



Surveying • Planning

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PCD File: MS2211

Revised April 2, 2025

El Paso County Planning Department  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910

Re: Letter of Intent . . . NABULSI-ABUSHABAN SUBDIVISION

To whom it may concern:

This letter serves as our Letter of Intent for the above referenced minor subdivision Preliminary Plan and Final Plat request. Detailed information on this request is as follows:

Applicant and Owner: NABULSI-ABUSHABAN FAMILY TRUST, Attention: Taher Nabulsi, 14384 Whispering Ridge Road, San Diego, CA 92131-4268; Phone: (858) 245-4927

Site location: 10650 Black Forest Road, El Paso County, CO (Mailing: Colorado Springs, CO 80908) . . . EPC APN: 52190-00-101

Size: 24.796 "net" acres, Zoned RR-5

Proposed Request: The proposed request is to subdivide a 25.636 "gross" acre parcel into four (4) residential lots, with applicable County section line road rights-of-way "exceptions", now dedicated right-of-way additions, to Black Forest Road and Old Ranch Road, and a proposed private road easement (Serenity Ridge Drive) for lot ingress/egress. The current zoning allows for minimum 5-acre lot sizes (minimum 4.75-acre lots adjacent to Section lines) within the zone district. No community outreach was required or is planned as part of this request.

The current state water allocation will allow up to four (4) new wells on this property, as decreed, and with a proposed four-lot subdivision, the water need, water quality and dependability for the proposed uses is being met (as detailed within the previously submitted Colorado Ground Water Determination of Water Rights, Water Resources Report, Water Supply Information Summary and Water Quality Report, and per Final Plat Note.

The application for a minor subdivision complies with El Paso County review criteria for a minor subdivision, as stated in El Paso County Land Development Code Chapter 7 and C.R.S. 30-28-133. Relationship to surrounding land uses is compatible to adjacent properties to the West, East and North. The property to the South is a large parcel for future zone-established development. The proposed subdivision is in general conformance with the goals, objectives and policies of the Master Plan for this area, the subdivision is consistent with the purposes of this code, the subdivision is in conformance with the subdivision design standards and any approved sketch plan (not applicable in this case), to the best effort of all associated subconsultants to the best of their information, knowledge and belief.

Master Plan Conformance: "The subdivision is in conformance with the goals, objectives, and policies of the Master Plan."

**Your El Paso Master Plan (2021)** is a comprehensive document communicating a vision for many factors that influence the quality of in El Paso County, including Land Use. The Master Plan provides a strategy to achieve the vision by putting forth goals and policies that can be used as a framework for decision-making regarding development of the County.

LDC INC.-RELATED COMMENT  
RESPONSES 07-08-25 - DVH

SHEET 1 OF 2

ADDRESSED ON PAGE 4, 2ND  
PARAGRAPH - DVH

This project does not  
require a preliminary  
plan.

V2 Comment:

Please add a discussion  
regarding the no-build  
areas / constraints on  
each lot.

Preliminary Plan and Final



BE IT KNOWN BY THESE PRESENTS:

That NABULSI-ABUSHABAN FAMILY TRUST, being the owner of the following described tract of land to wit:

The East 990 feet of the South 1155 feet of the Southeast Quarter of Section 19 in Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado, EXCEPT the South 30 feet and the East 30 feet thereof;

Containing 24.796 acres, more or less.

OWNERS CERTIFICATE:

The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided, and platted said land into lots, public right-of-way additions and easements as shown hereon under the name and subdivision of NABULSI-ABUSHABAN SUBDIVISION. All public improvements, and public right-of-way additions so platted, are hereby dedicated to public use and said owner does hereby covenant and agree that any public improvements will be constructed to El Paso County standards and that proper drainage and erosion control for same will be provided at said owner's expense, all to the satisfaction of the Board of County Commissioners of El Paso County, Colorado. Upon acceptance by resolution, all public improvements so dedicated will become matters of maintenance by El Paso County, Colorado. The utility easements shown hereon are hereby dedicated for public utilities and communication systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance, and replacement of utility lines and related facilities.

NABULSI-ABUSHABAN FAMILY TRUST

By: Taher Nabulsi, Co-Trustee

By: Rola Abushaban, Co-Trustee

NOTARIAL:

STATE OF CALIFORNIA }  
COUNTY OF SAN DIEGO } SS

Acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Taher Nabulsi and Rola Abushaban, Co-Trustees for NABULSI-ABUSHABAN FAMILY TRUST.

My commission expires \_\_\_\_\_

Witness my hand and seal

Notary Public

MORTGAGEE/LIENHOLDER:

Dedication acknowledged and consent executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D.

NEW HOME LENDING, its Successors and/or Assigns

Signer

Title

NOTARIAL:

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } SS

The above and aforementioned was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D. by \_\_\_\_\_ for NEW HOME LENDING, its Successors and/or Assigns.

Witness my hand and seal

My commission expires \_\_\_\_\_

Notary Public

NOTES:

- This survey does not constitute a title search by LDC, Inc. to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of record, LDC, Inc. relied upon a Commitment for Title Insurance, prepared by FIRST AMERICAN, Commitment No. 5516-4108828 dated October 28, 2023 at 8:00 a.m.
- Individual lot purchasers are responsible for constructing driveways, including necessary drainage culverts from Old Ranch Road per Land Development Code Section 6.3.3.C.2 and 6.3.3.C.3. Due to their length, some of the driveways will need to be specifically approved by the Black Forest Fire and Rescue District.

No driveway shall be established unless an Indicated Common Private Access Easement subdivision.

- Each individual property owner is responsible for constructing a fire suppression system approved by the El Paso County "engineered" system prior to permit approval which are not engineered.

- Basis of Bearings: All bearings are based assumed to bear S89°58'40"W, a distance

- All structural foundations shall be located of Colorado.

Please add and edit to fit your project:  
Wildfire Notes: (Fire Note on Final Plats.)  
(Applicable in the fire districts which have adopted the International Fire Code Appendix H, but subject to fire district approval. As of 4/1/2008 this includes: Black Forest Fire Protection District; Cimarron Hills Fire Protection District; Donald Westcott Fire District; Falcon Fire Protection District; and Tri-Lakes Fire Protection District.)  
At the time of approval of this project, this property is located within the \_\_\_\_\_ Fire Protection District, which has adopted a Fire Code requiring residential fire sprinkler requirements for covered structures over 6000 square feet in size, and other fire mitigation requirements depending upon the level of fire risk associated with the property and structures. The owner of any lot should contact the fire district to determine the exact development requirements relative to the adopted Fire Code.  
Due to wildfire concerns, homeowners are encouraged to incorporate wildfire fuel break provisions as recommended by the Colorado State Forest Service and illustrated through publications available through the State Forest Service.  
Wildfire Plat Restriction:  
(The following plat restriction shall be placed on the first sheet of the plat whenever thinnings of forest cover are necessary to help reduce the hazards and risks of wildfire.)  
As a condition of approval of this plat by the Board of County Commissioners, no conveyance, sale or transfer of title of lots (insert lot numbers) or tracts (insert tract names) identified hereon, shall be made, nor any building permit or certificate of occupancy be issued by El Paso County, until such times as the following has been accomplished by (the developer, homeowner, whomever is responsible):  
A letter of compliance has been received from the Colorado State Forest Service, Fire Department, Fire Marshal, or other qualified professional stating practices designed to reduce wildfire hazards have been completed in accordance with the Wildland Fire and Hazard Mitigation Plan. Such work may include, but is not necessarily limited to the following:  
•Forest-wide thinnings  
•Fuelbreak thinnings  
•Prunings  
•Debris disposal  
(alternative-surety and surety estimate sufficient to accomplish the work may be required in place of a plat restriction)

NABULSI-ABUSHABAN SUBDIVISION

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 19,  
TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,  
EL PASO COUNTY, COLORADO

NOTES (CONT.):

- All lots will have individual wells. For all individual wells, the augmentation plan/deed will allow for pumping from four (4) individual Dawson aquifer wells on four (4) residential lots. Each of the four (4) wells may withdraw up to 0.57 acre-feet annually (based on a 300-year augmentation plan/aquifer life) for a maximum of 2.28 acre feet being withdrawn by the four (4) wells/lots annually (0.28 acre feet/year/residence, with remaining amounts available for other permitted uses on the lots). Post-pumping depletions will be made by pumping water from the Laramie-Fox Hills aquifer, and all lots must participate in that.

Permits for such wells must be obtained from the Colorado Division of Water Resources. Ground water rights and an associated augmentation plan associated with the subdivision were decreed in Case No. 22CW3020, Water Division 2 (as consolidated with Case No. 22CW3036, Water Division 1, pursuant to Order of Panel on Multi-District Litigation 22MDL12. Applicant, its successors and assigns at the time of lot sales, shall transfer rights to underlying ground water and well rights to the initial purchaser of each lot in an amount at least sufficient to satisfy the 300 year water supply requirement of El Paso County for each lot. This provision is included only to be consistent with the provisions of the augmentation plan, and does not imply the future approval by El Paso County of further subdivision of either of the four lots. Such conveyance may be accomplished either by separate quit claim deed, by other appropriate deed of the water rights associated with the lot, or by specifically identifying and transferring the water rights in the warranty deed which transfers the real property to the individual lot purchaser.

- FEDERAL EMERGENCY MANAGEMENT AGENCY, Flood Insurance Rate Map Number 08041C0530 F, effective date March 17, 1997 indicates the area in the vicinity of this parcel of land to be a Zone X (area determined to be out of the 500 year flood plain).

- The addresses exhibited on this plat are for informational purposes only. They are not the legal description and are subject to change.

- Fire protection to be provided by the Black Forest Fire and Rescue District.

- Unless otherwise indicated, side, front and rear lot lines are hereby platted on each side with a ten foot Public Utility and Drainage Easement, as shown hereon. All exterior subdivision boundaries shall have a twenty foot Public Utility and Drainage Easement, except along road rights-of-way. The sole responsibility for maintenance of these easements is hereby vested with the individual property owners.

- The following reports and/or documentation have been submitted in association with the Final Plat for this subdivision and are on file at the County Planning and Community Development Department, which includes, but not necessarily limited to: Letter of Intent (Deviation Request); Traffic Impact Study; Drainage Letter; Storm Water Management Plan; Detention Maintenance Agreement; Soils and Geology Report; Grading and Erosion Control Plan; PDB/BMP Operations and Maintenance Manual; Fire Protection Report; Water Resources Report; Wastewater Disposal Report; Wildfire Mitigation Plan; Construction Drawings.

- All property owners are responsible for maintaining proper storm water drainage in and through their property. Public drainage easements as specifically noted on the plat shall be maintained by the individual lot owners unless otherwise indicated. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.

The 6" RPA water quality treatment facility is located within the private road easement, of which the maintenance responsibility lies with the owners of record of NABULSI-ABUSHABAN SUBDIVISION. Said RPA's cannot be modified without El Paso County review and approval.

- Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and/or the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the listed species, if applicable.

Please be aware that any additional improvements may interfere with Abert's Squirrel, Black Bear, Elk, Mountain Lion, and Mule Deer habitat (species of concern to the State of Colorado) during and/or following construction. Information regarding wildlife protection measures should be provided to construction personnel and future residents, including fencing requirements, garbage containment, pets, enhancement/maintenance of natural vegetation, weed control and riparian/wetland protection/buffer zones as appropriate. Information can be obtained from the Colorado Division of Wildlife.

- Mailboxes shall be installed in accordance with all El Paso County and United States Postal Service regulations.
- 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.

- The subdividers agree on behalf of him/herself and any developer or builder successors and assignees that subdivider and/or said successors and assignees shall be required to pay traffic impact fees in accordance with El Paso County Road Impact Fee Program Resolution (Resolution No. 19-470) or any amendments thereto, 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 n plot notes to ensure that a title search would find the fee obligation before sale of the property.

- All property within this subdivision is subject to a Common Private Access Agreement as recorded under Reception No. \_\_\_\_\_ of the records of the El Paso County Clerk and Recorder.

- The site has been found to be impacted by the following geologic constraints/hazards: artificial fill, downslope creep (No-Build Area Easement), expansive soils, potentially seasonal wet (No-Build Area Easement), and seasonal shallow groundwater areas (No-Build Area Easement), and shallow bedrock. The geologic constraints/hazards and mitigation measures can be found as mapped in the Soils and Geology Study completed by Entech Engineering, Inc., revised date May 22, 2023, available at the El Paso County Planning and Community Development Department. Downslope Creep: was identified on Lots 2 and 3; Potentially Seasonal and Seasonal high groundwater: were identified on each lot, and should be avoided by planned structures or on-site wastewater treatment systems; Expansive Soils and Bedrock: potential exists for each lot; Shallow Bedrock: potential exists for each lot.

- The Private Road Easement (Serenity Ridge View) as shown on this Plat will not be maintained by El Paso County until and unless the streets are constructed in conformance with El Paso County standards in effect at the date of the request for dedication and maintenance.

- There shall be no direct lot access to Black Forest Road. There shall be no direct lot access to Old Ranch Road, except via Serenity Ridge View Private Road Easement (60' width).

- Public and Common Subdivision Improvements: No lot or interest therein, shall be sold, conveyed, or transferred whether by deed or by contract, nor shall building permits be issued, until and unless either the required public and common development improvements have been constructed and completed and preliminary acceptance in accordance with the Subdivision Improvements Agreement between the applicant/owner and El Paso County as recorded under

Reception Number \_\_\_\_\_ in the Office of the Clerk and Recorder of El Paso County, Colorado or, in the alternative, other collateral is provided to make provisions for the completion of said improvements in accordance with the El Paso County Land Development Code and Engineering Criteria Manual. Any such alternative collateral must be approved by the Board of County Commissioners or, if permitted by the Subdivision Improvements Agreement, by the Planning and Community Development Department Director and meet the policy and procedure requirements of El Paso County prior to the release by the County of any lots for sale, conveyance or transfer. This plat restriction may be removed or rescinded by the Board of County Commissioners or, if permitted by the Subdivision Improvements Agreement, by the Planning and Community Development Department Director upon either approval of an alternative form of collateral or completion and preliminary acceptance by the El Paso Board of County Commissioners of all improvements required to be constructed and completed in accordance with said Subdivision Improvements Agreement. The partial release of lots for sale, conveyance or transfer may only be granted in accordance with any planned partial release of lots authorized by the Subdivision Improvements Agreement.

FEEs:

Park Fee: \_\_\_\_\_ Drainage Fee: \_\_\_\_\_  
School Fee: \_\_\_\_\_ Bridge Fee: \_\_\_\_\_

Per the County Attorney's Office 4. Delete plat note 7. 5. Add to the plat the note required by the water supply review.

Water Supply: (utilized when the water supply is individual wells)  
(Note: The exact wording of plat notes regarding well water supply depends upon the language of the water decree and/or augmentation plan, and will be reviewed and approved by the County Attorney's Office.)  
Individual wells are the responsibility of each property owner. Permits for individual wells must be obtained from the State Engineer who by law has the authority to set conditions for the issuance of these permits.  
Water in the Denver Basin Aquifers is allocated based on a 100-year aquifer life; however, for El Paso County planning purposes, water in the Denver Basin Aquifers is evaluated based on a 300-year aquifer life. Applicants and all future owners in the subdivision should be aware that the economic life of a water supply based on wells in a given Denver Basin Aquifer may be less than either the 100 years or 300 years indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply.  
(Utilized when there is a joint well agreement for common use of wells)  
Permits for individual wells must be obtained from the State Engineer who by law has the authority to set conditions for the issuance of these permits. Two (2) existing well permits Nos. \_\_\_\_\_ and \_\_\_\_\_ will serve two (2) single family dwellings each. Well permit No. \_\_\_\_\_ will serve Lot \_\_\_\_\_ Block \_\_\_\_\_ and Lot \_\_\_\_\_ subject to a joint Use Water Well Agreement as recorded under Reception No. \_\_\_\_\_ Well permit No. \_\_\_\_\_ will serve Lot \_\_\_\_\_ Block \_\_\_\_\_ and Lot \_\_\_\_\_ Block \_\_\_\_\_ subject to a joint Use Water Well Agreement as recorded under Reception No. \_\_\_\_\_ which limits production to the \_\_\_\_\_ Aquifer at an interval between \_\_\_\_\_ and \_\_\_\_\_ feet below ground surface. Lot \_\_\_\_\_ and Block \_\_\_\_\_ and Lots \_\_\_\_\_ through \_\_\_\_\_ Block \_\_\_\_\_ will limit production to the \_\_\_\_\_ Aquifer at an interval between \_\_\_\_\_ and \_\_\_\_\_ feet below ground surface.

Owner, its successors and assigns shall advise the Property Owners Association (or Homeowners Association) and all future owners of these lots of all applicable requirements of the decree entered in Case No. \_\_\_\_\_ (Division \_\_\_\_\_), and their costs of operating the plan for augmentation and responsibility for metering and collecting data regarding water withdrawals from wells. Owner shall reserve in any deeds of the property \_\_\_\_\_ acre-feet of \_\_\_\_\_ Aquifer and \_\_\_\_\_ acre feet total of \_\_\_\_\_ Aquifer water as decreed in Case No. \_\_\_\_\_ (Division \_\_\_\_\_) for use in this augmentation plan. Water withdrawal and wells are subject to limitations, restrictions and augmentation requirements and responsibilities as found within the Covenants for this subdivision recorded in Reception No. \_\_\_\_\_ of the Office of the El Paso County Clerk and Recorder and the terms of the water court approved water augmentation plan.

VICINITY MAP

NO SCALE

Please add: Gas and Electric:  
The subdivider/developer is responsible for extending utilities to each lot, tract or building site.

Gas and electric service for this subdivision is provided by \_\_\_\_\_ (Provide name(s)) subject to the District's (Provider's) rules, regulations and specifications. (Combined note, which can be broken into separate notes for gas or electric in the case of different providers)

SURVEYOR'S CERTIFICATION:

I, David Hostetler, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made on date of survey, by me or under my direct supervision and that all monuments exist as shown hereon; that mathematical closure errors are less than 1:10,000; and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivision, or surveying of land and all applicable provisions of the El Paso County Land Development Code.

David V. Hostetler  
Colorado Professional Land Surveyor No. 20681

V2 Comment:

Surveyors Certificate

I attest the above on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Surveyor's Name, (Signature) \_\_\_\_\_ Date \_\_\_\_\_  
Colorado registered PLS # \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

This plat for NABULSI-ABUSHABAN SUBDIVISION was approved for filing by the El Paso County, Colorado

Board of County Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of land to the public streets and easements are accepted, but the public improvements thereon will not become the maintenance responsibility of El Paso County until preliminary acceptance of the public improvements in accordance with the requirements of the Land Development Code and Engineering Criteria Manual, and the Subdivision Improvements Agreement.

Chair, Board of County Commissioners

Date

Planning and Community Development Director

Date

RECORDING:

STATE OF COLORADO }  
COUNTY OF EL PASO } SS

I hereby certify that this instrument was filed for record in my office at \_\_\_\_\_ o'clock \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D., and is duly recorded under

Reception No. \_\_\_\_\_ of the records of El Paso County, Colorado.

Steve Schleiker, Recorder

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

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

BY: \_\_\_\_\_ Deputy

Land Development Consultants, Inc.  
PLANNING • SURVEYING

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FINAL PLAT  
NABULSI-ABUSHABAN  
SUBDIVISION

Project No.: 22005

Sheet:

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