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**PLANNING & COMMUNITY DEVELOPMENT**

**TO:** El Paso County Planning Commission  
Thomas Bailey, Chair

**FROM:** Kylie Bagley, Planner III  
Ed Schoenheit, Engineer I  
Meggan Herington, AICP, Executive Director

**RE:** Project File Number: VR223  
Project Name: AFTA Subdivision  
Parcel Numbers: 5312402015, 5312402016, 5312403003, 5312403004,  
5312404003, 5312405003 and 5312405005

<b>OWNER:</b>	<b>REPRESENTATIVE:</b>
CST Metro, LLC 5500 S. Quebec St. Suite 100 Greenwood Village, CO 80111	Land Development Consultants Sofia Hernandez 950 S Cherry Street Suite 512 Denver, CO 80246

**Commissioner District: 2**

<b>Planning Commission Hearing Date:</b>	<b>5/16/2024</b>
<b>Board of County Commissioners Hearing Date:</b>	<b>6/13/2024</b>

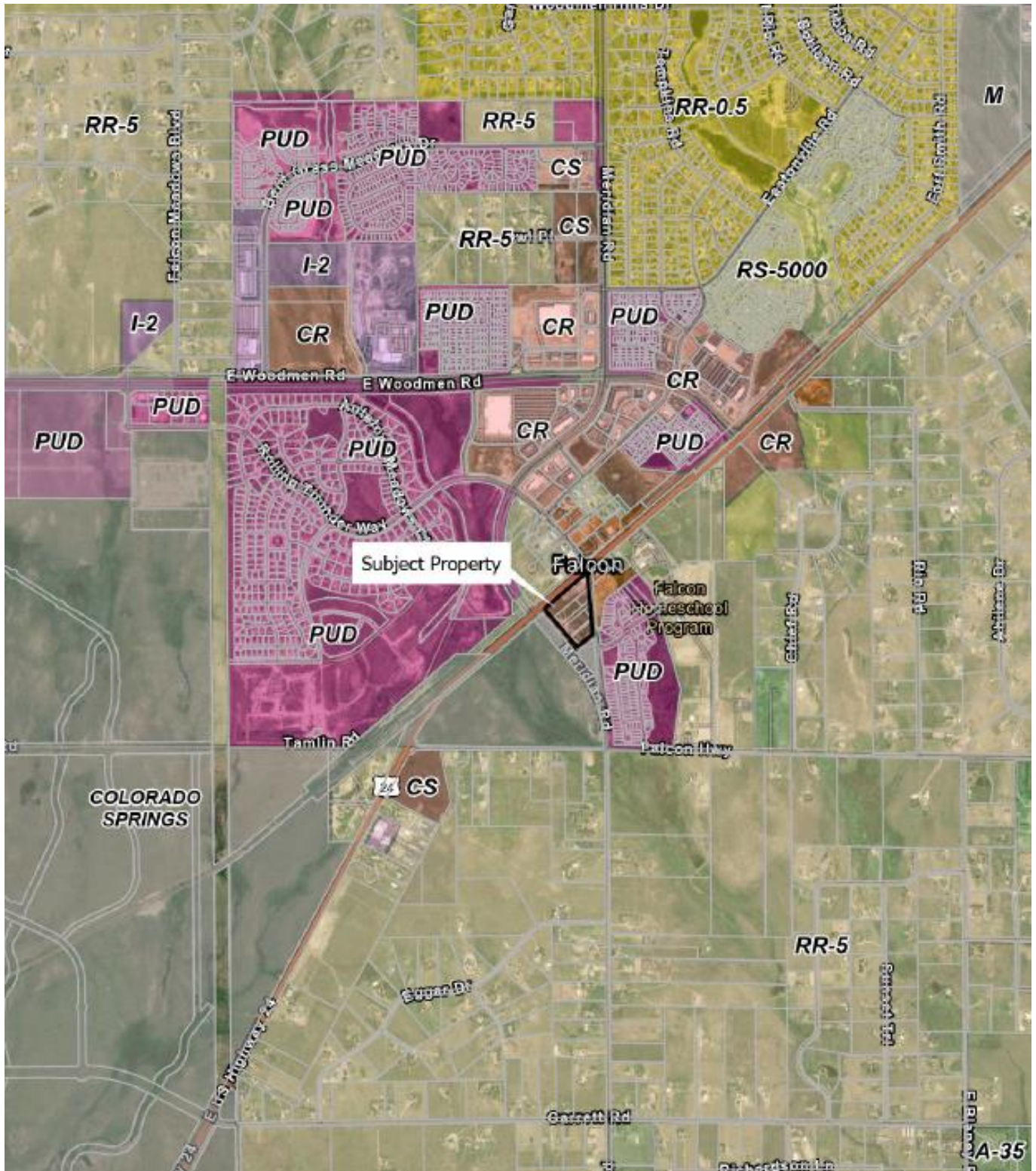
**EXECUTIVE SUMMARY**

A request by CST Metro, LLC for approval of an 8.90-acre Vacation and Replat creating two commercial lots and one tract. The property is zoned CS (Commercial Service) and is located northeast of the intersection of New Meridian Road and Highway 24 and southeast of the intersection of Old Meridian Road and Highway 24.

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## A. WAIVERS AND AUTHORIZATION

### Waiver(s):

The applicant requests the following modification(s) of the LDC:

A waiver request for a private road connecting New Meridian Road and Meridian Sol Drive (Old Meridian Road). All access for the two new lots would be from this private road. A deviation request is expected for access spacing of this private access road from Hwy 24.

In approving a waiver for private roads, the Board of County Commissioners shall find that the waiver meets the criteria outlined in Section 8.4.4 (E) of the El Paso County Land Development Code (As Amended):

Generally, private roads shall be constructed and maintained to ECM standards except as may be otherwise determined in the waiver. Private road waivers may only include design standards for the following:

- Right-of-way width where suitable alternative provisions are made for pedestrian walkways and utilities;
- Design speed where it is unlikely the road will be needed for use by the general public;
- Standard section thickness minimums and pavement type where suitable and perpetual maintenance provisions are made;
- Maximum and minimum block lengths; and
- Maximum grade.

**Authorization to Sign:** Final Plat and any other documents necessary to carry out the intent of the Board of County Commissioners.

## A. APPROVAL CRITERIA

Section 7.2.3.C, Actions Vacating or Altering a Recorded Plat, Replat, of the El Paso County Land Development Code (As Amended) states that a replat, "involves two actions, the vacation of the portion of the subdivision plat where the change is proposed...and approval of a new subdivision plat." The Code goes on to define a replat as providing a replat of a subdivision or lots in a subdivision, in which the original subdivision is substantially modified or additional lots are created. In approving a replat, the following findings shall be made:

- The replat complies with this Code, and the original conditions of approval associated with the recorded plat;

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- No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;
- The replat is in keeping with the purpose and intent of this Code;
- The replat conforms to the required findings for a minor or major subdivision, whichever is applicable;
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- The approval will not adversely affect the public health, safety, and welfare; and
- Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the replat has been resolved.

**B. LOCATION**

North:	PUD (Planned Unit Development)	Commercial
South:	City of Colorado Springs	Agricultural
East:	CC (Commercial Community)	Auto Repair and Vacant Land
West:	City of Colorado Springs	County Owned Exempt Land

**C. BACKGROUND**

The applicant is requesting a Vacation and Replat creating two commercial lots and one tract. The subject property consists of seven (7) parcels, both platted and unplatted, containing 8.99 acres. On November 1, 2022, the Board of Commissioners approved a rezone from C-2 (Commercial) and RR-5 (Rural Residential) to CS (Community Services). The rezoning was requested by CST Metro LLC and the intention is to construct a gas station on one of the proposed lots.

**D. ANALYSIS**

**1. Land Development Code and Zoning Compliance**

The proposed replat will create two lots and one tract, as proposed, will conform to the standards of the CS (Commercial Service) zoning district. The CS (Commercial Service) zoning district density and dimensional standards are as follows:

- Minimum lot size: None
- Minimum width at the front setback line: None

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- Minimum setback requirement: 25 feet for front, rear, and side yard \* \* \* \* \*
- Maximum lot coverage: None
- Maximum height: 45 feet

*\*Gasoline pumps and canopies shall be at least 15 feet from the front property line or public right-of-way, except where the landscaping regulations require a greater setback.*

*\*\*The minimum setback is 25 feet from the perimeter boundary of the district, but no minimum setback is required from any internal side or rear lot line within the same district.*

*\*\*\*Temporary uses shall be setback at least 25 feet from all property lines and 100 feet from Residential zoning districts.*

*\*\*\*\*If the building is established as or converted to condominium units in accordance with Chapter 7 of this Code, the building and lot shall meet the minimum lot area and setbacks, but the individual units are not required to meet the minimum lot area, maximum lot coverage, or setback requirements.*

## **F. MASTER PLAN COMPLIANCE**

### **1. Your El Paso County Master Plan**

#### **a. Placetype Character: Regional Center**

The fundamental purpose of a Regional Center is to provide access to necessary and desired commercial goods and services in El Paso County through a unique mix of uses. This placetype differs from Rural Centers by providing a level of goods and services that attract people from across the County, and depending on location, from adjacent counties. Regional Centers often incorporate a lifestyle live-work-play environment and can include multifamily housing elements in their design as standalone apartments or part of mixed-use developments.

This placetype includes large-scale shopping centers that house a variety of commercial businesses and support a high activity of users on a regular basis such as grocery stores, pharmacies, clothing stores, automotive centers, restaurants, entertainment opportunities, home improvement stores, and other major retailers. Multifamily apartments provide commercial businesses direct access to potential customers.

Regional Centers are major commercial destinations for residents and are easily accessible from major transportation routes throughout the County. Regional

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Centers in El Paso County are surrounded by Urban Residential, Suburban Residential, and Employment Center placetypes. In addition, Regional Centers can also be extensions of commercial areas within incorporated municipalities such as the Gleneagle area.

**Recommended Land Uses:**

*Primary*

- Restaurant
- Commercial Retail
- Commercial Service
- Entertainment
- Multifamily Residential

*Supporting*

- Office
- Institutional
- Mixed Use
- Single-family Attached Residential

**Analysis:**

The Regional Center placetype is a commercial destination for County residents to purchase goods, procure services, and enjoy a variety of entertainment options.

**Objective LU4-2** – *The Regional Center placetype should include large scale shopping centers that house a variety of commercial businesses and support a high activity of users on a regular basis such as grocery stores, pharmacies, clothing stores, automotive centers, restaurants, entertainment opportunities, home improvement stores, and other major retailers.*

**Objective ED1-6** – *Large employers should be located on major roadways to improve connectivity and minimize their impact on daily traffic.*

**Goal ED3-3** – *Emphasize the development of grocery stores, restaurants (both drive-thru and sit-down), gas stations, pharmacies, and neighborhood-scale services along Highway 24.*

The proposed Vacation and Replat will create two lots to support Commercial Services along Highway 24. The applicant intends to construct a gas station adjacent to Highway 24 which would serve the Falcon community.



**b. Area of Change Designation: Transition**

Transition areas are fully developed parts of the County that may completely or significantly change in character. In these areas, redevelopment is expected to be intense enough to transition the existing development setting to an entirely new type of development. For example, a failing strip of commercial development could be redeveloped with light industrial or office uses that result in a transition to an employment hub or business park. Another example of such a transition would be if a blighted suburban neighborhood were to experience redevelopment with significant amounts of multifamily housing or commercial development of a larger scale in line with a commercial center.

**Analysis:**

The proposed Vacation and Replat would allow for redevelopment from the existing residential uses into commercial services that would service the communities of Falcon and Colorado Springs.

**c. Key Area Influences: Potential Areas for Annexation**

A significant portion of the County's expected population growth will be located in one of the eight incorporated municipalities. As the largest municipality in El Paso County, Colorado Springs is expected to grow in population over the next several decades. As a result of this growth, Colorado Springs, and other municipalities including Fountain and Monument, will need to annex parts of unincorporated County to plan for and accommodate new development. This will either occur through new development within existing municipal limits or the annexation of subdivisions in unincorporated parts of the County.

This Key Area outlines the portions of the County that are anticipated to be annexed as development occurs. It is imperative that the County continue to coordinate with the individual cities and towns as they plan for growth. Collaboration with the individual communities will prevent the unnecessary duplication of efforts, overextension of resources, and spending of funds. The County should coordinate with each of the municipalities experiencing substantial growth the development of an intergovernmental agreement similar to that developed with Colorado Springs.



**d. Other Implications (Priority Development, Housing, etc.):** Commercial Development Area

Most County residents travel to municipalities to purchase goods and services. The Economic Development Framework identifies areas to expand commercial uses in unincorporated communities. This section includes policies and recommendations for increasing commercial development and improving customer access. In the following section, numbers are only intended to connect recommendations to the corresponding locations in the County. They are not a hierarchy of priority.

Falcon has the most established Regional Center in unincorporated El Paso County and largely serves all communities in the northeastern part of the region. It includes several substantial commercial retailers including Walmart and Safeway. Additionally, there are a number of strip centers that provide space for smaller commercial businesses including restaurants and professional services. Available land provides the opportunity for existing businesses to grow or new businesses to develop.

**2. Water Master Plan Analysis**

The El Paso County Water Master Plan (2018) has three main purposes; to better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

**Goal 1.1** - Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

**Policy 1.1.1** - Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.

**Goal 1.2** - Integrate water and land use planning.

The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Planning Region 3 of the Plan, which is an area anticipated to experience growth by





2040. The following information pertains to water demands and supplies in Region 3 for central water providers:

The Plan identifies the current demand for Region 3 to be 4,494 acre-feet per year (AFY) (Figure 5.1) with a current supply of 7,164 AFY (Figure 5.2). The projected demand in 2040 for Region 3 is at 6,403 AFY (Figure 5.1) with a projected supply of 7,921 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 for Region is 3 is at 8,307 AFY (Figure 5.1) with a projected supply of 8,284 AFY (Figure 5.2) in 2060. This means that by 2060 a surplus of 32 AFY is anticipated for Region 3.

See the Water section below for a summary of the water findings and recommendations.

### 3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential El Paso County Environmental Services and Colorado Parks and Wildlife were each sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies upland deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

## F. PHYSICAL SITE CHARACTERISTICS

### 1. Hazards:

Within the soils and geology report high groundwater was found on Lots 1 and 2 and Tract A of the proposed Vacation and Replat. Adequate drainage structures and flood mitigation techniques should be used to reduce the risk of flooding on the proposed development area.

- 2. Floodplain:** The property is not located within a floodplain as determined by a review of the Federal Insurance Rate Map number 08041C0561G effective December 7<sup>th</sup>, 2018.

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- 3. Drainage and Erosion:** The property is located in the Falcon drainage basin. D Drainage basin fees in the amount of \$222,418.32 and bridge fees in the amount of \$30,554.46 will be due at time of plat recordation. Drainage on the site generally flows from the northwest to the southeast towards Chico Creek. A private onsite full-spectrum detention and water quality pond is proposed for Lot 1, supporting the proposed new gas station and convenience store to be maintained by the developer. No public drainage improvements are proposed with the development. A drainage report prepared by Matrix Design Group was included with this application. The report concluded that the proposed development will not cause adverse stormwater runoff or negatively impact adjacent and downstream properties.
- 4. Transportation:** The subject property is located immediately south of U.S Highway 24 between Meridian Road and Meridian Sol Drive (previously Old Meridian Road). Meridian Road adjacent to the property is a four-lane minor arterial under the jurisdiction of the City of Colorado Springs. U.S. Highway 24 adjacent to the property is a two-lane highway under the jurisdiction of CDOT. Meridian Sol Drive is a County road classified as a non-residential collector. The development will be divided by a private road named Platypus Grove which will connect Meridian Road and Meridian Sol Drive. All access to Lots 1 & 2 will be from Platypus Grove with no direct lot access to the adjoining major roads.

The existing U.S Highway 24 access point will be closed by the developer in coordination with CDOT. Access to Meridian Road will require approval by the City of Colorado Springs and a license agreement to cross the County right of way.

Roadway improvements are planned for Meridian Sol Drive as part of the site development plan, including sidewalk, curb and gutter, and right-of-way dedication for upgrading the road.

The development will include the new expanded Circle K gas station and convenience store on Lot #1 and planned commercial retail and restaurants on Lot #2 are projected to generate 4,048 daily trips.

The development is subject to the El Paso County Road Impact Fee program (Resolution No. 19-471).

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## **G. SERVICES**

### **1. Water**

Water sufficiency has been analyzed with the review of the proposed subdivision. The applicant has shown a sufficient water supply for the required 300-year period. The State Engineer and the County Attorney's Office have recommended that the proposed Vacate Replat has an adequate water supply in terms of quantity and dependability. El Paso County Public Health has recommended that there is an adequate water supply in terms of quality.

### **2. Sanitation**

Sanitation is provided by Woodmen Hills Metropolitan District.

### **3. Emergency Services**

The property is within the Falcon Fire Protection District.

### **4. Utilities**

Electricity will be supplied by Mountain View Electric Association. Natural gas will be supplied by Colorado Springs Utilities.

### **5. Metropolitan Districts**

The subject property is not within a metropolitan district.

### **6. Parks/Trails**

No regional park fees are recommended, as the Board of County Commissioners has elected to not require park fees for commercial subdivisions.

### **7. Schools**

School fees are not required for a commercial subdivision.

## **H. APPLICABLE RESOLUTIONS**

See attached resolution.

## **I. STATUS OF MAJOR ISSUES**

There are no outstanding major issues.

## **J. RECOMMENDED CONDITIONS AND NOTATION**

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.3.C, Actions Vacating or

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Altering a Recorded Plat, Replat, of the El Paso County Land Development Code (As Amended) staff recommends the following conditions and notation:

### **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 Division of 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 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 El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.

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8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the 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. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at the 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 the sale of the property.
10. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated April 5, 2024, as provided by the County Attorney's Office.
11. Drainage fees in the amount of \$222,418.32 and bridge fees in the amount of \$30,554.46 be paid for the Falcon Drainage Basin at the time of plat recordation.

#### **NOTATION**

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

#### **K. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified 39 adjoining property owners on April 30, 2024, for the Planning Commission and Board of County Commissioners meetings. Responses will be provided at the hearing.

#### **L. ATTACHMENTS**

Map Series  
Letter of Intent  
Plat Drawing  
State Engineer's Letter  
County Attorney's Letter  
Draft Resolution

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# Aerial Map

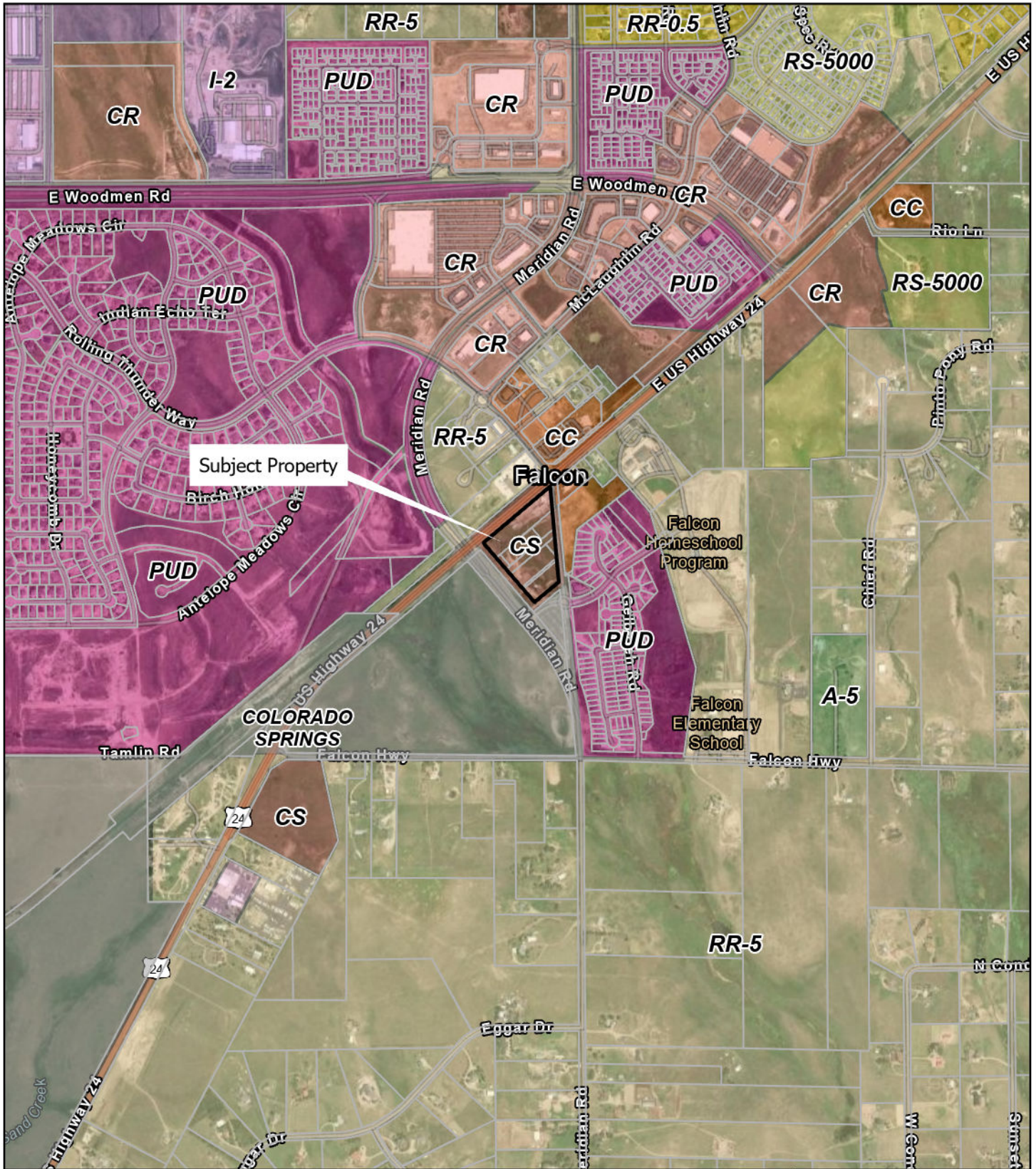


0 0.10.1 0.2 Miles

A horizontal scale bar with three segments. The first segment is labeled '0', the second '0.1', and the third '0.2 Miles'.

File No. VR223

Map Series No. 1



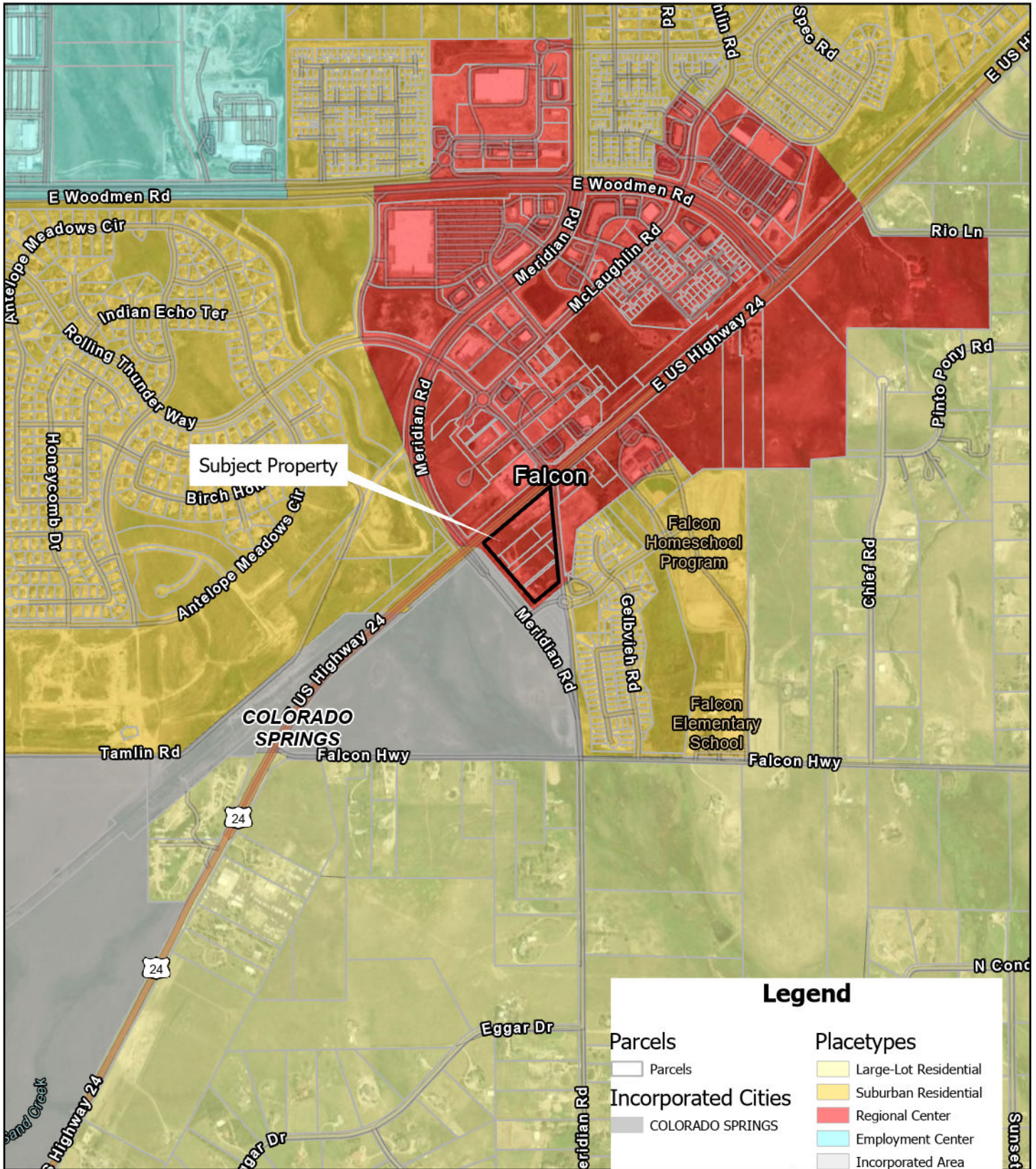
# Zoning Map



0 0.10.1 0.2 Miles

File No. VR223

Map Series No. 2



**Legend**

<b>Parcels</b>	<b>Placetypes</b>
Parcels	Large-Lot Residential
<b>Incorporated Cities</b>	Suburban Residential
COLORADO SPRINGS	Regional Center
	Employment Center
	Incorporated Area

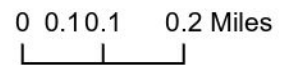


# Placetype Map

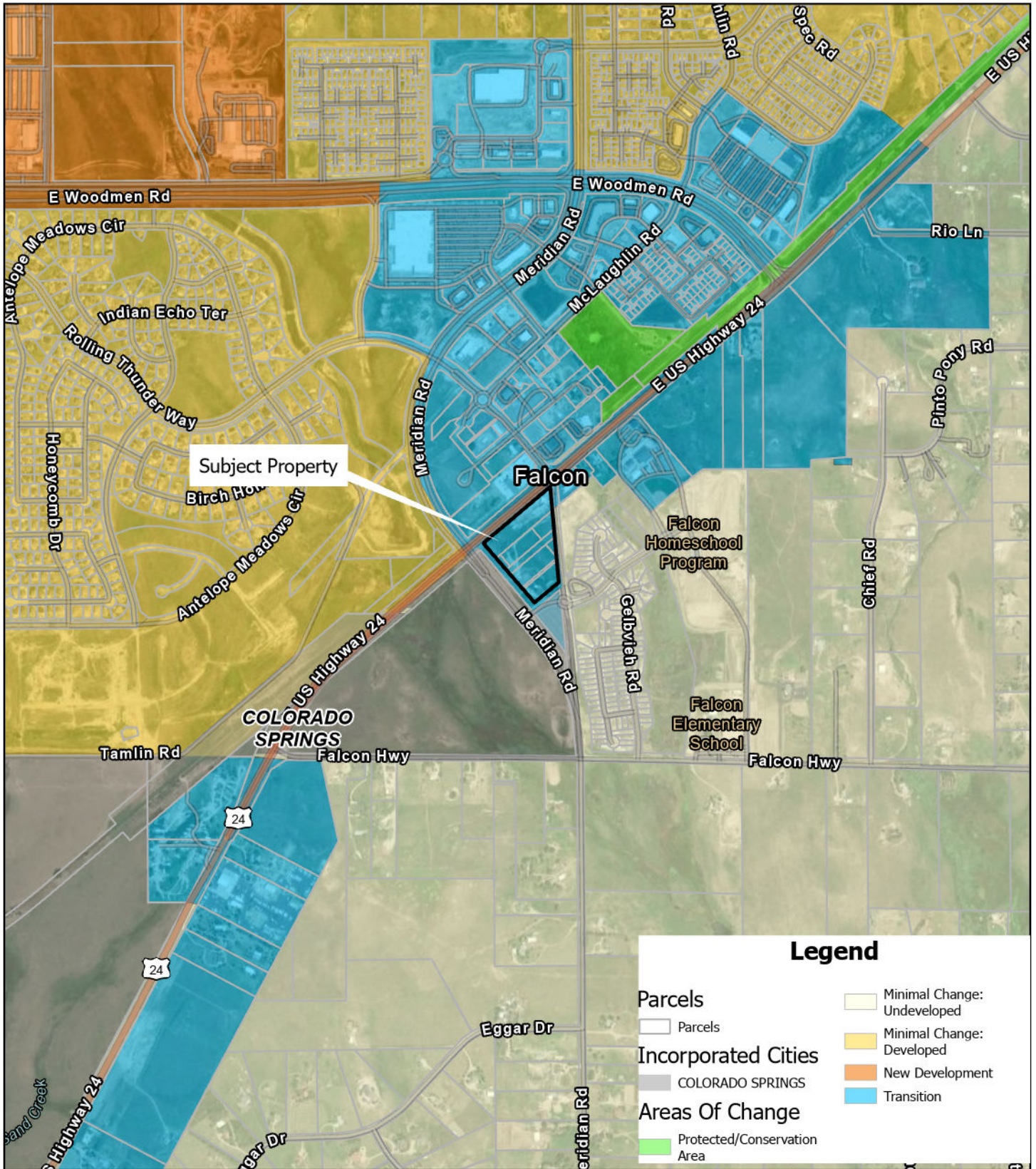


File No. VR223

Map Series No. 3





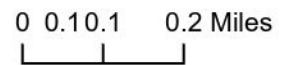


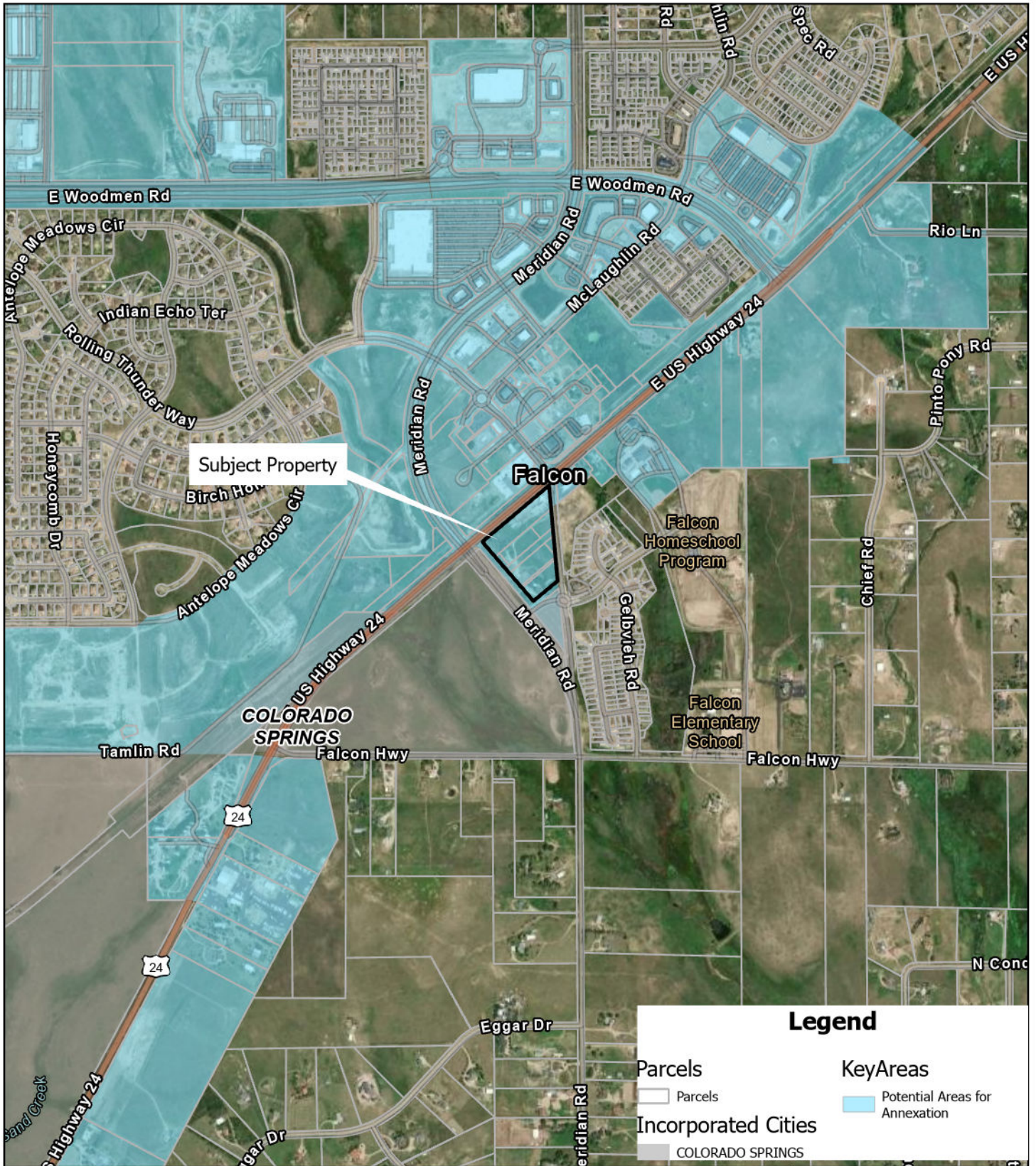
# Areas of Change Map



File No. VR223

Map Series No. 4

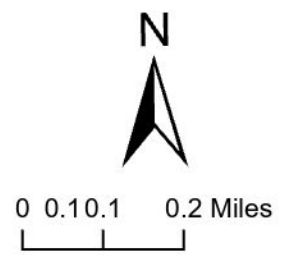




# Key Areas Map

File No. VR223

Map Series No. 5



February 28, 2023

El Paso County  
Planning and Community Development Department  
2880 International Circle  
Colorado Springs, CO 80910

PCD File #VR-22-003

**RE: Letter of Intent – Proposed Replat of Parcel Nos. 5312402015, 5312402016, 5312403003, 5312403004, 5312404003, 5312405003, 5312405005**

**Owner/Applicant and Consultant**

Randy L. Gibbs and Vicky L. Gibbs - OWNER  
6810 North Meridian Road  
Peyton, CO 80831-8136

Malone William G. Trust - OWNER  
3612 Pennington Cir.  
Modesto, CA 95356-1223

CST Metro LLC, D.B.A. Circle K Stores Inc. – OWNER/APPLICANT  
5500 S. Quebec St., Ste. 100  
Greenwood Village, CO 80111  
(720) 341-7015

Land Development Consultants, LLC – CONSULTANT  
950 S. Cherry St. Ste. 512  
Denver, CO 80246  
(303) 717-3305

**Site location, size and zoning**

The site is located on the southwest corner of US HWY 24 and Old Meridian Road. Overall size is 8.99 acres. The zoning respective zoning for the parcels are C-2 (5312402016), RR-5 (5312402015, 5312403003, 5312403004, 5312404003, 5312405003, 5312405005).

## Areal Map



### Request & Justification

Circle K Stores Inc. is proposing the redevelopment of their existing facilities. The new development will encompass a new 5200 SF convenience store with a single stack fuel canopy with (7) fuel dispensers with (14) fueling positions. The previously listed parcels require a replat to reconfigure the parcels into (2) lots in order to allow for the larger redevelopment of the Circle K facilities. The proposed replat takes into consideration the CDOT ROW dedication required the future expansion of US HWY-24.

### Existing & Proposed Facilities

The current Circle K facilities reside within parcel 5312402016, the remaining parcels are residential with one single family dwelling. The parcels are bound by US HWY-24 to the north, Old Meridian Rd to the east, New Meridian Road to the west and Swingline to the south. Access to the existing CK is from US HWY-24 and Old Meridian Rd. Access to the residential parcels is provided via Old Meridian Rd.

The proposed development will consist of a raze and rebuild of a new larger convenience store and passenger fuel canopy. The residential dwelling will be demolished and parcels via a separate application will be rezoned to commercial. Through CDOT coordination the existing access from US HWY-24 will be closed and access will be provided via Old Meridian and New Meridian Rd. A private road between both proposed parcels is being proposed to provide access to either Old or New Meridian Rds.

A 60 foot right-of-way, Pacific Avenue, and a 20 foot alley right-of-way are being requested to be vacated. This will allow for Circle K to incorporate the 20 foot alley into the proposed Lot 2 of the plat. Vacating Pacific Avenue allows for a 60 foot private road/access to the proposed Lot 1, the new Circle K site. The proposed private road will be maintained by Circle K. The proposed private road is intended to provide access to lots 1 and 2 via Meridian Sol Dr. and Meridian Rd due to CDOT's requirement to close the existing access to US Hwy 24.

### **Waiver Requests**

There is one waiver being requested with this application which is the construction of a private road along Pacific Avenue which will provide access to Highway 24 via Meridian Road and Meridian Sol Drive.

Land Development Code 8.4.4, Transportation System Considerations and Standards, 8.4.4.C – This section states that public roads are required and that divisions of land, lots and tracts shall be served by public roads.

Although Pacific Avenue is currently County ROW, Pacific Avenue has not been constructed by the county. The county has confirmed the ROW is not needed, ROW can be vacated and a private road can be proposed for the project. The intent of the private road is to provide access to the overall development via either Meridian Sol Dr. or Meridian Rd.

Land Development Code 7.3 Waivers, 7.3.3 Criteria for Approval of Waivers – This section states that waivers from standards can be approved if the following apply:

- Waiver does not nullify intent and purpose of Code
  - Proposed private road will be designed per code requirements.
- Waiver will not result in need for subsequent waivers
  - Subsequent waivers will not be required as a result of the proposed private drive as all other code requirement will be met by the proposed road design.
- Waiver will not be detrimental to public safety, health, welfare or injurious to other property
  - Waiver will not be detrimental to public safety, health or injurious to other property as the proposed road will be designed to meet code requirements.
- Waiver conditions unique to property and are applicable
  - Waiver conditions are unique as the Pacific Avenue ROW has not been utilized or needed by the county
- Waiver required because strict application of code would result in non-economic hardship
  - Waiver required because strict application of code would result in non-economic hardship
- Waiver will not vary zoning
  - Waiver does not vary zoning and is in alignment with the commercial use.
- Waiver is not contrary to any Master Plan provision
  - Waiver is not contrary to the Master Plan as it is in alignment with the CDOT master access plan. The access to Hwy 24 will be closed per CDOT requirements. Due to this, the private access road is necessary to provide ingress/egress via Meridian Sol Dr. and Meridian Dr.

### **Utilities**

This area will be annexed into the Woodmen Hills Metropolitan District for water and sewer. Power will be supplied by Mountain View Electric Association and Colorado Springs Utilities will supply gas.

### **Hazards**

There are no constraints, hazards, or potentially sensitive natural or physical features within this area.

### **Traffic**

A separate traffic study has been conducted.

### **Engineering Design Standards**

A deviation request has been submitted under SDP PPR2230, 3<sup>rd</sup> submittal. The deviation is being requested due to a lack of 90 degree access to Meridian Sol Drive and in order to fit with the established lot/tract lines. The proposed private access road, now named Pacific Avenue, connects to Meridian Sol Drive at a 60 degree angle and connects to Meridian Road at a 90 degree angle. There are/will be stop signs at both exits from the private access road where the proposed speed is to be 25mph.

The intersection at Meridian Sol Drive has adequate site distance and does not negatively impact driving conditions entering or existing the proposed site. Designing the intersection to be at 90 degrees to the existing Meridian Sol Drive alignment would result in poor site configuration within the established property lines. To design the private access road to meet at a 90 degree angle would create adverse conditions given the 60' width of Tract A and the alignment of Meridian Road to the west of the site.

### **Public Improvements**

Private improvements will include the detention pond, the private road, landscaping, and the driveways and parking areas of the store. These private improvements will be maintained by Circle K.

Common Improvements will include sidewalks and buffer landscaping and will also be maintained by Circle K.

### **Payment of County's Road Impact Fee**

The County's Road Impact Fee will be paid at time of building permit issuance.

### **Approval Criteria**

From a Planning and Community Development perspective and the oversight of the Board of County Commissioners, the following criteria are met:

- The replat complies with the Land Development Code, and the original conditions of approval associated with the recorded plat.
  - All comments provided by the county will be addressed to be in compliance with the Land Development Code and conditions of approval.
- No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased.
  - The replat is taking multiple nonconforming lots and replating into (2) lots in conforming lots
- The replat is in keeping with the purpose and intent of this Code.
  - Master Drainage plan has been prepared for the subdivision to be keep with the purpose and intent of the code. Proposed lots are in conformance with the code.
- The replat conforms to the required findings for a minor or major subdivision, whichever is applicable.
  - Common improvements, access and stormwater designs as required per the subdivision have been addressed with this replat.
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM.
  - Per CDOT, the existing access to Hwy 24 will be closed as part of this project. As a result, a private access road is proposed to provide access via Meridian Sol Dr. and Meridian Dr. to the subdivision.

- The approval will not adversely affect the public health, safety, and welfare.
  - Access has been coordinated with CDOT, City of Colorado Springs and El Paso County engineers to be in conformance with the applicable codes. Master Drainage plan has been prepared in accordance with County standards to adequately mitigate stormwater. Common improvements such as sidewalk has been incorporated into the project to provide safe pedestrian connectivity to the development.
  
- Where the lots or parcels are subject to any CC&Rs or other restrictions, any potential conflict with the CC&Rs or other restrictions resulting from the vacation of the plat has been resolved.
  - No CC&Rs or restrictions will conflict with the replat. The only restriction on the lots will be, the well water rights are required to be transferred to the Woodmen Hills Metro District in order to annex into the district for water and sewer service.

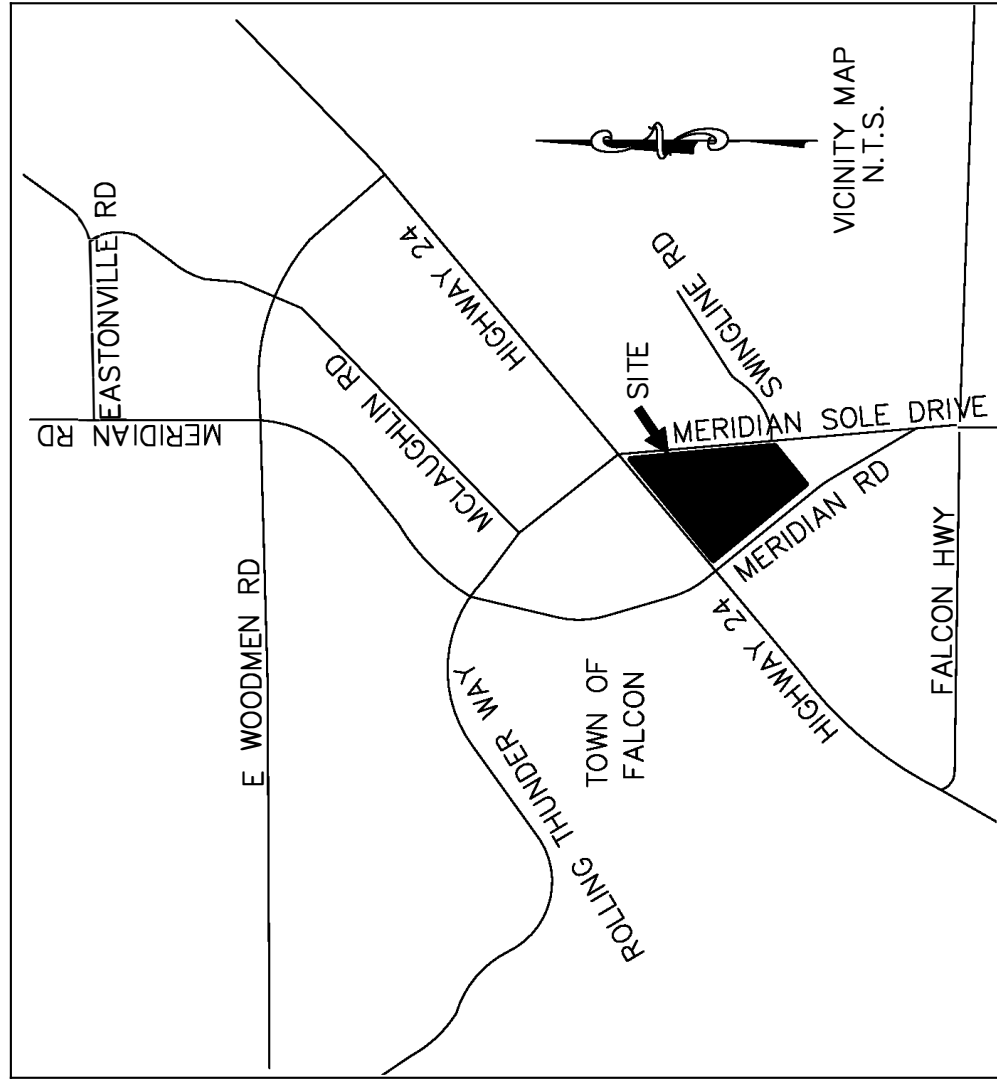
We look forward to working with the County on this new development which has been some time in the making. We appreciate all the assistance from county planning to bring this project to fruition. If any additional information is needed, please let me know.

Sincerely,  
LAND DEVELOPMENT CONSULTANTS

Sofia Hernandez  
Project Manager

**AFTA SUBDIVISION**  
**A VACATION AND RESUBDIVISION OF PORTIONS OF BLOCKS 24, 25, 28, AND 29, FALCON SUBDIVISION**  
**LOCATED IN THE SE 1/4 OF SECTION 12, TOWNSHIP 13 SOUTH,**  
**RANGE 65 WEST OF THE 6TH P.M., COUNTY OF**  
**EL PASO, STATE OF COLORADO**

SHEET 1 OF 4



**AREA SUMMARY:**

TOTAL GROSS ACREAGE: 8.9850  
 TOTAL NUMBER OF LOTS: 2 LOTS, 1 TRACT  
 ACREAGE OF ROW DEDICATION: 0.4409  
 NET ACREAGE OF SUBDIVISION: 8.5441

**KNOW ALL MEN BY THESE PRESENTS:**

THAT CST METRO LLC, A MICHIGAN LIMITED LIABILITY COMPANY BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND TO WIT:

- PARCEL A:  
 LOTS 17 TO 32, INCLUSIVE, EXCEPT THE NORTHWESTERLY 20 FEET THEREOF, LYING WEST OF THE COUNTY ROAD IN BLOCK 24, TOWN OF FALCON, EL PASO COUNTY, COLORADO, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK B AT PAGE 37.
- PARCEL B:  
 LOTS 19 TO 32, INCLUSIVE, EXCEPT THE NORTHWESTERLY 20 FEET THEREOF, IN BLOCK 25, TOWN OF FALCON, EL PASO COUNTY, COLORADO, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK B AT PAGE 37.
- PARCEL C:  
 ALL THAT PORTION OF BLOCK 28 LYING WEST OF THE COUNTY LINE ROAD, INCLUDING THE NORTHEASTERLY 30.0 FEET OF VACATED 7TH STREET, TOWN OF FALCON, EL PASO COUNTY, COLORADO, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK B AT PAGE 37.

PARCEL D:  
 ALL OF BLOCK 29, INCLUDING THE SOUTHWESTERLY 30.0 FEET OF VACATED 7TH STREET, EXCEPTING THEREFROM THAT PORTION OF MERIDIAN ROAD LYING ACROSS BLOCK 29 AND SAID VACATED PORTION OF 7TH STREET, TOWN OF FALCON, EL PASO COUNTY, COLORADO, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK B AT PAGE 37.

PARCEL E:  
 THAT PART OF THE EAST HALF OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH P.M., FORMERLY BEING A PORTION OF LOTS 4 THROUGH 16 INCLUSIVE AND THE NORTHERLY 20 FEET OF LOTS 17 THROUGH 25 INCLUSIVE IN BLOCK 24, A PORTION OF LOTS 1 THROUGH 16 INCLUSIVE AND THE NORTHERLY 20 FEET OF LOTS 17 THROUGH 32 INCLUSIVE IN BLOCK 25 IN THE TOWN OF FALCON, EL PASO COUNTY, COLORADO, TOGETHER WITH VACATED 7TH STREET AND VACATED ALLEYS TOWN OF FALCON, EL PASO COUNTY, COLORADO, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK E-3 AT PAGE 46, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID BLOCK 25 AND THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HWY #24, FROM WHICH THE NORTHWEST CORNER OF SAID BLOCK BEARS N 40 DEGREES 12 MINUTES 34 SECONDS W, A DISTANCE OF 20.00 FEET; THENCE S 40 DEGREES 12 MINUTES 34 SECONDS E ALONG THE SAID WEST LINE, A DISTANCE OF 180.00 FEET; THENCE N 49 DEGREES 47 MINUTES 26 SECONDS E, A DISTANCE OF 665.57 FEET TO THE WESTERLY RIGHT OF WAY LINE OF MERIDIAN ROAD; THENCE N 06 DEGREES 05 MINUTES 34 SECONDS W, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 212.93 FEET; THENCE N 40 DEGREES 12 MINUTES 34 SECONDS W ALONG THE EASTERLY LINE OF SAID LOT 4, A DISTANCE OF 3.72 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HWY #24; THENCE S 49 DEGREES 47 MINUTES 26 SECONDS W, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 85.00 FEET TO THE POINT OF BEGINNING, AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, IN SPECIAL WARRANTY DEED RECORDED NOVEMBER 12, 2019 AT RECEPTION NO. 219142198.

PARCEL F:  
 LOTS 17, 18 EXCEPT THE NORTHERLY TWENTY (20) FEET, IN BLOCK 25, TOWN OF FALCON, COUNTY OF EL PASO, STATE OF COLORADO.  
 CONTAINING 8.9850 ACRES, MORE OR LESS.

**OWNERS CERTIFICATE:**

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO LOTS, TRACTS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF AFTA SUBDIVISION. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

**BOARD OF COUNTY COMMISSIONERS CERTIFICATE:**

THIS PLAT FOR AFTA SUBDIVISION WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, SUBJECT TO ANY NOTES SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RESOLUTION OF APPROVAL. THESE NOTES AND CONDITIONS SHALL BE A PART OF THIS PLAT AND SHALL BE THE RESPONSIBILITY OF THE PUBLIC IMPROVEMENTS HEREON WILL NOT BECOME THE MAINTENANCE RESPONSIBILITY OF EL PASO COUNTY UNTIL PRELIMINARY ACCEPTANCE OF THE PUBLIC IMPROVEMENTS IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL, AND THE SUBDIVISION IMPROVEMENTS AGREEMENT.

PREVIOUS PLAT NAME IN ENTIRETY IS VACATED AND AMENDED FOR THE AREAS DESCRIBED BY THIS REPLAT SUBJECT TO ALL COVENANTS, CONDITIONS, AND RESTRICTIONS RECORDED AGAINST AND APPURTENANT TO THE ORIGINAL PLAT RECORDED IN THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER IN PLAT BOOK B, AT PAGE 37.

CHAIR, BOARD OF COUNTY COMMISSIONERS \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYORS CERTIFICATE:**

I ROBERT J RUBINO, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON 4/17/18, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON, THAT MATHEMATICAL CLOSEURE ERRORS ARE LESS THAN 1:10,000; AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISION, OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE EL PASO COUNTY LAND DEVELOPMENT CODE.

I ATTEST THE ABOVE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

ROBERT J RUBINO \_\_\_\_\_ DATE \_\_\_\_\_  
 COLORADO REGISTERED PLS 14142

**SURVEY NOTES:**

- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY RUBINO SURVEYING TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD, RIGHT OF WAY OR TITLE OF RECORD. RUBINO SURVEYING RELEASING UPON CHICAGO TITLE INSURANCE COMPANY; COMMITMENT NO. 100-N0016656-010-102, EFFECTIVE MARCH 14, 2018.
- PER FEMA'S FLOOD INSURANCE RATE MAP NUMBER 08041C0651G EFFECTIVE 12/7/2018 THE SUBJECT PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA. SUBJECT PROPERTY IS LOCATED IN ZONE X (UNSHADED).
- THE LINEAL UNIT OF MEASURE IS THE U.S. SURVEY FOOT.
- BASIS OF BEARINGS: ALL BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 12 AS MONUMENTED BY A 3.25" ALUMINUM CAP STAMPED "EL PASO COUNTY DPW T135 S12/S7/S13/S18 R65W R64W 1982 LS 17496" AT THE SOUTHEAST CORNER OF SECTION 12 AND BY A 3.25" ALUMINUM CAP STAMPED "SURVCON INC. T135 R65W 1/4 S12 S13 2003 PLS 30829" AT THE SOUTH 1/4 CORNER OF SECTION 12, SAID LINE IS ASSUMED TO BEAR N89°50'28"W.

**CLERK AND RECORDER:**

STATE OF COLORADO ) SS  
 COUNTY OF EL PASO )

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ OF THE RECORDS OF EL PASO COUNTY

EL PASO COUNTY CLERK AND RECORDER \_\_\_\_\_

PCD FILE # VR-22-03



prepared by:  
 RUBINO SURVEYING  
 3312 AIRPORT ROAD  
 BOULDER, COLORADO 80301  
 (303) 464-9515

OWNER: CST METRO LLC

21124\_5/11/2023



**AFTA SUBDIVISION**  
**A VACATION AND RESUBDIVISION OF PORTIONS OF BLOCKS 24, 25, 28, AND 29, FALCON SUBDIVISION**  
**LOCATED IN THE SE 1/4 OF SECTION 12, TOWNSHIP 13 SOUTH,**  
**RANGE 65 WEST OF THE 6TH P.M., COUNTY OF**  
**EL PASO, STATE OF COLORADO**

SHEET 2 OF 4

**PLAT NOTES:**

1. DEVELOPER SHALL COMPLY WITH FEDERAL AND STATE LAWS, REGULATIONS, ORDINANCES, AND PERMITS, AND REQUIREMENTS, OF ANY AGENCIES, AGENCIES INCLUDING, BUT NOT LIMITED TO, THE COLORADO DEPARTMENT OF PARKS AND WILDLIFE, COLORADO DEPARTMENT OF TRANSPORTATION, U.S. ARMY CORP. OF ENGINEERS, THE U.S. FISH & WILDLIFE SERVICE AND/OR COLORADO DEPARTMENT OF PARKS AND WILDLIFE REGARDING THE ENDANGERED SPECIES ACT.
2. THE ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
3. NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
4. MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICE REGULATIONS.
5. WATER AND WASTEWATER SERVICE FOR THIS SUBDIVISION IS PROVIDED BY THE WOODMEN HILLS METRO DISTRICT SUBJECT TO THE DISTRICT'S RULES, REGULATIONS AND SPECIFICATIONS.
6. THE INDIVIDUAL LOT PURCHASER(S) SHALL BE RESPONSIBLE FOR FINAL DESIGN, CONSTRUCTION, AND MAINTENANCE OF PRIVATE DETENTION POND/WATER QUALITY BMP(S) AS DESCRIBED IN THE APPROVED PRELIMINARY/FINAL DRAINAGE REPORT FOR THIS SUBDIVISION OR INDIVIDUAL LOT. FINAL DESIGN, CONSTRUCTION DRAWINGS AND DRAINAGE REPORT UPDATES FOR THE DETENTION POND/WATER QUALITY BMP(S) SERVING EACH LOT SHALL BE PROVIDED WITH SITE DEVELOPMENT PLAN SUBMITTALS. THE DETENTION POND/WATER QUALITY BMP(S) SHALL BE CONSTRUCTED AND COMPLETED PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS FOR THE SUBJECT LOTS. THE SUBDIVISION DEVELOPER IS RESPONSIBLE FOR PROVIDING FINANCIAL ASSURANCES AS INDICATED IN THE SUBDIVISION IMPROVEMENT AGREEMENT AND ESTIMATE OF GUARANTEED FUNDS FOR ALL DETENTION PONDS/WATER QUALITY BMP(S). ALL DETENTION PONDS/WATER QUALITY BMP(S) SHALL BE CONSTRUCTED PRIOR TO THE RELEASE OF SAID FINANCIAL ASSURANCES.
7. NO LOT OR INTEREST THEREIN, SHALL BE SOLD, CONVEYED, OR TRANSFERRED WHETHER BY DEED OR BY CONTRACT, NOR SHALL BUILDING PERMITS BE ISSUED, UNTIL AND UNLESS EITHER THE REQUIRED PUBLIC AND COMMON DEVELOPMENT IMPROVEMENTS HAVE BEEN CONSTRUCTED AND COMPLETED AND PRELIMINARY AGREEMENT OF ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE APPLICANT/OWNER AND EL PASO COUNTY HAS BEEN RECEIVED, RECORDED NUMBER AND EL PASO COUNTY OFFICE OF SOLE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO OR, IN THE ALTERNATIVE, OTHER COLLATERAL IS PROVIDED TO MAKE PROVISION FOR THE COMPLETION OF SAID IMPROVEMENTS IN ACCORDANCE WITH THE EL PASO COUNTY LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL. ANY SUCH ALTERNATIVE COLLATERAL MUST BE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR AND MEET THE POLICY AND PROCEDURE REQUIREMENTS OF EL PASO COUNTY PRIOR TO THE RELEASE BY THE COUNTY OF ANY LOTS FOR SALE, CONVEYANCE OR TRANSFER. THIS PLAT RESTRICTION MAY BE REMOVED OR RESONDED BY THE BOARD OF COUNTY COMMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR UPON EITHER APPROVAL OF AN ALTERNATIVE FORM OF COLLATERAL OR COMPLETION AND PRELIMINARY ACCEPTANCE BY THE EL PASO BOARD OF COUNTY COMMISSIONERS OF ALL IMPROVEMENTS REQUIRED TO BE CONSTRUCTED AND COMPLETED IN ACCORDANCE WITH SAID SUBDIVISION IMPROVEMENTS AGREEMENT. THE PARTIAL RELEASE OF LOTS FOR SALE, CONVEYANCE OR TRANSFER MAY ONLY BE GRANTED IN ACCORDANCE WITH ANY PLANNED PARTIAL RELEASE OF LOTS AUTHORIZED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT.
8. ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. PUBLIC DRAINAGE EASEMENTS AS SPECIFICALLY NOTED ON THE PLAT SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS UNLESS OTHERWISE INDICATED. HOMEBUILDERS ARE RESPONSIBLE FOR ENSURING DRAINAGE EASEMENTS ARE MAINTAINED INCLUDING EROSION CONTROL, FOUNDATIONS, AND WINDOW WELLS RELATION TO SIDE-LOT DRAINAGE EASEMENTS, AND SWALES. HOMEOWNERS SHALL NOT CHANGE THE GRADE OF THE LOT OR DRAINAGE SWALES WITHIN SAID EASEMENTS, AS CONSTRUCTED BY THE BUILDER, IN A MANNER THAT WOULD CAUSE ADVERSE DRAINAGE IMPACTS TO PROPERTIES, STRUCTURES, FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPEDE THE FLOW OF RUNOFF SHALL NOT BE PLACED IN DRAINAGE EASEMENTS.
9. THE SUBDIVIDERS AGREE ON BEHALF OF HIM/HERSELF AND ANY DEVELOPER OF BUILDER SUCCESSORS AND ASSIGNS THAT SUBDIVIDER AND/OR SAID SUCCESSORS AND ASSIGNS SHALL BE REQUIRED TO PAY TRAFFIC IMPACT FEES IN ACCORDANCE WITH THE COUNTY WIDE TRANSPORTATION IMPROVEMENT RESOLUTION (RESOLUTION 19-477), AS AMENDED, 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 PROPERTY.

**PLAT NOTES:**

10. UNLESS OTHERWISE INDICATED, ALL SIDE AND FRONT LOT LINES ARE HEREBY IDENTIFIED ON THE SIDING OF THE BUILDING. UNLESS OTHERWISE INDICATED, ALL REAR LOT LINES ARE HEREBY PLOTTED ON EITHER SIDE EASEMENT AND PUBLIC UTILITY AND DRAINAGE EASEMENT UNLESS OTHERWISE INDICATED. ALL EXTERIOR SUBDIVISION BOUNDARIES ARE HEREBY PLOTTED WITH A 20 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNERS.
11. THE FOLLOWING LOTS HAVE BEEN FOUND TO BE IMPACTED BY GEOLOGIC HAZARDS OR CONSTRAINTS. MITIGATION MEASURES AND A MAP OF THE HAZARD AREA CAN BE FOUND IN THE REPORT: GEOTECHNICAL ENGINEERING REPORT BY TERRACON CONSULTANTS, INC., DATED NOVEMBER 30, 2018 AND GEOLOGIC HAZARDS ASSESSMENT REVIEW BY TERRACON CONSULTANTS, INC. DATED FEBRUARY 22, 2023 IN FILE NUMBER 2018-001-AV-001 AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT.
12. SPECIFICALLY HYDROCOMPACTIVE SOILS AND SHALLOW GROUNDWATER IN LOTS 1 AND 2 AND TRACT A; DUE TO HIGH GROUNDWATER IN THIS AREA, AND ABIDE BY RECOMMENDATIONS LISTED IN THE SOILS REPORTS.
13. LOT 1 OF THIS PROPERTY IS SUBJECT TO A PRIVATE DETENTION BASIN/STORMWATER QUALITY BMP MAINTENANCE AGREEMENT AND EASEMENT AS RECORDED AT RECEPTION NO. \_\_\_\_\_ OF THE RECORDS OF EL PASO COUNTY. THE OWNER IS RESPONSIBLE FOR MAINTENANCE OF THE SUBJECT DRAINAGE FACILITIES.
14. THERE WILL BE NO DIRECT LOT ACCESS TO NEW MERIDIAN ROAD OR MERIDIAN SOL DRIVE. ALL LOTS WILL ACCESS FROM THE PRIVATE ACCESS ROAD.
15. THE PRIVATE ROADS AS SHOWN ON THIS PLAT WILL NOT BE MAINTAINED BY EL PASO COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN CONFORMANCE WITH EL PASO COUNTY STANDARDS IN EFFECT AT THE DATE OF THE REQUEST FOR DEDICATION AND MAINTENANCE.
16. AT THE TIME OF APPROVAL OF THIS PROJECT, THIS PROPERTY IS LOCATED WITHIN THE FALCON FIRE PROTECTION DISTRICT, WHICH HAS ADOPTED A FIRE CODE REQUIRING RESIDENTIAL FIRE SPRINKLER REQUIREMENTS FOR COVERED STRUCTURES OVER 6000 SQUARE FEET IN SIZE, AND OTHER FIRE MITIGATION REQUIREMENTS DEPENDING UPON THE LEVEL OF FIRE RISK ASSOCIATED WITH THE PROPERTY AND STRUCTURES. THE OWNER OF ANY LOT SHOULD CONTACT THE FIRE DISTRICT TO DETERMINE THE EXACT DEVELOPMENT REQUIREMENTS RELATIVE TO THE ADOPTED FIRE CODE.
17. THE FOLLOWING REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH THE PRELIMINARY PLAN OR FINAL PLAT FOR THIS SUBDIVISION AND ARE ON FILE AT THE COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT: TRANSPORTATION IMPACT STUDY; DRAINAGE REPORT; WATER RESOURCES REPORT; WASTEWATER DISPOSAL REPORT; GEOLOGY AND SOILS REPORT; FIRE PROTECTION REPORT; WILDFIRE HAZARD REPORT; NATURAL FEATURES REPORT.

PCD FILE # VR-22-03



Prepared by:  
**RUBINO SURVEYING**  
 3312 AIRPORT ROAD  
 BOULDER, COLORADO 80301  
 (303) 464-9515

OWNER: CST METRO LLC

21124.5/11/2023

# AFTA SUBDIVISION

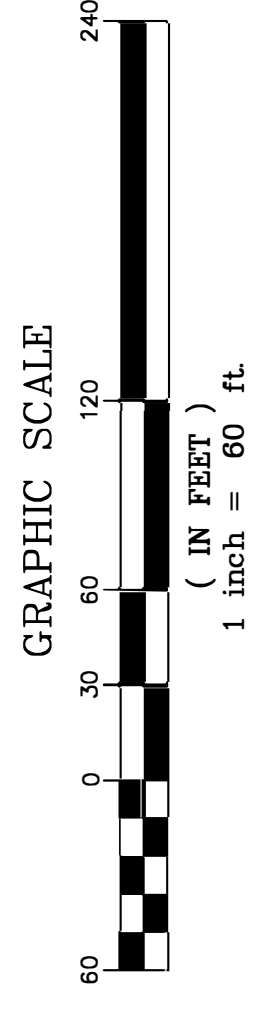
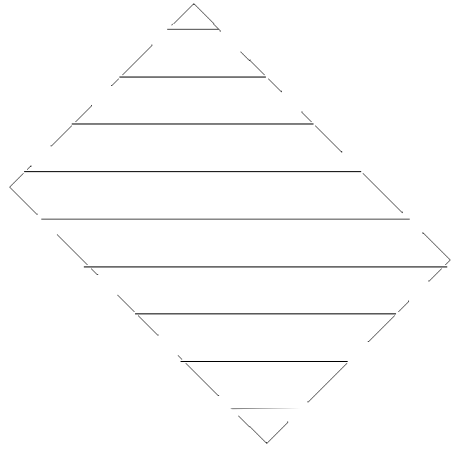
A VACATION AND RESUBDIVISION OF PORTIONS OF BLOCKS 24, 25, 28, AND 29, FALCON SUBDIVISION  
 LOCATED IN THE SE 1/4 OF SECTION 12, TOWNSHIP 13 SOUTH,  
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 EL PASO, STATE OF COLORADO

SHEET 3 OF 4

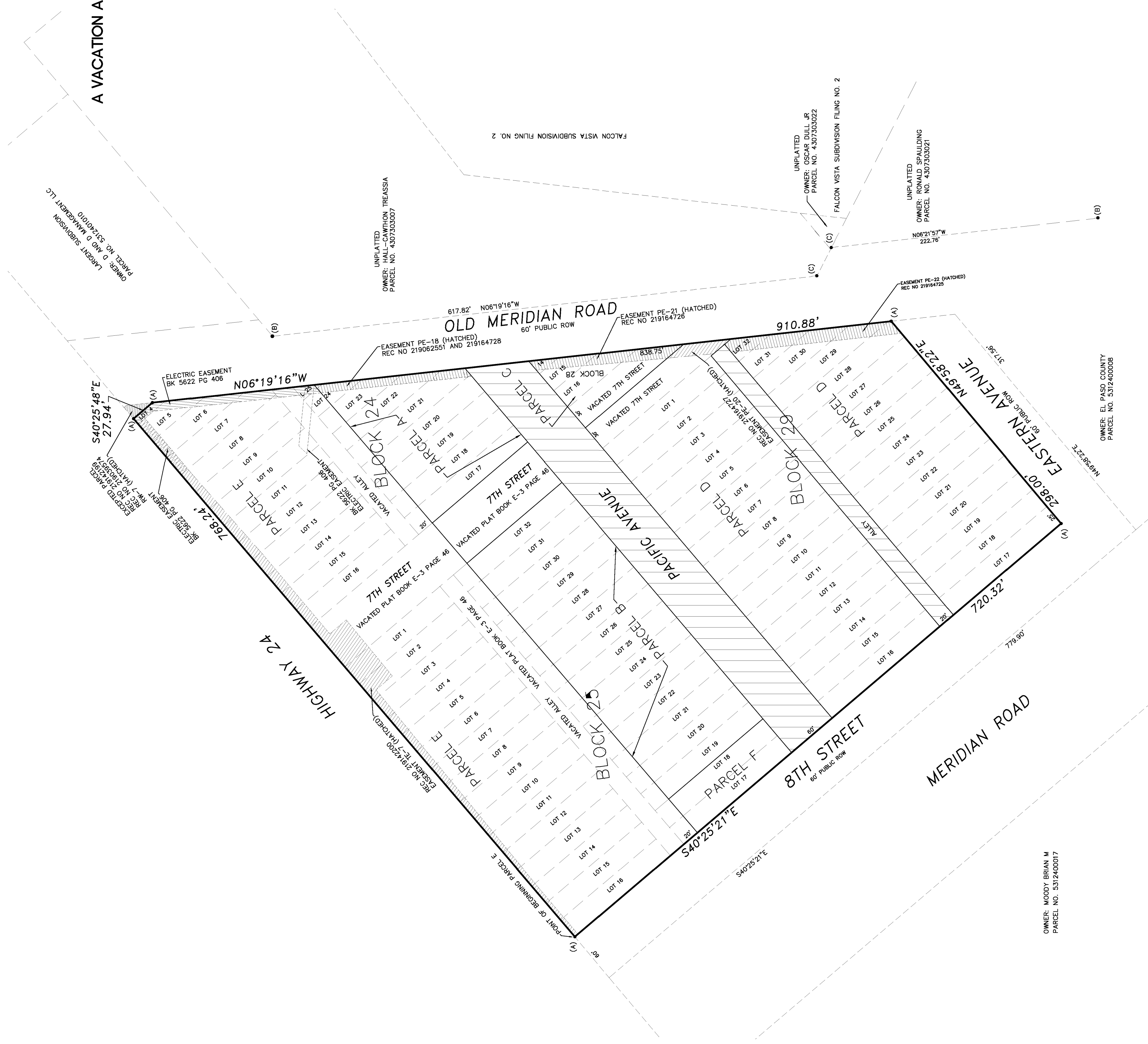
TOWN OF FALCON - PLAT BOOK B AT PAGE 37 PLAT #563

"AS PLATTED"

TO BE VACATED



- LEGEND:
- (A) SET PIN/CAP PLS 14142 ON NO 5 REBAR
  - (B) FOUND PIN/CAP PLS ILLEGIBLE
  - (C) FOUND NO 5 REBAR NO CAP
  - (15) REFERS TO TITLE COMMITMENT EXCEPTION NUMBER
  - SEE SHEET 2 FOR ADDITIONAL DETAILS
- PROPERTY LINE
  - - - EASEMENT LINE
  - ROW LINE



OWNER: MOODY BRIAN M  
 PARCEL NO. 331240007

OWNER: EL PASO COUNTY  
 PARCEL NO. 331240008

UNPLATTED  
 OWNER: OSCAR DULL JR.  
 PARCEL NO. 4.307303022

UNPLATTED  
 OWNER: RONALD SPALDING  
 PARCEL NO. 4.307303021

UNPLATTED  
 OWNER: HALL-CAWTHON TREASSIA  
 PARCEL NO. 4.307303007

OWNER: D AND D MANAGEMENT LLC  
 PARCEL NO. 33240010

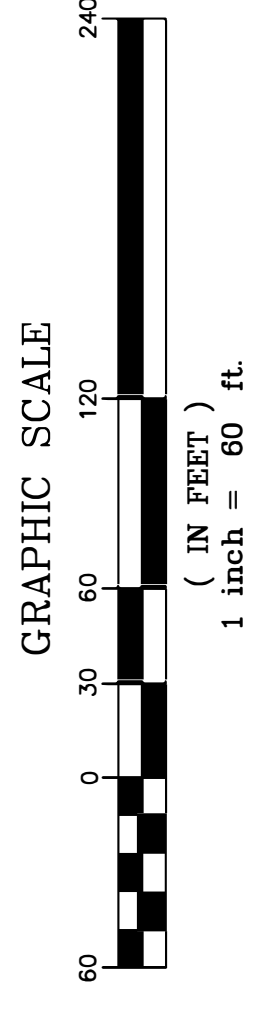
# AFTA SUBDIVISION

A VACATION AND RESUBDIVISION OF PORTIONS OF BLOCKS 24, 25, 28, AND 29 FALCON SUBDIVISION  
 LOCATED IN THE SE 1/4 OF SECTION 12, TOWNSHIP 13 SOUTH,  
 RANGE 65 WEST OF THE 6TH P.M., COUNTY OF  
 EL PASO, STATE OF COLORADO

SHEET 4 OF 4

AS REPLATTED

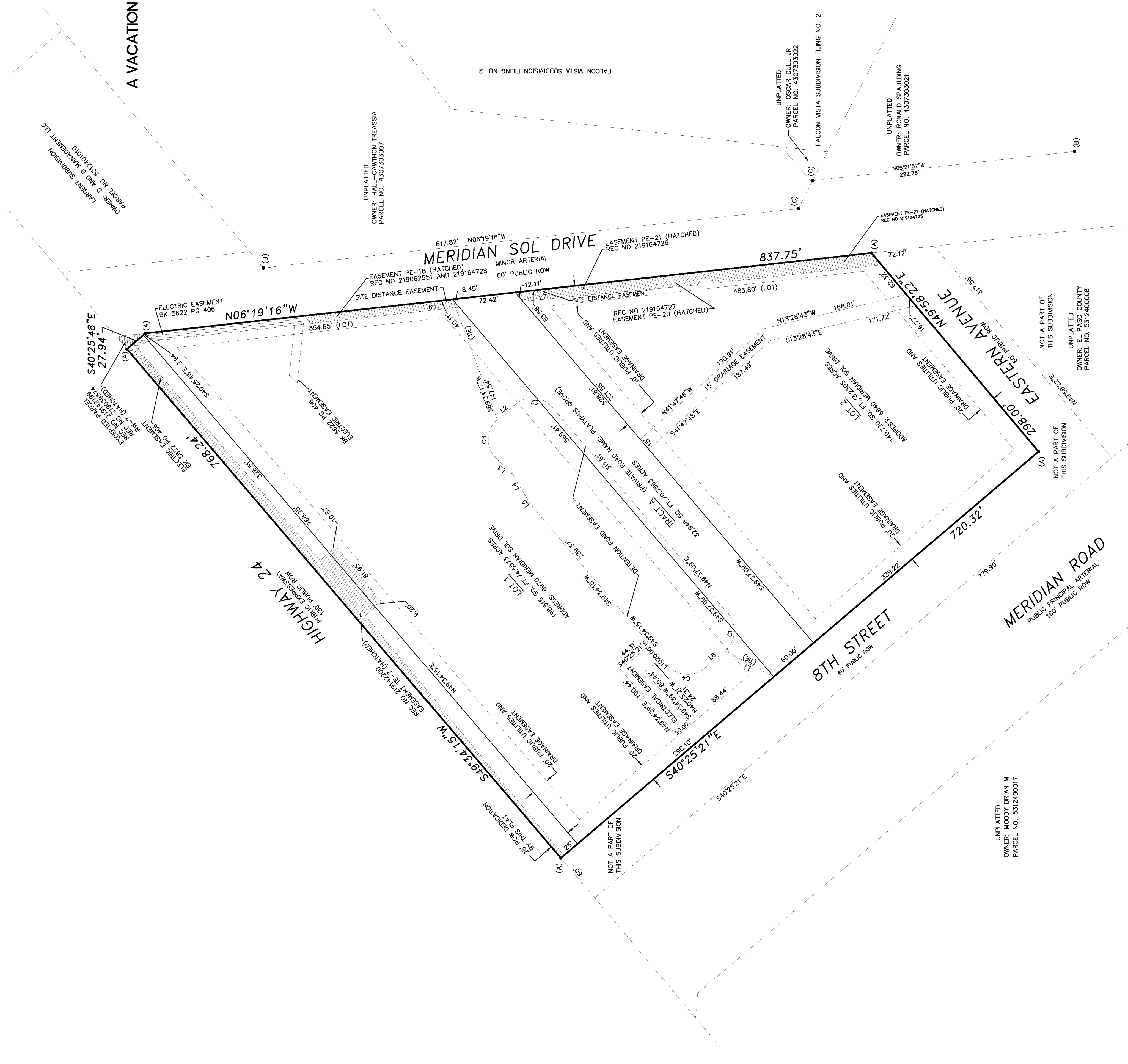
NOTE: NO FURTHER SUBDIVISION ALLOWED  
 UNLESS PRELIMINARY PLAN IS COMPLETED



- LEGEND:
- (A) SET PIN/CAP PLS 14142 ON NO 5 REBAR
  - (B) FOUND PIN/CAP PLS ILLEGIBLE
  - (C) FOUND NO 5 REBAR NO CAP
  - (D) REFERS TO TITLE COMMITMENT EXCEPTION NUMBER SEE SHEET 2 FOR ADDITIONAL DETAILS
- PROPERTY LINE  
 EASEMENT LINE  
 ROW LINE

LINE	LENGTH	BEARING
L1	63.45	S89°23'24"W
L2	27.32	S40°25'42"E
L3	27.32	S40°25'42"E
L4	59.70	N55°44'30"E
L5	15.36	N56°49'08"E
L6	31.17	S40°25'42"E
L7	47.85	N18°25'03"W
L8	40.11	N05°19'16"W
L9	43.38	N02°32'26"E
L10	11.23	S49°34'15"W

CURVE	LENGTH	RADIUS	DELTA	CHORD	DIRECTION	CHORD
C1	47.10	30.00	90°02'51"	50.00	S89°23'24"	42.42
C2	47.15	30.00	90°02'51"	50.00	N04°25'44"E	42.44
C3	50.65	30.00	96°43'46"	58.94	N08°47'35"W	44.84
C4	47.12	30.00	89°59'57"	50.42	S04°34'16"W	42.43



UNPLATTED  
 OWNER: MADDY BRAUN W  
 PARCEL NO. 531240017

NOT A PART OF  
 THIS SUBDIVISION  
 UNPLATTED  
 OWNER: EL PASO COUNTY  
 PARCEL NO. 531240008

UNPLATTED  
 OWNER: OSCAR DULL JR  
 PARCEL NO. 4307303022

UNPLATTED  
 OWNER: FALCON VISTA SUBDIVISION FILING NO. 2

UNPLATTED  
 OWNER: FALCON VISTA SUBDIVISION FILING NO. 2

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 OWNER: FALCON VISTA SUBDIVISION FILING NO. 2

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PCD FILE # VR-22-03

prepared by:  
 RUBINO SURVEYING  
 3312 AIRPORT ROAD  
 BOULDER, COLORADO 80301  
 (303) 464-9515



OWNER: CST METRO LLC

21124.5/11/2023



February 29, 2024

Kylie Bagley  
El Paso County Development Services Department  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910-3127

RE: AFTA Subdivision/Circle K Redevelopment - Final Plat  
SE1/4 of Sec. 12, Twp. 13S, Rng. 65W, 6<sup>th</sup> P.M.  
Water Division 2, Water District 10  
CDWR Assigned Subdivision No. 30451

To Whom It May Concern:

We have received the submittal concerning the above-referenced proposal to redevelop a Circle K facility by combining and rezoning portions of Blocks 24, 25, 26 and 29 of Falcon Subdivision, renaming the area AFTA Subdivision. The parcel consists of 8.985 acres to be recombined and subdivided into two lots.

### Water Supply Demand

According to the Water Supply Information Summary submitted with the proposal, the combined proposed uses and estimated water requirements for the two lots are as follows:

Lot 1: 1,714 acre-feet for indoor commercial use and 1.012 acre-feet for irrigation

Lot 2: 1,710 acre-feet for commercial use and 0.767 acre feet for irrigation

The total proposed water use is 5.204 acre-feet for the two lots combined.

### Source of Water Supply

The proposed water supplier is the Woodmen Hills Metropolitan District (“District”). The District has provided a letter dated January 23, 2024 committing 5.204 acre-feet of water to serve the subdivision. Information in our files indicates the district has approximately 211 acre-feet per year of Denver Basin ground water available for additional commitments.

Information in our office indicates that the Determination of Water Rights Nos. 2503-BD allocates 150 acre-feet (1.5 acre-feet per year based on a 100-year aquifer life) of water from the Laramie-Fox Hills aquifer, 2504-BD allocates 170 acre-feet (1.7 acre-feet per year based on a 100-year aquifer life) of water from the Arapahoe aquifer and 2505-BD allocates 275 acre-feet (2.75 acre-feet per year based on a 100-year aquifer life) of water from the Denver aquifer. The use of ground water under the above determinations is limited to domestic, commercial, industrial, irrigation, stock watering, fire protection



and augmentation purposes on the 5 acres of overlying land described in those Determinations of Water Rights (described as a portion of the NE1/4 of the SE1/4 of Section 12, Township 13 South, Range 65 West of 6<sup>th</sup> P.M).

In addition, our records indicate that there are two existing wells on the property; permit numbers 21757 (completed into the alluvial aquifer), and 34294-FP-R (completed into the Denver aquifer). The well with permit no. 34294-FP-R was not taken into account in 2505-BD, and the annual withdrawal must be subtracted from the amount deeded to WHBM. If no longer needed, the well must be plugged and abandoned pursuant to Rule 16 of the Water Well Construction Rules. The remaining exempt well, permit no. 21757 must also be plugged and abandoned pursuant to Rule 16 of the Water Well Construction Rules.

#### **State Engineer's Office Opinion**

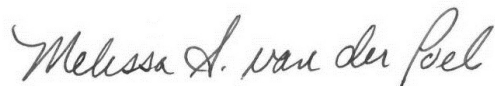
Based upon the above and pursuant to Section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

#### **Additional Comments**

The application materials indicate that the project will collect storm flows in a detention pond. The applicant should be aware that, unless the structure can meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR's *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado*, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

If you, or the applicant, have any questions, please contact Melissa A. van der Poel at 303-866-3581 ext. 8208.

Sincerely,



Melissa A. van der Poel, P.E.  
Water Resource Engineer

Ec: Referral No. 30451  
Rachel Zancanella, Division 2 Engineer  
Elizabeth Nosker District 10 Water Commissioner  
Martha Archuleta, Water Data Analyst

County Attorney

Kenneth R. Hodges, County Attorney  
719-520-6485  
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Colorado Springs, CO 80903  
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Board of County Commissioners  
Holly Williams, District 1  
Carrie Geitner, District 2  
Stan VanderWerf, District 3  
Longinos Gonzalez, Jr., District 4  
Cami Bremer, District 5

April 5, 2024

VR-22-3            Circle K – US24 & Meridian  
Vacation and Replat

Reviewed by:    Lori L. Seago, Senior Assistant County Attorney  
April Willie, Paralegal

**WATER SUPPLY REVIEW AND RECOMMENDATIONS**

Project Description

1. This is a Final Plat proposal by CST Metro LLC (“Applicant”), to redevelop an approximately 8.99 +/- acre tract of land into 2 lots (the “Property”). The property is zoned CS (Commercial Service).

Estimated Water Demand

2. Pursuant to the Water Supply Information Summary (“WSIS”), the subdivision demand is 1.714 acre-feet per year for commercial uses and 1.012 acre-feet per year for irrigation on future lot 1, 1.710 acre-feet per year future lot 2, and an additional 0.767 acre-feet per year to operate a car wash, for a total demand of 5.204 acre-feet per year. The Applicant must therefore be able to provide a supply of 1,561.2 acre-feet of water (5.204 acre-feet per year x 300 years) to meet the County’s 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Woodmen Hills Metropolitan District (“District”). As detailed in the Water Resources Report dated January 2024 (“Report”), the average daily use for future lot 1 will be 1.714 acre-feet for indoor commercial use, 1.012 acre-feet for irrigation, and an additional 0.767 acre-feet per year to

**ASSISTANT COUNTY ATTORNEYS**

NATHAN J. WHITNEY  
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BRYAN E. SCHMID  
STEVEN W. MARTYN

MERI GERINGER

operate a car wash. It is estimated that the future lot 2 will utilize 1.710 acre-feet per year for a total demand of 5.204 acre-feet per year.

The Report states that the District has an annual supply of water in the amount of 1,457 acre-feet from both renewable and non-renewable sources, and that over the last decade the District has used from 48% to 63% of that supply.

4. The District provided a letter of commitment for Circle K – US 24 & Meridian dated January 23, 2024, in which the District stated that it “. . .the District commits 5.204 acre-feet of water per year for the subdivision. WHMD has adequate water supplies to meet the anticipated additional demand.”

#### State Engineer’s Office Opinion

5. In a letter dated February 29, 2024, the State Engineer reviewed the proposal to redevelop a Circle K facility by combining and rezoning portions of the property. The State Engineer stated that the proposed supply of water is to be served by Woodmen Hills Metropolitan District (“WHMD”) and estimates that WHMD has 211 annual acre-feet available for additional commitments.

Finally, the State Engineer offered their opinion that “[b]ased upon the above and pursuant to section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.”

#### Recommended Findings

6. Quantity and Dependability. Applicant’s water demand for Circle K – US24 & Meridian is 5.204 acre-feet per year to be supplied by the Woodmen Hills Metropolitan District. **Based on the water demand of 5.204 acre-feet/year for the redevelopment and the District’s availability of water sources, the County Attorney’s Office recommends a finding of sufficient water quantity and dependability for Circle K – US24 & Meridian.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney’s Office reviewed the following documents in preparing this review: the Water Supply Information Summary, the Water Resources Report dated January 24, 2024, the Woodmen Hills Metropolitan District letter dated January 23, 2024, and the State Engineer Office’s Opinion dated February 29, 2024. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the***

***below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

**REQUIREMENTS:**

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.
- B. Applicant shall comply with the requirements set forth in the February 29, 2024 letter from the Division of Water Resources.

cc. Ryan Howser, Project Manager, Planner



VACATION AND REPLAT (RECOMMEND APPROVAL)

\_\_\_\_\_ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. VR223

AFTA SUBDIVISION

WHEREAS, CST Metro, LLC did file an application with the El Paso County Planning and Community Development Department for approval of a Vacation and Replat request to vacate 7 lots and replat into 2 lots within the CS (Commercial Service) zoning district 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 this Commission on May 16, 2024; 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, and comments by the El Paso County Planning Commission members during the hearing, this Commission 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 hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County subdivision regulations; and
7. For the above-stated and other reasons, the proposed Vacation and Replat is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, in approving a Vacation and Replat of a Subdivision, the El Paso County Planning Commission and Board of County Commissioners shall find that the application meets the criteria of approval listed in Section 7.2.3(C)(4) of the Land Development Code ("Code") (as amended):

1. The Replat complies with the Code and the original conditions of approval associated with the recorded Plat;
2. No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;
3. The Replat is in keeping with the purpose and intent of the Code;
4. The Replat conforms to the required findings for a Minor or Major Subdivision, whichever is applicable;
5. 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 Code and the Engineering Criteria Manual ("ECM");
6. The approval will not adversely affect the public health, safety, and welfare; and
7. Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the Replat has been resolved.

WHEREAS, 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)(a)] and the requirements of Chapter 8 of the Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of CST Metro, LLC for approval of a Vacation and Replat to allow two lots within the CS (Commercial Service) zoning district be approved by the Board of County Commissioners with the following conditions and notation:

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 Division of 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 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 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 improvements as listed in the approved Financial Assurance Estimate shall be provided when the 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. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at the 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 the sale of the property.

10. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated April 5, 2024, as provided by the County Attorney's Office.

11. Drainage fees in the amount of \$222,418.32 and bridge fees in the amount of \$30,554.46 be paid for the Falcon Drainage Basin at the time of plat recordation.

NOTATION

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

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

\_\_\_\_\_ seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Jay Carlson	aye / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / absent
Jeffrey Markewich	aye / no / non-voting / recused / absent
Brandy Merriam	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Bryce Schuettpelz	aye / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of \_\_\_\_ to \_\_\_\_ by the El Paso County Planning Commission, State of Colorado.

DONE THIS 16th day of May 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: \_\_\_\_\_  
\_\_\_\_\_

EXHIBIT A

Parcel A:

Lots 17 to 32, inclusive, EXCEPT the Northwesterly 20 feet thereof, lying West of the County Road in Block 24, Town of Falcon, El Paso County, Colorado, according to the Plat thereof recorded in Plat [Book B at Page 37](#).

NOTE: FOR INFORMATIONAL PURPOSES ONLY ASSESSOR PARCEL NO. 5312402015

Parcel B:

Lots 19 to 32, inclusive, EXCEPT the Northwesterly 20 feet thereof, in Block 25, Town of Falcon, El Paso County, Colorado, according to the Plat thereof recorded in Plat [Book B at Page 37](#).

NOTE: FOR INFORMATIONAL PURPOSES ONLY ASSESSOR PARCEL NO. 5312403004

Parcel C:

All that portion of Block 28 lying West of the County Line Road, including the Northeasterly 30.0 feet of vacated 7th Street, Town of Falcon, El Paso County, Colorado, according to the Plat thereof recorded in Plat [Book B at Page 37](#).

NOTE: FOR INFORMATIONAL PURPOSES ONLY ASSESSOR PARCEL NO. 5312404003

Parcel D:

All of Block 29, including the Southwesterly 30.0 feet of vacated 7th Street, EXCEPTING therefrom that portion of Meridian Road lying across Block 29 and said vacated portion of 7th Street, Town of Falcon, El Paso County, Colorado, according to the Plat thereof recorded in Plat [Book B at Page 37](#).

NOTE: FOR INFORMATIONAL PURPOSES ONLY ASSESSOR PARCEL NO. 5312405003

Parcel E:

That part of the East half of Section 12, Township 13 Souths, Range 65 West of the 6<sup>th</sup> P.M., formerly being a portion of Lots 4 through 16 inclusive and the Northerly 20 feet of Lots 17 through 25 inclusive in Block 24, a portion of Lots 1 through 16 inclusive and the Northerly 20 feet of Lots 17 through 32 inclusive in Block 25 in the Town of Falcon, El Paso County, Colorado, together with vacated 7<sup>th</sup> Street and vacated alleys adjacent to said lots as vacated by vacation plat record in Plat Book E-3 at Page 46, more particularly described as follows:

Beginning at a point on the Westerly line of said Block 25 and the Southerly right of way line of U.S. Hwy #24 from which the northwest corner of said block bears N 40 Degrees 12 Minutes 34 Seconds W, a distance of 20.00 feet; thence S 40 Degrees 12 Minutes 34 Seconds E along the said West line, a distance of 180.00 feet; Thence N 49 Degrees 47 Minutes 26 Seconds E, a distance of 665.57 feet to the westerly right of way line of Meridian Road; thence N 06 Degrees 05 Minutes 34 Seconds W, along said Westerly right of way line, a distance of 212.93 feet; thence N 40 Degrees 12 Minutes 34 Seconds W along the Easterly line of said Lot 4 in Block 24, a distance of 3.72 feet to the Southerly right of way line, a distance of 785.00 feet to the point of beginning,

Except for that portion conveyed to El Paso County by and through the Board of County Commissioners of El Paso County, Colorado in special warranty deed recorded November 12, 2019 at reception No. 219142199, County of El Paso, State of Colorado.

Parcel F

Lots 17, 18 Except the Northerly twenty (20) feet, in Block 25