



GENERAL APPLICATION FORM

1.754

Project Name: Kum & Go #0661 Existing Zone: PUD/SS/AO Acreage: 66.2165
Site Address: S. Powers Blvd. & Milton E. Proby Pkwy Direction from Nearest Street Intersection: Southwest corner of S. Powers Blvd. & Milton E. Proby Pkwy.
Tax Schedule Number(s): 6500000094

TYPE OF PLAN(S) - Check all that apply. Note: MJ=Major Amendment; MN=Minor Amendment; MM=Minor Modification

- 2020 Land Use Map Amendment
Administrative Relief
Amendment to Plat Restriction
Annexation
Building Permit to Unplatted Land
Building Permit Prior to Platting
CMRS No.
Concept Plan
Conditional Use
Coordinated Sign Plan (CSP)
Development Agreement
Development Plan
Historic Preservation
Landscape Plan
Master Plan
Nonuse Variance
Preservation Easement Adjustment
Property Boundary Adjustment
PUD Concept Plan
PUD Development Plan
PUD Zone Change
Street Name Change
Subdivision Plat
Subdivision Waiver
Use Variance
Vacation of Plat
Waiver of Replat
Zone Change; Proposed Zone:
FBZ Development Plan
FBZ Conditional Use
FBZ Interim Use Plan
FBZ Minor Improvement Plan
FBZ Warrant

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.

Signature of Property Owner: Bert A. Getz Date: 4/26/19
Signature of Consultant: [Signature] Date: 4/29/2019
Signature of Developer: [Signature] Date: 4/26/2019

APPLICANT CONTACT INFORMATION (please print or type)

Property Owner: Bert A. Getz Trust Contact Name:
E-Mail: Phone:
Developer: KUM & GO, LLC Contact Name: RYAN HALDER
E-Mail: Ryan.Halder@kumandgo.com Phone: 515-457-6232
Consultant/Main Contact name: JOSH ERRAMOUSPE Phone: 970-461-7733
Address: 1880 FALL RIVER DRIVE, SUITE 200 City: LOVELAND
State: CO Zip Code: 80538 E-Mail: jerramouspe@olsson.com

PLANNER AUTHORIZATION: (CITY USE ONLY)

Checklists Distribution Form Project Blurb E-mail to Admin. Initial Review Level: [X] AR
Payment \$ 34612 5299 Assigned to: RACHEL Date: 08/16/19
Receipt No.: 34612 City File No: AR FP 19-00498



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: <ul 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"/> <ul 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"/> |
| <input type="checkbox"/> 2 copies of a Geologic Hazard Report or Waiver | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> 2 copies of a Drainage Study | <input type="checkbox"/> |
| <input type="checkbox"/> 2 copies of a Traffic Impact Analysis | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Submittal of the Wastewater Facilities Master Report to Colorado Springs Utilities (CSU) Email completed form and map to wwmasterplansubmit@csu.org prior to application submittal. | <input type="checkbox"/> |

SUBMITTAL CHECKLIST: *Continued from previous page.*

| 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

- 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.
 - Sheet Size shall be 24" x 36" including 1/2" border with 'landscape' orientation.
 - Indication of standardized scale, both fractional and bar (i.e. 1" = 20')
 - North arrow
 - Vicinity Map (does not have to be to scale). A vicinity location necessary to locate the tract.
 - Date of preparation of the plat
 - 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.
 - Easement statement of standard easements as required on all, side rear and front lots lines. as well as site triangle easements.
 - 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.
- All plats with public easements and/or tracts must have the dedication statement:**
- "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."*
 - All plats with public streets shall have the following sentence in the dedication statement:**
"All public streets are hereby dedicated to the City of Colorado Springs for public use."
- All plats with other tracts being dedicated to the City shall have:**
- (1) A sentence in the dedication statement similar to *"Tract X is hereby dedicated to the City of Colorado Springs for public use."*
 - (2) A special numbered plat note defining the purpose and perpetual maintenance responsibility for the tract such as *"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."*
- All plats with private streets shall have the following sentence as a plat note:
"All private streets (insert names) are privately owned and maintained by (list owner name, Owner's Association, ect.)."
 - Statement of ownership and acknowledgement. The notarized signature of the owner is required.
 - Statement of mortgagee and acknowledgement. The signature of the mortgagee, if any, consenting to the dedication is required
- The following statement that the area included in the plat is subject to this Code as such applies to the development of the land:**
- "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."
 - Notary Statement. Acknowledgement of the execution of the plat before a notary public.

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
- b. City Planning Director
- c. City Clerk
- 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.
- 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.

PLAN CONTENT REQUIREMENTS: *Continued from previous pages.*

Applicant

Planner

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."

ANNEXATION PLAT
AIRPORT SPECTRUM ADDITION NO. 1
 A PORTION OF THE EAST HALF OF SECTION 1, TOWNSHIP 18 SOUTH,
 RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
 COUNTY OF EL PASO, STATE OF COLORADO

14376

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE EAST HALF OF SECTION 1, TOWNSHIP 18 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

0479 OF BEARINGS A PORTION OF THE WESTERN BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 1397 AT PAGE 1472, EL PASO COUNTY RECORDS, BEING MONUMENTED AT THE NORTHERLY END (THE POINT OF TANGENCY FROM THE NORTHERLY MOST CURVE DESCRIBED IN SAID DOCUMENT) BY A 1" ORANGE PLASTIC CAP STAMPED "P.L.S. 12345" AND AT THE SOUTHERLY END BY A 1" YELLOW PLASTIC CAP STAMPED "CD REC PLS 12345" IS ASSIGNED TO BEAR 80°07'27"N, A DISTANCE OF 2042.68 FEET.

COMMENCING AT A POINT ON THE WESTERN BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 1397 AT PAGE 1472, COUNTY OF EL PASO, COLORADO, BEING THE POINT OF TANGENCY FROM THE NORTHERLY MOST CURVE DESCRIBED IN SAID DOCUMENT, MONUMENTED BY A 1" ORANGE PLASTIC CAP STAMPED "CD REC PLS 12345".

THENCE N65°27'07"W, A DISTANCE OF 259.94 FEET TO A POINT ON THE WESTERN LINE OF LOT 2, COLORADO SPRINGS AIRPORT PLATS NO. 1, RECORDED UNDER RECEPTION NUMBER 20090279 OF SAID RECORDS, BEING ALSO A POINT ON THE EAST LINE OF SECTION 1, TOWNSHIP 18 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, SAID POINT BEING MONUMENTED BY A 1" ORANGE PLASTIC CAP STAMPED "CD REC PLS 12345".

THENCE S00°07'27"E, ON THE EAST LINE OF SAID SECTION 1 AND THE WESTERN LINE OF SAID LOT 2 AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 3833.70 FEET.

THENCE S74°07'27"W, A DISTANCE OF 1425.25 FEET TO A POINT ON THE WESTERN LINE OF SAID DOCUMENT RECORDED IN BOOK 1397 AT PAGE 1472, SAID POINT BEING MONUMENTED BY A 1" YELLOW PLASTIC CAP STAMPED "CD REC PLS 12345".

THENCE N07°27'07"W, A DISTANCE OF 100.00 FEET TO A POINT ON THE EASTERN LINE OF A WARRANTY DEED RECORDED UNDER RECEPTION NO. 20110412 OF SAID RECORDS.

THENCE N07°27'07"W, ON SAID EASTERN LINE, A DISTANCE OF 2772.48 FEET TO THE SOUTHWESTERLY CORNER OF A DIRT CLAY ROAD RECORDED UNDER RECEPTION NO. 20090279 OF SAID RECORDS, SAID POINT BEING MONUMENTED BY A 1" YELLOW PLASTIC CAP STAMPED "CD REC PLS 12345".

THENCE N07°27'07"W, ON THE EASTERN LINE OF SAID WARRANTY DEED, A DISTANCE OF 336.33 FEET TO THE SOUTHWESTERLY CORNER OF A WARRANTY DEED RECORDED UNDER RECEPTION NO. 20110412 OF SAID RECORDS, SAID POINT BEING MONUMENTED BY A 1" YELLOW PLASTIC CAP STAMPED "CD REC PLS 12345".

THENCE N22°07'07"W, ON THE EASTERN LINE OF SAID WARRANTY DEED, A DISTANCE OF 438.64 FEET TO THE SOUTHWESTERLY CORNER OF A WARRANTY DEED RECORDED UNDER RECEPTION NO. 20110412 OF SAID RECORDS, SAID POINT BEING MONUMENTED BY A 1" YELLOW PLASTIC CAP STAMPED "CD REC PLS 12345".

THENCE ON THE EASTERN LINE OF SAID WARRANTY DEED THE FOLLOWING (3) CURVES:

1. N07°27'07"W, A DISTANCE OF 209.36 FEET TO A 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "S 0184".
2. N78°27'07"W, A DISTANCE OF 483.77 FEET TO A 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "S 0184".
3. N07°27'07"W, A DISTANCE OF 37.47 FEET TO THE SOUTHWESTERLY CORNER OF DREHMAN ROAD AS PLATTED IN CLEAR W & ESTAB'S SUBDIVISION NO. 2, RECORDED IN BOOK 60-2 AT PAGE 58 OF SAID RECORDS, SAID POINT BEING A 1" ORANGE PLASTIC CAP STAMPED "3788".

THENCE N07°27'07"W, ON THE EASTERN LINE OF SAID DREHMAN ROAD, A DISTANCE OF 333.4 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF WELTON E. PROBY PARKWAY (FORMERLY DREHMAN ROAD), BEING MONUMENTED BY A 1" ORANGE PLASTIC CAP STAMPED "3788".

THENCE S87°30'37"E, ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID WELTON E. PROBY PARKWAY, A DISTANCE OF 1288.81 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 78,950 ACRES.

TOTAL PERMITS: 76,488.13 FEET
 1/8TH PERMITS: 1,748.86 FEET.
 PERMITS CONTIGUOUS TO CITY LIMITS: 5,213.84 FEET.

OWNER:
 WEST AIRPORT CITY LIMITS EXPANSION PROJECT HAS FURTHER THAT HEREINAFTER THE 23rd DAY OF 2009, TO W.I. AD

BY: *[Signature]* President
 City of Colorado Springs

AS: *[Signature]*
 CITY CLERK

STATE OF COLORADO)
 COUNTY OF EL PASO)

NOTARY:
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 23rd DAY OF 2009, AT 10:45 AM BY *[Signatures]* President and City Clerk of WEST AIRPORT CITY LIMITS EXPANSION PROJECT, a legal corporation, IN PRESENCE OF ME AND OTHER WITNESSES.

MY COMMISSION EXPIRES *[Date]* *[Signature]*
 Notary Public

MUNICIPALITY:
 THAT THE AREA INCLUDED IN THE PLAT DESCRIBED HEREIN IS SUBJECT TO THE CODE OF THE CITY OF COLORADO SPRINGS, 2009, AS AMENDED.



VICINITY MAP
 NOT TO SCALE

SURVEYOR'S STATEMENT:

I, DOUGLAS P. HENLEY, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE MAP HEREON SHOWN IS A CORRECT DELINEATION OF THE ABOVE DESCRIBED PARCEL, REPRESENTING THAT AT LEAST ONE (1/8) OF THE PRINCIPAL BOUNDARY OF SAID PARCEL IS INDICATED TO THE PRESENT BOUNDARY OF THE CITY OF COLORADO.

[Signature] DOUGLAS P. HENLEY, PROFESSIONAL LAND SURVEYOR
 COLORADO P.L.S. NO. 10000
 FOR AND ON BEHALF OF THE ABOVE DESCRIBED ENGINEER, ENGINEER AND LAND SURVEYORS

DATE: **June 24, 2017**

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

CITY APPROVAL:

ON BEHALF OF THE CITY OF COLORADO SPRINGS, THE UNDERSIGNED HEREBY APPROVE FOR FILING THE ACCOMPANYING ANNEXATION PLAT OF "AIRPORT SPECTRUM ADDITION NO. 1".

[Signature] CITY MANAGER
 DATE: **7/8/17**

[Signature] CITY CLERK
 DATE: **7/8/17**

THE ANNEXATION OF THE REAL PROPERTY SHOWN ON THIS PLAT IS APPROVED PURSUANT TO AN ORDINANCE PASSED AND ADOPTED BY THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, BY ACTORS OF THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS, AT ITS MEETING ON *[Date]* DAY OF *[Month]*, 20*[Year]* A.D.

[Signature] CITY CLERK
 DATE: **7-8-17**

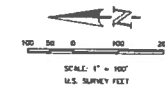
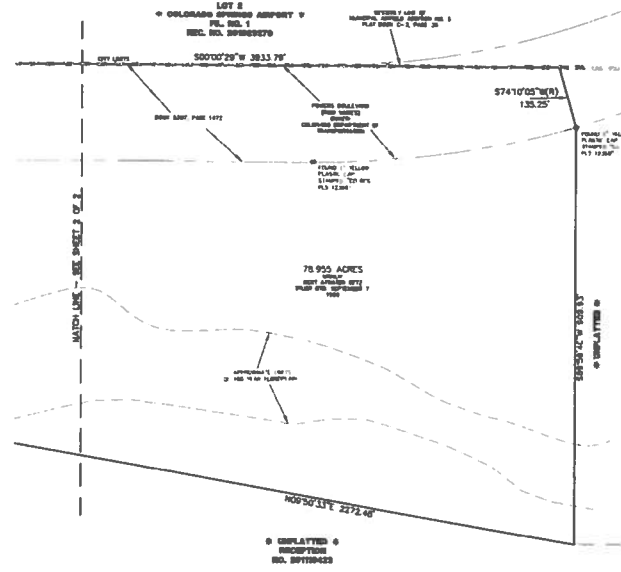
CLERK AND RECORDER:
 STATE OF COLORADO)
 COUNTY OF EL PASO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT 11:32 O'CLOCK A.M. THIS 27th DAY OF 2017, A.D., AND IS DAILY RECORDED AT RECEPTION NO. 201704376 OF THE RECORDS OF EL PASO COUNTY, COLORADO.

ANGELA BRIDGEMAN, REGISTRAR

BY: *[Signature]*
 DEPUTY

FEE: \$200 AND SURCHARGE \$25



- LEGEND**
- 1. BOUNDARY OF THE CITY OF COLORADO SPRINGS
 - 2. BOUNDARY OF THE CITY OF COLORADO SPRINGS
 - 3. BOUNDARY OF THE CITY OF COLORADO SPRINGS
 - 4. BOUNDARY OF THE CITY OF COLORADO SPRINGS
 - 5. BOUNDARY OF THE CITY OF COLORADO SPRINGS
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 - 8. BOUNDARY OF THE CITY OF COLORADO SPRINGS
 - 9. BOUNDARY OF THE CITY OF COLORADO SPRINGS
 - 10. BOUNDARY OF THE CITY OF COLORADO SPRINGS

CPC A17-00074
 ANNEXATION PLAT
 AIRPORT SPECTRUM ADDITION NO. 1
 2429.00
 MAY 15, 2017
 SHEET 1 OF 2

CLASSIC
 CONSULTING
 ENGINEERS & SURVEYORS

202 S. Grand Avenue, Suite 200
 Colorado Springs, Colorado 80902
 (719) 593-8800
 (719) 593-8801



August 15, 2019

Rachel Teixeira
City of Colorado Springs – Planning & Development
30 S. Nevada Avenue, Suite 105
Colorado Springs, CO 80903

Re: Kum & Go #661 Final Plat & Site Development Plan (Milton E. Proby Parkway & Globe Street)

Ms. Teixeira:

Kum & Go, L.C. respectfully submits the enclosed Final Plat and Site Development Plan for Kum & Go Store #661, located west of the intersection between Milton E. Proby Parkway & Powers Boulevard. The property is currently zoned as PUD-SS-AO and is unplatted. The enclosed plans outline the platting of a 1.75-acre lot along with the adjacent Globe Street ROW and development of the platted lot to include a Kum & Go convenience store and the associated fueling canopy. The property is currently undeveloped (overall subdivision grading and general infrastructure are currently under design) and is bordered by undeveloped land on the south and east sides, Windmill Gulch Channel on the west side, and Milton E. Proby Parkway on the north side. Globe Street will border the project on its western property line, and will be constructed in concert with, or before, the development of the C-Store.

The convenience store building will utilize a cast stone base & Nichiha fiber cement panel façade in three different colors with varying roof lines (refer to the enclosed elevations). HVAC equipment associated with the structure will be contained on the roof and screened from view. Signage for the building is limited to the Kum & Go logo placed on the north, west and south side of the building; with "Go Fresh Market" signage on the north sides of the building. The interior of the building is equally finished, with burnished concrete floors, tile and millwork cabinetry throughout. This 5,600± square foot building will incorporate Kum & Go's newest store concept with a terrific product offering and fresh food choices, such as made-to-order pizzas, sandwiches, wraps, and bakery items cooked on-site. There will be various seasonal outdoor sales items and a propane tank exchange along the front façade of the building.

The fueling islands (and overhead canopy) will offer traditional passenger vehicle gasoline, diesel, and E-85 fuels. Underground fuel storage tanks will be located directly north of the fueling canopy.

The enclosed site layout proposes to face the Kum & Go store entry to the north, with two full movement access points onto Globe Street. Note, a traffic signal will be installed at the intersection of Milton E. Proby & Globe Street by the overall site developer. This signal should be installed in conjunction with the first phase of Globe Street construction.

Parking for the facility will be accomplished with 25 parking stalls located immediately adjacent to the building and northwest of the fueling canopy, of which one stall will be striped as ADA accessible. This arrangement will promote adequate circulation for, both, delivery trucks and customers. Multiple points of entry with adjacent parking diminish the congested feel of a single entry development, and will provide for safe and convenient access to the store. According to the traffic study prepared for the overall development, a few improvements (auxiliary lanes and a traffic

signal) will be required on Milton E. Proby Parkway as a part of the overall 60-acre development. Again, these improvements will be constructed in conjunction with or before the development of the C-store parcel.

Utility services for the store are anticipated to be connected to the public water and sewer systems, operated by Colorado Springs Utilities. The site's stormwater runoff is anticipated to discharge to a planned stormwater detention pond located within the development.

Finally, the enclosed landscaping plan depicts substantial greenery which meets the City's requirements. Screening along the roadways reduces headlight spill and softens the edge of parking areas. The tree plantings are concentrated along the adjacent roadway, which also adds to the public benefit.

Kum & Go is a private, family held business in its 60th year of operation and currently operates over 430 convenience stores in all types of neighborhoods. Our site design, with focused lighting, substantial landscaping and appealing architecture typically adds to the aesthetics of our neighborhoods, and our services are second to none. We love what we do, have a genuine compassion for our customers, associates, families and communities; and expect & deliver superior performance.

We ask that you review our submittal at your earliest convenience. We appreciate your time and thank you for your consideration. Please let us know if you have any further questions or if you need any additional information concerning our application.

Very truly yours,

KUM & GO, L.C.

A handwritten signature in blue ink, appearing to read "Ryan Halder", is written over a faint, illegible printed name.

Ryan Halder
Site Development Manager

Attachments: Kum & Go #661 Site Development Plan

Proposed plat of AIRPORT SPECTRUM FILING NO. 1

Legal description

A Tract of land lying and situated in the East half of Section 1, Township 15 South, Range 66 West of the 6th Principal Meridian, County of El Paso, State of Colorado, being a portion of an existing parcel described in a Quitclaim deed recorded September 23, 2005 at Reception No. 205149743 in the El Paso County, Colorado Clerk and Recorder's Office, said Tract more particularly described as follows:

COMMENCING at the Northeast corner of said Section 1 monumented by a found 3 inch aluminum cap marked "LS 11624", from whence a found 3 inch aluminum cap marked "LS 24313", being a witness monument lying 6.00 feet westerly of the Northwest corner of said Section 1, lies North 89° 35' 33" West a ground distance of 5283.70 feet, and all bearings herein are relative thereto; thence North 89° 35' 33" West 1285.92 feet on the North line of said Section 1 to a point; thence departing said North line South 00° 24' 27" West 240.27 feet to a 5/8 inch rebar with an orange cap marked "LS 37928" found at the Northwest corner of said parcel, also being the North corner of the common line in a BOUNDARY LINE AGREEMENT PLAT (shown as Exhibit F) recorded June 3, 1987 at Reception No. 001576556 in Book 5375 at Page 1106 in said Recorder's Office; Thence South 86° 33' 08" East 210.34 feet on the North line of said parcel to a 5/8 inch rebar with a 2-1/2 inch aluminum cap marked "LS 38632" set at the POINT OF BEGINNING, being the Northwest corner of the Tract of land herein described; Thence continuing South 86° 33' 08" East 329.40 feet on said North line to a 5/8 inch rebar with a 2-1/2 inch aluminum cap marked "LS 38632" set at the Northeast corner of said Tract; Thence departing said North line South 03° 26' 52" West 318.34 feet to a 5/8 inch rebar with a 2-1/2 inch aluminum cap marked "LS 38632" set at the Southeast corner of said Tract; Thence southwesterly and Southerly on the Southerly line of said Tract the following four courses and distances:

- 1) South 89° 44' 34" West 16.61 feet to a set 5/8 inch rebar with a 2-1/2 inch aluminum cap marked "LS 38632";
- 2) Thence South 67° 43' 29" West 134.02 feet to a set 5/8 inch rebar with a 2-1/2 inch aluminum cap marked "LS 38632";
- 3) Thence South 22° 16' 31" East 39.00 feet to a set 5/8 inch rebar with a 2-1/2 inch aluminum cap marked "LS 38632";
- 4) Thence South 67° 43' 29" West 70.00 feet to a 5/8 inch rebar with a 2-1/2 inch aluminum cap marked "LS 38632" set at the Southwest corner of said Tract;

Thence North 22° 16' 31" West 171.85 feet on the Westerly line of said Tract to a 5/8 inch rebar with a 2-1/2 inch aluminum cap marked "LS 38632" set at the beginning of a tangent curve concave Easterly; Thence Northerly on said curve and on said Westerly line an arc length of 299.10 feet, said curve having a radius of 725.00 feet and an interior angle of 23° 38' 15", to the POINT OF BEGINNING, said Tract containing 108,270 square feet or 2.4855 acres.



El Paso County, Colorado

MARK LOWDERMAN, TREASURER

DATE January 12, 2019

PROPERTY TAX STATEMENT
TAXES FOR 2018 DUE 2019

TYPE OF PROPERTY
REAL PROPERTY

14262

SCHEDULE (ACCOUNT) NUMBER
65000-00-094

PROPERTY LOCATION
0 DRENNAN RD

PROPERTY DESCRIPTION

THAT PART OF SEC 01-15-66 AS
FOLS: COM AT NE COR OF SD SEC,
RUN N 89<35'33" W ALG N SEC LN
4362.92 FT TO A PT ON N R/W LN
OF DRENNAN RD, TH S 86<29'46" E
ALG SD LN 3090.67 FT TO NE COR
OF CLEAR VIEW ESTATES SUB NO 2,
S 3<30'14" W 76.46 FT FOR POB,
TH CONT ON SAME COURSE 23.54 FT,
*** DESCRIPTION INCOMPLETE ***

65000-00-094
GETZ BERT A TRUST
6730 N SCOTTSDALE RD STE 250
PARADISE VALLEY AZ 85253-4416

Table with columns: TAX DISTRICT, DDA, ACTUAL VALUE, ASSESSED VALUE, TAX RATE, TAX AUTHORITY, TAX AMOUNT. Includes total tax rate of 0.079308 and total taxes payable of \$52.34.

20196500000094012000000000000000026179

NOTE: Tax bills must be mailed to the property owner. If you have a mortgage, check with them before paying your taxes.

TO PAY ON-LINE OR VIEW YOUR ACCOUNT:
HTTP://TREASURER.ELPASOCO.COM

MAKE CHECKS PAYABLE TO:
EL PASO COUNTY TREASURER

MAIL PAYMENT TO:
EL PASO COUNTY TREASURER
P.O. BOX 2018
COLO. SPGS., CO 80901-2018

TELEPHONE 719-520-7900
e-mail: trsweb@elpasoco.com
Office Location:

1675 Garden of the Gods Rd,
Suite 2100, Colo. Spgs., CO 80907

YOUR SCHOOL DISTRICT GENERAL FUND
TAX RATE IS 0.042374
ABSENT STATE AID, IT WOULD HAVE
BEEN 0.197246

ADDRESS CHANGE INFORMATION-
SEE REVERSE SIDE

PAYMENT
COUPON 2

EL PASO COUNTY, COLORADO
2ND HALF - DUE JUNE 15, 2019
NO SECOND HALF STATEMENT WILL BE MAILED

2019

SCHEDULE NUMBER 65000-00-094

OWNER'S NAME GETZ BERT A TRUST

SECOND HALF AMOUNT DUE BY 6-15-2019 \$ 26.17

Do you have a mortgage? Check with them before paying your taxes.
Include a stamped, self-addressed envelope for a printed receipt.

20196500000094012000000261700000052349

PAYMENT
COUPON 1

EL PASO COUNTY, COLORADO
1ST HALF - DUE FEBRUARY 28, 2019 OR
FULL TAX - DUE APRIL 30, 2019

2019

SCHEDULE NUMBER 65000-00-094

OWNER'S NAME GETZ BERT A TRUST

FIRST HALF AMOUNT DUE BY 2-28-2019 \$ 26.17

FULL AMOUNT DUE BY 4-30-2019 \$ 52.34

Do you have a mortgage? Check with them before paying your taxes.
Include a stamped, self-addressed envelope for a printed receipt.

stewart title

060062 - Colorado Springs Commercial - Title
111 S. Tejon Street, Suite 111
Colorado Springs, CO 80903

Date: October 06, 2016
File Number: 01330-47238- Amendment No. 5
Buyer: Bert Atwater Getz Trust dtd. September 7, 1990
Seller:
Property: . Drennan Road, Colorado Springs, CO

Please direct all Title inquiries to:

Lynda Rosamond
Phone: (303) 780-4012
Email Address: lynda.rosamond@stewart.com

PROPERTY OWNER:

Bert Atwater Getz Trust dtd. September 7, 1990

DISTRIBUTION:

Globe Corporation
6730 N. Scottsdale Road, Suite 250
Paradise Valley, AZ 85253
Attn: Twyla Mishler
Email: tmishler@globecor.com
Phone: (480) 344.2917
Fax: (480) 991.1912

Additional Contact:
Mike Olsen
Email: molsen@globecor.com

Additional Contact:
Pete Johnson
Email: petej@hermitageland.com
Phone: (970) 729-1033

Classic Consulting
Attn: Douglas P. Reinelt, P.L.S.
Email: DReinelt@classicconsulting.net

THIS REVISION INCLUDES THE FOLLOWING CHANGES:

Schedule A: Update Effective Date

We Appreciate Your Business and Look Forward to Serving You in the Future.

ALTA Commitment Form
COMMITMENT FOR TITLE INSURANCE
Issued by
STEWART TITLE GUARANTY COMPANY

STEWART TITLE GUARANTY COMPANY, a Texas Corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

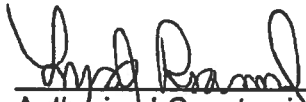
All liability and obligation under this Commitment shall cease and terminate six months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, Stewart Title Guaranty Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Countersigned by:



Authorized Countersignature

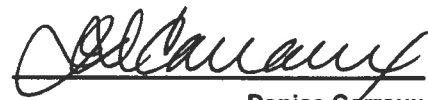
stewart
title guaranty company





Matt Morris
President and CEO

060062 - Colorado Springs
Commercial - Title
111 S. Tejon Street, Suite 111
Colorado Springs, CO 80903
(719) 578-1100



Denise Carraux
Secretary



CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at < <http://www.alta.org/>>.*

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252.



**COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**

File No.: **01330-47238- Amendment No. 5**

1. Effective Date: **October 03, 2016, at 8:00 A.M.**

2. Policy or Policies to be issued: **Amount of Insurance**

(a) A.L.T.A. Owner's Policy Information Only Commitment

Proposed Insured:

(b) A.L.T.A. Loan Policy

Proposed Insured:

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

Fee Simple

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

Bert Atwater Getz Trust dtd. September 7, 1990

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

See Attached Legal Description

Purported Address:

. Drennan Road
Colorado Springs, CO

STATEMENT OF CHARGES

These charges are due and payable
before a policy can be issued

Commercial Rate:

Update Commitment Fee**: \$85.00

(Schedule No. 65000-00-094)



SCHEDULE A

LEGAL DESCRIPTION

A parcel of land situated in the East one-half of Section 1, Township 15 South, Range 66 West of the 6th P.M., County of El Paso, State of Colorado, more particularly described as follows:

NOTE: "Line of Agreement" or "Agreement Line", as hereinafter mentioned, refers to that line determined by Boundary Line Adjustment Agreement dated May 8, 1987 and recorded June 3, 1987 in [Book 5375 at Page 1106](#) of the El Paso County records.

Commencing at the Northeast corner of Section 1; thence N 89 degrees 35' 33" W, along the North line of said Section, a distance of 4362.87 feet (N 89 degrees 35' 33" W, 4363.19 feet, field), to a point on the Northerly right-of-way of Drennan Road as platted in CLEAR VIEW ESTATES SUBDIVISION NO. 3; thence S 86 degrees 29' 56" E, along the North right-of-way of Drennan Road, a distance of 3090.57 feet (S 86 degrees 29' 59" E, 3090.93 feet, field) to the Northeast corner of CLEAR VIEW ESTATES NO. 2 as platted and recorded in [Plat Book M-2 at Page 58](#), El Paso County Recorder's office; (the following five (5) courses are along the Northeast boundary of said CLEAR VIEW ESTATES SUBDIVISION NO. 2 as platted); (1) S 03 degrees 30' 14" W, a distance of 76.46 feet (S 07 degrees 22' 06" W, 74.05 feet, field), to the **TRUE POINT OF BEGINNING**; (2) thence S 03 degrees 30' 14" W, a distance of 23.54 feet (S 03 degrees 27' 37" W, 23.54 feet, field) to a point on the line of agreement between said CLEAR VIEW ESTATES SUBDIVISION NO. 2, and a parcel as described in [Book 3964 at Page 1183](#) of said records, point bears S 85 degrees 49' 16" E, a distance of 4011.49 feet from the Northwest corner of said Section 1; (3) S 38 degrees 29' 46" E, along said agreement line a distance of 209.00 feet (S 39 degrees 01' 11" E, 214.27 feet, field); (4) S 26 degrees 29' 46" E, along said agreement line, a distance of 535.00 feet (S 26 degrees 32' 21" E, 535.83 feet, field); (5) thence S 06 degrees 29' 46" E, along said agreement line, a distance of 210.00 feet (S 06 degrees 17' 44" E, 209.36 feet, field) to the Southerly most point of said agreement line, which bears S 75 degrees 23' 31" E, a distance of 4545.02 feet from said Northwest corner of Section 1; thence S 25 degrees 06' 44" E, along the agreement line between the parcels as described in [Book 2994 at Page 541](#), and [Book 3964 at Page 1183](#) of said records a distance of 440.30 feet (S 25 degrees 01' 18" E, 438.32 feet, field) to a point which bears S 71 degrees 23' 22" E, a distance of 4836.39 feet from said Northwest corner of Section 1; thence S 05 degrees 59' 46" E, along the agreement line between the parcels as described in [Book 3414 at Page 845](#), and [Book 3964 at Page 1183](#) of said records, a distance of 540.00 feet (S 05 degrees 46' 23" E, 536.58 feet, field) to a point which bears S 65 degrees 52' 14" E, a distance of 5081.47 feet from said Northwest corner of said Section 1; thence S 09 degrees 55' 45" W along the agreement line between the parcels as described in [Book 2994 at Page 541](#), and [Book 3964 at Page 1183](#) of said records, a distance of 2271.91 feet (S 09 degrees 50' 04" W, 2272.35 feet, field) to a point which bears S 44 degrees 33' 08" E, a distance of 6056.99 feet from said Northwest corner of said Section 1, point being the end of said agreement line; thence N 90 degrees 00' 00" E, a distance of 1000.00 feet (S 89 degrees 59' 44" E, 1000.00 feet, field); thence N 00 degrees 00' 00" E, a distance of 3948.46 (N 00 degrees 00' 16" E, 3948.46 feet, field); thence S 86 degrees 32' 50" E, a distance of 40.06 feet (S 82 degrees 32' 52" E, 40.06 feet, field) to a point on the East line of Section 1; thence N 00 degrees 00' 13" E, along said East line, a distance of 24.70 feet (N 00 degrees 00' 16" E, 24.70 feet, field) to a point 30.00 feet South of and measured at right angles from the centerline of Drennan Road; thence N 86 degrees 50" W parallel to the centerline of Drennan Road, a distance of 1284.94 feet (N 86 degrees 35' 15" W, 1289.68 feet, field) to the **True Point of Beginning**;

EXCEPTING THEREFROM, that portion dedicated for the right-of-way for Powers Boulevard by Dedication Map and Statement recorded January 26, 1987 in [Book 5307 at Page 1472](#) of the records of El Paso County, Colorado, which is more particularly described as follows:

(Assuming the North line of said Section 1 bears N 89 degrees 35' 33" W, with the Northeast corner being a stone and the Northwest corner being a 5/8-inch rebar;)

Commencing at the Northeast corner of said Section 1; thence S 06 degrees 54' 34" W, a distance of 332.60 feet to the Westerly line of a parcel described in Book 2722 at Page 841 of said records; said point also being on the Easterly line of

"Charter One Development Parcel" as described in [Book 5307 at Page 1472](#) of said records, said point also being the **TRUE POINT OF BEGINNING**; thence along the boundary of said "Charter One Development Parcel", the following six (6) courses:

- (1) S 00 degrees 00' 16" W, a distance of 3948.46 feet (S 00 degrees 46' 26" E, .3951.81 feet, record);
- (2) N 89 degrees 59' 44" W, a distance of 90.06 feet (S 89 degrees 13' 46" W, 89,57 feet, record);
- (3) along the arc of a non-tangent curve to the right, having a central angle of 15 degrees 50' 33" (15 degrees 56' 12", record), a radius of 2105.00 feet (2105.00 feet, record), an arc length of 582.04 feet (585.50 feet, record), a chord bearing of N 07 degrees 55' 01" W (N 08 degrees 44' 07" W, record);
- (4) N 00 degrees 00' 16" E, a distance of 3242.82 feet (N 00 degrees 46' 01" W, 3242.82 feet, record);
- (5) along the arc of a curve to the left, having a central angle of 86 degrees 23" (86 degrees 33' 23", record), a radius of 150.00 feet (150.00 feet, record), an arc length of 226.60 feet (226.60 feet, record), a chord bearing of N 43 degrees 16' 25" W (N 44 degrees 02' 43" W, record);
- (6) S 86 degrees 32' 52" E, a distance of 311.57 feet (S 87 degrees 19'24" E, 311.56 feet, record) to the **True Point of Beginning**,

County of El Paso,
State of Colorado



**COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART I**

File No.: 01330-47238- Amendment No. 5

The following are the requirements to be complied with:

1. **Payment to or for the account of the grantor(s) or mortgagor(s) of the full consideration for the estate or interest to be insured.**
2. **Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record.**
3. **NONE AT THIS TIME**

NOTE: This product is for informational purposes only. It is not a title insurance product and does not provide any form of coverage. This product is not a guarantee or assurance, and does not warrant, or otherwise insure, any condition, fact or circumstance. This product does not obligate this Company to issue any policies of title insurance for any subsequent transaction based on the information provided or involving the property described herein. This Company's sole liability for any error(s) relating to this product is limited to the amount that was paid for this product.



COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART II

File No.: 01330-47238- Amendment No. 5

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession, not shown by the public records.
2. Easements, or claims of easements, 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 but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Minerals of whatsoever kind, subsurface and surface substances, in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not the matters excepted under (a), (b) or (c) are shown by the Public Records or listed in Schedule B.
7. Water rights, claims or title to water.
8. Any and all unpaid taxes and assessments and any unredeemed tax sales.
9. A right of way and easement 50 feet wide for the purpose of laying, constructing, maintaining, operating, altering, replacing, and removing a pipeline, with necessary fittings and appliances, for the transmission of natural gas and all by-products thereof, conveyed to Colorado Interstate Corporation by instrument recorded February 19, 1969 in [Book 2278 at Page 371](#).
10. Covenants imposed on the Grantee to participate in the creation and funding of a local improvement district for the construction of Powers Boulevard, contained in Special Warranty Deed recorded January 24, 1985 in [Book 3964 at Page 1183](#), and a possible unrecorded grazing lease with Raymond Powers as Lessee, as disclosed by reference therein.
11. The effects of, and any assessments resulting from, inclusion within the Powers Boulevard /Drennan Road Local Improvement District 1985-2 as evidenced by Resolution No. 85-400 recorded January 29, 1986 in [Book 5120 at Page 69](#).
12. [Intentionally deleted.] (Memorandum of Agreement recorded July 6, 1987 in [Book 5391 at Page 148](#).)
13. Resolution No. 91-166, General-89, recorded May 31, 1991 in [Book 5843 at Page 719](#).
14. The effects of, and any loss due to, an incomplete legal description for the Quit Claim Deed recorded September 23, 2005 as Reception No. [205149743](#), which said legal description does not include the following NOTE:

NOTE: "Line of Agreement" or "Agreement Line", as hereinafter mentioned, refers to that line determined by Boundary Line Adjustment Agreement dated May 8, 1987 and recorded June 3, 1987 in [Book 5375 at Page 1106](#) of the El Paso County records.



COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART II

15. The following matters disclosed on the ALTA/ACSM Land Title Survey prepared by William F. Brooks as Job No. [1382-00](#) dated October 30, 2014:
- a) Fences lie inside and outside of subject property with no documentation regarding use or easements therefore.
 - b) Portions of the subject property lie within areas determined to be inside of a 100 year floodplain.
 - c) Storm sewer pipe lies within record title lines with no documents granting right of way or easement.
 - d) Street and utility improvements lie across the subject property with no recorded documents granting right of way or an easement.
16. Resolution No. 15-405 recorded October 15, 2015 at [Reception No. 215112597](#).
17. Court Order for Inclusion of Real Property (Getz) recorded November 30, 2015 at [Reception No. 215128734](#).



**City of Colorado Springs
Planning Department
Fee Receipt**

[Return to Fee Calculator](#)

| <u>Application</u> | <u>Department</u> | <u>Amount</u> | <u>Applicant</u> | <u>AnnexDisc</u> |
|----------------------------------------------------------|--------------------------------|-------------------|------------------|------------------|
| Concept or Development Plan-Commercial-HS/SS-CSFire | CSFire | \$248.00 | | |
| Concept or Development Plan-Commercial-HS/SS-CSUtilities | CSUtilities | \$479.00 | | |
| Concept or Development Plan-Commercial-HS/SS-EDR | Engineering Development Review | \$1,169.00 | | |
| Concept or Development Plan-Commercial-HS/SS-EDR | Engineering Development Review | \$46.00 | | |
| LUR - Development Plan (New or Major Amendment) | Land Use Review | \$1,520.00 | | |
| LUR - Development Plan (New or Major Amendment) | Land Use Review | \$60.00 | | |
| LUR - Subdivision Plat | Land Use Review | \$60.00 | | |
| LUR - Subdivision Plat | Land Use Review | \$1,100.00 | | |
| Subdivision Plat-Commercial/PUD-CSUtilities | CSUtilities | \$111.00 | | |
| Subdivision Plat-Commercial/PUD-EDR | Engineering Development Review | \$6.00 | | |
| Subdivision Plat-Commercial/PUD-EDR | Engineering Development Review | \$475.00 | | |
| Total Fees | | \$5,274.00 | | |

| | | |
|------------------------|-----------------|--|
| Intake Staff: | Rachel Teixeira | |
| Date: | 8/16/2019 | |
| Planner: | Rachel Teixeira | |
| Receipt Number: | 34612 | |
| Check Number: | 246228 | |
| Amount: | \$5,299.00 | |
| Received From: | Olsson | |

25.00 TECH FEE (IT)
\$ 5,299.00

PLANNING & DEVELOPMENT DEPARTMENT
Project Notification Information

Date: August 16, 2019
Planner: Rachel
Planner email: Rachel.teixeira@coloradosprings.gov
Planner phone number: (719) 385-5368
Consultant Email: jerramouspe@olsson.com
Consultant Name: Josh Erramouspe #970-461-7733
TSN: 6500000094

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:

1,000 feet

PROJECT BLURB(S)

Development Plan

Request by Bert A. Getz Trust (owner), and Kum & Go, LLC. (developer), with representation by Olsson (consultant), for approval of the new Kum & Go Store #661 Development Plan. If approved the proposed would allow for the construction of a Kum & Go convenience store and associated fueling canopy. The site is zoned PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlays), located southwest corner of South Powers Boulevard and Milton E. Proby Parkway), and consists of 1.754 acres.

Final Plat

Request by Bert A. Getz Trust (owner), and Kum & Go, LLC. (developer), with representation by Olsson (consultant), for approval of the Airport Spectrum Filing No. 1 Subdivision Plat. If approved the plat would allow the unplatted parcel to be platted into one lot. The site is zoned PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlays), located southwest corner of South Powers Boulevard and Milton E. Proby Parkway), and consists of 1.754 acres.

POSTCARD

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

- This project proposes a Kum & Go convenience store and fueling station and also plat the unplatted parcel as one lot (1.754 acres).
- The drainage report has been conducted and can be viewed at our website

Neighborhood Meeting Information: n/a

POSTER

Fill out applicable information below:

Parcel is to be platted into one lot with a Kum & Go convenience store and fueling canopy.

This is the file number area.

Planning and Development Distribution Form
Final Plat

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

Planner Intake Date: 08/16/19 Admin Receive Date: 8-16-19

Project Name: Airport Spectrum Filing No. 1

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

2. Date buckslip comments are due (21 calendar days after submittal): 09/06/2019

3. HOA: (Note HOA number or write N/A) N/A
(Add emails for HOA to mailing list if no email contact info)

4. STANDARD DISTRIBUTION:

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

| ID# | Division Name | Email/Distribution Notes |
|-----|-----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <input type="checkbox"/> None | |
| 85 | <input checked="" type="checkbox"/> Utilities Development Services | Buckslips@csu.org |
| 9 | <input checked="" type="checkbox"/> Fire Prevention | Steven.Smith@coloradosprings.gov |
| 24 | <input checked="" type="checkbox"/> DR&S | SAPPLEGATE@coloradosprings.gov |
| 17 | <input checked="" type="checkbox"/> Cory Sharp, LUR MC 155 | Cory.Sharp@coloradosprings.gov |
| 66 | <input checked="" type="checkbox"/> Real Estate Services | Barb.Reinardy@coloradosprings.gov |
| 14 | <input checked="" type="checkbox"/> Lois Ruggera | Lois.Ruggera@coloradosprings.gov |
| 19 | <input checked="" type="checkbox"/> Century Link | Patti.Moore@CenturyLink.com Bea.Romero@centurylink.com |
| 77 | <input checked="" type="checkbox"/> CSU Customer Contract Administration | Buckslips@csu.org |
| 11 | <input type="checkbox"/> CSPD | bjones2@springsgov.com |
| 13 | <input type="checkbox"/> Parks & Recreation | bihaley@springsgov.com Constance.Perry@coloradosprings.gov |
| 23 | <input checked="" type="checkbox"/> Enumerations | addressing@pprbd.org |
| 29 | <input checked="" type="checkbox"/> Flood Plain | Keith@pprbd.org |
| 98 | <input checked="" type="checkbox"/> US Postal Service | Elaine.f.medina@usps.gov |
| 45 | <input checked="" type="checkbox"/> Zaker Alazzeah, Traffic - School Safety | SAPPLEGATE@coloradosprings.gov |
| 65 | <input checked="" type="checkbox"/> Zaker Alazzeah, Traffic Eng (MC 460) | SAPPLEGATE@coloradosprings.gov |
| 48 | <input checked="" type="checkbox"/> Street Division | Terry.Huggins@coloradosprings.gov Cole.Platt@coloradosprings.gov Michael.Hensley@coloradosprings.gov |
| 60 | <input checked="" type="checkbox"/> Transit | Roger.Austin@coloradosprings.gov |
| 25 | <input checked="" type="checkbox"/> County Health Department | aarondousett@elpasoco.com |
| 30 | <input checked="" type="checkbox"/> Comcast | dale_stewart@cable.comcast.com Jason_Jacobsen@comcast.com |

| | | |
|----|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| | | Chris_Kelley3@comcast.com |
| 3 | <input checked="" type="checkbox"/> CONO | rdavis@cscono.org mcupp@cscono.org |
| 92 | <input type="checkbox"/> Forestry | jcooper@springsgov.com |
| 56 | <input checked="" 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 | mwilsey@hsd2.org |
| 68 | <input checked="" type="checkbox"/> School District # 3 | neald@wsd3.k12.co.us |
| 37 | <input type="checkbox"/> School District # 11 | johnstp@d11.org |
| 38 | <input type="checkbox"/> School District # 12 | cooper@cmsd12.org |
| 39 | <input type="checkbox"/> School District # 20 | tom.gregory@asd20.org |
| 69 | <input type="checkbox"/> School District # 22 | terryebert@ellicottschools.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 type="checkbox"/> None | |
| 84 | <input type="checkbox"/> Fort Carson | john.j.sanders71.civ@mail.mil |
| 46 | <input type="checkbox"/> NORAD | dino.bonaldo@cheyennemountain.af.mil dino.bonaldo@us.af.mil dino.bonaldo@afspc.af.mil Michael.kozak.2@us.af.mil kim.van_treadway@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 |
| 75 | <input checked="" type="checkbox"/> Peterson | glenn.messke@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 | dbryan@stratusiq.com mcline@stratusiq.com bkley@stratusiq.com BLR & Flying Horse |
| 27 | <input checked="" type="checkbox"/> CDOT (adjacent to CDOT ROW) | Valerie.sword@state.co.us |
| 34 | <input type="checkbox"/> Colorado Geological Survey | cgs_lur@mines.edu |
| | <input type="checkbox"/> SECWCD, Garrett Markus | garrett@secwcd.com |
| 18 | <input checked="" type="checkbox"/> Streamside Area Overlay | Hannah.VanNimwegen@coloradosprings.gov |
| 15 | <input type="checkbox"/> Hillside Overlay | Kerri.Schott@coloradosprings.gov |
| 20 | <input checked="" type="checkbox"/> Airport | kandrews@springsgov.com |
| 63 | <input checked="" type="checkbox"/> El Paso County Dev. Services Division | MikeHrebenar@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 |
| 70 | <input type="checkbox"/> Woodmen Road Metro District | Kalilah.A@wsdistricts.co Lori.v@wsdistricts.co |
| 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 | Jwalker@springsgov.com |
| 70 | <input type="checkbox"/> Woodmen Heights Metro District | Kalilah.A@wsdistricts.co Lori.v@wsdistricts.co |
| 65 | <input type="checkbox"/> Kate Brady, Mike Planning, Traffic | kbrady@springsgov.com |
| 53 | <input type="checkbox"/> UCCS Review – North Nevada Overlay zone | mwood@uccs.edu |

8. LAND USE REVIEW:

Hard Copy Full sized plans

| | |
|---------------------------------------------|----------------------------------------------------|
| <input checked="" type="checkbox"/> Planner | Traffic Report, Drainage Report, Geo-Hazard Report |
|---------------------------------------------|----------------------------------------------------|

Special notes or instructions:

Add

125

Soaring Eagles to Public Notification List