



GENERAL APPLICATION FORM

Edited 9/25/18

Project Name: Meadowworks Filings 1-4 (Phase 1) Existing Zone: R1-6000 Acreage: 90.63
Site Address: S. Marksheffel Rd, Horizonview Dr. Direction from Nearest Street Intersection: East of Marksheffel Rd and south of Drennan Rd, on both sides of Horizonview Dr.
Tax Schedule Number(s): 5500000189 and 5503300001

TYPE OF PLAN(S) - Check all that apply. Note: MJ=Major Amendment; MN=Minor Amendment; MM=Minor Modification
[] 2020 Land Use Map Amendment [] Property Boundary Adjustment
[] Administrative Relief [] PUD Concept Plan [] New [] MJ [] MN [] MM
[] Amendment to Plat Restriction [] PUD Development Plan [] New [] MJ [] MN [] MM
[] Annexation [] PUD Zone Change
[] Building Permit to Unplatted Land [] Street Name Change
[] Building Permit Prior to Platting [X] Subdivision Plat [] Prelim [] Prelim & Final [X] Final
[] CMRS No. [] 1 [] 2 [] 3 [] Subdivision Waiver [] Design [] Process
[] Concept Plan [] New [] MJ [] MN [] MM [] Use Variance [] New [] MJ [] MN [] MM
[] Conditional Use [] New [] MJ [] MN [] MM [] Vacation of Plat
[] Coordinated Sign Plan (CSP) [] Waiver of Replat
[] Development Agreement [] Zone Change; Proposed Zone:
[X] Development Plan [X] New [] MJ [] MN [] MM [] FBZ Development Plan [] New [] MJ [] MN [] MM
[] Historic Preservation [] Re-roof [] Hearing Request [] FBZ Conditional Use [] New [] MJ [] MN [] MM
[] Landscape Plan [] Preliminary [] Final [] Irrigation [] FBZ Interim Use Plan
[] Master Plan [] New [] MJ [] MN [] MM [] FBZ Minor Improvement Plan
[] Nonuse Variance [] FBZ Warrant
[] Preservation Easement Adjustment

PROPERTY OWNER AND/OR APPLICANT/CONSULTANT ACKNOWLEDGEMENT OF RESPONSIBILITIES:
The signature(s) hereby certify that the statements made by myself and constituting part of this application are true and correct. I am fully aware that any misrepresentation of any information on this application may be grounds for denial of this application. I agree that if this request is approved, it is issued on the representations made in this submittal, and any approval or subsequently issued building permit(s) or other type of permit(s) may be revoked without notice if there is a breach of representations or conditions of approval. The applicant/owner by his or her signature understands and agrees that he or she is responsible for the completion of all on-site and off-site improvements as shown and approved on the final plan (including landscaping, paving, lighting, etc.) prior to receiving a Certificate of Occupancy.
Signature of Property Owner: [Handwritten Signature] Date: 7-20-21
Signature of Consultant: Kimberly Johnson Digitally signed by Kimberly Johnson DN: cn=Kimberly Johnson, o=NES, ou=Planning, email=kjohnson@nescolorado.com, c=US Date: 2021.07.21 08:39:26 -0800 Date: 7-20-21
Signature of Developer: [Handwritten Signature] Date: 7-20-21

APPLICANT CONTACT INFORMATION (please print or type)
Property Owner: BLH NO 2 LLC Contact Name: Tim Seibert
E-Mail: tseibert@norwood.dev Phone: (719) 593-2623
Developer: Nor'Wood Development Group Contact Name: Tim Seibert
E-Mail: tseibert@norwood.dev Phone: 7195932623
Consultant/Main Contact name: NES, Inc./Kimberly Johnson Phone: (719) 884-1371
Address: 619 N. Cascade Ave., Suite 200 City: Colorado Springs
State: CO Zip Code: 80903 E-Mail: kjohnson@nescolorado.com

PLANNER AUTHORIZATION: (CITY USE ONLY)
[X] Checklists [X] Distribution Form [X] Project Blurb [X] E-mail to Admin. Initial Review Level: [X] AR [] CPC [] DRB [] HP
Payment \$ 17,365 Assigned to: Tasha Brackin Date: 9/9/2021
Receipt No.: 39967, 39968, 39969, 39970, 39971 City File No: AR FP 21-00594



Final Plat Application Requirements

REVIEW CRITERIA: It is the purpose and intent of this article:

- A. To promote the health, safety, convenience and general welfare of the citizens of the City.
- B. To set forth appropriate standards for subdivision design which will:
 1. Encourage the development of sound, economical, stable neighborhoods and create a healthy living environment for the residents of the City, in conformance with the goals and policies of the Comprehensive Plan.
 2. Provide for lots of adequate size, configuration and appropriate design for the purpose for which they are to be used and to accommodate the physical features of the site.
 3. Promote design flexibility.
 4. Provide for streets of adequate capacity and with which appropriate improvements will handle anticipated traffic flow.
 5. Preserve the significant natural features and environmental quality of the City.
- C. To set forth appropriate standards for utilities and services which will:
 1. Provide an efficient, adequate and economical supply of utilities and services to land proposed for development, in order to assure that governmental costs are minimized to the greatest extent possible.
 2. Ensure at the time of subdivision that adequate storm drainage, sewage disposal and other utilities, services and improvements needed as a consequence of subdivision of land are provided.
 3. Provide for the undergrounding of all public utilities lines up to thirty thousand (30,000) volts except as otherwise provided in section 7.7.805 of this article.
- D. To assure the provision of adequate and safe circulation which will:
 1. Minimize traffic hazards through means of appropriate street design, and provide for safe and convenient vehicular and pedestrian traffic circulation.
 2. Provide for adequate vehicular access to abutting properties and the subdivider's remaining holdings.
 3. Assure that street rights of way are provided for in accord with the major thoroughfare plan and the City Engineer design manual.
 4. Provide for safe and convenient pedestrian access throughout the community.
- E. To assure adequate public facilities are provided which will:
 1. Enhance the coordination of subdivision development with the provision of public facilities such as parks, recreation areas, schools and other types of community facilities.
 2. Ensure that public facilities are provided in accord with the City's Comprehensive Plan.
 3. Provide for adequate law enforcement and fire protection facilities.
- F. To ensure the appropriate development of the community through the implementation of the goals and policies of the Comprehensive Plan. (Ord. 96-44; Ord. 01-42)

SUBMITTAL CHECKLIST: The following items will need to be included in any Final Plat review submittal.

Applicant	Planner
<input checked="" type="checkbox"/> General Development Application Form	<input type="checkbox"/>
1 copy of a Project Statement identifying the following: <ol style="list-style-type: none"> 1. A clear description of the proposed plat. If public easements dedicated by plat to the City are to be vacated as part of the request, indicate this within the project statement letter; 	<input type="checkbox"/>
<input checked="" type="checkbox"/> <ol style="list-style-type: none"> 2. A justification based on the review criteria addressing why the proposed plat should be approved; and 3. An issue list stating how each of the pre-application issues, as communicated to the applicant/owner by the reviewing planner, has been addressed in the proposed subdivision plat. 	<input type="checkbox"/>
<input checked="" type="checkbox"/> 1 copy of a Final Plat showing all "Plan Contents" below	<input type="checkbox"/>
<input checked="" type="checkbox"/> All plans, documents, and reports uploaded to Dropbox folder (Planner to send folder invite through email)	<input type="checkbox"/>
<input checked="" type="checkbox"/> A legal description of the proposed project	<input type="checkbox"/>

Reports and Studies Requirement for each report is determined at the pre-application meeting or LDTC meeting. All reports to be provided in electronic form via Dropbox link from planner.

Geologic Hazard Report

Drainage Reports

Traffic Impact Analysis

Submittal of the Hydraulic Grade Line (HGL) Request Form to waterplanning@csu.org or fax to 719-668-5651 prior to submittal.

Submittal of the Wastewater Facilities Master Report to wmasterplansubmit@csu.org prior to application submittal.

Applicant	Planner
<input checked="" type="checkbox"/> Proof of Ownership via title insurance, tax assessor's statement, or a deed.	<input type="checkbox"/>
<input checked="" type="checkbox"/> Ad Valorem Taxes - proof payment via paid tax receipt, an archive report, or a certificate for ad valorem property taxes.	<input type="checkbox"/>
<input checked="" type="checkbox"/> A copy of the Pre-Application Meeting Summary letter from the assigned City Planner.	<input type="checkbox"/>
<input checked="" type="checkbox"/> 1 copy of an approved Preliminary Plat or Concept , or Development Plan for the proposed project.	<input type="checkbox"/>
<input checked="" type="checkbox"/> Utility Line Locates provided if public easements dedicated by plat to the City are to be vacated, unless waived by Springs Utilities (<i>refer to content requirements</i>).	<input type="checkbox"/>
<input checked="" type="checkbox"/> Mineral Estate Owner Notification Certification Affidavit (Public Hearing Items ONLY).	<input type="checkbox"/>

PLAN CONTENT REQUIREMENTS: The content of the final plat must include the following information.

General Information

<input checked="" type="checkbox"/> Name of subdivision at the top of the sheet, followed by a subtitle identifying the Section, Township and Range along with City, County and State.	<input type="checkbox"/>
<input checked="" type="checkbox"/> Sheet Size shall be 24" x 36" including 1/2" border with 'landscape' orientation.	<input type="checkbox"/>
<input checked="" type="checkbox"/> Indication of standardized scale, both fractional and bar (i.e. 1" = 20')	<input type="checkbox"/>
<input checked="" type="checkbox"/> North arrow	<input type="checkbox"/>
<input checked="" type="checkbox"/> Vicinity Map (does not have to be to scale). A vicinity location necessary to locate the tract.	<input type="checkbox"/>
<input checked="" type="checkbox"/> Date of preparation of the plat	<input type="checkbox"/>
<input checked="" type="checkbox"/> Legal Description of the overall boundary of the subdivision with acreage. All courses on the legal shall be shown and labeled on the plat drawing.	<input type="checkbox"/>
<input checked="" type="checkbox"/> Easement statement of standard easements as required on all, side rear and front lots lines. as well as site triangle easements.	<input type="checkbox"/>
<input checked="" type="checkbox"/> Dedication Statements. Statements of land to be dedicated to the City for parks, playgrounds or other public uses, grants of easements and dedication of public streets and alleys to the City.	<input type="checkbox"/>

All plats with public easements and/or tracts must have the dedication statement:

<input checked="" type="checkbox"/> <i>"The undersigned does hereby dedicate, grant and convey to the City of Colorado Springs those Public Easements (and tracts) as shown on the plat; and further restricts the use of all Public Easement to the City of Colorado Springs and/or its assigns, provided however, that the sole right and authority to release or quitclaim all or any such Public Easements shall remain exclusively vested in the City of Colorado Springs."</i>	<input type="checkbox"/>
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All plats with public streets shall have the following sentence in the dedication statement:

<input checked="" type="checkbox"/> <i>"All public streets are hereby dedicated to the City of Colorado Springs for public use."</i>	<input type="checkbox"/>
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All plats with other tracts being dedicated to the City shall have:

<input checked="" type="checkbox"/> (1) A sentence in the dedication statement similar to <i>"Tract X is hereby dedicated to the City of Colorado Springs for public use."</i>	<input type="checkbox"/>
<input checked="" type="checkbox"/> (2) A special numbered plat note defining the purpose and perpetual maintenance responsibility for the tract such as <i>"Tract X is for public drainage, landscaping, trail and open space with maintenance of the surface being vested in the (Distract Name) Special Maintenance District."</i>	<input type="checkbox"/>

<input checked="" type="checkbox"/> All plats with private streets shall have the following sentence as a plat note: <i>"All private streets (insert names) are privately owned and maintained by (list owner name, Owner's Association, ect.)."</i>	<input type="checkbox"/>
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<input checked="" type="checkbox"/> Statement of ownership and acknowledgement. The notarized signature of the owner is required.	<input type="checkbox"/>
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<input checked="" type="checkbox"/> Statement of mortgagee and acknowledgement. The signature of the mortgagee, if any, consenting to the dedication is required	<input type="checkbox"/>
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The following statement that the area included in the plat is subject to this Code as such applies to the development of the land:

<input checked="" type="checkbox"/> "No building permits shall be issued for building sites within this plat until all required fees have been paid and all required public and private improvements have been installed as specified by the City of Colorado Springs or alternatively until acceptable assurances including but not limited to letters of credit cash subdivision bonds or combinations thereof guaranteeing the completion of all required public improvements including, but not limited to, drainage, street and erosion control have been placed on file with the City of Colorado Springs."	<input type="checkbox"/>
<input checked="" type="checkbox"/> Notary Statement. Acknowledgement of the execution of the plat before a notary public.	<input type="checkbox"/>

Access Provisions:

- a. A Statement Restricting Access. A statement restricting access rights across the right-of-way lines of major highways, parkways, streets or freeways, where required as a provision of approval.
- b. Provision of Adequate Access. Proof of adequate, suitable access must be provided and clearly indicated on the face of the plat. If access is not directly gained from public right-of-way, a separate signed and recorded easement must be provided and referenced on the face of the plat.

Fee block (drainage, bridge, school and park)

Certificates for execution by each of the following or their duly appointed representative(s).

- a. City Engineer c. City Clerk
- b. City Planning Director d. El Paso County Clerk and Recorder

Layout. **The exact layout including:**

Boundary Lines

The subdivision boundary will be clearly distinguishable from other maplines by use of a distinct line type and/or thickness. All lines will be labeled with bearing and distance, and all curves will be labeled with a central angle (delta), radius and arc length. Radial bearings and/or chord bearings will be provided for all non-tangent curves. All dimensions to be determined by accurate field survey which must balance and close within a limit of 1 in 5,000. Show adjacent and/or intersecting plat/deed lines and label appropriately to include recording information (Book and Page and/or Reception Number).

Streets

All street right-of-ways defined by the plat will be clearly distinguishable from other map lines by use of a distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance, and all curves will be labeled with a central angle (delta), radius and arc length. Radial bearings and/or chord bearings will be provided for all non-tangent curves. Widths shall be labeled from each right-of-way line normal to the corresponding street centerline. All street centerlines defined by the plat will be clearly distinguishable from other map lines by use of distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance and all curves will be labeled with a central angle (delta), radius and arc length. Radial bearings and/or chord bearings will be provided for all non-tangent curves. The plat shall show the right-of-way lines, widths, locations and street names of all existing and proposed public or private streets:

- (1) Within the proposed subdivision, and
- (2) Immediately abutting the proposed subdivision, and
- (3) Any private street shall include the designation "(private)" immediately following street name; any other Private right of way that is not named shall include the designation "(private)" in a manner that clearly conveys such a status.

Easements

All easements as required by City Utilities, the City Engineer and other public and quasi-public agencies. Said easements shall be clearly labeled to include with, use and identification as public or private, if necessary. Tie to property lines and annotate with bearings and distances as necessary. Clearly show and label all existing easements, to include width and recording information, that cross, abut or are located within the subdivision boundary.

Lots and Blocks

All lines of lots, blocks and other parcels of land defined by the plat will be clearly distinguishable from other map lines by use of a distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance and all curves will be labeled with a radius and arc length. Lots must close to 1 in 5,000.

Identification System

All lots and blocks in the subdivision shall be numbered, beginning with the numeral "1" and continuing consecutively throughout the tract, with no omissions or duplications. All tracts shall be likewise labeled beginning with the letter 'A'. Lots and tracts shall be labeled with the area of the lot or tract.

Whenever a plat drawing spans multiple sheets, clear and well-labeled match lines and a keymap shall be included on each sheet. Labels will be of the nature "See Sheet ___ of ___". Duplicate street names, widths, lot numbers, tract names, easement labeling or any such labeling when any feature is shown on multiple sheets.

Use leader lines whenever a dimension is not clearly and unmistakably associated with a given line, line segment or arc.

All line annotation and all other text will be easily and clearly readable. No text shall overwrite other text or be overwritten by map lines.

Provide a legend, which designates all, lines and symbols except where called out on plat drawing.

Inundation Mark:

The plat shall clearly show the 100-year flood plain line. Reference the appropriate FEMA Panel by which the location of this line has been determined.

Option 1: Property located completely outside of the 100-year floodplain:

"This property is located within Zone X (Areas determined to be outside of the 500-year floodplain) as established by FEMA per FIRM panel 08041C____ F, effective date 3/17/1997."

Option 2: Property located within the 100-year floodplain:

"A portion of this property is located within Zone AE (area located within a 100-year floodplain, Base flood elevations determined) as established by FEMA per FIRM panel 08041C____ F, effective date 3/17/1997."

Option 3: Property located within a 100-year floodplain where a LOMR has been processed:

"A portion of this property is located within Zone AE (area located within the 100-year floodplain, Base flood elevations determined) as established by FEMA per FIRM panel 08041C____ F, effective date 3/17/1997 and as modified by LOMR# 0_-08-____ P effective date DD/MM/YYYY."

Option 4: Property located within 100-year floodplain where a CLOMR has been processed and lot restrictions apply until a LOMR is approved by FEMA:

"A portion of this property is located within Zone AE (area located within the 100-year floodplain, Base flood elevations determined) as established by FEMA per FIRM panel 08041C____ F, effective date 3/17/1997. A CLOMR# 0_-08-____ R effective date DD/MM/YYYY is on record with the Regional Floodplain Administration. The following lots are will not be allowed building permits ("enter lot numbers") until a FEMA approved LOMR removing the properties from the 100-year floodplain is received by the Regional Floodplain Administration."

*All **bold** and "_____" require the Applicant to insert the appropriate data for their specific site.

Book and Page and/or Reception Number for all existing and newly created easements.

All other information required by Colorado State law.

Sheet Size shall be 24" x 36" including 1/2" border with 'landscape' orientation.

Scale Bar

North arrow

Adjacent Subdivision. Names of adjacent platted areas along with the Reception and/or PlatBook and Page Number shall be shown. If unplatted, so indicate. Existing street right-of-ways that intersect the subdivision boundary or are adjacent to said boundary lines shall be clearly labeled with the street name, right-of-way width and appropriate deed or plat recording information where in said right-of-way is defined. Show and label all existing lots and blocks that are immediately adjacent to the subdivision boundary.

Basis of Bearing. A clearly defined basis of bearings shall be provided, both verbally and graphically. All monumentation defining said line shall be shown and labeled on the plat drawing. When said line is not common with the subdivision boundary, it shall be accurately tied to the boundary with bearings and distances.

N/A Public Land and/or Land Reserved In Deeds. Location of land intended to be conveyed or reserved for public use or reserved in the deeds for the use of all property owners in the proposed subdivision.

Monuments. All monuments used to determine and/or describe a boundary (including Basis of Bearings, Point of Beginning and Point of Commencement) shall be shown and clearly labeled on the plat drawing. Monuments for corners defined by the plat, or otherwise found to be missing in the field, shall be placed and set in accord with the requirements of the State of Colorado.

Not a Part of Subdivision. All areas enclosed within the subdivision boundary, which do not constitute a part of the subdivision shall be labeled 'Not a part of this subdivision.' All lines pertaining to such areas shall be dashed.

The area in sq.ft. of all Lots and Tracts sought to be platted.

The following statement in compliance with Section 7.7.303.D.7. "The area included in the plat described herein is subject to the Code of the City of Colorado Springs, 2001 As Amended."

The final plat shall be clearly and legibly prepared by a registered land surveyor or engineer

Show all common ingress-egress, parking and access easements required by the development plan.

The proposed subdivision meet all of the requirements of Chapter 7, Section 2 through 9 of the City Code, the Public Works Design Manual and any other applicable City ordinance and resolutions.

Surveyor's Statement, which shall read:

"The undersigned Professional Land Surveyor licensed in the State of Colorado, hereby states and declares that the accompanying plat was surveyed and drawn under his/her responsible charge and accurately shows the described tract of land, and subdivision thereof, and that the requirements of Title 38 of the Colorado Revised Statutes, 1973, as amended, have been met to the best of his/her knowledge and belief."

Closure Sheets. One (1) copy of the computer closure sheets for the entire subdivision area. Such sheets shall not be required if not more than five (5) lots in the subdivision are irregular (not rectangular) in shape.

Replat should include the following information:

The replat shall be identified by its own separate title. The title block of the replat shall further identify the subdivision of record of that portion of the subdivision of record which is being replatted.

The replat shall contain the following notice: *'The approval of this replat vacates all prior plats for the area described by this replat.'*

The replat shall show graphically the "as platted" lot(s) separately on the plat drawing. The drawing shall indicate all existing easements.

If any existing lot line is being removed, relocated or re-orientated, any associated Easements dedicated by plat still remain unless vacated separately or as part of this request. If this easement is to be vacated as part of this request, provide the following information With the replat:

The project description letter needs to indicate that the associated lot line easement(s) or other platted easement(s) are to be vacated. Provide locates from the utility locaters, unless no water or wastewater mains exist adjacent to the area being replatted or unless CSU specifically waives the submission of locates.

Geologic Hazard Study disclosure statement (not required if waiver has been approved): "This property is subject to the findings summary and conclusions of a Geologic Hazard Report prepared by _____ dated _____, which identified the following specific geologic hazard on the property: _____. A copy of said report has been placed within file # _____ or within the subdivision file _____ of the City of Colorado Springs Planning and Development Team. Contact the Planning and Development Team, 30 South Nevada Avenue, Suite 105, Colorado Springs, CO, if you would like to review said report."

If within an airport overlay, the following note must be added: "The avigation easement dedicated herein for public avigation purposes, shall be considered a public easement subject to those terms and conditions as specified on the instrument recorded at reception no. 217069667 of the Records of El Paso County, Colorado. All other easements or interests of record affecting any of the platted property depicted hereon shall not be affected and shall remain in full force and effect."

MEADOWWORKS FILINGS 1-4

PROJECT STATEMENT

SEPTEMBER 2021

REQUEST

N.E.S. Inc. on behalf of Nor'Wood Development, LLC requests approval of a Development Plan and four Final Plat filings for a Single-family detached residential development comprised of 358 lots and 16 Tracts on approximately 90.63 acres of land. The developer is requesting that all final plat filings have the same expiration date as the Development Plan, which is six (6) years from the date of approval.

SITE LOCATION & DESCRIPTION

The site is located east of Marksheffel Road, just south of Drennan Road, and on both sides of Horizonview Drive. The site has frontage on Marksheffel Road, however, access to the property is from Horizonview Drive. The surrounding land to the east, south and the majority of the land to the north is in the County, and the land to the west is in the City. The surrounding land includes single-family residential uses and vacant land to the north, single-family residential uses and vacant land owned by the Widefield School District to the east, single-family residential uses to the south, and vacant land across Marksheffel Road to the west.



PROJECT DESCRIPTION

Zoning

The property is currently vacant and zoned R1-6000, Single-Family Residential and AO, Airport Overlay. The surrounding land to the east, south and the majority of the land to the north is in the county and subject to county zoning, which includes RS-6000 (Residential Suburban 6,000 sf) to the north and RS-5000 (Residential Suburban 5,000 sf) to the east and south. These areas are also zoned CAD-O, Commercial Airport Overlay District. The remainder of the land to the north is within the City and zoned PBC (Planned Business Center)/APZ2 (Airport Zone 2). The land to the west is within the City and zoned PIP2, Planned Industrial Park, which provides for a limited group of professional, administrative, research, manufacturing and industrial uses.

The Development Plan proposes a single-family residential development within the R1-6000 and AO zones. Single-family residential is a permitted use in the R1-6000 zone. The AO zone is Airport Overlay, which allows the permitted uses of the underlying R1-6000 zone. The site is outside both the APZ-1 and APZ-2 subzones.

All lots meet the minimum dimensional requirements and accommodate minimum setback and maximum lot coverage requirements of the R1-6000 zone. The minimum required lot area of 6,000 square feet and lot widths of 50' to 60' are compatible with surrounding land uses and zoning, and provide adequate transition from adjacent County RS-5000 and RS-6000 zoning.

Project Composition

The project proposes 358 single-family detached homes on lots 50' to 60' in width. The project will be developed in four (4) filings, consisting of 85, 91, 92, and 90 lots respectively, as well as 16 Tracts for open space, landscape and other improvements, public access, and utility purposes. A mix of home types, all of which will meet the height and lot coverage requirements of the R1-6000 zone, are proposed. Each unit will have garage parking to meet the minimum parking requirements of one parking space per dwelling and will also provide driveway parking.

The project includes one 3.84 AC centrally located park, as well as several green spaces throughout. Provisions for pedestrian circulation include sidewalk along both sides of all streets, a trail along the west boundary of the property adjacent to Marksheffel Blvd, and multiple internal trail connections.

One on-site water quality detention pond is provided and an existing drainage easement along the southeast side of the development is accommodated.

Setbacks and Buffers

All lots are planned to accommodate required building setback and meet maximum lot coverage standards. A landscape buffer is provided along the east side of Horizonview Dr. to buffer between the single-family lots and the roadway. Greenspace buffering is provided along southeast side of the development to accommodate a drainage easement, along the southwest side of Horizonview Dr., and along the north line of the development west of Horizonview Dr. A landscape buffer and trail are provided along the west side of the development between the single-family homes and Marksheffel Road.

Noise will be mitigated by installation of a 6' sound wall adjacent to Marksheffel Rd. as shown in the Development Plan. Further, residential structures will have a minimum setback of 50' from Marksheffel Road due to a 25' buffer area and 25' building setback.

These mitigation measures meet the BMPs of the City's Noise Mitigation Policy, therefore a Noise Impact Study is not required. Horizonview Dr., though not subject to the Noise Mitigation Policy, will have a 6' privacy fence and structures will have a minimum setback of 35' from the street due to a 10' landscape setback and a 25' building setback.



Park and Open Space

The project includes one 3.826 AC centrally located park. Additional green spaces throughout the development include a green corridor along the east side of the development to accommodate existing drainage, a green space shown as a dog park along the westerly north line of the property and along the adjacent west side of Horizonview Dr., green space along the northeast side of Horizonview Dr., and a green space adjacent to the detention pond in the southwest corner of the development.

Access

There will be three points of access on Horizonview Dr. A north and south access will be located central to the development, the north end of which will connect to an extension of Peaceful Meadow Street. A second southern access will be located in the northwest portion of the development. An easterly access will be located at the very north end of the development, which will connect at its east terminus to Chai Dr. Chai Dr. will provide access and frontage for the School District property east of the development, a connection for future development to the north, and intersect with and terminates at Peaceful Meadow Street. There will be no access to Marksheffel Road, except for a trail connection and trail along its east side.

Sidewalk will be constructed on both sides of Horizonview Dr., Chai Dr., and all local streets. A sidewalk/trail will be constructed along Marksheffel Road, and there will be a trail connection therefrom to the centrally located park. There will be multiple green corridors in alignment with streets and between lots and blocks to provide additional connectivity within the development.

PROJECT JUSTIFICATION

DEVELOPMENT PLAN REVIEW CRITERIA (SECTION 7.5.502 E.)

- 1. The details of the use, site design, building location, orientation and exterior building materials are compatible and harmonious with the surrounding neighborhood, buildings and uses, including not-yet-developed uses identified in approved development plans.**

The project proposes single-family residential development compatible with the lot size, building size, and orientation of surrounding existing single-family residential development. The development will be compatible, harmonious, beneficial and connected to the adjacent school when it develops. The development provides a trail along Marksheffel Road as well as internal connections to that trail, which will provide pedestrian connectivity to the surrounding area.

- 2. The development plan substantially complies with any City- adopted plans that are applicable to the site, such as master plans, neighborhood plans, corridor plans, facilities plans, urban renewal plans, or design manuals.**

The property is part of the approved 2015 Banning Lewis Ranch Master Plan. The plan designates the property as Residential Low Density, which is consistent with the single-family development proposed. The project uses existing infrastructure for access and utilities, and provides new stormwater management facilities and trails to enhance existing infrastructure. The development is consistent with Plan COS goals which call for "Housing for All"; as well as with goals for Future Neighborhoods and Emerging Neighborhoods, which call for diverse land uses (housing, parks, sidewalks/trails, schools), gathering places (park and open space), and a safe sense of connection (walkability, trails).

- 3. The project meets dimensional standards, such as but not limited to, building setbacks, building height and building area set forth in this chapter, or any applicable FBZ or PUD requirement.**

The single-family development proposed meets the minimum lot width, area, and coverage requirements of the R1-6000 zoning district. The homes will be placed on lots to meet setbacks and maximize remaining lot area for use by those who live there.

- 4. The project grading, drainage, flood protection, stormwater quality and stormwater mitigation comply with the City's Drainage Criteria Manual and the drainage report prepared for the project on file with the City Engineering Department.**

The property has gentle slopes across the site. The development provides stormwater a management pond in the southwest corner of the development, and accommodates existing utility and drainage easements over the property. Final grading, drainage, stormwater quality and stormwater mitigation plans will comply with the City's Drainage Criteria Manual and the Drainage Report prepared for the project, and included with this submittal.

- 5. The project provides off-street parking as required by this chapter, or a combination of off-street or on-street parking as permitted by this chapter.**

The parking requirement for single-family development is one parking space per unit. The homes will include a garage as well as space in the driveway for parking.

6. All parking stalls, drive aisles, loading/unloading areas, and waste removal areas meet the location and dimension standards set forth by this chapter.

The development will have garage and driveway parking. There is no plan for centralized trash handling, and no need for loading/unloading areas.

7. The project provides landscaped areas, landscape buffers, and landscape materials as set forth in this chapter and the Landscape Design Manual.

A landscape setback and streetscape are required and provided along the west line of the development along Marksheffel Road and along both sides of Horizonview Drive due to double frontage lots. A landscape setback is required and provided along the portion of the north boundary of the development due to adjacency to a non-street zone boundary. The Development Plan shows a detention pond, trail, and green space along the west line of the development adjacent to Marksheffel Road, a landscape buffer and park along the west side of Horizonview Drive, and a landscape buffer along the east side of Horizonview Drive. The landscape plans for these areas comply with the standards set forth in the Zoning Code and the Landscape Design Manual.

8. The project preserves, protects, integrates or mitigates impacts to any identified sensitive or hazardous natural features associated with the site.

There are no identified sensitive or hazardous natural features associated with the site.

9. The building location and site design provide for safe, convenient and ADA-accessible pedestrian, vehicular, bicycle, and applicable transit facilities and circulation.

The development proposes three streets connecting to Horizonview Drive. These streets provide safe, convenient and ADA accessible access to the internal park and green space areas and the future school site. A trail is provided along Marksheffel Road which connects to internal trails leading to the park. Sidewalk will be provided along both sides of Horizonview Drive, Chai Dr., and all local street. Chai Dr. provides a connection to future development to the north as well as access and frontage to the future school property.

10. The number, location, dimension and design of driveways to the site substantially comply with the City's Traffic Criteria Manual. To the extent practicable, the project shares driveways and connects to drive aisles of adjoining developments.

The project complies with the City's Traffic Criteria Manual.

11. The project connects to or extends adequate public utilities to the site. As required by Colorado Springs Utilities, the project will extend the utilities to connect to surrounding properties.

The project will extend and connect to existing utilities in place in the adjacent residential developments. Existing stormwater facilities and drainage will be accommodated and expanded on site. Please refer to the Utility Plans enclosed with the application packet.

12. If necessary to address increased impacts on existing roadways and intersections, the project includes roadway and intersection improvements to provide for safe and efficient movement of multi-modal traffic, pedestrians and emergency vehicles in accordance with the City's Traffic Criteria Manual, public safety needs for ingress and egress and a City accepted traffic impact study, if required, prepared for the project.

The development proposes three streets connecting to Horizonview Drive and the extension of Chai Dr. from the north. These streets provide safe, convenient and ADA accessible access to all internal residential lots, parks and the future school site. The roadways will be designed to safely and conveniently accommodate multi-modal traffic, pedestrians, and emergency vehicles. The cul-de-sacs are designed to provide for adequate maneuvering and turn-around of passenger, multi-modal vehicles and emergency vehicles.

13. Significant off-site impacts reasonably anticipated as a result of the project are mitigated or offset to the extent proportional and practicable. Impacts may include, but are not limited to light, odor and noise.

The single-family development is not anticipated to create excessive light, odor or noise.

P:\Norwood\Banning Lewis Ranch at Colorado Centre\Admin\Submittals\Development Plan\1st Submittal

STATEMENT OF AUTHORITY

- 1. This Statement of Authority relates to an entity named: BLH NO. 2, LLC.
- 2. The type of entity is a

- | | |
|---|---|
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Registered limited liability limited partnership |
| <input type="checkbox"/> Nonprofit Corporation | <input type="checkbox"/> Limited partnership association |
| <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Unincorporated nonprofit association |
| <input type="checkbox"/> General partnership | <input type="checkbox"/> Government or governmental subdivision or agency |
| <input type="checkbox"/> Limited partnership | |
| <input type="checkbox"/> Registered limited liability partnership | |
| <input type="checkbox"/> Business trust | |
| <input type="checkbox"/> Trust | |
| <input type="checkbox"/> Other _____ | |

- 3. The entity is formed under the laws of Colorado.
- 4. The mailing address for the entity is 111 S Tejon Street, Suite 222, Colorado Springs, CO
- 5. The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is Norwood Limited, Inc., as Manager, by David D. Jenkins, Vice President, Christopher S. Jenkins, President, Timothy W. Seibert, Vice President or Gregory Barbuto, Vice President.
- 6. (Optional) The authority of the foregoing person(s) to bind the entity is
 not limited limited as follows: _____
- 7. (Optional) Other matters concerning the manner in which the entity deals with interest in real property: _____
- 8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

Executed this 4th day of March, 2021.

BLH NO. 2, LLC
By: Norwood Limited, Inc., its Manager

By: [Signature]
David D. Jenkins, Vice President

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 4th day of March, 2021 by David D. Jenkins as Vice President of Norwood Limited, Inc., as Manager of BLH No. 2, LLC, a Colorado limited liability company.

Witness my hand and official seal

My Commission Expires: 10/24/2021

Notary Public
State of Colorado
Notary ID # 19894015550
My Commission Expires 10-24-2021

[Signature]
Notary Public



JOB NO. 2506.00-21
JULY 26, 2021
PAGE 1 OF 2

619 N. Cascade Avenue, Suite 200 (719) 785-0790
Colorado Springs, Colorado 80903 (719) 785-0799 (Fax)

LEGAL DESCRIPTION: MEADOWWORKS FILING NO. 3

A PARCEL OF LAND BEING A PORTION OF SECTION 3, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTHERLY BOUNDARY OF COLORADO CENTRE RESIDENTIAL FILING NO. 2 RECORDED IN PLAT BOOK A-4 AT PAGE 4 AND COLORADO CENTRE RESIDENTIAL FILING NO. 3 RECORDED IN PLAT BOOK A-4 AT PAGE 13, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE NORTHWESTERLY CORNER OF SAID COLORADO CENTRE FILING NO. 2 BY A 1-1/2" ALUMINUM CAP STAMPED "JR DEV RLS 10377" FLUSH WITH GROUND AND AT THE NORTHEASTERLY CORNER OF TRACT B AS PLATTED IN SAID COLORADO CENTRE FILING NO. 3 BY A 1-1/2" ALUMINUM CAP, ILLEGIBLE, 0.6 FEET BELOW GROUND AND IS ASSUMED TO BEAR N88°49'49"E, A DISTANCE OF 1774.38 FEET.

COMMENCING AT THE NORTHEASTERLY CORNER OF TRACT B AS PLATTED IN COLORADO CENTRE RESIDENTIAL FILING NO. 3 RECORDED IN PLAT BOOK A-4 AT PAGE 13, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF HORIZONVIEW DRIVE SAID POINT BEING THE POINT OF BEGINNING;

THENCE S88°49'49"W, ON THE NORTHERLY BOUNDARY OF SAID COLORADO CENTRE RESIDENTIAL FILING NO. 3, A DISTANCE OF 1180.91 FEET TO THE NORTHEASTERLY CORNER OF COLORADO CENTRE RESIDENTIAL FILING NO. 2 RECORDED IN PLAT BOOK A-4 AT PAGE 4;

CONTINUING S88°49'49"W, ON THE NORTHERLY BOUNDARY OF SAID COLORADO CENTRE RESIDENTIAL FILING NO. 2, A DISTANCE OF 593.47 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF SOUTH MARKSHEFFEL BOULEVARD;

THENCE N00°29'24"W, ON THE EASTERLY RIGHT OF WAY LINE OF SAID SOUTH MARKSHEFFEL BOULEVARD, A DISTANCE OF 683.46 FEET TO THE SOUTHWESTERLY CORNER OF MEADOWWORKS FILING NO. 1 RECORDED UNDER RECEPTION NO. _____;

THENCE ON THE SOUTHERLY BOUNDARY OF SAID MEADOWWORKS FILING NO. 1 THE FOLLOWING THREE (3) COURSES:

1. N89°30'36"E, A DISTANCE OF 475.00 FEET;
2. N00°29'24"W, A DISTANCE OF 25.23 FEET;
3. N89°30'36"E, A DISTANCE OF 120.00 FEET TO A POINT ON THE WESTERLY BOUNDARY OF MEADOWWORKS FILING NO. 2 RECORDED UNDER RECEPTION NO. _____;

THENCE ON THE WESTERLY AND SOUTHERLY BOUNDARY OF SAID MEADOWWORKS FILING NO. 2 THE FOLLOWING TEN (10) COURSES:

1. S00°29'24"E, A DISTANCE OF 100.00 FEET;
2. N89°30'36"E, A DISTANCE OF 170.00 FEET;
3. S00°29'24"E, A DISTANCE OF 5.00 FEET;
4. N89°30'36"E, A DISTANCE OF 575.00 FEET;
5. S00°29'24"E, A DISTANCE OF 10.00 FEET;
6. N89°30'36"E, A DISTANCE OF 140.00 FEET;
7. S00°29'24"E, A DISTANCE OF 160.00 FEET;
8. N89°30'36"E, A DISTANCE OF 20.00 FEET;
9. S00°29'24"E, A DISTANCE OF 120.00 FEET;
10. N89°30'36"E, A DISTANCE OF 337.36 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID HORIZONVIEW DRIVE;

El Paso County, Colorado

Property Tax Details

Property Taxes for 2020 Due 2021

[Display Tax Statement](#)

This information reflects current year status of tax liability, assessments due, fees, interest, and current payments received. This information is not to be used in place of a certificate of taxes due.

Parcel Information

Schedule Number: 5500000189

Owner Information

Name: BLH NO 2 LLC //
 Mailing Address: 111 S TEJON ST STE 222
 COLORADO SPRINGS CO 80903-2246 //

Property Information

Property Address: S MARKSHEFFEL RD //
 Property Type: Real

Legal Description

THAT PART OF SEC 03-15-65 AS FOLS: BEG AT POI OF ELY R/W LN OF MARKSHEFFEL RD WITH NLY LN OF SD SEC 3, TH S 00<05'44" W ALG SD ELY R/W LN TO N LN OF S2S2 OF SD SEC 3, ELY ALG SD N LN TO SWLY COR OF TRACT CONV BY BK 5091-287, N 12<40'27" E 360.0 FT, N 90<00'00" W 764.65 FT, S 68<35'33" W 227.22 FT TO A POINT OF CUR TO L WITH A RAD OF 584.36 FT AN ARC DIST OF 323.89 FT, N 00<05'44" E 471.81 FT, N 90<00'00" E 478.46 FT, N 00<00'00" E 822.98 FT, S 89<24'57" W 1698.0 FT, N 00<05'44" E 2143.97 FT TO N LN OF SD SEC 3, TH S 89<53'06" W ALG SD N LN TO POB, EX THOSE TRACTS CONV BY BK 5192-1053, EX PART TO HORIZONVIEW DR

Alerts

N/A

Property Valuation

Total Assessed Land: \$720
 Total Assessed Improvements: \$0
 Total Assessed: \$720

[Assessment questions? Click here](#)

Value

Total Market Value: \$2,474

Taxes Billed

Base Tax Amount: \$139.74
 Special Assessment Amount: \$0.00
 Improvement District Amount: \$0.00
 Total Current Year Taxes: \$139.74

Total Current Year Taxes do not reflect outstanding tax liens and delinquencies, if any. See Alerts.

Current Year Payments Due as of 8/2/2021

Option 1:

Payment Type	Due Date	Taxes & Fees Due	Interest Due	Total Amount		
First Half:	March 01	\$0.00	\$0.00	\$0.00	False	<input type="button" value="Pay"/>
Second Half:	June 15	\$0.00	\$0.00	\$0.00	False	<input type="button" value="Pay"/>

OR

Option 2:

Payment Type	Due Date	Taxes & Fees Due	Interest Due	Total Amount		
Full Amount:	April 30	\$0.00	\$0.00	\$0.00	False	<input type="button" value="Pay"/>

Current Year Payments Received

N/A

Prior Year(s) Transaction History

Date	Amount
12/31/2020	\$139.74
01/22/2020	-\$0.36
12/31/2019	\$139.58
01/11/2019	\$0.00
12/31/2018	\$142.56
01/09/2018	\$0.00
12/29/2017	\$143.18
01/24/2017	\$0.01

Note: Prior years transaction history data is for a maximum of 4 years.

[Print This Page](#)

Please Note: This web page is best viewed in Compatability View.

Disclaimer: We have made a good-faith effort to provide you with the most recent and most accurate information available. However, if you need to use this information in any legal or official venue, you will need to obtain official copies from the Treasurer's Office. Do be aware that this data is subject to change on a daily basis. If you believe that any of this information is incorrect, please contact the Treasurer's office.

For any questions, please contact the Treasurer's Office at: **(719) 520-7900** or email to: trsweb@elpasoco.com

El Paso County, Colorado

Property Tax Details

Property Taxes for 2020 Due 2021

[Display Tax Statement](#)

This information reflects current year status of tax liability, assessments due, fees, interest, and current payments received. This information is not to be used in place of a certificate of taxes due.

Parcel Information

Schedule Number: 5503300001

Owner Information

Name: BLH NO 2 LLC //
 Mailing Address: 111 S TEJON ST STE 222
 COLORADO SPRINGS CO 80903-2246 //

Property Information

Property Address: HORIZONVIEW DR //
 Property Type: Real

Legal Description

TRACT OF LAND IN S2 OF SEC 03-15-65 DESC AS FOLS:
 COMAT SW COR OF SD SEC TH N 89<02'55" E ALG S LN OF
 SW41362.96 FT TO A PT ON ELY R/W LN OF MARKSHEFFEL
 BLVD,N 00<05'44" E ALG SD R/W 894.53 FT FOR POB, TH
 CONT452.30 FT, N 89<24'57" E 1837.49 FT TO A PT ON WLY
 R/WLN OF HORIZONVIEW DR, S 00<05'44" W 202.25 FT,
 ALG ARCOF CUR TO R WITH A RAD OF 530.00 FT A C/A OF
 28<14'34"AN ARC DIST OF 261.25 FT, S 89<24'57" W 1180.91
 FT, THCONT 593.47 FT TO POB

Alerts

N/A

Property Valuation

Total Assessed Land: \$160
 Total Assessed Improvements: \$0
 Total Assessed: \$160

[Assessment questions? Click here](#)

Value

Total Market Value: \$539

Taxes Billed

Base Tax Amount: \$31.06
 Special Assessment Amount: \$0.00
 Improvement District Amount: \$0.00
 Total Current Year Taxes: \$31.06

**Total Current Year Taxes do not reflect outstanding
 tax liens and delinquencies, if any.
 See Alerts.**

Current Year Payments Due as of 8/2/2021

Option 1:

Payment Type	Due Date	Taxes & Fees Due	Interest Due	Total Amount		
First Half:	March 01	\$0.00	\$0.00	\$0.00	False	<input type="button" value="Pay"/>
Second Half:	June 15	\$0.00	\$0.00	\$0.00	False	<input type="button" value="Pay"/>

OR

Option 2:

Payment Type	Due Date	Taxes & Fees Due	Interest Due	Total Amount		
Full Amount:	April 30	\$0.00	\$0.00	\$0.00	False	<input type="button" value="Pay"/>

Current Year Payments Received

Date	Amount
01/13/2021	\$0.01

Prior Year(s) Transaction History

Date	Amount
12/31/2020	\$31.05
01/22/2020	-\$0.08
12/31/2019	\$32.84
01/11/2019	\$0.00
12/31/2018	\$31.45
12/29/2017	\$31.58
01/24/2017	-\$0.01

Note: Prior years transaction history data is for a maximum of 4 years.

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For any questions, please contact the Treasurer's Office at: **(719) 520-7900** or email to: trsweb@elpasoco.com



**Land Title Guarantee Company
Customer Distribution**



PREVENT FRAUD - Please remember to call a member of our closing team when initiating a wire transfer or providing wiring instructions.

Order Number: **SC55094304**

Date: **03/23/2021**

Property Address: **S MARKSHEFFEL RD AND HORIZONVIEW DR, COLORADO SPRINGS, CO**

PLEASE CONTACT YOUR CLOSER OR CLOSER'S ASSISTANT FOR WIRE TRANSFER INSTRUCTIONS

For Closing Assistance

For Title Assistance

Robert Hayes
102 S TEJON #760
COLORADO SPRINGS, CO 80903
(303) 850-4136 (Work)
(719) 634-3190 (Work Fax)
rohayes@ltgc.com

Buyer/Borrower

A BUYER TO BE DETERMINED
Delivered via: Electronic Mail

Agent for Buyer

NOR'WOOD DEVELOPMENT GROUP
Attention: LORI JIBREEN
111 S TEJON #222
COLORADO SPRINGS, CO 80903
(719) 593-2617 (Work)
(719) 633-0545 (Work Fax)
ljibreen@nor-wood.com
Delivered via: Electronic Mail

Seller/Owner

BLH NO. 2, LLC, A COLORADO LIMITED LIABILITY
COMPANY
Delivered via: Electronic Mail



Land Title Guarantee Company
Estimate of Title Fees

Order Number: **SC55094304** Date: **03/23/2021**
Property Address: **S MARKSHEFFEL RD AND HORIZONVIEW DR, COLORADO SPRINGS,
CO**
Parties: **A BUYER TO BE DETERMINED**
BLH NO. 2, LLC, A COLORADO LIMITED LIABILITY COMPANY

Visit Land Title's Website at www.ltgc.com for directions to any of our offices.

Estimate of Title insurance Fees	
"TBD" Commitment	\$1,271.00
	Total \$1,271.00
If Land Title Guarantee Company will be closing this transaction, the fees listed above will be collected at closing.	
Thank you for your order!	

Note: The documents linked in this commitment should be reviewed carefully. These documents, such as covenants conditions and restrictions, may affect the title, ownership and use of the property. You may wish to engage legal assistance in order to fully understand and be aware of the implications of the effect of these documents on your property.

Chain of Title Documents:

[El Paso county recorded 05/04/2017 under reception no. 217051685](#)

[El Paso county recorded 05/04/2017 under reception no. 21751685](#)

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: SC55094304

Property Address:

S MARKSHEFFEL RD AND HORIZONVIEW DR, COLORADO SPRINGS, CO

1. Effective Date:

03/18/2021 at 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"TBD" Commitment

\$5,000.00

Proposed Insured:

A BUYER TO BE DETERMINED

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

A FEE SIMPLE

4. Title to the estate or interest covered herein is at the effective date hereof vested in:

BLH NO. 2, LLC, A COLORADO LIMITED LIABILITY COMPANY

5. The Land referred to in this Commitment is described as follows:

PARCEL A:

A PARCEL OF LAND IN THE COUNTY OF EL PASO, STATE OF COLORADO BEING THOSE CERTAIN PARCELS OF LAND DESCRIBED AS PARCELS NO.'S 21, 26 AND 28 IN SPECIAL WARRANTY DEED RECORDED NOVEMBER 12, 2014 AT RECEPTION NO. [214104176](#) IN THE OFFICE OF THE CLERK AND RECORDER, SAID COUNTY AND STATE LYING WITHIN SECTION 3 TOWNSHIP 15 SOUTH RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 3;

THENCE ALONG THE EASTERLY LINE OF SAID NORTHWEST QUARTER SOUTH 00°04'36" WEST, A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF DRENNAN ROAD AND A LINE PARALLEL WITH AND DISTANT 30.00 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, TO THE NORTHERLY LINE OF SAID NORTHWEST QUARTER AND

THENCE ALONG SAID PARALLEL LINE AND SAID SOUTHERLY RIGHT-OF-WAY SOUTH 89°17'46" WEST, A DISTANCE OF 758.45 FEET TO THE NORTHWEST CORNER OF HORIZON VIEW DRIVE DESCRIBED AS EXCEPTION NO. 1 WITHIN SAID PARCEL NO. 21 AND THE POINT OF BEGINNING;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY OF SAID HORIZON VIEW DRIVE THE FOLLOWING 6 COURSES:

1. SOUTH 00°29'36" EAST, A DISTANCE OF 2,210.25 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 611.64 FEET;
2. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 56°02'34", AN ARC LENGTH OF 598.26 FEET;
3. SOUTH 56°32'13" EAST, A DISTANCE OF 1072.73 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 544.88 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 33°29'50" WEST;
4. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 56°00'04", AN

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: SC55094304

ARC LENGTH OF 532.57 FEET;

5. SOUTH $00^{\circ}29'17''$ EAST, A DISTANCE OF 391.28 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 530.00 FEET;

6. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $28^{\circ}14'07''$, AN ARC LENGTH OF 261.18 FEET TO THE NORTHERLY LINE OF COLORADO CENTRE RESIDENTIAL FILING NO. 3, A SUBDIVISION PLAT RECORDED FEBRUARY 4, 1986 AT RECEPTION NO. [1353514](#) IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE NON-TANGENT TO SAID CURVE ALONG SAID NORTHERLY LINE SOUTH $88^{\circ}49'35''$ WEST, A DISTANCE OF 1,181.15 FEET TO THE NORTHEAST CORNER OF COLORADO CENTRE RESIDENTIAL FILING NO. 2, A SUBDIVISION PLAT RECORDED JANUARY 30, 1986 AT RECEPTION NO. 1251713 IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID COLORADO CENTRE RESIDENTIAL FILING NO. 2 SOUTH $88^{\circ}49'35''$ WEST, A DISTANCE OF 593.47 FEET TO THE EASTERLY RIGHT-OF-WAY OF MARKSHEFFEL BOULEVARD;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING 5 COURSES:

1. NORTH $00^{\circ}29'16''$ WEST, A DISTANCE OF 3,160.90 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 300.00 FEET;
2. NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $89^{\circ}47'24''$, AN ARC LENGTH OF 470.14 FEET;
3. NON-TANGENT TO SAID CURVE NORTH $01^{\circ}04'56''$ EAST, A DISTANCE OF 80.29 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 300.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH $00^{\circ}41'53''$ WEST;
4. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $90^{\circ}12'37''$, AN ARC LENGTH OF 472.34 FEET;
5. NORTH $00^{\circ}29'16''$ WEST, A DISTANCE OF 588.79 FEET TO SAID SOUTHERLY RIGHT-OF-WAY OF DRENNAN ROAD A LINE PARALLEL WITH AND DISTANT 30.00 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, TO THE NORTHERLY LINE OF SAID NORTHWEST QUARTER;

THENCE ALONG SAID PARALLEL LINE AND SAID SOUTHERLY RIGHT OF WAY LINE NORTH $89^{\circ}17'46''$ EAST, A DISTANCE OF 437.16 FEET TO THE POINT OF BEGINNING.

PARCEL B:

A PARCEL OF LAND IN THE COUNTY OF EL PASO, STATE OF COLORADO BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL NO. 21 IN SPECIAL WARRANTY DEED RECORDED NOVEMBER 12, 2014 AT RECEPTION NO. [214104176](#) IN THE OFFICE OF THE CLERK AND RECORDER, SAID COUNTY AND STATE LYING WITHIN SECTION 3, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF CUCHARES RANCH FILING NO. 1, A SUBDIVISION PLAT RECORDED JANUARY 1, 2010 AT RECEPTION NO. [21713014](#) IN SAID OFFICE OF THE CLERK AND RECORDER, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY OF HORIZON VIEW DRIVE DESCRIBED AS EXCEPTION NO. 1 WITHIN SAID PARCEL NO. 21;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID CUCHARES RANCH FILING NO. 1 NORTH $88^{\circ}49'37''$ EAST, A DISTANCE OF 1,220.62 FEET TO THE NORTHWEST CORNER OF THAT CERTAIN

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: SC55094304

PARCEL DESCRIBED AS EXCEPTION NO. 4 - ELEMENTARY SCHOOL SITE 6 WITHIN SAID PARCEL NO. 21;

THENCE ALONG SAID WESTERLY BOUNDARY OF SAID EXCEPTION NO. 4 - ELEMENTARY SCHOOL SITE 6 AND WESTERLY BOUNDARY OF MORNING SUN I, A SUBDIVISION PLAT RECORDED AUGUST 15, 1986 AT RECEPTION NO. [1438534](#) IN SAID OFFICE OF THE CLERK AND RECORDER SOUTH 00°29'36" EAST, A DISTANCE OF 1230.95 FEET TO SAID EASTERLY RIGHT-OF-WAY AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 624.36 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 44°56'21" WEST;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING 4 COURSES:

1. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°28'34", AN ARC LENGTH OF 125.06 FEET;
2. NORTH 56°32'13" WEST, A DISTANCE OF 1072.73 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 531.64 FEET;
3. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 56°02'55", AN ARC LENGTH OF 520.07 FEET;
4. NORTH 00°29'18" WEST, A DISTANCE OF 96.53 FEET TO THE POINT OF BEGINNING.

PARCEL C:

A PARCEL OF LAND IN THE COUNTY OF EL PASO, STATE OF COLORADO BEING A PORTION OF THAT CERTAIN PARCEL DESCRIBED AS PARCEL 21 AND THAT CERTAIN PARCEL DESCRIBED AS PARCEL NO. 24 IN SPECIAL WARRANTY DEED RECORDED NOVEMBER 12, 2014 AT RECEPTION NO. [214104176](#) IN THE OFFICE OF THE CLERK AND RECORDER, SAID COUNTY AND STATE LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF MORNING SUN I, A SUBDIVISION PLAT RECORDED AUGUST 15, 1986 AT RECEPTION NO. [1438534](#) IN SAID OFFICE OF THE CLERK AND RECORDER, SAID POINT BEING ON THE WESTERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED AS EXCEPTION NO. 3 KEITH DEVELOPMENT WITHIN SAID PARCEL NO. 21;

THENCE ALONG SAID WESTERLY BOUNDARY THE FOLLOWING 2 COURSES:

1. SOUTH 12° 05'49" WEST, A DISTANCE OF 359.46 FEET TO THE NORTHERLY LINE OF THE SOUTH HALF OF THE SOUTH HALF OF SAID SECTION 3;
2. SOUTH 12° 05'10" WEST, A DISTANCE OF 634.92 FEET TO THE NORTHERLY BOUNDARY OF COLORADO CENTRE RESIDENTIAL FILING NO. 5, A SUBDIVISION PLAT RECORDED SEPTEMBER 30, 1998 AT RECEPTION NO. [98141531](#) IN SAID OFFICE OF THE CLERK AND RECORDER;

THENCE ALONG SAID NORTHERLY BOUNDARY THE FOLLOWING 2 COURSES:

1. NORTH 77° 54'53" WEST, A DISTANCE OF 617.53 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 792.47 FEET;
2. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11° 35'20", AN ARC LENGTH OF 160.29 FEET TO THE EASTERLY RIGHT-OF-WAY OF HORIZON VIEW DRIVE AS DESCRIBED AS EXCEPTION NO. 1 - PORTION OF HORIZON VIEW DRIVE IN SAID SPECIAL WARRANTY DEED AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 610.00 FEET, THE

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Schedule A

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RADIUS POINT OF SAID CURVE BEARS NORTH 69° 08'33" WEST;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING 3 COURSES:

1. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21° 20'38", AN ARC LENGTH OF 227.24 FEET;
2. NORTH 00° 29'17" WEST, A DISTANCE OF 398.55 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 624.36 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 88° 51'53" WEST;
3. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08° 49'36", AN ARC LENGTH OF 96.19 FEET TO THE SOUTHWEST CORNER OF SAID MORNING SUN I;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID MORNING SUN I THE FOLLOWING 2 COURSES:

1. NORTH 68° 00'55" EAST, A DISTANCE OF 186.05 FEET;
2. NORTH 89° 25'22" EAST, A DISTANCE OF 764.65 FEET TO THE POINT OF BEGINNING,

EXCEPT THAT PORTION LYING IN THE SOUTH HALF OF THE SOUTH HALF OF SAID SECTION 3.

PARCEL D:

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF SECTION 3. TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING CONSIDERED NORTH 89° 02'55" EAST.

COMMENCING AT THE SOUTHWEST COMER OF SAID SECTION 3; THENCE NORTH 89° 02'55" EAST AND ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3 A DISTANCE OF 1362.96 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF MARKSHEFFEL BOULEVARD, SAID POINT BEING ON THE WEST LINE OF TRACT B AS PLATTED IN COLORADO CENTRE RESIDENTIAL FILING NO. 2 AS RECORDED IN PLAT BOOK A-4 AT PAGE 4 OF THE EL PASO COUNTY RECORDS;

THENCE NORTH 00° 05'44" EAST AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF MARKSHEFFEL BOULEVARD AND THE WEST LINE OF TRACT B AS PLATTED IN COLORADO CENTRE RESIDENTIAL FILING NO. 2 A DISTANCE OF 894.53 FEET TO THE NORTHWEST CORNER OF TRACT B AS PLATTED IN COLORADO CENTRE RESIDENTIAL FILING NO. 2. SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 00° 05'44" EAST AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF MARKSHEFFEL BOULEVARD A DISTANCE OF 452.30 FEET;

THENCE NORTH 89° 24'57" EAST A DISTANCE OF 1837.49 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF HORIZON VIEW DRIVE;

THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

- (1) SOUTH 00° 05'44" WEST A DISTANCE OF 202.25 FEET TO A POINT OF CURVE;

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(2) ALONG A CURVE TO THE RIGHT HAVING A DELTA OF 28° 14'34" , , A RADIUS OF 530.00 FEET, A DISTANCE OF 261.25 FEET AS MEASURED ALONG THE ARC TO A POINT ON CURVE, SAID POINT BEING THE NORTHEAST CORNER OF TRACT B AS PLATTED IN COLORADO CENTRE RESIDENTIAL FILING NO. 3 AS RECORDED IN PLAT BOOK-4 AT PAGE 13 OF THE EL PASO COUNTY RECORDS;

THENCE SOUTH 89° 24'57" WEST AND ALONG THE NORTH LINE OF COLORADO CENTRE RESIDENTIAL FILING NO. 3 A DISTANCE OF 1180.91 FEET TO THE NORTHWEST CORNER OF COLORADO CENTRE RESIDENTIAL FILING NO. 3, SAID POINT ALSO BEING THE NORTHEAST CORNER OF COLORADO CENTRE RESIDENTIAL FILING NO. 2; THENCE SOUTH 89° 24'57" WEST AND ALONG THE NORTH LINE OF COLORADO CENTRE RESIDENTIAL FILING NO. 2 A DISTANCE OF 593.47 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PART CONVEYED TO EL PASO COUNTY, COLORADO IN TREASURER'S DEED RECORDED IN BOOK 1081 AT PAGE 211.

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Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

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All of the following Requirements must be met:

This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

1. PROVIDE LAND TITLE GUARANTEE COMPANY WITH A CURRENT ALTA SURVEY OF SUBJECT PROPERTY. UPON REVIEW, ADDITIONAL REQUIREMENTS AND/OR EXCEPTIONS MAY BE NECESSARY.

LAND TITLE IS NOT RESPONSIBLE FOR ORDERING SAID ALTA SURVEY .

2. A FULL COPY OF THE FULLY EXECUTED OPERATING AGREEMENT AND ANY AND ALL AMENDMENTS THERETO FOR BLH NO. 2, LLC, A COLORADO LIMITED LIABILITY COMPANY MUST BE FURNISHED TO LAND TITLE GUARANTEE COMPANY. SAID AGREEMENT MUST DISCLOSE WHO MAY CONVEY, ACQUIRE, ENCUMBER, LEASE OR OTHERWISE DEAL WITH INTERESTS IN REAL PROPERTY FOR SAID ENTITY.

NOTE: ADDITIONAL REQUIREMENTS MAY BE NECESSARY UPON REVIEW OF THIS DOCUMENTATION.

3. WRITTEN CONFIRMATION THAT THE INFORMATION CONTAINED IN STATEMENT OF AUTHORITY FOR BLH NO. 2, LLC, A COLORADO LIMITED LIABILITY COMPANY RECORDED MARCH 04, 2021 AT RECEPTION NO. [22142675](#) IS CURRENT.

NOTE: SAID INSTRUMENT DISCLOSES NOR WOOD LTD. INC AS THE DAVID D. JENKINS AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF SAID ENTITY. IF THIS INFORMATION IS NOT ACCURATE, A CURRENT STATEMENT OF AUTHORITY MUST BE RECORDED.

4. A FULL COPY OF THE FULLY EXECUTED OPERAING AGREEMENT AND ANY AND ALL AMENDMENTS THERETO FOR LLC MUST BE FURNISHED TO LAND TITLE GUARANTEE COMPANY. SAID AGREEMENT MUST DISCLOSE WHO MAY CONVEY, ACQUIRE, ENCUMBER, LEASE OR OTHERWISE DEAL WITH INTERESTS IN REAL PROPERTY FOR SAID ENTITY.

NOTE: ADDITIONAL REQUIREMENTS MAY BE NECESSARY UPON REVIEW OF THIS DOCUMENTATION.

5. SPECIAL WARRANTY DEED FROM BLH NO. 2, LLC, A COLORADO LIMITED LIABILITY COMPANY TO A BUYER TO BE DETERMINED CONVEYING SUBJECT PROPERTY.

THIS COMMITMENT IS FOR INFORMATION ONLY, AND NO POLICY WILL BE ISSUED PURSUANT HERETO.

NOTE: THE COMMITMENT DOES NOT REFLECT THE STATUS OF TITLE TO WATER RIGHTS OR REPRESENTATION OF SAID RIGHTS.

NOTE: THIS COMMITMENT IS NOT A REPORT OR REPRESENTATION AS TO MINERAL INTERESTS, AND SHOULD NOT BE USED, OR RELIED UPON, IN CONNECTION WITH THE NOTICE REQUIREMENTS THAT ARE SET FORTH IN CRS 24-65.5-103.

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(Exceptions)

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This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

- 1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.**
- 2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.**
- 3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.**
- 4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
- 5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.**
- 6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.**
- 7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.**
- 8. EXISTING LEASES AND TENANCIES.**
- 9. RESERVATIONS AS CONTAINED IN PATENT OF THE UNITED STATES RECORDED JUNE 04, 1904 IN BOOK 54 AT PAGE [48](#).**
- 10. ANY INTEREST WHICH MAY HAVE BEEN ACQUIRED BY THE PUBLIC IN SUBJECT PROPERTY BY REASON OF RESOLUTION OF BOARD OF COUNTY COMMISSIONERS DATED AND RECORDED OCTOBER 3, 1887 IN BOOK A AT PAGE [78](#) WHICH PROVIDED FOR PUBLIC ROADS 60 FEET IN WIDTH BEING 30 FEET ON EITHER SIDE OF ALL SECTION LINES, TOWNSHIP LINES AND RANGE LINES ON THE PUBLIC DOMAIN EAST OF THE RANGE LINE DIVIDING RANGES 65 AND 66.**
- 11. RIGHT OF THE PROPRIETOR OF A VEIN OR LODGE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED SEPTEMBER 12, 1889 IN BOOK 72 AT PAGES [361](#) AND [389](#), AND RECORDED SEPTEMBER 30, 1889 IN BOOK 55 AT PAGE [104](#) AND IN BOOK 72 AT PAGE [320](#).**

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12. RESERVATION IN DEED RECORDED IN BOOK 791 AT PAGE 151, RECORDS OF EL PASO COUNTY, COLORADO, OF AN UNDIVIDED INTEREST IN AND TO ALL MINERALS, ORES, AND METALS OF EVERY KIND AND CHARACTER AND TO ALL COAL, ASPHALTUM, OIL AND OTHER SUBSTANCES IN OR UNDER SAID LANDS, TOGETHER WITH THE RIGHT OF SURFACE ENTRY.
13. RESERVATION IN DEED RECORDED JANUARY 23, 1930 IN BOOK 834 AT PAGE [439](#) OF ALL COAL, OIL, MINERALS AND MINERAL RIGHTS, TOGETHER WITH THE RIGHT OF SURFACE ENTRY.
14. RESERVATION OF AN UNDIVIDED INTEREST IN ALL OIL, GAS AND OTHER MINERALS AS SET FORTH IN DEED RECORDED APRIL 28, 1943, IN BOOK 1033 AT PAGE [120](#), RECORDS OF EL PASO COUNTY, COLORADO.
15. RESERVATION OF AN UNDIVIDED ONE HALF INTEREST OF ALL OIL, GAS AND OTHER MINERALS AND MINERAL RIGHTS, IN, UPON, AND UNDER SUBJECT PROPERTY, TOGETHER WITH THE FULL AND FREE RIGHT TO ENTER UPON SAID PREMISES FOR THE PURPOSE OF OPERATING, DRILLING AND MARKETING THE PRODUCTION THEREOF RECORDED JANUARY 24, 1944 IN BOOK 1419 AT PAGE [198](#).
16. EASEMENT GRANTED TO MOUNTAIN VIEW ELECTRIC ASSOCIATION FOR ELECTRIC TRANSMISSION PURPOSES RECORDED DECEMBER 4, 1958 IN BOOK 1714 AT PAGE [541](#).
17. AN UNDIVIDED ONE-FOURTH INTEREST TO OIL, GAS AND OTHER MINERALS TOGETHER WITH RIGHT OF INGRESS AND EGRESS FOR THE PURPOSES OF MINING, DRILLING AND EXPLORING SUBJECT PROPERTY AS CONVEYED IN MINERAL DEED MAY 27, 1959 IN BOOK 1745 AT PAGE [336](#).
18. AN UNDIVIDED ONE EIGHTH INTEREST IN ALL OIL, GAS AND OTHER MINERALS AND MINERAL RIGHTS AS CONVEYED IN DEED RECORDED JUNE 28, 1962 IN BOOK 1915 AT PAGE [436](#)
19. EASEMENT AND RIGHT OF WAY GRANTED TO MOUNTAIN VIEW ELECTRIC ASSOCIATION FOR ELECTRIC TRANSMISSION AND TELEPHONE LINE PURPOSES RECORDED AUGUST 17, 1970 IN BOOK 2359 AT PAGE [451](#) AND RECORDED SEPTEMBER 16, 1970 IN BOOK 2364 AT PAGE [811](#).
20. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RIGHT-OF-WAY EASEMENT RECORDED APRIL 02, 1973 IN BOOK 2574 AT PAGE [327](#).
21. THE EFFECT OF INCLUSION OF SUBJECT PROPERTY IN THE FALCON FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENTS RECORDED DECEMBER 02, 1980, IN BOOK 3380 AT PAGES [670](#) AND [675](#) AND FEBRUARY 17, 1981 IN BOOK 3404 AT PAGES [582](#) AND [587](#).
22. THE EFFECT OF NOTICE CONCERNING UNDERGROUND FACILITIES, RECORDED JANUARY 29, 1982, IN BOOK 3527 AT PAGE [176](#) AND RECORDED MAY 09, 1983 IN BOOK 3718 AT PAGE [812](#).
23. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN RIGHT-OF-WAY EASEMENT RECORDED FEBRUARY 11, 1983 IN BOOK 3673 AT PAGE [899](#).
24. THE EFFECT, IF ANY OF QUIT CLAIM DEEDS CONVEYING MINERALS RECORDED OCTOBER 18, 1984 IN BOOK 3929 AT PAGE [634](#), RECORDED OCTOBER 18, 1984 IN BOOK 3929 AT PAGE [635](#) AND RECORDED OCTOBER 18, 1984 IN BOOK 3929 AT PAGE [636](#).
25. RESERVATION AND RESTRICTIONS AS CONTAINED IN WARRANTY DEED RECORDED DECEMBER 8, 1988 IN BOOK 5584 AT PAGE [1427](#).

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26. RESERVATION OF WATER RIGHTS AS CONTAINED IN DEED RECORDED JULY 22, 1988 IN BOOK 5535 AT PAGE 33. SAID RIGHTS ASSIGNED IN DOCUMENT RECORDED AUGUST 25, 1989 IN BOOK 5662 AT PAGE 213 AND IN DOCUMENT RECORDED MARCH 23, 1993 IN BOOK 6139 AT PAGE [1447](#). QUIT CLAIM DEEDS IN CONJUNCTION THEREWITH RECORDED MAY 14, 2015 UNDER RECEPTION NO. [215047834](#) AND CORRECTION QUIT CLAIM DEED RECORDED JULY 23, 2015 UNDER RECEPTION NO. [215078694](#). SAID RIGHTS LAST CONVEYED OF RECORD BY QUIT CLAIM DEED RECORDED JULY 23, 2015 UNDER RECEPTION NO. [215078695](#).
27. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF RIGHT OF WAY RECORDED JULY 28, 2004 UNDER RECEPTION NO. [204126133](#).
28. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF RIGHT OF WAY RECORDED DECEMBER 07, 2004 UNDER RECEPTION NO. [204200386](#).
29. EACH AND EVERY RIGHT OR RIGHTS OF ACCESS CONVEYED TO DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO AS CONTAINED IN WARRANTY DEED RECORDED MAY 15, 2002 UNDER RECEPTION NO. [202079660](#).
30. NOTICE CONCERNING UNDERGROUND FACILITIES OF THE MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC RECORDED MAY 9, 1983 IN BOOK 3718 AT PAGE [812](#).
31. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF RIGHT OF WAY RECORDED AUGUST 09, 1983 IN BOOK 3765 AT PAGE [798](#).

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32. RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED OCTOBER 11, 1985, IN BOOK 5074 AT PAGE [153](#).

FIRST AMENDMENT RECORDED FEBRUARY 12, 1986 IN BOOK 5126 AT PAGE [866](#).

SECOND AMENDMENT RECORDED APRIL 6, 1987 IN BOOK 5344 AT PAGE [749](#).

THIRD AMENDMENT RECORDED APRIL 6, 1987 IN BOOK 5344 AT PAGE [774](#).

FOURTH AMENDMENT RECORDED OCTOBER 12, 1988 IN BOOK 5564 AT PAGE [1228](#).

ANNEXATION OF ADDITIONAL LAND RECORDED APRIL 6, 1987 IN BOOK 5344 AT PAGE [743](#).

ASSIGNMENT OF RESERVED RIGHTS UNDER DECLARATION RECORDED AUGUST 25, 1989 IN BOOK 5662 AT PAGE [210](#).

ASSIGNMENT OF RESERVED RIGHTS UNDER DECLARATION RECORDED SEPTEMBER 17, 1991 IN BOOK 5882 AT PAGE [621](#).

ASSIGNMENT AND ASSUMPTION OF DECLARANT'S RIGHTS RECORDED MARCH 23, 1993 IN BOOK 6140 AT PAGE [1](#)

33. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN TEMPORARY DRAINAGE EASEMENT RECORDED OCTOBER 14, 1987 IN BOOK 5433 AT PAGE [702](#).
34. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN TEMPORARY DRAINAGE EASEMENT RECORDED OCTOBER 14, 1987 IN BOOK 5433 AT PAGE [708](#).
35. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN DRAINAGE EASEMENT RECORDED OCTOBER 14, 1987 IN BOOK 5433 AT PAGE [714](#).
36. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN DRAINAGE EASEMENT RECORDED OCTOBER 14, 1987 IN BOOK 5433 AT PAGE [720](#).
37. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT RECORDED MAY 20, 1988 IN BOOK 5509 AT PAGE [1026](#).
38. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT RECORDED MAY 20, 1988 IN BOOK 5509 AT PAGE [1031](#).

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39. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ANNEXATION AGREEMENT RECORDED SEPTEMBER 23, 1988 IN BOOK 5557 AT PAGE [405](#).

ANNEXATION ORDINANCES IN CONNECTION THEREWITH RECORDED SEPTEMBER 23, 1988 IN BOOK 5557 AT PAGES [592](#), [605](#), [624](#), [630](#), [635](#), [640](#), [647](#), [655](#) AND [671](#).

40. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ASSIGNMENT AND ASSUMPTION OF RIGHTS AND OBLIGATIONS RECORDED MARCH 23, 1993 IN BOOK 639 AT PAGE 1447.
41. EVIDENCE OF PIPELINE BY QUIT CLAIM DEED RECORDED FEBRUARY 13, 1998 UNDER RECEPTION NO. [98017721](#)
42. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MEMORANDUM OF CONTRACT RECORDED NOVEMBER 16, 2000 UNDER RECEPTION NO. [200138704](#).
43. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ORDER AND JUDGMENT RECORDED MARCH 16, 2005 UNDER RECEPTION NO. [205037381](#).
44. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN ACCESS AND UTILITIES EASEMENT AGREEMENT RECORDED FEBRUARY 19, 2008 UNDER RECEPTION NO. [208018258](#).
45. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN DRAINAGE, UTILITY AND ACCESS EASEMENT AGREEMENT RECORDED FEBRUARY 19, 2008 UNDER RECEPTION NO. [208018259](#).
46. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN UTILITY AND ACCESS EASEMENT AGREEMENT RECORDED JUNE 16, 2008 UNDER RECEPTION NO. [208068221](#).
47. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN UTILITY AND ACCESS EASEMENT RECORDED APRIL 08, 2009 UNDER RECEPTION NO. [209035874](#).
48. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 6, AS EVIDENCED BY INSTRUMENT RECORDED APRIL 30, 2009, UNDER RECEPTION NO. [209046235](#).
49. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT AGREEMENT RECORDED DECEMBER 09, 2009 UNDER RECEPTION NO. [209140338](#).
50. OIL AND GAS LEASE RECORDED MARCH 29, 2011 UNDER RECEPTION NO. [211030895](#) AND ANY AND ALL ASSIGNMENTS THEREOF, OR INTEREST THEREIN.
51. RESERVATIONS CONTAINED IN SPECIAL WARRANTY DEED RECORDED NOVEMBER 12, 2014 UNDER RECEPTION NO. [214104176](#) AND RECORDED JUNE 5, 2015 UNDER RECEPTION NO. [215057838](#).
52. EASEMENT GRANTED TO STERLING RANCH METROPOLITAN DISTRICT NO. 1, FOR A WASTE WATER FORCE MAIN, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED MAY 14, 2015 UNDER RECEPTION NO. [215047794](#).



LAND TITLE GUARANTEE COMPANY DISCLOSURE STATEMENTS

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

- (A) The Subject real property may be located in a special taxing district.
- (B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- (A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- (B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

- (A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- (B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.



**JOINT NOTICE OF PRIVACY POLICY OF
LAND TITLE GUARANTEE COMPANY,
LAND TITLE GUARANTEE COMPANY OF SUMMIT COUNTY
LAND TITLE INSURANCE CORPORATION AND
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
 - your transactions with, or from the services being performed by us, our affiliates, or others;
 - a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.



Commitment For Title Insurance

Issued by Old Republic National Title Insurance Corporation

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON. .

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.

- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

IN WITNESS WHEREOF, Land Title Insurance Corporation has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver, Colorado 80206
303-321-1880



Senior Vice President



OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By  President

Attest  Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Land Title Insurance Corporation. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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PRE-APPLICATION MEETING SUMMARY

Area: South Date: 7/20/2020

Pre-Application No.: TKB-21-076

Applicant(s) Present: Andrea Barlow, Kyle Campbell, Keith Cerjan, Kim Johnson, Blaine Pe Lot Size: 90.6 ac

Site Location: East of Marksheffel and both sides of Horizonview TSN: 550000189 (portion) & 5503300001

Project Description: Develop single-family residential Zone: R1-6/CR AO APZ2

APPLICATION(S) REQUIRED: No application to the Planning Department required

- | | | |
|---|---|---|
| <input type="checkbox"/> 2020 Land Use Map Amendment | <input type="checkbox"/> Development Agreement (PUD Zone) | <input type="checkbox"/> Street Name Change |
| <input type="checkbox"/> Administrative Relief | <input checked="" type="checkbox"/> Development Plan <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input checked="" type="checkbox"/> Subdivision Plat <input type="radio"/> PP <input checked="" type="radio"/> FP <input type="radio"/> PFP |
| <input type="checkbox"/> Amendment to Plat Restriction | <input type="checkbox"/> Historic Preservation Board | <input type="checkbox"/> Subdivision Waiver <input type="radio"/> Design <input type="radio"/> Process |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Master Plan <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Use Variance <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Building Permit to Unplatted Land | <input type="checkbox"/> Minor Improvement Plan | <input type="checkbox"/> Vacation of Plat |
| <input type="checkbox"/> CMRS No. <input type="checkbox"/> | <input type="checkbox"/> Nonuse Variance / Warrant | <input type="checkbox"/> Vacation of Public Right-of-Way |
| <input type="checkbox"/> Concept Plan <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Preservation Easement Adjustment | <input type="checkbox"/> Waiver of Replat |
| <input type="checkbox"/> Conditional Use <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Property Boundary Adjustment | <input type="checkbox"/> Zone Change |

Visit the Land Use Review Division website at www.coloradosprings.gov/planninginfo for application forms and checklists

MJ = Major Amendment, MN = Minor Amendment, and MM = Minor Modification

NEIGHBORHOOD ORGANIZATION:

Neighborhood Association/Contact: _____ Neighborhood Meeting

PUBLIC NOTIFICATION REQUIREMENTS: Pre-Application Stage Internal Review Stage Public Hearing Stage
Note: Applicant will be required to pay for postage at time of poster pick-up. Postcard Poster No Public Notice Required
 Buffer Distance: 150 ft. 500 ft. 1,000 ft. Custom distance: _____

ADDITIONAL STUDIES/MATERIALS TO BE SUBMITTED WITH APPLICATION:

<input type="checkbox"/> Geo-Hazard Report	<input checked="" type="checkbox"/> Traffic Impact Analysis	<input checked="" type="checkbox"/> Drainage Report
Contact: <u>Patrick Morris, 719-385-5075</u>	Contact: <u>Zaker Alazzeh, 719-385-5468</u>	Contact: <u>Jonathan Scherer, 719-385-5546</u>
<input checked="" type="checkbox"/> Hydraulic Grade Line	<input checked="" type="checkbox"/> Wastewater Master Facility Report	<input type="checkbox"/> Land Suitability Analysis
<input type="checkbox"/> Elevation Drawings	<input type="checkbox"/> Mineral Estate Owner Notification	<input checked="" type="checkbox"/> Other: <u>Noise Impact Study</u>

LDTIC MEETING: Yes No **Date:** _____ **Time:** _____

COMMENTS: (This is a preliminary listing of issues and attention items; additional issues will likely surface as the application proceeds through the review process):

- Development of property with residential lots will require a new development plan, and final plat; consultant plan is to submit four filings and one development plan.
- Ordinances 88-136 applies and includes condition of approval that requires a noise study for the residential development.
- Address in project statement whether neighborhood park is being provided. Include all review criteria in project statement.
- coordinate with planner for review of electronic submittal prior to delivering printed sets and check.
- DP: 90.6 acres= 351 lots = \$7,429
- Filing 1 FP only: 20.473 acres/85 lots= \$2,400
- Filing 2 FP only: 24.380 acres/89 lots= \$2,524
- Filing 3 FP only: 23.709 acres/92 lots= \$2,527
- Filing 4 FP only: 22.065 acres/85 lots= \$2,460

NOTE: The above information is intended to assist in the preparation of an application. This sheet is not a complete list of submittal requirements. Refer to the Zoning and Subdivision Ordinances and the appropriate application checklists for further information and details.

This form and the information contained herein is valid for 6 months.

Fee Estimate: \$ see above

Number of Plans: one printed, one electronic

Tasha Brackin, AICP
 Senior Planner
 Land Use Review
 Planning & Community Development

30 S. Nevada Avenue, Suite 105 Phone: (719) 385-5369
 P.O. Box 1575, MC 155 Fax: (719) 385-5167
 Colorado Springs, CO 80901-1575 tbrackin@springsgov.com

PLANNING & DEVELOPMENT DEPARTMENT
Project Notification Information

Date: September 10, 2021

Planner: Tasha Brackin

Planner email: Tasha.Brackin@coloradosprings.gov

Planner phone number: (719) 385-5369

Applicant Email: tseibert@norwood.dev

Applicant Name: Tim Seibert

TSN: 5500000189 and 5503300001

Site Address (to be used on postcard): Vacant land South, East and SE of the intersection of South Marksheffel Rd and Drennan Rd with Horizonview Drive as the eastern border

PROJECT:

<input type="checkbox"/>	Pre-application Notice	<input checked="" type="checkbox"/>	Standard Notification
<input type="checkbox"/>	Pre-application Neighborhood Meeting Notice	<input type="checkbox"/>	Standard with Neighborhood Meeting Notice
<input type="checkbox"/>	No notice	<input type="checkbox"/>	Poster only

PUBLIC NOTICE:

150 feet 500 feet 1,000 feet Modified (attach modified buffer) No public notice

PROJECT BLURB

Provide a project blurb for each application type, adjust language as needed. Note code sections where applicable for variances.

Meadoworks Development Plan

Request by BLH NO 2 LLC, with representation by NES, Inc., for approval of the Meadoworks Phase 1 Development Plan. If approved the proposal would allow for development of 358 single-family residential lots of 6,000 square feet and larger, including parks and open space, landscape and road improvements, and utilities. The site is zoned R1-6000/CR/AO (Single-Family Residential with Conditions of Record and Airport Overlay), is 90.6 acres in size, and located on the east side of South Marksheffel Road, north of Bradley Road and South of Drennan Road.

Final Plat – Meadoworks Filing No. 1

Request by BLH NO 2 LLC, with representation by NES, Inc., for approval of the Meadoworks Filing No. 1 subdivision plat. If approved the proposed application would allow for the creation of 85 single-family residential lots of 6,000 square feet and larger. The site is zoned R1-6000/CR/AO (Single-Family Residential with Conditions of Record and Airport Overlay), is 20.5 acres in size, and located on the east side of South Marksheffel Road, north of Bradley Road and South of Drennan Road.

Final Plat – Meadoworks Filing No. 2

Request by BLH NO 2 LLC, with representation by NES, Inc., for approval of the Meadoworks Filing No. 2 subdivision plat. If approved the proposed application would allow for the creation of 89 single-family residential lots of 6,000 square feet and larger. The site is zoned R1-6000/CR/AO (Single-Family Residential with Conditions of Record and Airport Overlay), is 24.4 acres in size, and located on the east side of South Marksheffel Road, north of Bradley Road and South of Drennan Road.

[Type text]

Final Plat – Meadowworks Filing No. 3

Request by BLH NO 2 LLC, with representation by NES, Inc for approval of the Meadowworks Filing No. 3 subdivision plat. If approved the proposed application would allow for the creation of 92 single-family residential lots of 6,000 square feet and larger. The site is zoned R1-6000/CR/AO (Single-Family Residential with Conditions of Record and Airport Overlay), is 23.7 acres in size, and located on the east side of South Marksheffel Road, north of Bradley Road and South of Drennan Road.

Final Plat – Meadowworks Filing No. 4

Request by BLH NO 2 LLC, with representation by NES, Inc for approval of the Meadowworks Filing No. 4 subdivision plat. If approved the proposed application would allow for the creation of 90 single-family residential lots of 6,000 square feet and larger. The site is zoned R1-6000/CR/AO (Single-Family Residential with Conditions of Record and Airport Overlay), is 22 acres in size, and located on the east side of South Marksheffel Road, north of Bradley Road and South of Drennan Road.

POSTCARD

Include 3-5 highlighted points to best describe the project.

- This project proposes development of 358 single-family homes on lots at least 6,000 square feet, including parks and open space, landscape and road improvements, and utilities.
- The project includes a development plan and four final plats

Neighborhood Meeting Information: TBD after initial publication

POSTER

Fill out applicable information below:

What type of project is proposed? (large bold letters on poster, approx. 35 characters):

Development of 358 single-family homes on lots at least 6,000 square feet, with parks and open space, landscape and road improvements, and utilities.

Planning and Development Distribution Form
Preliminary Plat, Final Plat, Preliminary & **Final Plat**

Directions: Planners select at least one check box under each section to determine the application distribution.

Planner Intake Date: 9/10/2021

Admin Receive Date: **[9/10/21]**

Project Name: Meadowworks Filing No. 3

1. PUBLIC NOTICE: (see Project Blurb to establish noticing parameters)

2. Date bucksliip comments are due (21 calendar days after submittal): **October 1, 2021**

3. HOA: NA

4. STANDARD DISTRIBUTION:

Include all standard distribution recipients (either check here or individually check boxes below)

ID#	Division Name	Email/Distribution Notes
3	<input type="checkbox"/> CONO	rdavis@cscono.org landusenotice@cscono.org
85	<input type="checkbox"/> Utilities Development Services	Bucksliips@csu.org
9	<input type="checkbox"/> Fire Department	CSFDDDevelopmentSMB@coloradosprings.gov
24	<input type="checkbox"/> SWENT / EDRD	development.review@coloradosprings.gov
17	<input type="checkbox"/> Cory Sharp, Land Surveyor	Cory.Sharp@coloradosprings.gov
66	<input type="checkbox"/> Real Estate Services	Barbara.Reinardy@coloradosprings.gov
14	<input type="checkbox"/> Lois Ruggera Candy Fontecchio	Lois.Ruggera@coloradosprings.gov Candy.Fontecchio@coloradosprings.gov
19	<input type="checkbox"/> Century Link	Patti.Moore@CenturyLink.com Bea.Romero@centurylink.com Melissa.Spencer@centurylink.com
77	<input type="checkbox"/> CSU Customer Contract Administration	Bucksliips@csu.org
11	<input type="checkbox"/> IT GIS	Bootsy.Jones@coloradosprings.gov
13	<input type="checkbox"/> Parks & Recreation	Britt.Haley@coloradosprings.gov Constance.Schmeisser@coloradosprings.gov Emily.Duncan@coloradosprings.gov
23	<input type="checkbox"/> Enumerations	addressing@pprbd.org

29	<input type="checkbox"/> Flood Plain	Keith@pprbd.org
98	<input type="checkbox"/> USPS	Elaine.f.kelly@usps.gov
45	<input type="checkbox"/> Zaker Alazzeh, Traffic – School Safety	development.review@coloradosprings.gov
65	<input type="checkbox"/> Zaker Alazzeh, Traffic Eng	development.review@coloradosprings.gov
48	<input type="checkbox"/> Street Division	Corey.Rivera@coloradosprings.gov Cole.Platt@coloradosprings.gov
60	<input type="checkbox"/> Transit	Roger.Austin@coloradosprings.gov
25	<input type="checkbox"/> County Health Department	catherinemcgarvy@elpasoco.com
30	<input type="checkbox"/> Comcast	Jason_Jacobsen@comcast.com DENNIS_LONGWELL@comcast.com WSTMWR_MDSubmissions@comcast.com
92	<input type="checkbox"/> Forestry	Jeff.Cooper@coloradosprings.gov
56	<input type="checkbox"/> PlanCOS	PlanCOS@coloradosprings.gov

5. SCHOOL DISTRICT:

ID#	Division Name	Email/Distribution Notes
	<input type="checkbox"/> None	
36	<input type="checkbox"/> School District # 2	sbecker@hsd2.org
68	<input checked="" type="checkbox"/> School District # 3	gishd@wsd3.org
37	<input type="checkbox"/> School District # 11	TERRY.SEAMAN@d11.org JOSH.CHISM@d11.org
38	<input type="checkbox"/> School District # 12	dpeak@cmsd12.org
39	<input type="checkbox"/> School District # 20	tom.gregory@asd20.org
69	<input type="checkbox"/> School District # 22	chrissmith@esd22.org
41	<input type="checkbox"/> School District # 49	mandrews@d49.org

6. MILITARY INSTALLATION (if within 2 mile buffer):

ID#	Division Name	Email/Distribution Notes
	<input checked="" type="checkbox"/> None	
84	<input type="checkbox"/> Fort Carson	john.j.sanders71.civ@mail.mil thomas.j.wiersma.civ@mail.mil
46	<input type="checkbox"/> NORAD	Michael.kozak.2@us.af.mil Michael.Shafer.4@us.af.mil joseph.elms@us.af.mil 21CES.CENB.BaseDevelopment@us.af.mil
26	<input type="checkbox"/> USAFA	corine.weiss@us.af.mil craig.johnson.35.ctr@us.af.mil steven.westbay.ctr@us.af.mil elizabeth.dukes.3.ctr@us.af.mil 10CES.CENP.USAFADDEVREVIEWGRP@us.af.mil
75	<input type="checkbox"/> Peterson	PAEK, AYOKA B GS-12 USSF AFSPC 21 CES/CENB <ayoka.paek@spaceforce.mil> Joseph.elms@us.af.mil 21CES.CENB.BaseDevelopment@us.af.mil

7. OPTIONAL DISTRIBUTION (Depending on Location of Site):

ID#	Division Name	Email/Distribution Notes
	<input type="checkbox"/> None	
59	<input type="checkbox"/> StratusIQ – AKA Falcon Broadband	jlandis@stratusiq.com tking@stratusiq.com cotrin@stratusiq.com BLR & Flying Horse (ONLY)
27	<input type="checkbox"/> CDOT (adjacent to CDOT ROW)	Valerie.vigil@state.co.us
34	<input type="checkbox"/> Colorado Geological Survey	cgs_lur@mines.edu
33	<input type="checkbox"/> SECWCD, Garrett Markus	garrett@secwcd.com
18	<input type="checkbox"/> Streamside Area Overlay	Tasha.Brackin@coloradosprings.gov
15	<input type="checkbox"/> Hillside Overlay	Kerri.Schott@coloradosprings.gov
20	<input checked="" type="checkbox"/> Airport	Kandrews@coloradosprings.gov Patrick.Bowman@coloradosprings.gov Kevin.Keith@coloradosprings.gov

63	<input checked="" type="checkbox"/> El Paso County Dev. Services Division	NinaRuiz@elpasoco.com Review of Plans within ½ mile of a County/City Border
43	<input type="checkbox"/> Wescott Fire District (adjacent only)	admin@wescottfire.org
71	<input type="checkbox"/> Falcon Fire Protection District	tharwig@falconfire.org
72	<input type="checkbox"/> Black Forest Fire Protection District	chief@bffire.org
81	<input type="checkbox"/> Broadmoor Fire Protection District	chief@broadmoorfire.com noalsperran@gmail.com
80	<input type="checkbox"/> CSURA – Urban Renewal	Jariah.Walker@coloradosprings.gov
5	<input checked="" type="checkbox"/> Metro District	Colorado Centre
65	<input checked="" type="checkbox"/> Kate Brady, Bike Planning, Traffic	Kate.Brady@coloradosprings.gov
53	<input type="checkbox"/> UCCS Review – North Nevada Overlay zone	mwood@uccs.edu
49	<input type="checkbox"/> Bob Cope & Sherry Hoffman, Economic Development	Bob.Cope@coloradosprings.gov Sherry.Hoffman@coloradosprings.gov

8. LAND USE REVIEW:

Hard Copy Full sized plans

<input checked="" type="checkbox"/> Planner	Traffic Report, Drainage Report, Geo-Hazard Report
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Special notes or instructions: