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**RESOLUTION NO. 18-386**

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

**APPROVE FINAL PLAT FOR SILVERADO RANCH (SF-18-011)**

**WHEREAS, Silverado Ranch, Inc., did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Silverado Ranch 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, a public hearing was held by the El Paso County Planning Commission on September 18, 2018, upon which date the Planning Commission did by formal resolution recommend approval of the final plat application; and**

**WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on October 9, 2018; and**

**WHEREAS, based on the evidence, testimony, exhibits, consideration of the master plan for the unincorporated area of the County, presentation and 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, comments by the general public, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:**

- 1. The application was properly submitted for consideration by the Planning Commission.**
- 2. Proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.**
- 3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.**
- 4. All exhibits were received into evidence.**
- 5. The subdivision is in general 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. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(1)] and the requirements of Chapter 8 of the Land Development Code.
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 Land Development 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 Land Development Code and Engineering Criteria Manual.
12. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.
13. Final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
14. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8 of the Land Development Code.
15. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the Subdivision Improvements Agreement so the impacts of the subdivision will be adequately mitigated.

16. The subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
17. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et. seq.].
18. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
19. For the above-stated and other reasons, the proposed subdivision is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the final plat application for the Silverado Ranch Filing No. 1 Subdivision;

BE IT FURTHER RESOLVED that 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 plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of

Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.

6. Driveway permits to access a gravel road built to County road standards will be required for each access from Drover Canyon Lane and Silverado Hill Loop. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. 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.
8. Collateral sufficient to ensure that the public and private improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. The 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 El Paso County Road Impact Fee Program Resolution (Resolution No. 16-454), 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.
10. Park fees in the amount of \$4070. in lieu of land dedication for regional parks (Area 4) and urban park (N/A) fees shall be paid at the time of plat recordation.
11. Fees in the amount of \$1850 in lieu of school land dedication shall be paid to El Paso County for the benefit of Ellicott School District No. 22 at the time of final plat recordation.
12. The developer shall re-construct the Phase 1/Filing No. 1 gravel roads to paved County road standards with the next final plat filing (e.g., Phase 2). The developer or the homeowners association, if one is legally created, shall own and maintain the gravel roads until the roads are upgraded to County road standards and are accepted by the County into the maintenance system. A label and note shall be added to the plat to identify this condition prior to

plat recordation. All future road construction beyond Phase 1/Filing No. 1 within this development shall be designed and constructed to County standards.

13. The subdivision improvements agreement (SIA) associated with the final plat shall incorporate language to ensure that the Phase 1/Filing No. 1 roads are upgraded to paved County road standards by the developer at the time of the next filing (e.g., Phase 2/Filing No. 2). The SIA shall also include language that the homeowners association remain under control of the developer until such improvements have been preliminarily accepted by the County.

#### NOTATIONS

1. Final plats not recorded within 12 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved

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

DONE THIS 9th day of October, 2018, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

By:   
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President

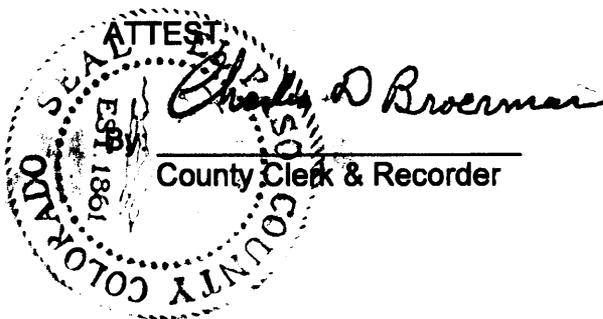


EXHIBIT A

SILVERADO RANCH FILING NO. 1

A PORTION OF THE NORTH HALF OF SECTION 16, TOWNSHIP 15 SOUTH, RANGE 63 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16;  
THENCE S89°58'39"E ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 16 A DISTANCE OF 30.00 FEET;  
THENCE S01°09'41"E A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF DRENNAN ROAD AND THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN;  
THENCE S89°58'39"E ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 5246.99 FEET TO A POINT ON THE EAST LINE OF SAID NORTH HALF OF SECTION 16;  
THENCE S01°02'51"E ON SAID EAST LINE A DISTANCE OF 1871.48 FEET;  
THENCE N73°46'25"W A DISTANCE OF 104.67 FEET;  
THENCE N01°38'12"E A DISTANCE OF 562.95 FEET;  
THENCE N07°24'12"W A DISTANCE OF 416.12 FEET;  
THENCE N13°23'50"W A DISTANCE OF 644.26 FEET;  
THENCE N65°00'51"W A DISTANCE OF 267.13 FEET;  
THENCE S87°04'08"W A DISTANCE OF 290.42 FEET;  
THENCE N86°29'49"W A DISTANCE OF 418.50 FEET;  
THENCE S87°48'05"W A DISTANCE OF 389.63 FEET;  
THENCE S86°23'17"W A DISTANCE OF 486.04 FEET;  
THENCE S89°17'05"W A DISTANCE OF 342.94 FEET;  
THENCE S04°42'22"W A DISTANCE OF 812.31 FEET;  
THENCE S85°29'18"E A DISTANCE OF 277.29 FEET;  
THENCE S87°39'51"E A DISTANCE OF 356.75 FEET;  
THENCE S68°41'28"E A DISTANCE OF 320.14 FEET;  
THENCE S70°52'30"E A DISTANCE OF 565.92 FEET;  
THENCE S60°57'27"E A DISTANCE OF 187.22 FEET;  
THENCE N40°18'20"E A DISTANCE OF 436.63 FEET;  
THENCE SOUTHEASTERLY ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 565.00 THROUGH A CENTRAL ANGLE OF 51°58'54" AN ARC DISTANCE OF 512.60 FEET, THE LONG CHORD OF WHICH BEARS S14°13'56"E A DISTANCE OF 495.20 FEET;  
THENCE S11°45'31"W A DISTANCE OF 126.89 FEET;  
THENCE SOUTHWESTERLY ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 565.00 THROUGH A CENTRAL ANGLE OF 34°44'58" AN ARC DISTANCE OF 342.67 FEET;  
THENCE S46°30'29"W A DISTANCE OF 144.77 FEET;

THENCE SOUTHWESTERLY ON THE ARC OF A CURVE TO THE RIGHT  
HAVING A RADIUS OF 565.00 THROUGH A CENTRAL ANGLE OF 58°05'04"  
AN ARC DISTANCE OF 572.78 FEET;  
THENCE N75°24'27"W A DISTANCE OF 46.56 FEET;  
THENCE N26°47'36"E A DISTANCE OF 285.29 FEET;

THENCE N13°47'06"E A DISTANCE OF 534.05 FEET;  
THENCE N68°48'18"W A DISTANCE OF 478.94 FEET;  
THENCE N70°54'24"W A DISTANCE OF 384.66 FEET;  
THENCE S21°42'21"W A DISTANCE OF 314.79 FEET;  
THENCE S14°41'38"W A DISTANCE OF 305.73 FEET;  
THENCE S24°57'20"W A DISTANCE OF 284.64 FEET;  
THENCE N75°24'27"W A DISTANCE OF 115.97 FEET;  
THENCE N14°35'33"E A DISTANCE OF 871.56 FEET;  
THENCE N82°21'10"W A DISTANCE OF 336.70 FEET;  
THENCE S86°43'07"W A DISTANCE OF 162.89 FEET;  
THENCE S80°11'51"W A DISTANCE OF 442.22 FEET;  
THENCE S77°26'41"W A DISTANCE OF 456.22 FEET;  
THENCE S60°14'30"W A DISTANCE OF 547.57 FEET;  
THENCE N73°23'19"W A DISTANCE OF 237.31 FEET;  
THENCE S27°57'23"W A DISTANCE OF 276.65 FEET;  
THENCE N89°48'42"W A DISTANCE OF 504.26 FEET;  
THENCE N01°15'21"W A DISTANCE OF 396.03 FEET;  
THENCE NORTHEASTERLY ON THE ARC OF A CURVE TO THE RIGHT  
HAVING A RADIUS OF 565.00 THROUGH A CENTRAL ANGLE OF 7°00'19"  
AN ARC DISTANCE OF 69.08 FEET;  
THENCE N89°41'20"E A DISTANCE OF 408.23 FEET;  
THENCE N39°28'55"E A DISTANCE OF 164.49 FEET;  
THENCE N14°52'34"W A DISTANCE OF 372.79 FEET;  
THENCE N03°09'19"E A DISTANCE OF 73.19 FEET;  
THENCE N09°17'19"W A DISTANCE OF 255.92 FEET;  
THENCE N76°02'02"W A DISTANCE OF 297.84 FEET;  
THENCE S19°15'36"W A DISTANCE OF 159.36 FEET;  
THENCE S74°03'43"W A DISTANCE OF 103.61 FEET;  
THENCE S56°23'48"W A DISTANCE OF 286.02 FEET;  
THENCE S05°08'21"W A DISTANCE OF 217.50 FEET;  
THENCE S00°47'20"W A DISTANCE OF 503.49 FEET;  
THENCE N88°44'39"E A DISTANCE OF 255.47 FEET;  
THENCE S01°15'21"W A DISTANCE OF 74.07 FEET;  
THENCE S88°44'39"W A DISTANCE OF 342.64 FEET TO A POINT ON THE  
EASTERLY RIGHT OF WAY LINE OF PEYTON HIGHWAY;  
THENCE N01°09'41"W ON SAID EASTERLY RIGHT OF WAY A DISTANCE OF  
1466.08 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED TRACT CONTAINS 106.394 ACRES, MORE OR LESS.