

**ADMINISTRATIVE VACATION OF A LOT LINE AND A
DRAINAGE AND UTILITY EASEMENT WITHIN
UNINCORPORATED EL PASO COUNTY, COLORADO**

WHEREAS, Christopher A Eagan and Kendra A Eagan are the current property owner of Lots 165, 166 and 167 of Peyton Pines Filling Number 3 Subdivision, El Paso County, Colorado; and

WHEREAS, the property consists of three (3) contiguous lots separated by a common lot line under common ownership; and

WHEREAS, Christopher A Eagan and Kendra A Eagan have requested that the three (3) lots be combined for building and development purposes by vacating said common lot line and drainage and utility easement; and

WHEREAS, the proposed vacation of the common lot line and drainage and utility easement can be accomplished by utilizing an administrative procedure; and

WHEREAS, the proposed vacation of the common lot line and drainage and utility easement does not substantially modify the original final plat of the Peyton Pines Filling Number 3 Subdivision; and

WHEREAS, the property is encumbered by a ten-foot-wide public utility easement along each side property line of the three (3) contiguous lots; and

WHEREAS, the property owner has requested that said easement located along the lot line between Lots 165, 166 and 167 be vacated as depicted on Exhibit A, attached; and

WHEREAS, this proposed vacation of a portion of the easement can be accomplished by utilizing an administrative procedure; and

WHEREAS, the proposed vacation of the easement does not substantially modify the original final plat of the Peyton Pines Filling Number 3 Subdivision; and

WHEREAS, the Planning and Community Development Executive Director has made the following findings:

1. The lot line is no longer necessary for original purposes for which it was established or needed by those who have a right to it;
2. The resolution of approval or the vacation plat adequately renames or renumbers the lot;
3. The vacation of the lot line will not adversely affect the public health, safety, and welfare; and
4. Where the lots or parcels are subject to any covenants, conditions, and restrictions (CC&Rs) that any potential conflict with the CC&Rs or other restrictions resulting from the removal of the lot line has been resolved.

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WHEREAS, the following have responded indicating no objection or concern with the proposed vacation of the drainage and utility easement:

1. Black Hills Utilities
2. Mountain View Electric Association, Inc.

NOW, THEREFORE, BE IT RESOLVED that the common lot line and associated easements common to Lot 165, Lot 166 and Lot 167 Peyton Pines Filling Number 3 Subdivision, El Paso County, Colorado are hereby vacated as depicted on Exhibit A;

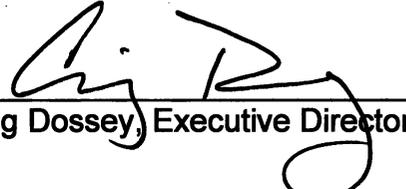
AND BE IT FURTHER RESOLVED that all other terms, limitations and conditions of the Peyton Pines Filling Number 3 Subdivision plat remain valid and in effect.

AND BE IT FURTHER RESOLVED that this vacation of the above-mentioned common lot line and easement is graphically depicted on a Vacation Map marked as Exhibit A and attached hereto.

AND BE IT FURTHER RESOLVED that the property is hereafter known as **Lot 165A Peyton Pines Filling Number 3 Subdivision**, El Paso County, Colorado.

APPROVED this 7TH day of March 2022.

El Paso County Planning and Community Development Department



Craig Dossey, Executive Director

Exhibit A: Vacation Map

Vacation Drawing – Page 2 of 3

Exhibit B – As Proposed

