

BOCC

Chuck Broerman
12/12/2018 12:18:18 PM
Doc \$0.00 3
Rec \$0.00 Pages

El Paso County, CO



218142456

RESOLUTION NO. 18- 481

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

**SUBDIVISION EXEMPTION FOR MOUNTAIN VIEW ELECTRIC ASSOCIATION
- YODER SUBSTATION (EX-18-001)**

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, Mountain View Electric Association, Inc. has applied for an exemption from the El Paso County Subdivision Regulations with reference to a this parcel as described in Exhibit A; and

WHEREAS, Mountain View Electric Association, Inc. intends to utilize this 5 acre parcel solely for a proposed substation operating at 69kV; and

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the petition by Mountain View Electric Association for a Subdivision Exemption of a 5 parcel of property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference;

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

CONDITIONS

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

DONE THIS 11th day of December, 2018, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By: *David J. Brown*
President



EXHIBIT A

LEGAL DESCRIPTION:

TRACT G: A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 14 SOUTH, RANGE 61 WEST OF THE 6TH PRINCIPAL MERIDIAN, SITUATED IN EL PASO COUNTY, STATE OF COLORADO, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE N01°00'29"W COINCIDENT WITH THE WEST LINE OF SAID SECTION 3, A DISTANCE OF 1382.21 FEET; THENCE N89°07'57"E, A DISTANCE 255.00 FEET; THENCE S01°00'29"E A DISTANCE OF 150.00 FEET; THENCE N89°07'57"E, A DISTANCE OF 986.00 FEET; THENCE S01°00'29"E, A DISTANCE OF 1232.21 FEET TO THE SOUTH LINE OF SAID SECTION 3; THENCE S89°07'57"W COINCIDENT WITH SAID SOUTH LINE OF SECTION 3, A DISTANCE OF 1241.00 FEET TO THE POINT OF BEGINNING CONTAINING A CALCULATED AREA OF 35.983 ACRES MORE OR LESS.

TRACT L: A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 14 SOUTH, RANGE 61 WEST OF THE 6TH PRINCIPAL MERIDIAN, SITUATED IN EL PASO COUNTY, STATE OF COLORADO, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE N01°00'29"W COINCIDENT WITH THE WEST LINE OF SAID SECTION 3, A DISTANCE OF 1382.21 FEET; THENCE N89°07'57"E, A DISTANCE 255.00 FEET; THENCE S01°00'29"E A DISTANCE OF 150.00 FEET; THENCE N89°07'57"E, A DISTANCE OF 986.00 FEET; THENCE S01°00'29"E, A DISTANCE OF 765.53 FEET; THENCE S89°07'57"W, A DISTANCE OF 466.70 FEET; THENCE S01°00'29"E, A DISTANCE OF 466.68 FEET TO THE SOUTH LINE OF SAID SECTION 3; THENCE S89°07'57"W COINCIDENT WITH SAID SOUTH LINE OF SECTION 3, A DISTANCE OF 774.30 FEET TO THE POINT OF BEGINNING, CONTAINING A CALCULATED AREA OF 30.983 ACRES MORE OR LESS.

TRACT M: A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 14 SOUTH, RANGE 61 WEST OF THE 6TH PRINCIPAL MERIDIAN, SITUATED IN EL PASO COUNTY, STATE OF COLORADO, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 3; THENCE N89°07'57"E COINCIDENT WITH THE SOUTH LINE OF SAID SECTION 3, A DISTANCE OF 774.30 FEET TO THE POINT OF BEGINNING; THENCE N01°00'29"W, A DISTANCE OF 466.68 FEET; THENCE N89°07'57"E, A DISTANCE OF 466.70 FEET; THENCE S01°00'29"E, A DISTANCE OF 466.68 FEET TO THE SOUTH LINE OF SAID SECTION 3; THENCE S89°07'57"W COINCIDENT WITH SAID SOUTH LINE OF SECTION 3, A DISTANCE OF 466.70 FEET TO THE POINT OF BEGINNING, CONTAINING A CALCULATED AREA OF 5.000 ACRES MORE OR LESS.