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Steve Schleiker

El Paso County, CO

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RESOLUTION NO. 26-170

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

APPROVAL OF A REQUEST TO VACATE
APALOSSA DRIVE ROW VACATION (V252)

WHEREAS, Terra Nova Engineering did file an application with the El Paso County Planning and Community Development Department for approval of a Vacation of a Plat with Rights-of-Way to vacate a portion of Apaloosa Drive within the A-5 (Agricultural) and RR-5 (Rural Residential) zoning district for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on June 11, 2026; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. That the application was properly submitted for consideration by the Board of County Commissioners;
2. That proper posting, publication, and public notice were provided as required by law for the hearings before the Board of County Commissioners;
3. That the hearings before the Board of County Commissioners were extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations;
7. For the above-stated and other reasons, the proposed Vacation of a Plat with Rights-of-Way is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County; and

WHEREAS, this Board further finds that the application meets the criteria of approval listed in Section 7.2.3.A.4.c of the Land Development Code (as amended):

1. The Vacation complies with the Code and the original conditions of approval of the recorded Plat;
2. No nonconforming lots are created, and, in the case of existing nonconforming lots, the nonconformity is not increased;
3. The action does not fall within the intent and purpose of the subdivision regulations;
4. The approval will not adversely affect the public health, safety, and welfare;
5. No land is left, by reason of this Vacation, without an established public right-of-way or private access easement connecting the land with an established public road;
6. A dedication or intent to dedicate has been established, where necessary; and
7. Where the lots or parcels are subject to any CC&Rs or other restrictions, any potential conflict with the CC&Rs or other restrictions resulting from the Vacation of the Plat has been resolved.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of El Paso County, Colorado, hereby approves the Vacation of a Plat with Rights-of-Way to allow a portion of Apaloosa Drive to be vacated;

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

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that

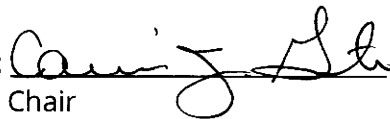
the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.

NOTATIONS

1. Final Plats not recorded within 24 months of Board of County Commissioners approval shall be deemed expired unless an extension is approved.
2. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.

DONE THIS 11th day of June 2026, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By: 
Chair

ATTEST

By: _____

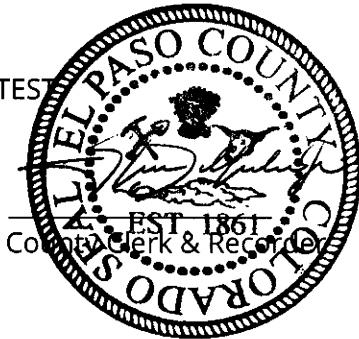


EXHIBIT A

Legal Description: Proposed Appaloosa Drive Vacation

That portion of Appaloosa Drive laying east of a line drawn between the southwest corner of Lot 5 and the northwest corner of Lot 17, all in Templeton Heights Subdivision (Plat Book G-2, Page 20), El Paso County, Colorado

Containing a calculated area of 122,685 square feet (2.81646 acres), more or less.