1.1  | Realignment of Judge Orr Road at US Highway 24 per CDOT Hwy 24 PEL Study  | Future (the PEL study identified this as high priority project with a time frame of less than 5 years)                                  | CDOT  |
| 1.2  | Southwest-bound right-turn deceleration lane on US 24 approaching Judge Orr Road  | As required by other development(s) or with realignment of US 24/ Judge Orr   | CDOT or by other  |
| 1.3  | Construct southwest-bound right-turn acceleration lane on US 24 at Judge Orr Road   | As required by other development(s) or with realignment of US 24/ Judge Orr   | CDOT or by other  |
| 1.4  | Eastbound left-turn lane on Judge Orr Road approaching US 24  | With realignment of US 24/ Judge Orr  | CDOT  |
| 1.5  | Westbound dual left-turn lanes on Judge Orr Road approaching US 24  | With realignment of US 24/ Judge Orr  | CDOT  |
| 1.6  | Northeast-bound right-turn deceleration lane on US 24 approaching Judge Orr Road  | With realignment of US 24/ Judge Orr  | CDOT  |
| 1.7  | Eastbound right-turn deceleration lane on Judge Orr Road approaching US 24  | As required by other development(s) or with realignment of US 24/ Judge Orr   | CDOT or by other  |
| <b>US Highway 24/Stapleton Intersection</b>              |   |   |   |
| 2.1  | Signalize the intersection  | Once warrants are met   | CDOT is collecting escrow from impacting this intersection with e                                       |
| <b>Curtis Road/Falcon Highway</b>                        |   |   |   |
| 3.1  | Lengthen eastbound left-turn lane to ECM standards on Falcon Highway approaching Curtis Road  | Currently warranted by ECM  | Escrow for pro-rata share of improvement at the time of Phase 2 development per fee program pro         |
| 3.2  | <b>Long Term:</b> In the case of a future signalized intersection - Construct southbound right-turn deceleration lane on Curtis Road approaching Falcon Highway | Upon Signalization  | Escrow for pro-rata share of improvement if warranted at the time of development credit per fee program |
| 3.2  | <b>Long Term:</b> Reconstruct intersection as a modern roundabout (or signalize the intersection)   | Once LOS of AWSC drops below acceptable levels (roundabout); or once signal warrants are met (for conversion to a signal or roundabout) | El Paso County -- This intersection eligible for a signal/roundabout and program traffic impa           |
| <b>Adjacent County Arterial Roadway ROW Requirements</b> |   |   |   |
| 4.1  | Judge Orr Right-of-Way Dedication - 4 Lane Minor Arterial, Rural 130' to 150' estimated right-of-way dedication' (Note: 4-lane Rural <b>Principal</b> is 180')  | Shown in 2040 MTCP  | Applicant   |
| 4.2  | Judge Orr - 4 Lane Minor Arterial - Beyond above dedication, no additional right-of-way preservation needed   | Shown in 2060 Corridor Pres Plan  | Applicant   |
| 4.3  | Curtis Road - 2 Lane Rural Principal Arterial 130' to 150' estimated right-of-way dedication (Note: 4-lane Rural Principal is 180')                             | Shown in 2040 MTCP  | Applicant   |
| 4.4  | Curtis Road - 4 Lane Rural Principal Arterial 180' right-of-way preservation  | Shown in 2060 Corridor Pres Plan  | Applicant   |
| <b>Roadway Segment Improvements</b>                      |   |   |   |
| 5.1  | Falcon Highway - Upgrade to Two-Lane Rural Minor Arterial   | Shown in 2040 MTCP  | MTCP Project No. U5; Details TBD; program traffic impa  |
| 5.2  | Judge Orr Road - Widen to <b>Four Lane</b> Rural Minor Arterial   | Shown in 2040 MTCP  | MTCP Project No. C15; Details TBD; program traffic impa   |
| 5.3  | Curtis Road - Upgrade to Two-Lane Rural Principal Arterial  | Shown in 2040 MTCP  | MTCP Project No. U1; Applicant p approval, potentially subject to                                       |
| <b>Internal Subdivision Roadways</b>                     |   |   |   |
| 6.1  | Construct internal streets to County Rural Local Standards  | As development occurs and as needed for access  | Applicant   |
| <b>Adjacent Intersection and Access Intersections</b>    |   |   |   |
| Item #   | Improvement   | Timing  | Responsibility  |
| <b>Judge Orr/Curtis Road Intersection</b>                |   |   |   |
| 7.1  | Westbound right-turn deceleration lane  | Once peak hour westbound right turn volume exceeds 50 vehicles per hour   | Escrow for improvement or construction the time of development (fee pro                                 |

PROPERTY DESCRIPTION: **Exhibit D**

PARCEL A:

A PARCEL OF LAND LOCATED IN SECTION 3, TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S 89 DEGREES 21 MINUTES 33 SECONDS E, ALONG THE NORTH LINE OF SAID SECTION 3, 5275.27 FEET TO THE NORTHEAST CORNER THEREOF; THENCE S 00 DEGREES 04 MINUTES 45 SECONDS E, ALONG THE EAST LINE OF SAID SECTION 3, 1841.19 FEET; THENCE N 89 DEGREES 49 MINUTES 04 SECONDS W, 5280.38 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 3; THENCE N 00 DEGREES 05 MINUTES 14 SECONDS E, ALONG SAID WEST LINE, 1883.39 FEET TO THE POINT OF BEGINNING.

EXCEPT THOSE PORTIONS CONVEYED TO EL PASO COUNTY BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, IN SPECIAL WARRANTY DEEDS RECORDED JANUARY 29, 2015 AT RECEPTION NO. 215008985 AND RECEPTION NO. 215008986.

PARCEL B:

A PARCEL OF LAND LOCATED IN SECTION 3, TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE N 00 DEGREES 05 MINUTES 14 SECONDS E, ALONG THE WEST LINE OF SAID SECTION 3, 1974.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, N 00 DEGREES 05 MINUTES 14 SECONDS E, 1649.14 FEET; THENCE S 89 DEGREES 49 MINUTES 04 SECONDS E, 5280.38 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 3; THENCE S 00 DEGREES 04 MINUTES 45 SECONDS E, ALONG SAID EAST LINE, 1649.15 FEET; THENCE N 89 DEGREES 49 MINUTES 04 SECONDS W, 5285.17 FEET TO THE POINT OF BEGINNING.

PARCEL C:

A PARCEL OF LAND LOCATED IN SECTION 3 AND SECTION 10, TOWNSHIP 13 SOUTH, RANGE 64 WEST, OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE N 00 DEGREES 05 MINUTES 14 SECONDS E, ALONG THE WEST LINE OF SAID SECTION 3, 327.11 FEET; THENCE S 89 DEGREES 49 MINUTES 04 SECONDS E, 5289.95 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 3; THENCE S 00 DEGREES 04 MINUTES 45 SECONDS E, ALONG SAID EAST LINE, 327.11 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 3; THENCE S 00 DEGREES 57 MINUTES 38 SECONDS W, ALONG THE EAST LINE OF SAID SECTION 10, 1320.52 FEET TO THE SOUTHEAST CORNER OF THE



NORTH HALF OF THE NORTH HALF OF SAID SECTION 10; THENCE N 89 DEGREES 48 MINUTES 49 SECONDS W, ALONG THE SOUTH LINE OF SAID NORTH HALF OF THE NORTH HALF OF SAID SECTION 10, 5285.51 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N 00 DEGREES 43 MINUTES 38" SECONDS E, ALONG THE WEST LINE OF SAID SECTION 10, 1320.06 FEET TO THE POINT OF BEGINNING.

Per the Commitment for Title Insurance, issued by Westcor Land Title Insurance Company, Commitment No. 56676ECS, dated August 2, 2018.

PARCEL 21:

A PORTION OF THE SOUTH HALF OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 3; THENCE ALONG THE EAST LINE OF SAID SECTION 3, S00°42'25"E (BEARINGS ARE RELATIVE TO THE NORTH LINE OF SECTION 3, BEING MONUMENTED AT THE WESTERLY END BY A FOUND NO.6 REBAR WITH A 3-1/4" ALUMINUM CAP IN A VAULT, STAMPED "PLS 17496", AND AT THE EASTERLY END BY A FOUND NO. 6 REBAR WITH 3-1/2" ALUMINUM CAP IN A VAULT, STAMPED "LS 17496", AND MEASURED TO BEAR S89°59'26"E, A DISTANCE OF 5275.03 FEET), A DISTANCE OF 3490.37 FEET, TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED IN THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 213021177, IN THE OFFICIAL RECORDS OF EL PASO COUNTY; SAID CORNER ALSO BEING THE POINT OF BEGINNING; THENCE S00°42'25"E, CONTINUING ALONG THE WEST LINE OF THAT PARCEL DESCRIBED IN THE QUIT CLAIM DEED RECORDED AT RECEPTION NO.213113100, IN SAID OFFICIAL RECORDS, A DISTANCE OF 1647.65 FEET, TO THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED IN THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 213043391, IN SAID OFFICIAL RECORDS; THENCE S89°33'10"W, ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 5289.71 FEET, TO A POINT LYING ON THE WEST LINE OF SAID SECTION 3; THENCE ALONG SAID WEST LINE, N00°32'28"W, A DISTANCE OF 1645.40 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL, RECORDED AT RECEPTION NO. 213021177, IN SAID OFFICIAL RECORDS; THENCE N89°31'43"E, ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 5284.95 FEET, TO THE POINT OF BEGINNING.

Per the Commitment for Title Insurance, issued by Land Title Guarantee Company, Order No. SC55073032, dated October 1, 2018.

Being more particularly described by metes and bounds as follows:

**COMMENCING** at the Northeast Corner of Section 3, Township 13 South, Range 64 West of the 6<sup>th</sup> Principal Meridian; thence along the east line of said Section 3, S00°42'27"E ( Basis of bearings is the North line of Section 3, Township 13 South, Range 64 West of the 6th Principal Meridian, monumented at the West end by a No. 6 Rebar with a 3-1/4" aluminum cap, properly marked, in a monument box, "PLS 17496" and at the East end by a No. 6 rebar with a 3-1/2" aluminum cap, properly marked, in a monument box, "PLS 17496", having a measured bearing and distance of S89°59'23"E, 5275.26'. Bearings are relative to Colorado State Plane Central Zone (0502)), a distance of 30.00 feet, to the **POINT OF BEGINNING**; thence continuing along

said east line, S00°42'27"E, a distance of 5,435.28 feet, to the Southeast Corner of said Section 3, said point also being the Northeast Corner of Section 10, Township 13 South, Range 64 West of the 6<sup>th</sup> Principal Meridian; thence along the east line of the North 1/2 of the North 1/2 of said Section 10, S00°19'54"W, a distance of 1,320.51 feet, to the North 1/16<sup>th</sup> Corner of said Section 10; thence leaving said east line and along the south line of the North 1/2 of the North 1/2 of said Section 10, S89°34'02"W, a distance of 2,642.78 feet, to the North-Center-Center 1/16<sup>th</sup> Corner of said Section 10; thence continuing along said south line, S89°34'07"W, a distance of 2,612.73 feet, to a point that is 30.00 feet distant from the North 1/16<sup>th</sup> Corner of said Section 10, said point also being a point on the east right-of-way line of Curtis Road; thence along said east right-of-way line and 30.00 feet parallel to the west line of said North 1/2 of the North 1/2 of said Section 10, N00°05'54"E, a distance of 1,319.14 feet, to a point that is 30.00 distant to the Northwest Corner of said Section 10, also being the Southwest corner of said Section 3; thence continuing along said east right-of-way line, along the following four (4) courses:

1. N00°32'28"W, a distance of 4,608.42 feet;
2. N89°27'32"E, a distance of 19.98 feet;
3. N00°32'28"W, a distance of 820.00 feet;
4. N44°46'13"E, a distance of 40.00 feet,

to a point on the south right-of-way line of Judge Orr Road, thence along said south right-of-way line, along the following three (3) courses:

1. S89°59'23"E, a distance of 822.24 feet;
2. N00°00'37"E, a distance of 20.00 feet;
3. S89°59'23"E, a distance of 4,374.49 feet,

to the **POINT OF BEGINNING**.

Containing 35,565,654 S.F. or 816.475 acres, more or less.