

Note: This record of administrative action amends and replaces the document recorded at reception no. 225045708.

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El Paso County, CO



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RECORD OF ADMINISTRATIVE ACTION

APPROVAL OF A FINAL PLAT FOR Eagle Rising Filing No. 1 (SF2225)

WHEREAS, Casas Limited Partnership #4, did file an application with the El Paso County Planning and Community Development Department for the approval of a Final Plat for the Eagle Rising Filing No. 1 subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to § 30-28-133.5 (1.5), C.R.S., a Board of County Commissioners may delegate to one or more County administrative officials the authority to approve or deny final plats, amendments to final plats, and correction plats provided certain criteria have been met; and

WHEREAS, § 2.2.4 of the El Paso County Land Development Code ("Code"), amended by the Board of County Commissioners of El Paso County, Colorado ("Board") on August 27, 2019 pursuant to Resolution No. 19-329, delegates to the Planning and Community Development Department Director ("Director") the authority to approve final plats, vacations, replats, and final plat amendments pursuant to the provisions of the Code; and

WHEREAS, on May 21, 2025, the Director reviewed the studies, reports, plans, designs, documents and other supporting materials submitted with respect to the above application; and

WHEREAS, based on the evidence, exhibits, consideration of the master plan for the unincorporated area of the County, comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, and comments by the general public, the Director finds as follows:

1. The application was properly submitted for consideration by the Planning and Community Development Department Executive Director.
2. Proper publication, and public notice were provided as required by law for the administrative review of the application by the Planning and Community Development Department Director.
3. The administrative review of the application by the Planning and Community Development Department Director was extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were provided a fourteen day (14) time period to submit comments.
4. All exhibits were received into evidence.

5. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is in substantial conformance with the approved preliminary plan.
7. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. At a public hearing on the preliminary plan held on July 14, 2020, the Board found that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(1)] and the requirements of Chapter 8 of the Code.
9. A public sewage disposal system has been established or, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Code.
10. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)].
11. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Code and Engineering Criteria Manual ("ECM").
12. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to El Paso County in compliance with the Code and the ECM.
13. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
14. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code.
15. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Code.
16. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the Subdivision Improvements Agreement so that the impacts of the subdivision will be adequately mitigated.
17. The subdivision meets other applicable sections of Chapters 6 and 8 of the Code.

18. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.].
19. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.

The El Paso County Planning and Community Development Department Director, therefore, APPROVES the final plat application for the Eagle Rising Filing No. 1 subdivision.

The following conditions and notations shall be placed upon this approval:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the Final Plat.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
6. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated July 15, 2024, as provided by the County Attorney's Office, and on file with PCD file no. SP242.
8. The developer shall be responsible for extending utilities to each lot.

NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:
 - a. Drainage Fees in the amount of \$61,516.11 and bridge fees in the amount of \$4,486.11 for the Cottonwood Creek basin.
 - b. Park fees in lieu of land dedication for regional parks (Area 2) in the amount of \$3,680.00.
 - c. Fees in lieu of school land dedication in the amount of \$3,060.00 shall be paid for the benefit of Academy School District No. 20.
- ~~2. Pursuant to Resolution No. 24-442, the Final Plat shall be recorded no later than November 14, 2026.~~
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
4. Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the No. 24-377), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

DONE THIS 23 day of May, 2025, at Colorado Springs, Colorado.

MEGGAN HERINGTON, EXECUTIVE DIRECTOR
EL PASO COUNTY PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

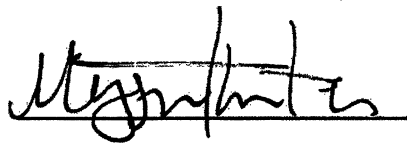


EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4 NE1/4) AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4, SE1/4) SECTION 29, T12S, R65W, OF THE 6th P.M., EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED BY WARRANTY DEED RECORDED UNDER RECEPTION NO. 216091687 OF THE RECORDS OF EL PASO COUNTY, COLORADO;
THENCE N00°24'08"W ALONG THE EAST LINE THEREOF, 1,324.07 FEET TO THE SOUTH LINE OF "PARK FOREST ESTATES FILING NO. 2" AS RECORDED IN BOOK B-2 AT PAGE 52 OF THE RECORDS OF EL PASO COUNTY, COLORADO;
THENCE N89°11'11"E ALONG THE SOUTH LINE THEREOF, 405.98 FEET;
THENCE S00°51'58"E A DISTANCE OF 128.76 FEET;
THENCE S34°53'38"E A DISTANCE OF 165.41 FEET;
THENCE S37°00'44"E A DISTANCE OF 37.27 FEET;
THENCE S41°23'30"E A DISTANCE OF 32.71 FEET;
THENCE S42°49'51"E A DISTANCE OF 258.35 FEET;
THENCE S45°49'45"W A DISTANCE OF 314.01 FEET;
THENCE S43°27'20"E A DISTANCE OF 540.81 FEET;
THENCE S42°47'58"E A DISTANCE OF 235.00 FEET;
THENCE S43°20'42"E A DISTANCE OF 189.85 FEET;
THENCE S20°29'11"W A DISTANCE OF 211.29 FEET;
THENCE N61°55'48"W A DISTANCE OF 448.93 FEET;
THENCE S50°31'31"W A DISTANCE OF 312.04 FEET;
THENCE 282.84 FEET ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 405.00 FEET, A CENTRAL ANGLE OF 40°00'49" THE CHORD OF 277.13 FEET WHICH BEARS S03°27'17"W;
THENCE S66°32'18"E, NON-TANGENT TO THE PREVIOUS COURSE, 361.10 FEET;
THENCE S42°22'15"W A DISTANCE OF 138.26 FEET;
THENCE S60°37'49"W A DISTANCE OF 180.68 FEET;
THENCE N78°29'29"W A DISTANCE OF 167.50 FEET;
THENCE S41°06'13"W A DISTANCE OF 33.89 FEET;
THENCE S25°42'00"E A DISTANCE OF 276.39 FEET;
THENCE S01°08'27"W A DISTANCE OF 43.93 FEET;
THENCE S27°43'52"E A DISTANCE OF 27.54 FEET;
THENCE S07°08'16"E A DISTANCE OF 32.61 FEET;
THENCE N72°20'57"W A DISTANCE OF 437.27 FEET;

THENCE N00°23'34"W A DISTANCE OF 298.01 FEET;

THENCE 19.87 FEET ON THE ARC OF A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 100.55 FEET, A CENTRAL ANGLE OF 11°19'26" THE CHORD OF 19.84 FEET WHICH BEARS N84°30'00"W TO A POINT OF TANGENT;

THENCE S89°15'17"W A DISTANCE OF 8.18 FEET TO THE EAST LINE OF "EAGLE WING ESTATES" AS RECORDED UNDER RECEPTION NO. 204074316 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE N00°23'00"W ALONG SAID EAST LINE, 805.83 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A CALCULATED AREA OF 1,535,822 SQUARE FEET (35.258 ACRES, MORE OR LESS).

BASIS OF BEARINGS: A PORTION OF THE NORTH-SOUTH CENTERLINE OF SECTION 29, T12S, R65W, 6TH P.M., EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE SOUTH 1/16TH QUARTER WITH A FOUND 2 1/2" ALUMINUM CAP STAMPED "S1/16 S29 - 1997 - PLS 4842" FROM WHICH THE NORTH 1/16TH QUARTER, MONUMENTED WITH A 2 1/2" ALUMINUM CAP STAMPED "RAMPART SURVEY, INC - N1/16 SEC. 29 - 2005 - PLS 26965", BEARS N00°23'34"W A DISTANCE OF 2,647.80 FEET.

ALL BEARINGS ARE GRID BEARINGS OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983, BASED ON SIMULTANEOUS STATIC GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS OF THE MONUMENTS AT THE ENDS OF THE BASIS OF BEARINGS LINE.

DATE OF OBSERVATIONS: DECEMBER 12, 2022, LENGTH OF OBSERVATIONS: 1 HOUR 42 MINUTES.