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El Paso County, CO



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RESOLUTION NO. 20-316

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

**SUBDIVISION EXEMPTION FOR VOLLMER SUBSTATION AT STERLING
RANCH SUBDIVISION EXEMPTION (EX-20-001)**

WHEREAS, Section 30-28-101(10)(d), C.R.S., as amended, authorizes the Board of County Commissioners pursuant to resolution to exempt from the requirements of the subdivision regulations any division of land if the Board of County Commissioners determines that such division is not within the purposes of the statutory provisions governing subdivisions; and

WHEREAS, the Mountain View Electric Association, has applied for an exemption from the El Paso County Subdivision Regulations; and

WHEREAS, the Mountain View Electric Association intends to utilize this 5 acre parcel solely for a the purposes of an electric substation; and

WHEREAS, a public hearing was held by this Board on August 25, 2020; and

WHEREAS, the El Paso County Board of County Commissioners has found the proposed division does not fall within the purposes of the Colorado statutory provisions concerning subdivisions;

WHEREAS, based on the evidence, testimony, exhibits, study of the Master Plan for the unincorporated area of the County, comments of the El Paso County Planning and Community Development Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

1. That the exemption is consistent with and conforms to the El Paso County Land Development Code and the Master Plan.
2. That the exemption is a division of land determined not to be within the purpose of C.R.S. §§30-28-101, et. seq.
3. That legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Land Development Code and the Engineering Criteria Manual.
4. That the size, location, and availability of services to the proposed lots or parcels are reasonable, appropriate, and customary for the proposed use.

5. That no beneficial purpose would be served by requiring the platting of the subject property.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the petition by the Mountain View Electric Association, for a Subdivision Exemption of a 5 acre parcel of property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference;

BE IT FURTHER RESOLVED the following conditions shall apply to this approval:

CONDITIONS

1. The land survey (exemption) plat as approved by the Board of County Commissioners shall be deposited with the El Paso County Clerk and Recorder's Office.
2. The property owner shall provide a copy of the deed transferring ownership of the exemption parcel to Mountain View Electric Association for recording prior to depositing the land survey (exemption) plat with the El Paso County Clerk and Recorder's Office.

NOTATION

1. Approval of a site development plan will be required prior to initiating site disturbing activities and prior to issuance of any permits.

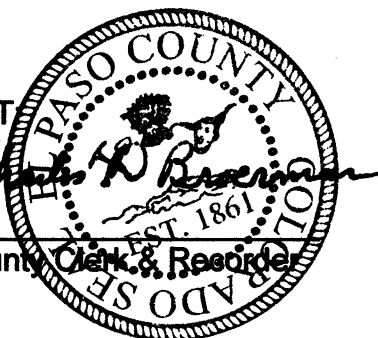
DONE THIS 25th day of August 2020, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST

By: _____

County Clerk & Recorder



By: _____

Chair

Resolution No. 20-316
EXHIBIT A

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 65 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE QUARTER CORNER COMMON TO SECTION 34 T12S AND SECTION 3 T13S, R65W OF THE SIXTH P.M., EL PASO COUNTY, COLORADO:

THENCE N80°45'26"E A DISTANCE OF 677.82 FEET TO THE POINT OF BEGINNING OF THIS LEGAL DESCRIPTION.

THENCE N00°13'01"W, A DISTANCE OF 545.00 FEET;
THENCE N89°14'26"E, A DISTANCE OF 400.00 FEET;
THENCE S00°13'01"E, A DISTANCE OF 545.00 FEET;
THENCE S89°14'26"W, A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINS A CALCULATED AREA OF 5.00 ACRES MORE OR LESS.

TOGETHER WITH AN ACCESS AND UTILITY EASEMENT OVER THE SOUTH 60 FEET OF SECTION 34, T12S, R65W FROM MOHAWK ROAD TO A POINT SOUTH OF THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED TRACT AND TOGETHER WITH AN ACCESS AND UTILITY EASEMENT OVER THE SOUTH 100 FEET FROM THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED TRACT TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 34.

NOTE:

BASIS OF BEARING IS BASED ON A LINE BETWEEN THE SECTION CORNER COMMON TO SECTIONS 3 AND 4, T13S AND SECTIONS 33 AND 34 T12S, R65W BEING MONUMENTED WITH A 2.5" ALUMINUM CAP PLS NO. 11624 AND THE QUARTER CORNER COMMON TO SECTION 3 T13S AND SECTION 34 T12S, R65W BEING MONUMENTED WITH A 2.5" ALUMINUM CAP PLS NO. 11624 WHICH BEARS N89°14'14"E A DISTANCE OF 2722.56 FEET. ALL BEARINGS SHOWN HEREON ARE RELATIVE TO SAID LINE. ALL DISTANCES SHOWN HEREON ARE US SURVEY FOOT, AS MEASURED.

LEGAL DESCRIPTION PREPARED BY:

VERNON P. TAYLOR P.L.S. NO. 25966
FOR AND ON BEHALF OF

RESOLUTION 20-316

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