

BOCC

RESOLUTION NO. 20-317

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

**SUBDIVISION EXEMPTION FOR WOODMEN HILLS METROPOLITAN
DISTRICT TANK SITE SUBDIVISION EXEMPTION (EX-20-003)**

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

WHEREAS, the Woodmen Hills Metropolitan District, has applied for an exemption from the El Paso County Subdivision Regulations; and

WHEREAS, the Woodmen Hills Metropolitan District intends to utilize this 1.47 acre parcel solely for a water public water storage tank; and

WHEREAS, a public hearing was held by this Board on August 25, 2020; and

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

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

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

5. That no beneficial purpose would be served by requiring the platting of the subject property.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the petition by the Woodmen Hills Metropolitan District, for a Subdivision Exemption of a 1.47 acre parcel of property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference;

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

CONDITION

1. The land survey plat as approved by the Board of County Commissioners shall be deposited in the El Paso County Clerk and Recorder's Office.

NOTATION

1. Approval by the County of a site development plan will be required prior to initiating construction of the water storage tank or any of the appurtenant facilities.

DONE THIS 25th day of August 2020, at Colorado Springs, Colorado.

ATTEST

By: _____

County Clerk & Recorder



BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By: _____

Chair

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a wavy line, is written over a horizontal line.

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EXHIBIT A

LEGAL DESCRIPTION

A TRACT OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH1.M., EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING:

THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, MONUMENTED ON THE WEST BY A 5 1/4" ALUMINUM CAP STAMPED "PLS 10576" AND ON THE EAST BY THE CALCULATED POSITION AS DETERMINED BY THE 30 FOOT WITNESS CORNER MONUMENTED WITH A 3 1/4" ALUMINUM CAP STAMPED "PLS 13830" AND SAID TO BEAR N89°08'08"E.

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 27; THENCE N89°08'08"E, 2221.12 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 27 TO THE NORTHEASTERLY MOST CORNER OF A 30' WATERLINE EASEMENT AS RECORD IN RECEPTION NO. 214021314 OF THE RECORDS OF SAID EL PASO COUNTY AND THE

POINT OF BEGINNING:

THENCE CONTINUING N89°08'08"E, 200.00 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 27:

THENCE S00°51'52"E, 320.00 FEET TO A POINT ON A NORTHERN LINE OF SAID WATERLINE EASEMENT;

THENCE S89°08'08"W, 200.00 FEET ALONG A NORTHERN LINE OF SAID WATERLINE EASEMENT;

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THENCE N00°51'52"W, 320.00 FEET ALONG AN EASTERN LINE OF SAID
WATERLINE EASEMENT TO THE POINT OF BEGINNING.

COUNTY OF EL PASO, STATE OF COLORADO

CONTAINING 64,000 SF. (1.469 ACRES) MORE OR LESS.