



RESOLUTION NO. 18-032

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

APPROVE FINAL PLAT FOR JACKSON RANCH FILING NO. 3 (SF-17-017)

WHEREAS, Four Gates Land Development, LLC did file an application with the El Paso County Planning and Community Development Department for the approval of a final plat for the Jackson Ranch Filing No. 3 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 January 2, 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 January 23, 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 Jackson Ranch Filing No. 3 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. The applicant 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 will be required for each anticipated access to an El Paso County owned and maintained roadway. 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 ECM Administrator, shall be filed at the time of recording the Final Plat.
8. 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.
9. The applicant agrees on behalf of him/herself and any developer or builder successors and assignees that the subdivider and/or said successors and assignees 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 \$3,663.00 in lieu of land dedication for regional parks (Area 2) and urban park (N/A) fees shall be paid at time of plat recordation.
11. Fees in the amount of \$2,772.00 in lieu of school land dedication shall be paid to El Paso County for the benefit of Lewis Palmer School District No. 38 at time of plat recording.

NOTATIONS

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.

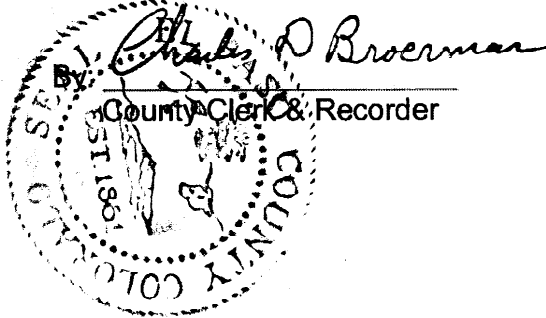
2. The subject property is located within the West Cherry Creek Drainage Basin. This drainage basin has not been studied and does not require the payment of drainage or bridge fees.

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

DONE THIS 23rd day of January, 2018, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:



By: Paul Glenn
President

EXHIBIT A

JACKSON RANCH FILING NO. 3

A TRACT OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(THE SOUTH LINE OF THE NORTHWEST QUARTER IS THE BASIS OF BEARINGS FOR THIS DESCRIPTION, S88°46'41"W A DISTANCE OF 2639.80 FEET AND IS MONUMENTED BY A 2 ½" DIAMETER ALUMINUM CAP LS #23890 ON THE EAST AND A 2 ½" DIAMETER ALUMINUM CAP LS # 9853 ON THE WEST; THE DIRECTION IS BASED ON THE OLDBOROUGH HEIGHTS SUBDIVISION RECORDED AT RECEPTION NO. 203230835 OF THE EL PASO COUNTY RECORDS)

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 21 AS MONUMENTED BY A 2 ½" DIAMETER ALUMINUM CAP LS # 23890; THENCE S88°46'41"W ON THE SOUTH LINE OF THE NORTHWEST QUARTER A DISTANCE OF 527.54 FEET; THENCE N01°13'19"W A DISTANCE OF 45.00 FEET TO THE SOUTHEAST CORNER OF LOT 8, AS PLATTED BY THE JACKSON RANCH SUBDIVISION FILING NO. 2 RECORDED AT RECEPTION NO. 216713859 OF SAID EL PASO COUNTY RECORDS;

THENCE N01°31'31"E ON THE EAST LINE OF SAID JACKSON RANCH FILING NO. 2 SUBDIVISION, SAID LINE BEING COINCIDENTAL WITH THE WEST LINE OF THE MONUMENT SUBDIVISION EXEMPTION PLAT AS SHOWN ON THE SUBDIVISION PLAT THEREOF RECORDED AT RECEPTION NO. 213713382 OF SAID EL PASO COUNTY RECORDS, A DISTANCE OF 487.00 FEET TO THE POINT OF BEGINNING; THE FOLLOWING SIX (6) COURSES ARE ALONG THE NORTHERLY AND EASTERLY BOUNDARY OF SAID JACKSON RANCH FILING NO. 2 SUBDIVISION

1. THENCE N87°03'58"W A DISTANCE OF 601.32 FEET;
2. THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 630.00 FEET, THROUGH A CENTRAL ANGLE OF 16°23'21", AN ARC DISTANCE OF 180.21 FEET, THE LONG CHORD OF WHICH BEARS N11°17'25"E A DISTANCE OF 179.59 FEET;
3. THENCE N70°30'54"W A DISTANCE OF 471.00 FEET;
4. THENCE N82°58'17"W A DISTANCE OF 280.00 FEET;
5. THENCE N05°04'34"E A DISTANCE OF 381.79 FEET;
6. THENCE N25°16'41"E A DISTANCE OF 353.88 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER AND THE NORTHEAST CORNER OF TRACT A, AS PLATTED BY SAID JACKSON RANCH FILING NO. 2;

THENCE S88°42'39"W ON SAID NORTH LINE A DISTANCE OF 133.04 FEET
TO THE NORTHWEST CORNER OF SAID TRACT A;
THENCE N40°54'02"E A DISTANCE OF 287.51 FEET;
THENCE S78°36'35"E A DISTANCE OF 606.61 FEET;
THENCE S11°32'49"W A DISTANCE OF 214.45 FEET;
THENCE S71°39'30"E A DISTANCE OF 424.95 FEET;
THENCE S79°22'10"E A DISTANCE OF 60.00 FEET;
THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF
480.00 FEET, THROUGH A CENTRAL ANGLE OF 12°09'21", AN ARC
DISTANCE OF 101.84 FEET, THE LONG CHORD OF WHICH BEARS
N4°33'32"E A DISTANCE OF 101.65 FEET TO A POINT ON THE AFORESAID
WEST LINE OF THE MONUMENT SUBDIVISION EXEMPTION PLAT;
THENCE S01°31'31"E ON SAID WEST LINE A DISTANCE OF 939.83 FEET TO
THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN;

THE DESCRIBED TRACT CONTAINS 26.215 ACRES, MORE OR LESS