



Planning and Community  
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## DEVIATION REQUEST AND DECISION FORM

Updated: 6/26/2019

### PROJECT INFORMATION

Project Name : Saddlehorn Ranch – Filing 1  
Schedule No.(s) : 4300000561, 4400000562, 4300000556  
Legal Description : SEE ATTACHED – Exhibit C

### 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)

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 Figure 2-4 Rural Minor Arterial** of the Engineering Criteria Manual (ECM) is requested for the Curtis Road cross-section.

Identify the specific ECM standard which a deviation is requested:

ECM criteria for a rural minor arterial cross sections requires a 12' travel lane and an 8' paved shoulder. The 2040 MTCP identifies Curtis Road as a two-lane rural Principal Arterial. Since there is no standard 2-lane principal arterial cross-section this deviation will document the proposed 2040 cross-section (rural minor arterial) and reasoning for the proposed ROW dedication width

State the reason for the requested deviation:

To build the full cross-section, ROW would need to be obtained from adjacent property owners to accommodate the full 8' paved shoulder on the west side of the road. To place the burden of ROW acquisition from the adjacent property owners on the Saddlehorn development would not be fair or equitable.

While the minor arterial half-cross section could be built on the east (Saddlehorn) side of the road, it is not the appropriate time to build out the full section until traffic warrants the arterial cross-section and both sides of the road can be constructed.

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

The proposed alternative for the west side is for the 8' paved shoulder to be reduced to a 2' paved and 2 ft gravel shoulder. This is the maximum that can fit inside the existing western ROW. Exhibit A provides the proposed cross section.

The applicant will provided a 72 foot half right of way along with an additional 18 foot ROW preservation on all plats adjacent to Curtis Road consistent with the anticipated ROW needs identified in the MTCP and the Preserved Corridor Network Plan.

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.

For Curtis Road adjacent to Filing 1 east half-section, the applicant proposes to provide a 12 ft. travel lane, 2ft. asphalt shoulder and 2 ft. gravel shoulder for Filing 1 development. The proposed alternative is consistent with the ECM Table 2.5 design criteria for a rural local roadway and intersections are projected to operate at a level of service C or better with the buildout of Filing 1.

For Curtis Road adjacent to future filings, the applicant proposes to provide a 12 ft. travel lane, 8ft. asphalt shoulder and 2 ft. gravel shoulder and will retrofit the Filing 1 improvements to provide an 8 ft asphalt shoulder and 2 foot gravel shoulder on the east side. The proposed alternative is consistent with the ECM Table 2.4 design criteria for a minor arterial roadway

Per the rezoing approval, a condition was placed on Curtis Rd. requiring improvements to arterial road standards with potential reimbursement from the fee program. The condition wording is "*The adjacent portions of Curtis Road shall be improved to meet the minimum standards of an arterial roadway per the Engineering Criteria Manual. Improvements will be made as part of the Curtis Road access permitting. The necessary improvements and phasing will be clarified with the future applications for Preliminary Plan and Final Plat. The work may be subject to any reimbursement as outlined in the El Paso County Road Impact Fee Program*". The applicant is providing adequate ROW to meet this condition for Filing 1 and is proposing a reduced cross section to local road criteria for Filing 1. Future filings adjacent to Curtis Road will provide dedicate adequate ROW and will build a rural minor arterial half cross section on the east half of Curtis Rd and a rural local half cross section on the west half. Curtis can be expanded to meet the full minor arterial cross section criteria once the county has obtained the additional ROW from western parcels.

Exhibit A provides the proposed cross sections.

## 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:

ROW must be obtained on the west side of the road for the full 8' paved shoulder to be constructed on Curtis Road. The maximum shoulder width that can be constructed inside the existing ROW is a 2' paved shoulder.

## 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 deviation will improve the roadway by adding a shoulder and maintain a consistent cross section until such time as the additional western ROW is acquired as part of the overall improvement of Curtis Road to minor arterial standards. This request is not based on financial considerations but the practicality of obtaining ROW from private properties.

The deviation will not adversely affect safety or operations.

This deviation will improve the safety when compared to the existing condition that has no asphalt shoulder and 11 foot travel lanes. Operations will not be impacted by the proposed cross section.

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

Filing 1 intersection improvements will provide a 12 foot through lane, 12 ft decell/turn lane, 2 ft paved shoulder and a 2 ft gravel shoulder.

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

Maintenance of the roadways will not be impacted.

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 two lane rural principal arterial section as indicated in the 2040 MTCP.

The 2040 Total ADT of 10,000 ADT is within the proposed cross section criteria. See Exhibit B for existing, Filing 1, buildout and 2040 ADT estimates from the TIS.

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.

R

T

L

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.

R

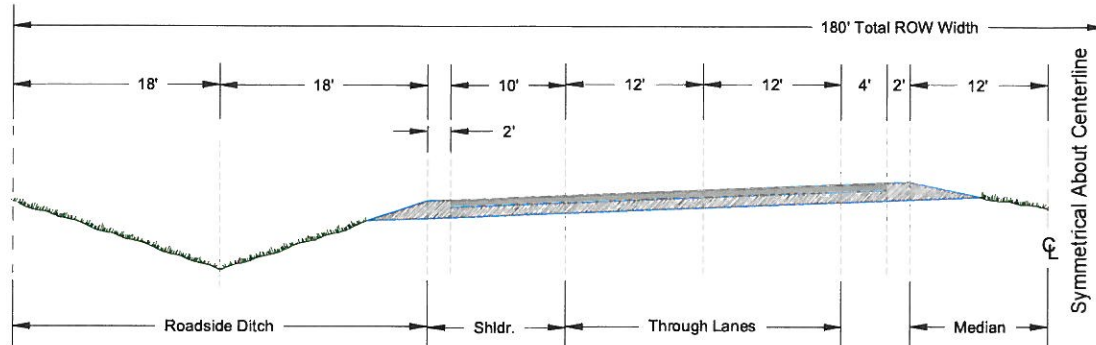
T

L

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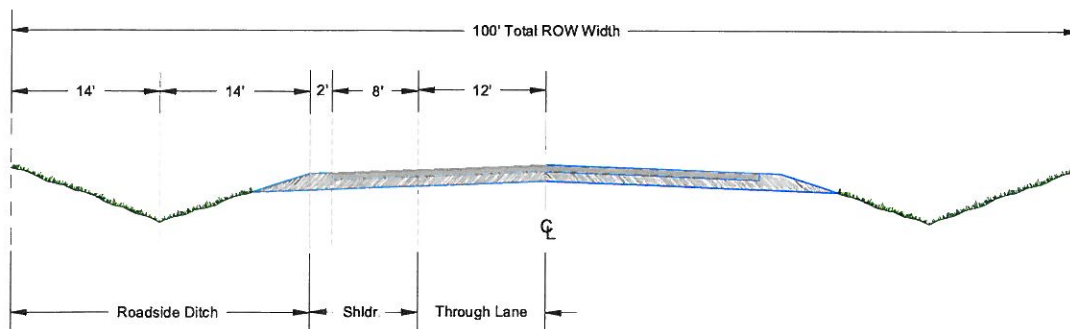
**ECM ADMINISTRATOR COMMENTS/CONDITIONS:**

Construction of the cross-section as proposed is not reimbursable under the County Road Fee program.

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

### 3. Minor Arterial

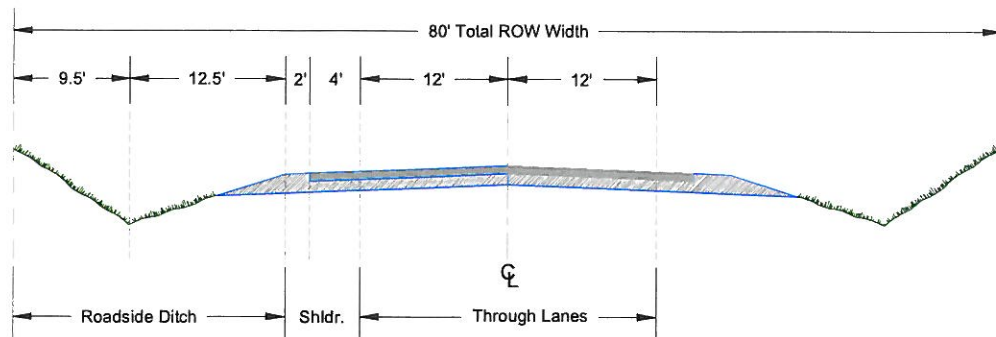
Minor arterials serve high-speed and high-volume traffic over medium distances, or are anticipated to serve this kind of traffic within a twenty-year period. Access is restricted through prescribed distances between intersections, use of medians, and no full movement parcel access (See Figure 2-5). Minor 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**

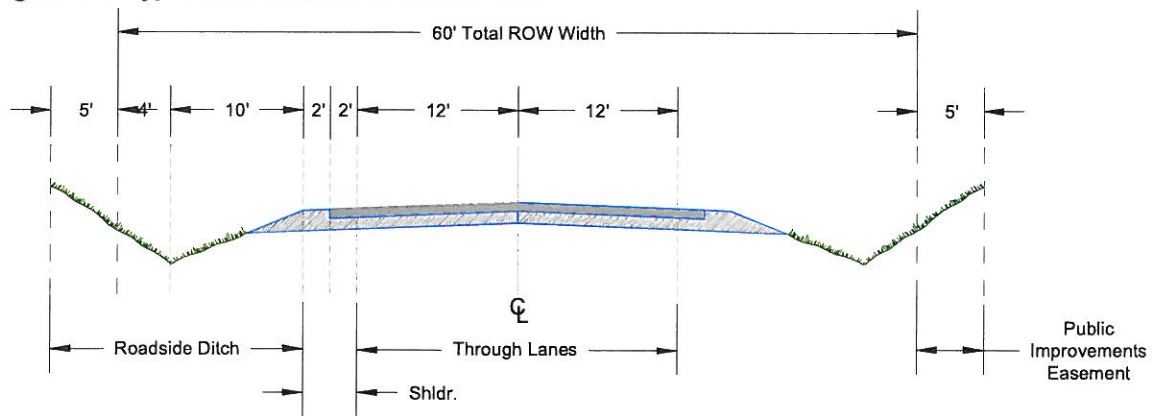
### 4. Major Collector

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



**Figure 2-7. Typical Rural Minor Collector Cross Section****6. Local**

Local roadways provide direct lot access and deliver lot-generated trips to collector roadways. Although access needs are high, accesses shall not be allowed to compromise the safety, health or welfare of roadway users (See Figure 2-8).

**Figure 2-8. Typical Rural Local Cross Section**

## 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 A - Cont

### Chapter 2 Transportation Facilities

Adopted: 12/23/2004

Revised: 12/13/2016

REVISION 6

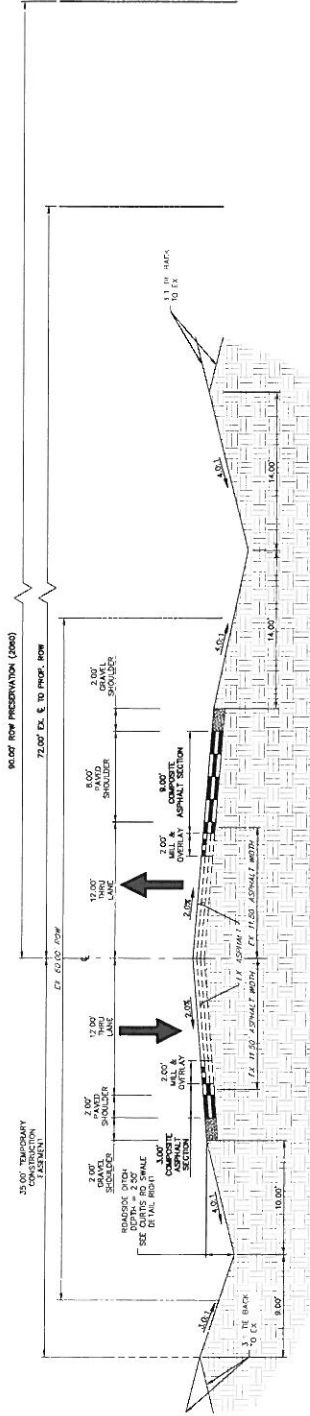
Section 2.3.2-2.3.2

Centerline Grade (Min.-Max.)	1-5%	1-5%	1-5%	1-5%	1-6%
Intersection Grades (Min.-Max.)	1-2%	1-2%	1-3%	1-3%	1-4%
<sup>1</sup> Assumes 4% superelevation, 6% for 70 MPH design speeds					
<sup>2</sup> Pavement width in each direction for divided roadways					

**Table 2-5. Roadway Design Standards for Rural Collectors and Locals**

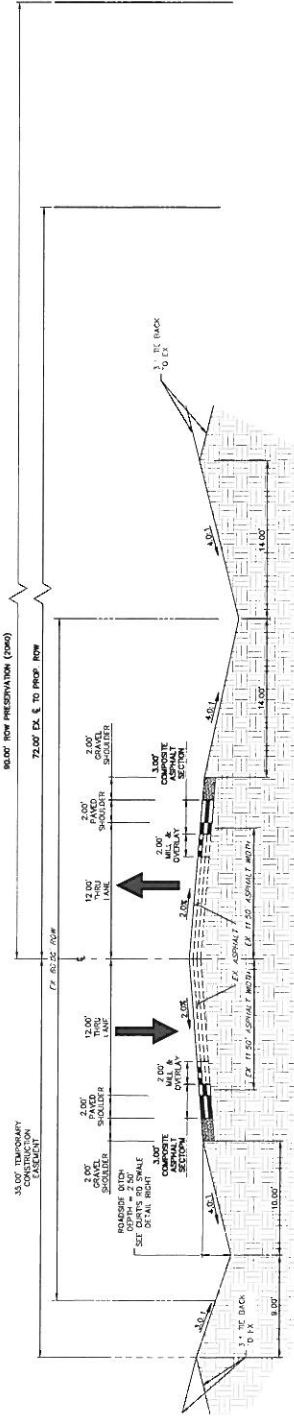
Criteria	Collectors		Local	
	Major	Minor	Local	Gravel
Design Speed / Posted Speed (MPH)	50 / 45	40 / 35	30 / 30	50/45
Clear Zone	20'	14'	7'	12'
Minimum Centerline Curve Radius	930' <sup>2</sup>	565'	300'	As Approved
Number of Through Lanes	2	2	2	2
Lane Width	12'	12'	12'	12'
Right of Way	90'	80'	70' <sup>3</sup>	70' <sup>3</sup>
Paved Width	32'	32'	28'	n/a
Median Width	n/a	n/a	n/a	n/a
Outside Shoulder Width (paved/gravel)	8'(4'/4')	6'(4'/2')	4'(2'/2')	4'(0'/4')
Inside Shoulder Width (paved/gravel)	n/a	n/a	n/a	n/a
Design ADT	3,000	1,500	750	200
Design Vehicle	WB-67	WB-67	WB-50	WB-50
Access Permitted	No	Yes	Yes	Yes
Access Spacing	n/a	Frontage	Frontage	Frontage
Intersection Spacing	¼ mile	660'	330'	330'
Parking Permitted	No	Yes	Yes	No
Minimum Flowline Grade	1%	1%	1%	1%
Centerline Grade (Min.-Max.)	1-8% <sup>1</sup>	1-8% <sup>1</sup>	1-8% <sup>1</sup>	1-8%
Intersection Grades (Min.-Max.)	1-4%	1-4%	1-4%	1-4%
<sup>1</sup> 10% maximum grade permitted at the discretion of the ECM Administrator				
<sup>2</sup> Assumes 4% superelevation, 6% for 70 MPH design speeds				
<sup>3</sup> 60-foot right-of-way plus two 5-foot Public Improvements Easements granted to El Paso County				

# EXHIBIT A



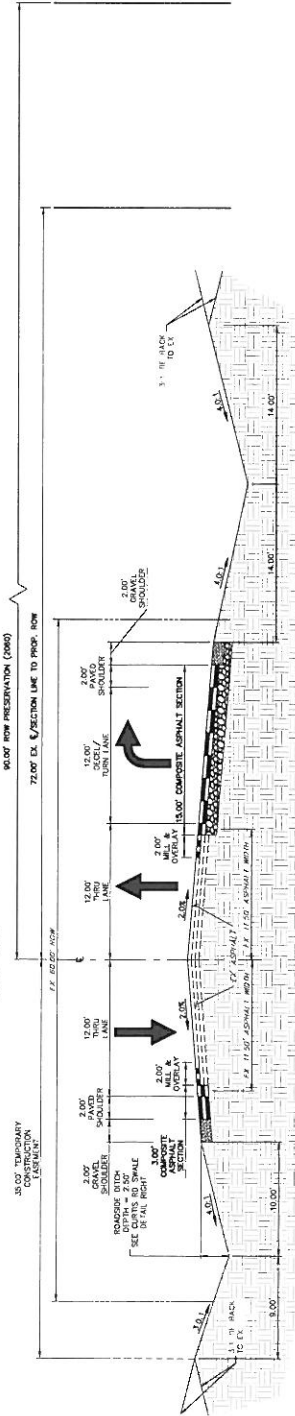
CURTIS ROAD - MODIFIED MINOR RURAL ARTERIAL - INTERIM FUTURE

STA. 30+85.13 - LODGE ONE RESOURCES FOR INTERSECTION IMPROVEMENTS  
POSTED SPEED LIMIT = 40 MPH  
SCALE: 1" = 5'  
(LOOKING NORTH)



CURTIS ROAD - MODIFIED MINOR RURAL ARTERIAL - FILING 1 LIMITS

STA. 1400 - 10+4200 & 10+8250 - 30+813  
POSTED SPEED LIMIT = 40 MPH  
SCALE: 1" = 5'  
(LOOKING NORTH)



CURTIS ROAD - MODIFIED MINOR RURAL ARTERIAL

STA. 12+4238 - 14+8472  
POSTED SPEED LIMIT = 40 MPH  
SCALE: 1" = 5'  
(LOOKING NORTH)

SADDLEHORN RANCH -  
SADDLEHORN RESERVE  
MODIFIED MINOR RURAL ARTERIAL  
JOB NO. 25142.02  
9/28/20  
SHEET 1 OF 1

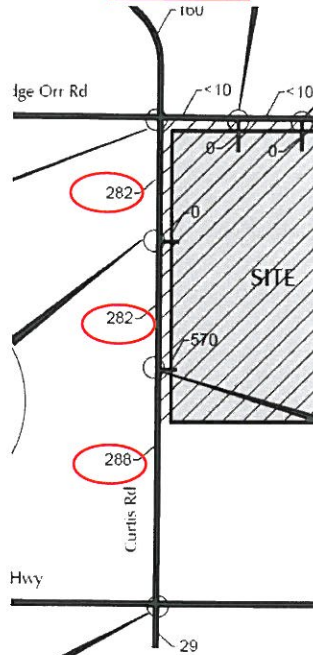
JR ENGINEERING  
A NORTON COMPANY  
Contact: 262-363-3888 • Colorado Springs 761-595-2588  
For: 262-363-3888 • www.jrengineering.com

# Exhibit B - Curtis Road ADT Volumes

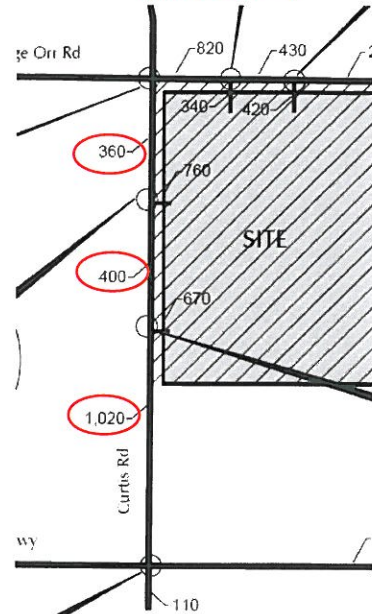
Existing ADTs on Curtis Road



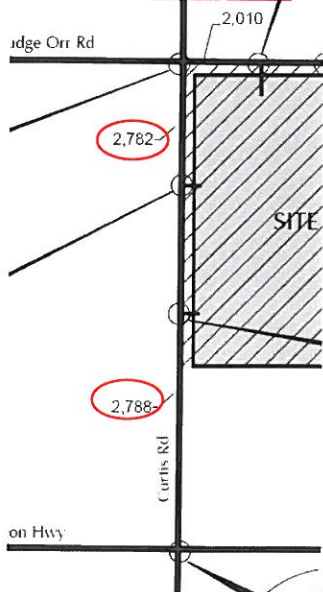
Phase 1 Site-Generated ADTs on Curtis Road



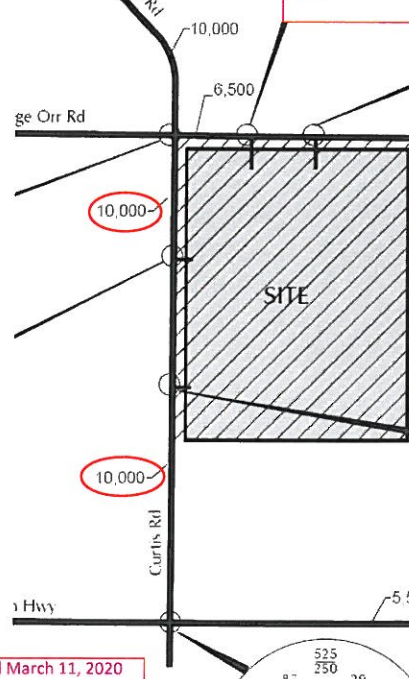
Buildout Site-Generated ADTs on Curtis Road



Short Term (Existing plus Site Generated) ADTs on Curtis Road



Long Term Total ADTs on Curtis Road



Clipped from *Saddlehorn Ranch TIS* dated March 11, 2020





PROPERTY DESCRIPTION:

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.