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RESOLUTION NO. 113-295

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

APPROVE PAINT BRUSH HILLS MASTER PLAT EXHIBIT AND PAINT BRUSH HILLS FILING NO. 13A FINAL PLAT (SF-13-003)

WHEREAS, Six Ninety Nine LA, LLC and Wiepking Real Estate Investments did file an application with the Development Services Department of El Paso County for the approval of a Final Plat for Paint Brush Ills Master Plat Exhibit and Paint Brush Hills Filing No. 13A Final Plat for the herein described property in the unincorporated area of El Paso County; and

WHEREAS, a public hearing was held by this Board on June 25, 2013; and

WHEREAS, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the county, recommendations of the El Paso County Planning Commission, comments of the El Paso County Development Services Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

1. Proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of El Paso County.
2. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested parties were heard at those hearings.
3. The proposed subdivision of land is in compliance with the recommendations set forth in the master plan for the unincorporated area of the county.
4. That the subdivision is in substantial conformance with the approved Preliminary Plan.
5. That the subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
6. That a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(1)] and the requirements of Chapter 8 of the Land Development Code.
7. That a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Land Development Code.

8. That all areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)].
9. That adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the El Paso County Land Development Code and Engineering Criteria Manual.
10. That necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
11. That final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
12. That off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Land Development Code.
13. That adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the Subdivision Improvements Agreement so the impacts of the subdivision will be adequately mitigated.
14. That the subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
15. That the extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.].
16. Fees in lieu of regional and urban park land dedication in the amounts of \$4,454.00 (Region 2) and \$2,805.00 (Urban Area 3) shall be paid to El Paso County at time of plat recordation.
17. That the proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
18. For the above-stated and other reasons, the proposed subdivision is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the Paint Brush Hills Filing No. 13A Final Plat, and Paint Brush Hills Master Plat Exhibit request as submitted by Six Ninety Nine LA, LLC and Wiepking Real Estate Investments for 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/notations shall be placed upon this approval:

CONDITIONS OF APPROVAL

1. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 12-382), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
2. Drainage and bridge fees (Falcon Drainage Basin CHWS1400) apply. The development has a drainage fee credit of \$44,322.33. The calculated drainage fee for Filing 13A is \$20,539.20 which will be subtracted from the drainage fee credit. The credit balance will be reduced to \$23,783.13. The Bridge fee of \$7,885.68 is due at time of recording.
3. 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.
4. 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, for 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 Development Services 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.
5. The County Attorney's Conditions of Compliance shall be adhered to.
6. A driveway access permit will be required from El Paso County DSD for any access to a county-maintained roadway.
7. The Subdivision Improvement Agreement (SIA), including the Financial Assurance Estimate as approved by the Development Services Department (DSD) shall be recorded at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided to DSD in the name of El Paso County at the time of recording the Final Plat.
9. Fees in lieu of regional and urban park land dedication in the amounts of \$4,454.00 (Region 2) and \$2,805.00 (Urban Area 3) shall be paid to El Paso County at time of plat recordation.
10. Minor corrections to the master plat exhibit shall be completed prior to recoding of both the Paint Brush Hills Filing No. 13A and the master plat exhibit pursuant to Resolution 12-48.

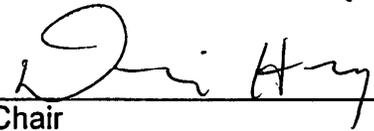
NOTATIONS

1. Final plats not recorded within 24 months of the Board of County Commissioner approval shall be deemed expired, unless an extension is approved.
2. The master plat exhibit does not create legal lots.
3. In conjunction with recording the final plat the applicant shall record a Title 32 Special District Annual Report and Disclosure Form satisfactory to the Development Services Department.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 25th day of June 2013, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By: 
Chair

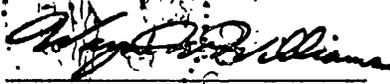

ATTEST:

County Clerk & Recorder

EXHIBIT A

PARCEL NO. 1

A PARCEL OF LAND BEING A PORTION OF THE WEST HALF OF SECTION 25, AND THE EAST HALF OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE EAST END BY A 3¼" ALUMINUM CAP STAMPED "P.L.S. 12103", AND AT THE WEST END BY A NO. 6 REBAR WITH 2½ " ALUMINUM CAP STAMPED "P.L.S. 4842", ASSUMED TO BEAR N89°02'00"W, A DISTANCE OF 2614.11 FEET, AS SHOWN ON A LAND SURVEY PLAT BY W.K. CLARK AND ASSOCIATES, DATED AUGUST 13, 1999

COMMENCING AT THE SOUTHWESTERLY CORNER OF THE NORTHERLY INTERSECTION OF LONDONDERRY DRIVE AND TOWNER AVENUE AS PLATTED IN PAINT BRUSH HILLS FILING NO. 10, RECORDED UNDER RECEPTION NO. 203174940, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON THE WESTERLY RIGHT-OF-WAY LINE OF TOWNER AVENUE AS PLATTED IN SAID PAINT BRUSH HILLS FILING NO. 10, THE FOLLOWING SEVEN (7) COURSES:

1. S00°28'16"E, A DISTANCE OF 1068.18 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 14°56'48", A RADIUS OF 1460.00 FEET, A DISTANCE OF 380.87 FEET TO A POINT OF TANGENT;
3. S14°28'32"W, A DISTANCE OF 67.01 FEET TO A POINT OF CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 05°27'16", A RADIUS OF 1960.00 FEET AND A DISTANCE OF 186.59 FEET TO A POINT OF TANGENT;
5. S19°55'48"W, A DISTANCE OF 151.38 FEET TO A POINT OF CURVE;
6. ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 20°27'30", A RADIUS OF 1040.00 FEET, A DISTANCE OF 371.35 FEET TO A POINT OF REVERSE CURVE;
7. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 90°29'53", A RADIUS OF 25.00 FEET, A DISTANCE OF 39.49 FEET TO A POINT OF TANGENT, SAID POINT BEING ON THE RIGHT-OF-WAY OF LONDONDERRY DRIVE AS PLATTED IN SAID PAINTBRUSH HILLS FILING NO. 10;

THENCE ON THE RIGHT-OF-WAY OF SAID LONDONDERRY DRIVE, THE FOLLOWING FOURTEEN (14) COURSES:

1. S89°58'11"W, A DISTANCE OF 415.86 FEET TO A POINT OF CURVE;

2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA ANGLE OF $43^{\circ}03'19''$, A RADIUS OF 560.00 FEET, A DISTANCE OF 420.82 FEET TO A POINT OF TANGENT;
3. $N46^{\circ}58'30''W$, A DISTANCE OF 208.80 FEET TO A POINT OF CURVE;
4. ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF $05^{\circ}39'39''$, A RADIUS OF 1040.00 FEET, A DISTANCE OF 102.75 FEET TO A POINT OF TANGENT;
5. $N52^{\circ}38'09''W$, A DISTANCE OF 194.90 FEET TO A POINT OF CURVE;
6. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF $10^{\circ}39'25''$, A RADIUS OF 560.00 FEET, A DISTANCE OF 104.16 FEET TO A POINT OF TANGENT;
7. $N41^{\circ}58'44''W$, A DISTANCE OF 240.55 FEET TO A POINT OF CURVE;
8. ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF $04^{\circ}59'46''$, A RADIUS OF 1040.00 FEET, A DISTANCE OF 90.69 FEET TO A POINT OF TANGENT;
9. $N46^{\circ}58'30''W$, A DISTANCE OF 968.79 FEET TO A POINT OF CURVE;
10. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF $46^{\circ}58'30''$, A RADIUS OF 520.00 FEET, A DISTANCE OF 426.33 FEET TO A POINT OF TANGENT;
11. $N00^{\circ}00'00''E$, A DISTANCE OF 239.64 FEET TO A POINT OF CURVE;
12. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF $108^{\circ}52'36''$, A RADIUS OF 521.00 FEET, A DISTANCE OF 990.03 FEET TO A POINT OF TANGENT;
13. $S71^{\circ}07'24''E$, A DISTANCE OF 878.88 FEET TO A POINT OF CURVE;
14. ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF $04^{\circ}45'29''$, A RADIUS OF 1240.00 FEET, A DISTANCE OF 102.97 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 971274195;

THENCE ON THE BOUNDARY OF SAID PARCEL, THE FOLLOWING SEVEN (7) COURSES:

1. $S89^{\circ}31'44''W$, A DISTANCE OF 98.35 FEET;
2. $S00^{\circ}00'00''E$, A DISTANCE OF 233.13 FEET;
3. $S90^{\circ}00'00''W$, A DISTANCE OF 40.75 FEET;
4. $S00^{\circ}00'00''E$, A DISTANCE OF 47.00 FEET;
5. $N90^{\circ}00'00''E$, A DISTANCE OF 60.75 FEET;
6. $N00^{\circ}00'00''E$, A DISTANCE OF 260.29 FEET;
7. $N89^{\circ}31'44''E$, A DISTANCE OF 169.14 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE RIGHT-OF-WAY OF SAID LONDONDERRY DRIVE;

THENCE ON THE RIGHT-OF-WAY LINE OF SAID LONDONDERRY DRIVE, THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS $N09^{\circ}49'45''E$, HAVING A DELTA OF $10^{\circ}18'01''$, A RADIUS OF 1240.00 FEET, A DISTANCE OF 222.92 FEET TO A POINT OF TANGENT;
2. $N89^{\circ}31'44''E$, A DISTANCE OF 674.28 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 106.707 ACRES

PARCEL NO. 2

A PARCEL OF LAND LOCATED IN A PORTION OF THE WEST HALF OF SECTION 25, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTHERLY BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 2732 AT PAGE 860, RECORDS OF EL PASO COUNTY, COLORADO BEING MONUMENTED AT THE WESTERLY END BY A NO. 4 REBAR WITH CAP STAMPED "PLS 4842" AND AT THE EASTERLY END BY A NO. 4 REBAR WITH CAP STAMPED "LS 26298", ASSUMED TO BEAR S89°59'44"E, A DISTANCE OF 924.92 FEET.

COMMENCING AT THE MOST NORTHWESTERLY CORNER OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 2732 AT PAGE 860, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;

THENCE S19°55'48"W ON THE WESTERLY BOUNDARY LINE OF SAID PARCEL OF LAND, A DISTANCE OF 624.61 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF PAINT BRUSH HILLS FILING NO. 10, RECORDED UNDER RECEPTION NO. 203174940, RECORDS OF EL PASO COUNTY, COLORADO;

THENCE N75°31'28"W, A DISTANCE OF 9.28 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TOWNER AVENUE AS PLATTED IN SAID PAINT BRUSH HILLS FILING NO. 10;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES:

1. N14°28'32"E, A DISTANCE OF 67.01 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 14°56'48", A RADIUS OF 1540.00 FEET, A DISTANCE OF 401.74 FEET TO A POINT OF TANGENT;
3. N00°28'16"W, A DISTANCE OF 835.92 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 97124195, RECORDS OF EL PASO COUNTY, COLORADO;

THENCE ON THE BOUNDARY OF SAID PARCEL OF LAND THE FOLLOWING TWO (2) COURSES:

1. N89°30'37"E, A DISTANCE OF 321.81 FEET;
2. N00°30'44"W, A DISTANCE OF 243.31 FEET TO A POINT OF THE SOUTHERLY RIGHT-OF-WAY LINE OF LONDONDERRY DRIVE AS PLATTED IN PAINT BRUSH HILLS FILING NO. 9, RECORDED UNDER RECEPTION NO. 201034893, RECORDS OF EL PASO COUNTY, COLORADO;

THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING FOUR (4) COURSES:

1. S89°36'44"E, A DISTANCE OF 615.11 FEET TO A POINT OF CURVE;

2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 03°42'17", A RADIUS OF 540.00 FEET, A DISTANCE OF 34.92 FEET TO A POINT OF TANGENT;
3. N86°40'59"E, A DISTANCE OF 36.05 FEET TO A POINT OF CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 08°45'46", A RADIUS OF 584.00 FEET, A DISTANCE OF 89.32 FEET TO THE NORTHWESTERLY CORNER OF PAINT BRUSH HILLS FILING NO. 5, AS RECORDED IN PLAT BOOK H-5 AT PAGE 102;

THENCE S00°24'08"W, ON THE BOUNDARY LINE OF SAID PAINT BRUSH HILLS FILING NO. 5, A DISTANCE OF 956.84 FEET, TO THE SOUTHWESTERLY CORNER OF SAID PAINT BRUSH HILLS FILING NO. 5, SAID POINT BEING ON THE NORTHERLY BOUNDARY OF THE PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 2732 AT PAGE 860;
THENCE N89°59'44"W ON SAID NORTHERLY BOUNDARY, A DISTANCE OF 924.92 FEET TO THE POINT OF BEGINNING

CONTAINING A CALCULATED AREA OF 23.063 ACRES.

PARCEL NO. 3

A PARCEL OF LAND LOCATED IN A PORTION OF SECTIONS 25 AND 26, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS;

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, MONUMENTED AT THE WESTERLY END BY A 2½" ALUMINUM CAP STAMPED "PLS 4842" AND AT THE EASTERLY END BY A 2½" ALUMINUM CAP ASSUMED TO BEAR N88°44'51"E, A DISTANCE OF 2640.24 FEET;

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;

THENCE N88°44'51"E ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, A DISTANCE OF 2640.24 FEET TO THE NORTHEAST CORNER OF SAID SECTION 26;

THENCE N89°01'20"E ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, A DISTANCE OF 149.59 FEET TO THE NORTHWESTERLY CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 3753 AT PAGE 293, RECORDS OF EL PASO COUNTY, COLORADO;

THENCE ON THE BOUNDARY OF SAID TRACT OF LAND DESCRIBED IN BOOK 3753 AT PAGE 293, THE FOLLOWING TWO (2) COURSES:

1. S01°15'14"E A DISTANCE OF 110.27 FEET;

2. N88°44'46"E A DISTANCE OF 93.37 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF PAINT BRUSH HILLS FILING NO. 9, AS RECORDED UNDER RECEPTION NO. 201034893, IN THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE ON SAID WESTERLY BOUNDARY LINE, THE FOLLOWING SEVEN (7) COURSES:

1. S00°17'07"E, A DISTANCE OF 124.95 FEET;
2. S46°12'54"E, A DISTANCE OF 267.00 FEET;
3. S28°00'32"E, A DISTANCE OF 441.09 FEET;
4. N74°32'21"E, A DISTANCE OF 116.88 FEET;
5. S04°27'03"E, A DISTANCE OF 230.27 FEET;
6. S30°21'55"E, A DISTANCE OF 1202.28 FEET;
7. S08°36'59"E, A DISTANCE OF 241.99 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LONDONDERRY DRIVE AS PLATTED IN SAID PAINT BRUSH HILLS FILING NO. 9, SAID POINT BEING ALSO ON THE NORTHERLY RIGHT-OF-WAY OF LONDONDERRY DRIVE AS PLATTED IN PAINT BRUSH HILLS FILING NO. 10, AS RECORDED UNDER RECEPTION NO. 203174940;

THENCE ON THE NORTHERLY RIGHT-OF-WAY OF LONDONDERRY DRIVE AS PLATTED IN SAID PAINT BRUSH HILLS FILING NO. 10, THE FOLLOWING SIX (6) COURSES:

1. S85°23'01"W, A DISTANCE OF 74.65 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 04°08'43", A RADIUS OF 760.00 FEET, A DISTANCE OF 54.98 FEET TO A POINT OF TANGENT;
3. S89°31'44"W, A DISTANCE OF 742.42 FEET TO A POINT OF CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 19°20'52", A RADIUS OF 1160.00 FEET, A DISTANCE OF 391.71 FEET TO A POINT OF TANGENT;
5. N71°07'24"W, A DISTANCE OF 878.88 FEET TO A POINT OF CURVE;
6. ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 96°27'56", A RADIUS OF 601.00 FEET, A DISTANCE OF 1011.86 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF PAINT BRUSH HILLS FILING NO. 12 AS RECORDED UNDER RECEPTION NO. 205072511;

THENCE ON SAID NORTHERLY BOUNDARY THE FOLLOWING (8) EIGHT COURSES:

1. N77°35'20"W, A DISTANCE OF 251.00 FEET TO A POINT ON CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S77°35'20"E, HAVING A DELTA OF 03°09'57", A RADIUS OF 852.00 FEET, A DISTANCE OF 47.08 FEET TO A POINT ON CURVE;
3. N74°25'23"W, A DISTANCE OF 231.02 FEET;
4. S34°44'45"W, A DISTANCE OF 75.37 FEET;
5. S62°22'41"W, A DISTANCE OF 141.22 FEET;
6. N80°50'00"W, A DISTANCE OF 150.00 FEET;
7. N42°50'00"W, A DISTANCE OF 142.62 FEET;
8. S89°25'17"W, A DISTANCE OF 299.11 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 26;

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THENCE N00°34'43"W ON SAID WEST LINE, A DISTANCE OF 2169.85 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 172.079 ACRES,

CONTAINING A TOTAL AREA OF 301.852 ACRES.