

Scott Weeks

From: Kirby Thompson <kirby@brittonflowers.com>
Sent: Thursday, August 22, 2024 10:09 AM
To: Scott Weeks
Subject: FW: Nevada Lane
Attachments: C.R.S. 43-2-201 – Public highways.pdf; Letter to Attorney Sara Frear 6-6-2024.docx

UNRECORDED You don't often get email from kirby@brittonflowers.com. [Learn why this is important](#)

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

Hello Scott,

See below correspondence and attachments for reference in our upcoming telephone conversation regarding EDARP project #191107.

Looking forward to speaking with you soon,

All The Best,

Kirby J. Thompson, Member
WINDWALKER VENTURES, LLC
7075 Wyoming Lane
Colorado Springs, CO 80923
Cellular: 719.360.3634

From: Kirby Thompson
Sent: Thursday, June 20, 2024 9:47 AM
To: sfrear@mullikenlaw.com
Cc: Julie shoemaker <julie.shoemaker@me.com>
Subject: FW: Nevada Lane

Good Morning Ms. Frear,

I would like to follow up with you regarding the letter (dated 6/6/24, digital copy attached) which you received via USPS on Saturday morning 6/8/24.

As I've encouraged several times both in my letter to you as well as my previous communications with Ms. Shoemaker, we think it would be prudent to schedule a neighborhood meeting to further discuss "The Property" and Nevada Lane. Several neighbors have volunteered their homes to host a meeting, and I would be happy to get the word out. (Though you probably have contact information for most of them)

I think with appropriate discussion, you may find that the State Street Neighbors in fact support Woodmen-Utah LLC in the development of their properties rather than standing in opposition to them. Not that they need any "permission" at all from the neighbors to develop their privately-owned land as they see fit, but since we all have a vested interest in the use and development of the properties in this vicinity, we feel that neighborly conversations

can be very helpful in the development process, especially since we are all contributors to the betterment of our community.

Please feel free to contact me at any time to let me know how you would like to proceed. Thank you for your prompt attention to this matter!

All The Best,

Kirby J. Thompson, Member
WINDWALKER VENTURES, LLC
7075 Wyoming Lane
Colorado Springs, CO 80923
Cellular: 719.360.3634

From: Kirby Thompson
Sent: Monday, June 10, 2024 11:26 AM
To: Julie shoemaker <julie.shoemaker@me.com>
Subject: RE: Nevada Lane

Hello Julie,

I received confirmation from the USPS that Julie received the letter I mailed to her on Saturday morning 6-8-2024. Please consult with your constituents and let me know if you would like to schedule a neighborhood meeting to further discuss Nevada Lane. As I mentioned in the letter, several of our neighbors have volunteered their homes to host such a meeting, and I would be happy to get the word out to the neighbors. (Though you probably have contact information for most of them)

All The Best,

Kirby J. Thompson, Member
WINDWALKER VENTURES, LLC
7075 Wyoming Lane
Colorado Springs, CO 80923
Cellular: 719.360.3634

From: Julie shoemaker <julie.shoemaker@me.com>
Sent: Thursday, May 30, 2024 5:58 AM
To: Kirby Thompson <kirby@brittonflowers.com>
Subject: Re: Nevada Lane

Hello Kirby,

I have sent this email to Sara Frear, here is here email if you would like to contact her directly.

sfrear@mullikenlaw.com

Thank you,
Julie Shoemaker

On May 26, 2024, at 9:58 AM, Kirby Thompson <kirby@brittonflowers.com> wrote:

Hello Julie,

Thank you for returning my text this morning. I'm not sure why my email didn't go through when I sent it before but I'll copy the content here.

I would like to suggest that we schedule a brief meeting sometime soon with pertinent representatives of Woodmen-Utah LLC as well as residents of this neighborhood who have a vested interest in the continued usage of Nevada Lane. If it is indeed your intention to permanently block and vacate Nevada Lane I believe that it would cause injury to these parties and would therefore become an issue of civil law.

However, with a thorough reading of the Colorado Revised Statutes, it appears quite obvious that land owners only have the right to block access on private roads under certain circumstances. There are peculiar circumstances in play that, in section (1)(C) of C.R.S. 43-2-201 declare Nevada Lane to be, in fact, **a public highway** by state definition- and therefore no longer simply the prerogative of the land owner to block or vacate.

We would much prefer to settle the matter civilly (outside court) and without incurring any legal fees from attorney counsel and court costs.

Perhaps holding a neighborhood meeting would be the most prudent place to start?

Here is a list of the known neighbors who use Nevada Lane for access to Adventure Way on a regular basis:

- Weisburg Commercial Landscaping
- Larry and Josie Driver
- William Davidson
- Sedlak Electric
- Kevin and Candi Longnecker
- Longneck Pumpkin Farm
- Kelsy Wells
- Phil Ciborowski
- Kirby and Stephanie Thompson
- Britton Nursery
- Roger Haywood
- Accent Landscapes Nursery
- Robert Chapman
- Renee Sward
- One Stop Custom Shop
- Brazen Chapman

These are the individuals and businesses that I believe should be invited to attend a neighborhood meeting.

Thank you for your kind consideration and I will look forward to hearing from you soon.

All The Best,

Kirby J. Thompson, Member
WINDWALKER VENTURES, LLC