

**COMMISSIONERS:**  
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**CARRIE GEITNER (VICE-CHAIR)**

**HOLLY WILLIAMS**  
**STAN VANDERWERF**  
**LONGINOS GONZALEZ, JR.**

**PLANNING & COMMUNITY DEVELOPMENT**

**TO: El Paso County Board of County Commissioners**  
**Cami Bremer, Chair**

**FROM: Ashlyn Mathy, Planner I**  
**Carlos Hernandez, Engineer I**  
**Meggan Herington, AICP, Executive Director**

**RE: Project File Number: EX-23-002**  
**Project Name: Arroya Lane Subdivision Exemption**  
**Parcel Number: 5221400003**

<b>OWNER:</b>	<b>REPRESENTATIVE:</b>
Rich Mock, President Friends of the Black Forest Preservation Plan 1665 Briargate Boulevard Suite #101 Colorado Springs, Colorado 80920	El Paso County Parks Ross A. Williams RossWilliams@elpasoco.com (719) 520-6984

**Commissioner District: 2**

<b>Board of County Commissioners Hearing Date:</b>	<b>6/20/2023</b>
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**EXECUTIVE SUMMARY**

A request by El Paso Parks and Community Services for a Subdivision Exemption specific to 4.00 acres that the Black Forest Trails Association would like to give to El Paso County for a trail corridor for the proposed Sand Creek Primary Regional Trail. The property is zoned RR-5 (Residential Rural) and is located northeast of the intersection of Vollmer Road and Arroya Lane (Parcel No. 5221400003) (Commissioner District No. 2).

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**Authorization to Sign:** Exemption Plat

**A. APPROVAL CRITERIA**

In approving the Subdivision Exemption, the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2022):

- The subdivision is consistent with and conforms to this Code and the Master Plan;
- The exemption is a division of land determined not to be within the purpose of C.R.S. §§30-28-101, et seq;
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- The size, location, and availability of services to the proposed lots or parcels are reasonable, appropriate, and customary for the proposed use; and
- No beneficial purpose would be served by requiring the platting of the subject property.

**B. LOCATION**

North:	RR-5 (Residential Rural)	Vacant
South:	PUD (Planned Unit Development)	Vacant
East:	RR-5 (Residential Rural)	Vacant
West:	PUD (Planned Unit Development)	Agricultural Grazing Land

**C. BACKGROUND**

The purpose of the Subdivision Exemption is to allow for conveyance of the land, as a legally created parcel, to the El Paso County Parks and Community Services Department for the land to be used as a trail corridor for the proposed Sand Creek Primary Regional Trail. This trail will connect to various trails in the area such as Black Forest Section 16 and Palmer Divide Regional Trail.

**D. ANALYSIS**

**1. Land Development Code Compliance**

The BoCC may, pursuant to this Code, exempt from the definition of "subdivision" any division of land the BoCC determines is not within the purposes of the definition of "subdivision". The BoCC has exempted certain divisions of land from the definition of



"subdivision" as set forth in C.R.S. § 30-28-101, as amended through the adoption of this Code.

- *The exemption is consistent with and conforms to this Code and the Master Plan;*  
The subdivision exemption being requested is supported by the Master Plan and Code as this is for parks/open space which is a supporting land use. In the Land Development Code under Section 7.2.2.B.3,  
*Any parcel created by the division of a parcel of land which is the direct result of an acquisition by federal, state or local government for open space or park land shall be exempt from the definition of the term "subdivision", provided that the resulting parcel is in conformance with the minimum lot area requirements for the proposed use in the zone district in which said property is located and provided that the parcel being divided was not created illegally;*
- *The exemption is a division of land determined not to be within the purpose of C.R.S. § 30-28-101, et seq.;*  
The proposed exemption will create a legal parcel for the Parks Department to use as a trail corridor that will benefit the community.
- *Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;*  
The platted lot does not have any proposed rights-of-way. The engineering department did make a statement:  
"Please note the El Paso County 2016 Major Transportation Corridors Plan shows Vollmer Road being upgraded from an Urban Collector to an Urban Minor Arterial classification in the 2040 Roadway Plan. Additional right-of-way will be required at the time of roadway improvements to Vollmer Road. The proposed trail location shall be a minimum of 20 feet from the current asphalt edge of Vollmer Road."
- *The size, location, and availability of services to the proposed lots or parcels are reasonable, appropriate, and customary for the proposed use; and*  
The lot is 4.00 acres which is 1 acre less than the minimum lot size, however per the LDC in section 7.2.2.C.1,



- *The resulting lots or parcels shall comply with the LDC unless: (1) a waiver or variance of 1 or more of the provisions of the LDC has been approved; or (2) the lots or parcels are for community facilities including utilities.*

The trail corridor is considered a community facility being utilized to connect to other regional trails and therefore complies with this Section of Code.

- *No beneficial purpose would be served by requiring the platting of the subject property.* Platting the property would not serve a beneficial purpose that is not already addressed within the subdivision exemption application.

## 2. Zoning Compliance

Section 5.4.3.C.3. of the Code states:

“Public or Quasi-Public Utility Buildings not subject to standards: Utility buildings or facilities owned by a governmental, quasi-governmental or public entity are not subject to the development standards of the respective zoning district but are instead governed by the standards of the approval of location, site development plan, or site plan submitted with the development application.”

Public buildings are exempt from the dimensional standards. While there are no buildings on site, there is the potential for further development by the Parks Department.

## F. MASTER PLAN COMPLIANCE

### 1. Your El Paso County Master Plan

#### a. Placetype Character: Suburban Residential

*Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This placetype can also include limited single-family attached and multifamily housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area. The Suburban Residential placetype generally supports accessory dwelling units. This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern.*

*Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections or along perimeter streets.*

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*Utilities, such as water and wastewater services are consolidated and shared by clusters of developments, dependent on the subdivision or area of the County.*

*Some County suburban areas may be difficult to distinguish from suburban development within city limits. Examples of the Suburban Residential placetype in El Paso County are Security, Widefield, Woodmen Hills, and similar areas in Falcon.*

### **Recommended Land Uses:**

#### *Primary*

- *Single-family Detached Residential with lots sizes smaller than 2.5 acres per lot, up to 5 units per acre*

#### *Supporting*

- *Single-family Attached*
- *Multifamily Residential*
- *Parks/Open Space*
- *Commercial Retail*
- *Commercial Service*
- *Institutional*

### **Analysis:**

The subdivision exemption is supported by the masterplan and placetype. The supporting uses states parks and open spaces being one of the supporting uses. This proposal will not only be in compliance with the Masterplan and placetype but be a way to enhance the area and for the public. One of the goals in the Masterplan states,

***Goal CF11-** Coordinate with agencies to provide high-quality community facilities, services, and infrastructure to enhance quality of **life**.*

The land being used as a trail corridor and will enhance the Sand Creek Primary Regional Trail.

### **b. Area of Change Designation: New Development**

*These areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built-out area will be*

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*developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.*

**Analysis:**

The surrounding parcels are vacant or being used for agricultural land. This parcel for the trail corridor will be used to help with development for trail systems in the area and will fall in line with the purpose of the Area of Change. While there will not be substantial development planned, it still in line with the masterplan and objective LU3-1,

**Objective LU3-1** – *Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.*

**c. Key Area Influences:** Potential Areas for Annexation

*A significant portion of the County’s expected population growth will locate in one of the eight incorporated municipalities. As the largest municipality in El Paso County, Colorado Springs is expected to grow in population over the next several decades. As a result of this growth, Colorado Springs, and other municipalities including Fountain and Monument, will need to annex parts of unincorporated County to plan for and accommodate new development. This will either occur through new development within existing municipal limits or the annexation of subdivisions in unincorporated parts of the County.*

*This Key Area outlines the portions of the County that are anticipated to be annexed as development occurs. It is imperative that the County continue to coordinate with the individual cities and towns as they plan for growth. Collaboration with the individual communities will prevent the unnecessary duplication of efforts, overextension of resources, and spending of funds. The County should coordinate with each of the municipalities experiencing substantial growth the development of an intergovernmental agreement similar to that developed with Colorado Springs.*

**Analysis:**

The county does keep close communication with The City of Colorado Springs on projects that are within the area of interest for them. The city was a reviewer on this project and they had no comments for staff.

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**E. RECOMMENDED CONDITION AND NOTATION**

Should the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.2 (Subdivision Exemptions) of the El Paso County Land Development Code (2022), staff recommends the following condition and notation:

**CONDITION**

1. The Land Survey Plat as approved by the Board of County Commissioners shall be deposited in the El Paso County Clerk and Records Office.

**NOTATION**

1. Approval of a site development plan will be required prior to initiating site disturbing activities and prior to issuance of any permits.

**F. ATTACHMENTS**

- Map Exhibits
- Vicinity Map
- Letter of Intent
- Land Survey Plat
- Draft Resolution



**Meggan Herington, AICP, Executive Director**  
**El Paso County Planning & Community Development**  
 O: 719-520-6300  
 MegganHerington@elpasoco.com  
 2880 International Circle, Suite 110  
 Colorado Springs, CO 80910

**Board of County Commissioners**  
 Holly Williams, District 1  
 Carrie Geitner, District 2  
 Stan VanderWerf, District 3  
 Longinos Gonzalez, Jr., District 4  
 Cami Bremer, District 5

## MAP EXHIBIT

Figure F.1: Placetype Map

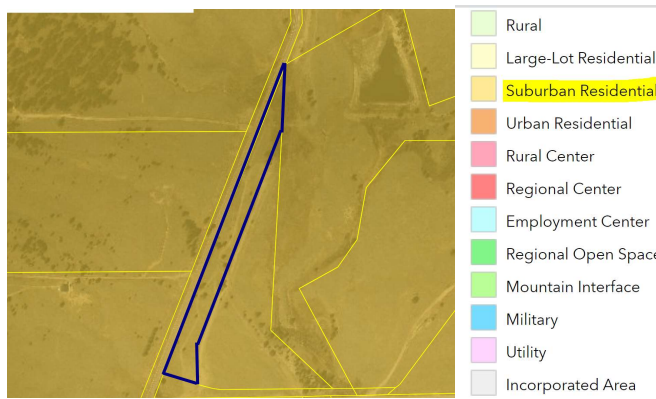


Figure F.2: Area of Change Map

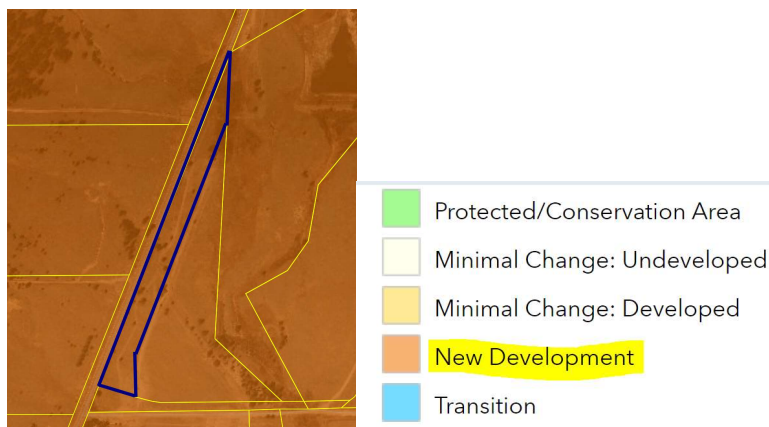
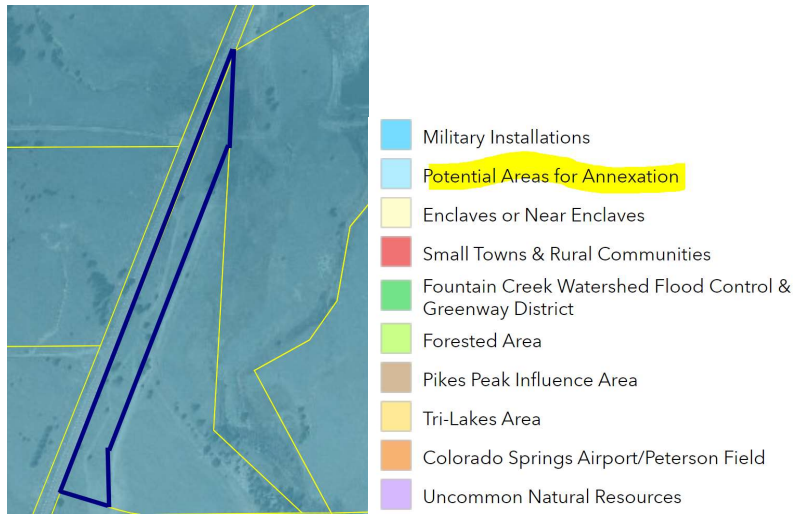




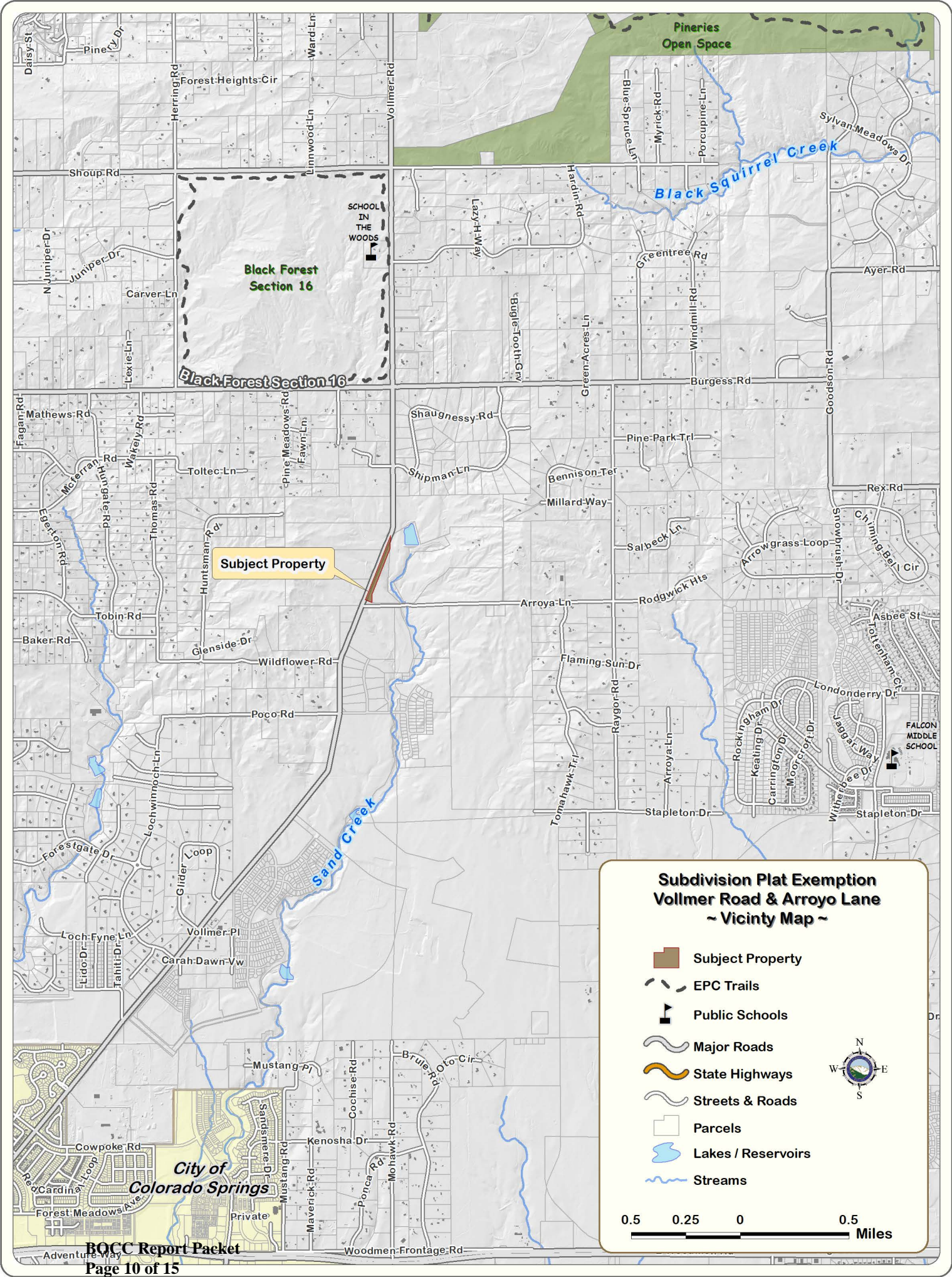
Figure F.3: Key Area Map



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**DEPARTMENT OF PARKS AND COMMUNITY SERVICES**

March 23, 2023

Ryan Howser  
Project Manager  
El Paso County Development Services Department  
2880 International Circle  
Colorado Springs, CO 80910

**Subject: Arroya Lane Subdivision Exemption (EA-22-045)**

Hello Ryan,

On behalf of the El Paso County Parks and Community Services Department and in accordance with the El Paso County Land Development Code, please accept this Letter of Intent for the Subdivision Exemption for a 4-acre parcel of land.

As outlined in the Early Assistance meeting for this project, The Friends of the Black Forest Preservation Plan wish to transfer ownership of the aforementioned parcel which is currently under a Warranty Deed. Due to the manner in which it was improperly subdivided from its parent parcel (5221400002) as a Quit Claim Deed, El Paso County is applying for a Subdivision Exemption so the property can be transferred to the County.

The parcel will be utilized ultimately as a trail corridor for the proposed Sand Creek Primary Regional Trail, which will connect the extensive trail systems of the City of Colorado Springs, as well as Black Forest Section 16, Pineries Open Space, and the existing Palmer Divide Regional Trail/Woodlake Trail.



*Figure 1 - Typical Terrain and Vegetation Found in the Subject Property. Vollmer Road is seen at the far left side of the photograph. Looking North*

**1. Owner and Applicant Contact Information:**

- **Owner:**  
Friends of the Black Forest Preservation Plan  
Rich Mock, President  
P.O. Box 88041  
Colorado Springs, CO 80908  
(719) 495-9669  
[rvmock@gmail.com](mailto:rvmock@gmail.com)

- **Applicant:**  
El Paso County Parks and Community Services  
Ross Williams, Park Planner  
2002 Creek Crossing  
Colorado Springs, CO 80905  
(719) 520-6984  
[rosswilliams@elpasoco.com](mailto:rosswilliams@elpasoco.com)

**2. Site Location, Zoning, and Acreage:**

- **Site Location:** The subject property (El Paso County Assessor’s Office Parcel Schedule No. 5221400003) is located immediately northeast of and adjacent the intersection of Vollmer Road and Arroya Lane in unincorporated north central El Paso County.
- **Zoning:** The subject property is zoned RR-5, Residential Rural, and no zoning change is being requested as part of this Subdivision Exemption application. Since there is no zoning change, Items 6 through 20 in the El Paso County land use application have been omitted from this Letter of Intent.
- **Acreage:** The subject property is 4 acres +/- and is currently unplatted.



*Figure 2 - Existing Ranch Road at Northern End of the Subject Property. Looking North*

**3. Land Development Code Provisions:**

Section 7.2.2 of the El Paso County Land Development Code (LDC) outlines the following provisions for the Subdivision Exemption process when related to governmental, utilities, public uses, and/or open space land uses:

- **Section 7.2.2(A) – Purpose.** The purpose of establishing standards for exemptions is to provide framework whereby the Board of County Commissioners (BoCC) may grant exemptions from the definition of the term subdivision for any division of land the BoCC determines is not within the purpose of C.R.S. § 30-28-101.
- **Section 7.2.2(A)(3) – Open Space Exemptions.** Any parcel created by the division of a parcel of land which is the direct result of an acquisition by federal, state or local government for open space or park land shall be exempt from the definition of the term "subdivision", provided that the resulting parcel is in conformance with the minimum lot area requirements for the proposed use in the zone district in which said property is located and provided that the parcel being divided was not created illegally.

As noted above, the proposed Subdivision Exemption plat does not meet the minimum lot size for the RR-5 zoning classification. However, references from the LDC are listed below which allow deviation from the Code:



- **Section 7.2.2(C)(1) – Exemption Lot and Parcel Design Standards – Comply with LDC:**

The resulting lots or parcels shall comply with the LDC unless: (1) a waiver or variance of one or more of the provisions of the LDC has been approved, or (2) the lots or parcels are for *community facilities*, including utilities.

The intended purpose of this Subdivision Exemption application is for the publicly accessible Sand Creek Primary Regional Trail and Arroya Lane Primary Regional Trail corridors, as identified in the 2022 El Paso County Parks Master Plan, a part of the overall El Paso County Strategic Plan. The Sand Creek Regional Trail and Arroya Lane Regional Trail intersect at the subject property and will provide for public off-street pedestrian connections from the City of Colorado Springs to locations further north, such as Black Forest Section 16, Pineries Open Space, and the Palmer Divide Primary Regional Trail.

- **Section 7.2.2(E) – Standards and Criteria for Specific Exemption**

- **Subsection (5)(b) – Right-of-Way, Utility, and Open Space Exemptions – Applicability**

The acknowledgement provided by this Section shall be applicable to the division of a lot or parcel of land which is the direct result of the acquisition by condemnation or otherwise, of any federal, State or local government road rights-of-way, acquisition by federal, state, or local government of land for open space or parks, and any parcel of land divided into 2 or more separate interests, 1 being the interest of the fee owner of the parcel and the other being easements or land granted for purposes of public or private utility lines entering or crossing the parcel.

- **Subsection (5)(c) – Criteria for Approval**

The Planning and Community Development Director, in approving a right-of-way, utility or *open space exemption*, shall find:

- The request serves a legitimate government or utility purpose; and
- There will be no impact on the status of the lot or parcel as a conforming lot or parcel, and if a nonconformity will result that the nonconforming lot or parcel will be deemed conforming with respect to lot size and will be eligible to apply for a variance in the event they do meet the development standards of the applicable zone district.



*Figure 3 - Typical Terrain and Vegetation Found in the Subject Property. Looking South To Arroya Lane.*

The proposed Subdivision Exemption will be nonconforming and therefore eligible to apply for a variance.

**4. Request and Justification**

The purpose of this Subdivision Exemption request is to create a parcel from the subject property that will be conveyed from The Friends of the Black Forest Preservation Plan to the El Paso County Parks and Community Services Department.

As noted previously, the parcel will be the eventual location of the proposed Sand Creek Primary Regional Trail and the Arroya Lane Primary Regional Trail, as proposed in the El Paso County Parks Master Plan.

As noted previously, justification for this Subdivision Exemption request is based on Section 7.2.2(B)(3) of the LDC, which states:

*Any parcel created by the division of a parcel of land which is the direct result of an acquisition by federal, state or local government for **open space or park land** shall be exempt from the definition of the term "subdivision", provided that the resulting parcel is in conformance with the minimum lot area requirements for the proposed use in the zone district in which said property is located and provided that the parcel being divided was not created illegally.*

According to Chapter 5, Use and Dimensional Standards, Table 5-1, Principal Uses, of the El Paso County Land Development Code, public buildings, parks, and open space are an allowable uses with the RR-5 zoning district. The proposed public regional trails will be located wholly within the bounds of the property and will generally parallel Arroya Lane and Vollmer Roads.

**5. Existing and Proposed Facilities**

The subject property is ideal for the planning and construction of an 8’-wide regional trail, consisting of rolling grades covered in natural grasses and intermittent ponderosa pine trees. An existing ranch access road winds north-south through the property and would provide for a good foundation on which to align the regional trail.

Please let me know if you have any questions or concerns.

Sincerely,



Ross A. Williams  
Park Planner  
Park Operations Division  
Community Services Department  
[rosswilliams@elpasoco.com](mailto:rosswilliams@elpasoco.com)



# BLACK FOREST TRAILS ASSOCIATION, INC. SUBDIVISION EXEMPTION PLAT

AN EXEMPTION FROM SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6th P.M.,

COUNTY OF EL PASO, STATE OF COLORADO

**KNOW ALL MEN BY THESE PRESENTS:**

THAT BLACK FOREST TRAILS ASSOCIATION, INC., A COLORADO NON-PROFIT CORPORATION BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

**PROPERTY DESCRIPTION:**

A TRACT OF LAND BEING A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

**COMMENCING AT THE SOUTHEAST CORNER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE RIGHT OF WAY AS RECORDED IN BOOK 2678 AT PAGE 431, RECORDS OF EL PASO COUNTY, COLORADO;**

**THENCE N00°37'14"W ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21, A DISTANCE OF 40.00 FEET, TO A POINT ON THE NORTHERLY LINE OF THE PARCEL RECORDED UNDER RECEPTION NO. 219018917;**

**THENCE ON THE NORTHERLY LINE OF SAID PARCEL THE FOLLOWING TWO (2) COURSES:**

1. S89°40'23"W ON A LINE 40' FEET NORTH OF AND PERPENDICULAR WITH THE NORTH LINE OF SAID RIGHT OF WAY A DISTANCE OF 348.92 FEET TO A POINT OF CURVE;

2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 18°00'09", A RADIUS OF 560.00 FEET, A DISTANCE OF 175.95 FEET TO THE POINT OF BEGINNING;

**TENCEN CONTINUING ON SAID NORTHERLY LINE THE FOLLOWING TWO (2) COURSES:**

1. ON THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTER BEARS N17°40'32"E, HAVING A DELTA OF 04°00'38", A RADIUS OF 560.00 FEET, A DISTANCE OF 39.20 FEET TO A POINT OF TANGENT;

2. N68°18'50"W, A DISTANCE OF 145.93 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE AS DESCRIBED IN BOOK 2678 AT PAGE 430;

**THENCE N21°41'10"E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1,684.25 FEET TO THE ANGLE POINT OF THE TRACT OF LAND DESCRIBED IN DOCUMENT RECORDED UNDER RECEPTION NO. 218005438;**

**THENCE S03°17'03"W, ON SAID BOUNDARY LINE OF SAID TRACT, A DISTANCE OF 348.46 FEET TO A POINT THAT IS 110.00 FEET EASTERLY OF THE EAST RIGHT OF WAY LINE AS RECORDED IN BOOK 2678 AT PAGE 430, SAID POINT BEING ON THE WESTERLY LINE OF THE PARCEL RECORDED UNDER RECEPTION NO. 219114002;**

**THENCE ON SAID WESTERLY LINE THE FOLLOWING TWO (2) COURSES:**

1. S21°41'10"W ON LINE 110.00 FEET EASTERLY OF AND PARALLEL WITH SAID RIGHT OF WAY LINE A DISTANCE OF 1,163.40 FEET;

2. S00°00'00"E, A DISTANCE OF 203.23 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 174,258 SQUARE FEET OR 4.00 ACRES, MORE OR LESS.

**DEDICATION:**

THE ABOVE OWNER HAS CAUSED SAID TRACT OF LAND TO BE SURVEYED AND SUBDIVIDED INTO TRACTS AND EASEMENTS, AS SHOWN ON THE ACCOMPANYING PLAT, WHICH PLAT IS DRAWN TO A FIXED SCALE AS INDICATED HEREON AND ACCURATELY SETS FORTH THE BOUNDARIES AND DIMENSIONS OF SAID TRACT AND THE LOCATION OF SAID TRACTS AND EASEMENTS SHOWN HEREON ARE DEDICATED FOR PUBLIC USE AS SHOWN, AND WHICH TRACT SO PLATTED SHALL BE KNOWN AS BLACK FOREST TRAILS ASSOCIATION, INC. SUBDIVISION EXEMPTION PLAT, EL PASO COUNTY, COLORADO.

**IN WITNESS WHEREOF:**

THE AFOREMENTIONED OWNERSHIP ENTITY BLACK FOREST TRAILS ASSOCIATION, INC., A COLORADO NON-PROFIT CORPORATION HAS EXECUTED THIS PLAT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.

BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

**NOTARIAL:**

STATE OF COLORADO  
COUNTY OF EL PASO

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.,

BY \_\_\_\_\_

WITNESS MY HAND AND SEAL \_\_\_\_\_ MY COMMISSION

EXPIRES: \_\_\_\_\_

**NOTES:**

- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY EL PASO COUNTY, COLORADO TO DETERMINE THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS OF LAND, OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY OR TITLE OF RECORD, EL PASO COUNTY, COLORADO RELIED UPON TITLE ORDER NO. RND55106119, PREPARED BY LAND TITLE GUARANTEE COMPANY FOR THE COUNTY OF EL PASO, STATE OF COLORADO, DATED JUNE 13, 2022 AT 5:00 P.M.
- BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST BEING MONUMENTED AT THE EAST END BY A FOUND 3-1/4" ALUMINUM CAP STAMPED "PLS 10376 2006" AND AT THE WEST END BY AN ALUMINUM CAP STAMPED "PE PLS 9853", WHICH BEARS S89°40'23"W, A DISTANCE OF 1,313.55 FEET AS MEASURED BY GPS AS OBSERVED CONTROL POINTS FOR 360 EPOCHS AT EACH MONUMENTED POINT.
- THIS TRACT IS SUBJECT TO EXISTING LEASES AND TENANCIES, IF ANY.
- THIS TRACT IS SUBJECT TO RESERVATION OF ROAD RIGHT OF WAY IN DEED RECORDED MAY 6, 1924 IN BOOK 565 AT PAGE 430.
- THIS TRACT IS SUBJECT TO ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE BLACK FOREST VOLUNTEER FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED OCTOBER 11, 1967, IN BOOK 2772 AT PAGE 121.
- THIS TRACT IS SUBJECT TO ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE FALCON FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED DECEMBER 02, 1980, IN BOOK 3380 AT PAGE 675 AND RECORDED FEBRUARY 17, 1981 IN BOOK 3404 AT PAGE 582. ORDER AND DECREE CREATING DISTRICT RECORDED DECEMBER 2, 1980 IN BOOK 3380 AT PAGE 670 AND FEBRUARY 17, 1981 IN BOOK 3404 AT PAGE 587.
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RIGHT OF WAY RECORDED FEBRUARY 11, 1983 IN BOOK 3673 AT PAGE 908.

- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN STIPULATION RECORDED AUGUST 30, 1985 IN BOOK 5054 AT PAGE 1178.
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION RECORDED OCTOBER 27, 1994 IN BOOK 6551 AT PAGE 588
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT EASEMENT RECORDED JANUARY 27, 2014 UNDER RECEPTION NO. 214006501.
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT EASEMENT RECORDED JANUARY 27, 2014 UNDER RECEPTION NO. 214006502.
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ADMINISTRATIVELY APPROVED PERMIT RECORDED JULY 31, 2014 UNDER RECEPTION NO. 214068509.
- THIS TRACT IS SUBJECT TO THE RESERVATIONS AS CONTAINED IN DEED RECORDED NOVEMBER 15, 2016 UNDER RECEPTION NO. 216132317.
- THIS TRACT IS SUBJECT TO THE CONVEYANCE OF WATER RIGHTS IN SPECIAL WARRANTY DEED RECORDED NOVEMBER 15, 2016 UNDER RECEPTION NO. 216132318
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF REFEREE AND DECREE RECORDED AUGUST 09, 2018 UNDER RECEPTION NO. 218092584.
- PER C.R.S. §38-51-106, ALL LINEAL UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO C.R.S. §18-4-508.
- THIS TRACT IS IN FLOODPLAIN ZONE X AS DETERMINED BY FIRM MAP NUMBER 08041C0535G AS REVISED ON DECEMBER 7, 2018.

**SURVEYOR'S CERTIFICATION:**

I, DAVID P. FORNEY, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY SATE THAT THIS SURVEY (AS DEFINED IN 12-25-202(6)(a), C.R.S.) AND THIS RESULTING PLAT WAS MADE UNDER MY RESPONSIBLE CHARGE AND IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THAT THIS PLAT AND THE NOTES SHOWN HEREON ACCURATELY REPRESENTS SAID SURVEY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. THIS STATEMENT IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.



PREPARED BY: DAVID P. FORNEY  
COLORADO PROFESSIONAL LAND SURVEYOR NO. 38701  
JULY \_\_\_\_\_, 2022  
JOB NUMBER 521687  
FOR AND ON BEHALF OF  
EL PASO COUNTY

**ADDRESS:**  
0 VOLLMER ROAD, COLORADO SPRINGS, CO 80908

**APPROVALS:**

THIS EXEMPTION FROM SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST, OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D., SUBJECT TO ANY NOTES OR CONDITIONS SPECIFIED HEREON.

**BOARD OF COUNTY COMMISSIONERS CERTIFICATE:**

THIS EXEMPTION FROM SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST, OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO WAS APPROVED FOR FILING BY THE EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D., SUBJECT TO ANY NOTES OR CONDITIONS SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RESOLUTION APPROVAL.

\_\_\_\_\_  
CHAIR, BOARD OF COUNTY COMMISSIONERS DATE

**CLERK AND RECORDER'S CERTIFICATE:**

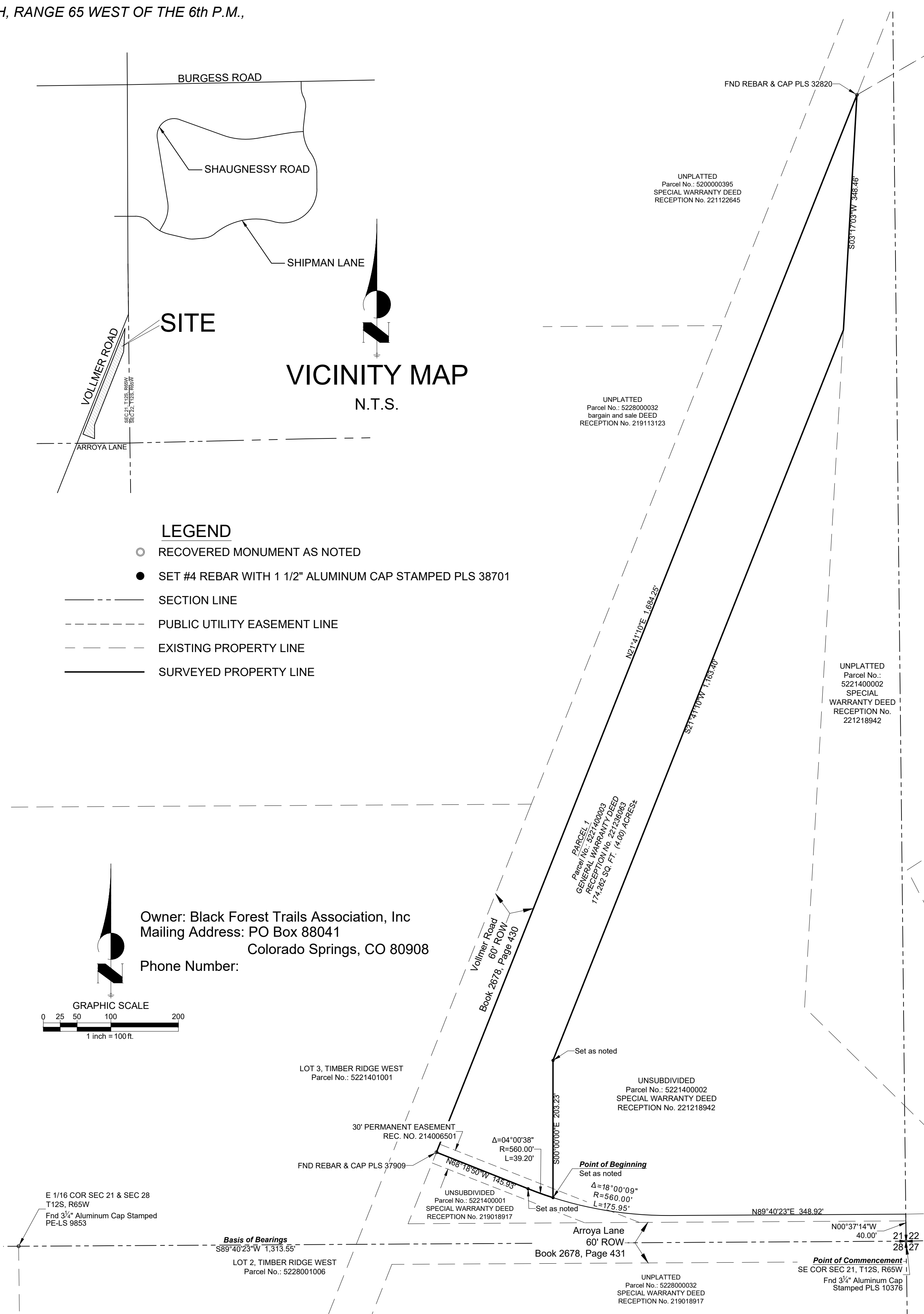
STATE OF COLORADO )  
)SS  
COUNTY OF EL PASO )

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORDING IN MY OFFICE AT \_\_\_\_\_ O'CLOCK \_\_\_\_ M. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D., AND IS DULY RECORDED AT RECEPTION NO. \_\_\_\_\_ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CHUCK BROERMAN, COUNTY CLERK & RECORDER

BY: \_\_\_\_\_  
DEPUTY

SURCHARGE: \_\_\_\_\_  
FEE: \_\_\_\_\_



Black Forest Trails Association, Inc Subdivision Exemption Plat		
Owner: Black Forest Trails Association, Inc		
Mailing Address: PO Box 88041, Colorado Springs, CO 80908		
Phone Number:		
Drawing File Name: Vollmer&ArroyaExemptionPlat.dwg	Project No.: 531710	By: NH
Date of Preparation: 07/27/2022	Scale: 1"=100'	Sheet: 1 of 1

"NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon."



**El Paso County**  
Department of Public Works/Engineering Division  
3275 Akers Drive, Colorado Springs,  
Colorado 80922-1547  
Ph: 719-520-6460 Fax: 719-520-6878

RESOLUTION NO. 23-

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

SUBDIVISION EXEMPTION  
ARROYA LANE SUBDIVISION EXEMPTION (EX-23-002)

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, El Paso County Parks and Community Services did file an application with the El Paso County Planning and Community Development Department for an exemption from the El Paso County Subdivision Regulations for property located within the unincorporated area of the County, hereinafter referred to as the "property," and legally described and incorporated herein as Exhibit "A";

WHEREAS, El Paso County Parks and Community Services intends to utilize the property for the purposes of a trail corridor for the proposed Sand Creek Regional Trail, which will connect extensive trail systems in the city of Colorado Springs, Pineries Open Space, Black Forest Section 16, and Palmer Divide Regional Trail/Woodlake Trail; and

WHEREAS, a public hearing was held by this Board on June 20, 2023; 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; 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 Board of County Commissioners during the hearing, 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 to the public would be served by requiring the subdivision of the subject property.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Board of County Commissioners hereby approves the petition of El Paso County Parks and Community Services for a subdivision exemption of a 4-acre parcel of property in the incorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference; and

BE IT FURTHER RESOLVED, the parcel shall be limited to the use as stated in this Resolution; and

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

CONDITIONS

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.
2. The preservation of potential additional ROW shall be required in the event the dedicated ROW shown here is not adequate for the required radii of the future extension of Mitchell Avenue.

NOTATIONS

1. Subdivision Exemption requests not forwarded to the 24 Board of County Commissioners for consideration within 180 days of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.

APPROVED this 20th day of June 2023.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

By: \_\_\_\_\_  
Chair

ATTEST:  
By: \_\_\_\_\_  
County Clerk & Recorder

# EXHIBIT A

## BLACK FOREST TRAILS ASSOCIATION, INC. SUBDIVISION EXEMPTION PLAT

AN EXEMPTION FROM SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6th P.M.,  
COUNTY OF EL PASO, STATE OF COLORADO

### KNOW ALL MEN BY THESE PRESENTS:

THAT BLACK FOREST TRAILS ASSOCIATION, INC., A COLORADO NON-PROFIT CORPORATION BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

### PROPERTY DESCRIPTION:

A TRACT OF LAND BEING A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

**COMMENCING AT THE SOUTHEAST CORNER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE RIGHT OF WAY AS RECORDED IN BOOK 2678 AT PAGE 431, RECORDS OF EL PASO COUNTY, COLORADO;**

**THENCE N00°37'14"W ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21, A DISTANCE OF 40.00 FEET, TO A POINT ON THE NORTHERLY LINE OF THE PARCEL RECORDED UNDER RECEPTION NO. 219018917;**

**THENCE ON THE NORTHERLY LINE OF SAID PARCEL THE FOLLOWING TWO (2) COURSES:**

1. S89°40'23"W ON A LINE 40' FEET NORTH OF AND PERPENDICULAR WITH THE NORTH LINE OF SAID RIGHT OF WAY A DISTANCE OF 348.92 FEET TO A POINT OF CURVE;

2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 18°00'09", A RADIUS OF 560.00 FEET, A DISTANCE OF 175.95 FEET TO THE POINT OF BEGINNING;

**TENCE CONTINUING ON SAID NORTHERLY LINE THE FOLLOWING TWO (2) COURSES:**

1. ON THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTER BEARS N17°40'32"E, HAVING A DELTA OF 04°00'38", A RADIUS OF 560.00 FEET, A DISTANCE OF 39.20 FEET TO A POINT OF TANGENT;

2. N68°18'50"W, A DISTANCE OF 145.93 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE AS DESCRIBED IN BOOK 2678 AT PAGE 430;

**THENCE N21°41'10"E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1,684.25 FEET TO THE ANGLE POINT OF THE TRACT OF LAND DESCRIBED IN DOCUMENT RECORDED UNDER RECEPTION NO. 218005438;**

**THENCE S03°17'03"W, ON SAID BOUNDARY LINE OF SAID TRACT, A DISTANCE OF 348.46 FEET TO A POINT THAT IS 110.00 FEET EASTERLY OF THE EAST RIGHT OF WAY LINE AS RECORDED IN BOOK 2678 AT PAGE 430, SAID POINT BEING ON THE WESTERLY LINE OF THE PARCEL RECORDED UNDER RECEPTION NO. 219114002;**

**THENCE ON SAID WESTERLY LINE THE FOLLOWING TWO (2) COURSES:**

1. S21°41'10"W ON LINE 110.00 FEET EASTERLY OF AND PARALLEL WITH SAID RIGHT OF WAY LINE A DISTANCE OF 1,163.40 FEET;

2. S00°00'00"E, A DISTANCE OF 203.23 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 174,258 SQUARE FEET OR 4.00 ACRES, MORE OR LESS.

### DEDICATION:

THE ABOVE OWNER HAS CAUSED SAID TRACT OF LAND TO BE SURVEYED AND SUBDIVIDED INTO TRACTS AND EASEMENTS, AS SHOWN ON THE ACCOMPANYING PLAT, WHICH PLAT IS DRAWN TO A FIXED SCALE AS INDICATED HEREON AND ACCURATELY SETS FORTH THE BOUNDARIES AND DIMENSIONS OF SAID TRACT AND THE LOCATION OF SAID TRACTS AND EASEMENTS SHOWN HEREON ARE DEDICATED FOR PUBLIC USE AS SHOWN, AND WHICH TRACT SO PLATTED SHALL BE KNOWN AS BLACK FOREST TRAILS ASSOCIATION, INC. SUBDIVISION EXEMPTION PLAT, EL PASO COUNTY, COLORADO.

### IN WITNESS WHEREOF:

THE AFOREMENTIONED OWNERSHIP ENTITY BLACK FOREST TRAILS ASSOCIATION, INC., A COLORADO NON-PROFIT CORPORATION HAS EXECUTED THIS PLAT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.

### NOTARIAL:

STATE OF COLORADO  
COUNTY OF EL PASO

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.,

### BY:

TITLE: \_\_\_\_\_

### NOTARIAL:

STATE OF COLORADO  
COUNTY OF EL PASO

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.,

### BY:

TITLE: \_\_\_\_\_

### NOTARIAL:

STATE OF COLORADO  
COUNTY OF EL PASO

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.,

### BY:

TITLE: \_\_\_\_\_

### WITNESS MY HAND AND SEAL \_\_\_\_\_ MY COMMISSION

EXPIRES: \_\_\_\_\_

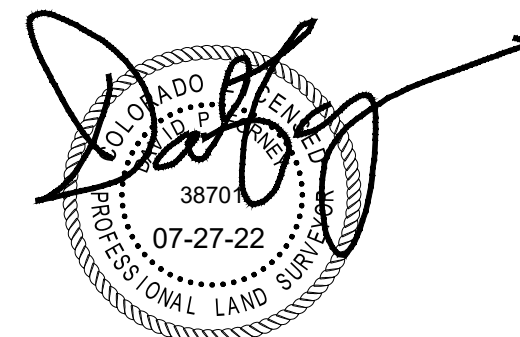
### NOTES:

- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY EL PASO COUNTY, COLORADO TO DETERMINE THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS OF LAND, OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY OR TITLE OF RECORD, EL PASO COUNTY, COLORADO RELIED UPON TITLE ORDER NO. RND55106119, PREPARED BY LAND TITLE GUARANTEE COMPANY FOR THE COUNTY OF EL PASO, STATE OF COLORADO, DATED JUNE 13, 2022 AT 5:00 P.M.
- BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST BEING MONUMENTED AT THE EAST END BY A FOUND 3-1/4" ALUMINUM CAP STAMPED "PLS 10376 2006" AND AT THE WEST END BY AN ALUMINUM CAP STAMPED "PE PLS 9853", WHICH BEARS S89°40'23"W, A DISTANCE OF 1,313.55 FEET AS MEASURED BY GPS AS OBSERVED CONTROL POINTS FOR 360 EPOCHS AT EACH MONUMENTED POINT.
- THIS TRACT IS SUBJECT TO EXISTING LEASES AND TENANCIES, IF ANY.
- THIS TRACT IS SUBJECT TO RESERVATION OF ROAD RIGHT OF WAY IN DEED RECORDED MAY 6, 1924 IN BOOK 565 AT PAGE 430.
- THIS TRACT IS SUBJECT TO ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE BLACK FOREST VOLUNTEER FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED OCTOBER 11, 1967, IN BOOK 2772 AT PAGE 121.
- THIS TRACT IS SUBJECT TO ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE FALCON FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED DECEMBER 02, 1980, IN BOOK 3380 AT PAGE 675 AND RECORDED FEBRUARY 17, 1981 IN BOOK 3404 AT PAGE 582. ORDER AND DECREE CREATING DISTRICT RECORDED DECEMBER 2, 1980 IN BOOK 3380 AT PAGE 670 AND FEBRUARY 17, 1981 IN BOOK 3404 AT PAGE 587.
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RIGHT OF WAY RECORDED FEBRUARY 11, 1983 IN BOOK 3673 AT PAGE 908.

- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN STIPULATION RECORDED AUGUST 30, 1985 IN BOOK 5054 AT PAGE 1178.
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION RECORDED OCTOBER 27, 1994 IN BOOK 6551 AT PAGE 588
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT EASEMENT RECORDED JANUARY 27, 2014 UNDER RECEPTION NO. 214006501.
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT EASEMENT RECORDED JANUARY 27, 2014 UNDER RECEPTION NO. 214006502.
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ADMINISTRATIVELY APPROVED PERMIT RECORDED JULY 31, 2014 UNDER RECEPTION NO. 214068509.
- THIS TRACT IS SUBJECT TO THE RESERVATIONS AS CONTAINED IN DEED RECORDED NOVEMBER 15, 2016 UNDER RECEPTION NO. 216132317.
- THIS TRACT IS SUBJECT TO THE CONVEYANCE OF WATER RIGHTS IN SPECIAL WARRANTY DEED RECORDED NOVEMBER 15, 2016 UNDER RECEPTION NO. 216132318
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF REFEREE AND DECREE RECORDED AUGUST 09, 2018 UNDER RECEPTION NO. 218092584.
- PER C.R.S. §38-51-106, ALL LINEAL UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO C.R.S. §18-4-508.
- THIS TRACT IS IN FLOODPLAIN ZONE X AS DETERMINED BY FIRM MAP NUMBER 08041C0535G AS REVISED ON DECEMBER 7, 2018.

### SURVEYOR'S CERTIFICATION:

I, DAVID P. FORNEY, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY SATE THAT THIS SURVEY (AS DEFINED IN 12-25-202(6)(a), C.R.S.) AND THIS RESULTING PLAT WAS MADE UNDER MY RESPONSIBLE CHARGE AND IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THAT THIS PLAT AND THE NOTES SHOWN HEREON ACCURATELY REPRESENTS SAID SURVEY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. THIS STATEMENT IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.



PREPARED BY: DAVID P. FORNEY  
COLORADO PROFESSIONAL LAND SURVEYOR NO. 38701  
JULY \_\_\_\_\_, 2022  
JOB NUMBER 521687  
FOR AND ON BEHALF OF  
EL PASO COUNTY

ADDRESS:  
0 VOLLMER ROAD, COLORADO SPRINGS, CO 80908

### APPROVALS:

THIS EXEMPTION FROM SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST, OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO WAS APPROVED FOR FILING BY THE EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D., SUBJECT TO ANY NOTES OR CONDITIONS SPECIFIED HEREON.

### BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

THIS EXEMPTION FROM SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 65 WEST, OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO WAS APPROVED FOR FILING BY THE EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D., SUBJECT TO ANY NOTES OR CONDITIONS SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RESOLUTION APPROVAL.

### CHAIR, BOARD OF COUNTY COMMISSIONERS

DATE

### CLERK AND RECORDER'S CERTIFICATE:

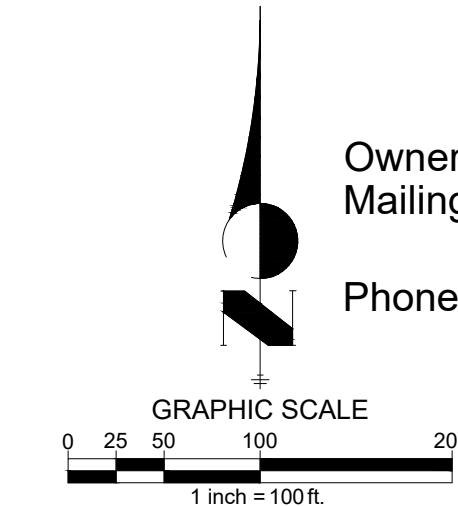
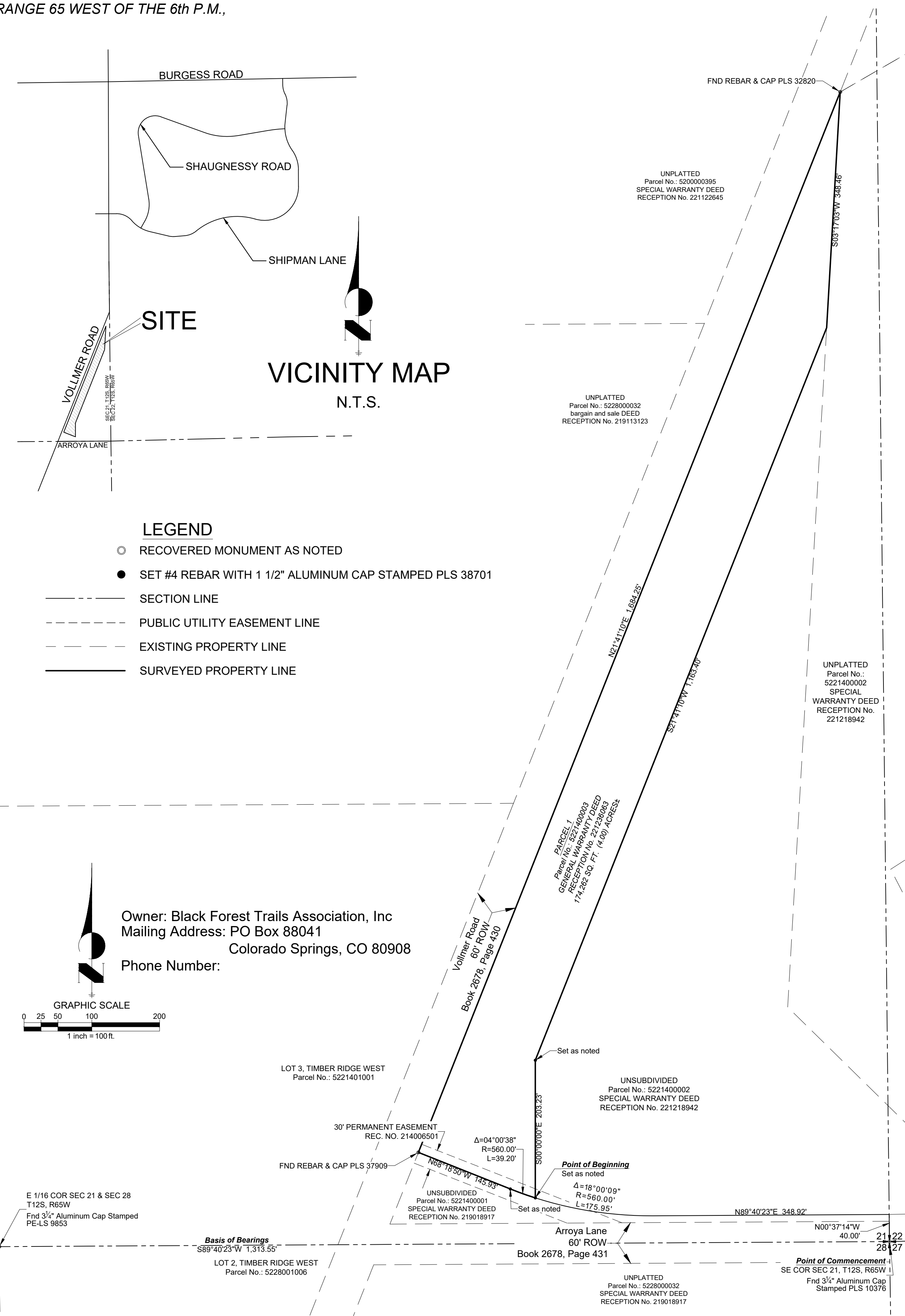
STATE OF COLORADO )  
 )SS  
COUNTY OF EL PASO )

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORDING IN MY OFFICE AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D., AND IS DULY RECORDED AT RECEPTION NO. \_\_\_\_\_ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

### CHUCK BROERMAN, COUNTY CLERK & RECORDER

BY: \_\_\_\_\_  
DEPUTY

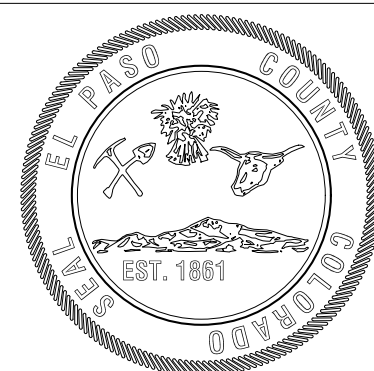
SURCHARGE: \_\_\_\_\_  
FEE: \_\_\_\_\_



Owner: Black Forest Trails Association, Inc  
Mailing Address: PO Box 88041  
Colorado Springs, CO 80908

Phone Number: \_\_\_\_\_

Black Forest Trails Association, Inc Subdivision Exemption Plat		
Owner: Black Forest Trails Association, Inc		
Mailing Address: PO Box 88041, Colorado Springs, CO 80908		
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