

SPECIAL DISTRICT SERVICE PLAN (Recommend Approval)

OFFNER moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. ID-23-004

FLYING HORSE NORTH METROPOLITAN DISTRICT NOS. 1-5

WHEREAS, PRI #2 LLC, Jeffrey Smith, Flying Horse Country Club, LLC, and Spencer Fane LLP, P.C., did file an application with the Planning and Community Development Department of El Paso County, pursuant to § 32-1-204 (2), Colorado Revised Statutes (C.R.S.), for the review of a draft service plan for Flying Horse North Metropolitan Districts Nos. 1-5 for property more particularly described in Exhibit A, which is attached hereto and incorporated by reference; and

WHEREAS, a public hearing was held by this Commission on August 3, 2023; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the master plan for the unincorporated area of the County, study of the proposed service plan for Flying Horse North Metropolitan Districts Nos. 1-5, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, and comments from all interested persons, and comments by the El Paso County Planning Commission during the hearing, this Commission finds as follows:

1. That the application for the draft service plan for the Special District was properly submitted for consideration by the Planning Commission.
2. That proper posting, publication and public notice were provided as required by law for the hearing before the Planning Commission.
3. That the hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested persons were heard at that hearing.
4. That all exhibits were received into evidence.

5. That there is sufficient existing and projected need for organized service in the area to be served by the proposed Special District.
6. That existing service in the area to be served by the proposed Special District is inadequate for present and projected needs.
7. That the proposed Special District is capable of providing economical and sufficient service to the area within its proposed boundaries.
8. That the area to be included in the proposed Special District has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.
9. That adequate service is not, or will not be, available to the area through the County, other existing municipal or quasi-municipal corporations, including existing Special Districts, within a reasonable time and on a comparable basis.
10. That the facility and service standards of the proposed Special District are compatible with the facility and service standards of each County within which the proposed Special District is to be located and each municipality which is an interested party as defined in C.R.S. § 32-1-204 and the El Paso County Land Development Code.
11. That the proposal is in substantial compliance with a Master Plan adopted pursuant to C.R.S. § 30-28-106.
12. That the proposal is in compliance with any duly adopted County, regional or state long-range water quality management plan for the area.
13. That the creation of the proposed Special District will be in the best interests of the area proposed to be served.

NOW, THEREFORE, BE IT RESOLVED that the El Paso County Planning Commission recommends the service plan for Flying Horse North Metropolitan Districts Nos. 1-5 be approved for the following, subject to the following:

#### CONDITIONS OF APPROVAL

1. As stated in the proposed service plan, the maximum combined mill levy shall not exceed 65 mills for any property within the Flying Horse North Metropolitan District Nos. 1-5, with no more than 50 mills devoted to debt service, and no more than 15 mills devoted to operations and maintenance, all subject to the Assessment Rate

Adjustment unless the Districts receive Board of County Commissioner approval to increase the maximum mill levy.

2. As stated in the attached service plan, the maximum authorized debt for the Flying Horse North Metropolitan District Nos. 1-5 are limited to \$450,000,000.00 until and unless the Districts receive Board of County Commissioner approval to increase the maximum authorized debt.
3. Approval of the service plan for the Flying Horse North Metropolitan District Nos. 1-5 include the ability of the Districts to use eminent domain powers for the acquisition of property to be owned, controlled, or maintained by the Districts or another public or non-profit entity and is for the material use or benefit of the general public. The Districts may not use the power of eminent domain without prior approval by the Board of County Commissioners at a publicly noticed hearing after a showing that the use of eminent domain is necessary for the Districts to continue to provide service(s) within the Districts' boundaries and that there are no other alternatives that would not result in the need for the use of eminent domain powers.
4. The Flying Horse North Metropolitan Districts shall provide a disclosure form to future purchasers and or lessors of property in a manner consistent with the approved Special District Annual Report form. The developer(s) shall provide written notation on each subsequent final plat associated with the development of the annually filed public notice. County staff is authorized to administratively approve updates to the disclosure form to reflect current contact information and calculations.
5. The Flying Horse North Metropolitan District Nos. 1-5 are expressly prohibited from creating separate sub-districts except upon prior notice to the Board of County Commissioners, and subject to the Board of County Commissioners' right to declare such creation to be a material modification of the service plan, pursuant to C.R.S. § 32-1-1101(1)(f)(I).
6. Approval of this application shall not constitute relinquishment or undermining of the County's authority to require the developer to complete subdivision improvements as required by the Land Development Code and Engineering Criteria Manual and to require subdivision improvement agreements or development agreements and collateral of the developer to guarantee the construction of improvements.
7. Any future proposed development of the subject parcels will require approval of a final plat(s), and such final plat(s) must be recorded before undertaking land disturbing

activities, excluding pre-subdivision site grading without installation of wet utilities as a separate, stand-alone request.

#### NOTATIONS

1. Approval of this service plan shall in no way be construed to infer a requirement or obligation of the Board of County Commissioners to approve any future land use requests within the boundaries of the Districts.
2. Any expansions, extensions, or construction of new facilities by the Flying Horse North Metropolitan District Nos. 1-5 will require prior review by the Planning and Community Development Department to determine if such actions are subject to the requirements of Appendix B of the Land Development Code, Guidelines and Regulations for Areas and Activities of State Interest (a.k.a. "1041 Regulations).

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

Brittain - Jack seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows:

Thomas Bailey	aye / no / non-voting / recused / absent
Sarah Brittain Jack	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
Eric Moraes	aye / no / non-voting / recused / absent
Kara Offner	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 5 to 3 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 3rd day of August 2023 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 

Chair

ID-23-004

## EXHIBIT A

### LEGAL DESCRIPTION: FLYING HORSE NORTH METROPOLITAN DISTRICT NOS. 1-5

#### LEGAL DESCRIPTION: FLYING HORSE NORTH METROPOLITAN DISTRICT NO. 1A

TWO TRACTS OF LAND BEING A PORTION OF SECTION 30, AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 11 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

#### BASIS OF BEARINGS:

THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE WEST END BY A 1" YELLOW PLASTIC CAP STAMPED "18235" AND THE EAST END BY A 2" ALUMINUM CAP STAMPED "32439" WITH APPROPRIATE MARKINGS, IS ASSUMED TO BEAR N89°03'58"E A DISTANCE OF 1,332.09 FEET.

COMMENCING AT A POINT THAT IS 60.00 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 30 AND ALSO BEING 30.00 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 30 TOWNSHIP 11 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF BLACK FOREST ROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE S00°00'48"W ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID BLACK FOREST ROAD, SAID POINT BEING 30.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 848.05 FEET; THENCE S89°47'27"W A DISTANCE OF 546.73 FEET; THENCE N00°07'59"E A DISTANCE OF 850.34 FEET TO A POINT 50.00 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE N88°58'45"E, ON A LINE 50.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 216.92 FEET; THENCE S71°21'27"E A DISTANCE OF 29.72 FEET; THENCE N88°58'45"E A DISTANCE OF 299.96 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 463,109 SQUARE FEET, OR 10.632 ACRES, MORE OR LESS.

#### LEGAL DESCRIPTION: FLYING HORSE NORTH METROPOLITAN DISTRICT 1B

COMMENCING AT THE NORTHEASTERLY END OF THE COURSE ON THE SOUTHERLY RIGHT-OF-WAY LINE OF OLD STAGECOACH ROAD AS PLATTED IN FLYING HORSE NORTH FILING NO. 1, AS RECORDED UNDER RECEPTION NUMBER 218714238, PLATTED AS BEARING N52°41'25"E, A DISTANCE OF 1,610.12 FEET, SAID POINT BEING THE POINT OF BEGINNING; THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

1. N52°41'25"E A DISTANCE OF 399.06 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 38°46'50", A RADIUS OF 960.00 FEET, A DISTANCE OF 649.77 FEET TO A POINT ON CURVE; THENCE S88°31'45"E A DISTANCE OF 8.27 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF RUBBLE DRIVE AS PLATTED IN SAID FLYING HORSE NORTH FILING NO. 1;

THENCE ON SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT, WHOSE CENTER BEARS N67°53'33"E, HAVING A DELTA OF 48°57'51", A RADIUS OF 100.00 FEET, A DISTANCE OF 85.46 FEET TO A POINT ON CURVE;
2. S01°28'15"W A DISTANCE OF 152.16 FEET TO A POINT OF CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 00°53'47", A RADIUS OF 5,030.00 FEET, A DISTANCE OF 78.69 FEET TO A POINT ON CURVE;

THENCE S01°20'16"W A DISTANCE OF 323.59 FEET; THENCE S29°10'53"W A DISTANCE OF 345.10 FEET; THENCE N59°39'48"W A DISTANCE OF 939.97 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 541,344 SQUARE FEET, OR 12.428 ACRES, MORE OR LESS.

**LEGAL DESCRIPTION:** FLYING HORSE NORTH METROPOLITAN DISTRICT NO. 2

A TRACT OF LAND BEING A PORTION OF SECTION 30, AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 11 SOUTH, RANGE 65 WEST, AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 11 SOUTH RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:**

THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE WEST END BY A 1" YELLOW PLASTIC CAP STAMPED "18235" AND THE EAST END BY A 2" ALUMINUM CAP STAMPED "32439" WITH APPROPRIATE MARKINGS, IS ASSUMED TO BEAR N89°03'58"E A DISTANCE OF 1,332.09 FEET.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 11 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ALSO BEING THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING; THENCE N89°06'20"E, ON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 31, A DISTANCE OF 1,474.13 FEET TO THE WEST SIXTEENTH CORNER OF SAID SECTION 31; THENCE N00°08'36"E, ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, A DISTANCE OF 1,325.48 FEET TO THE SOUTHWEST SIXTEENTH CORNER OF SAID SECTION 30; THENCE N89°03'20"E, ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 920.27 FEET; THENCE N00°08'15"E A DISTANCE OF 1,326.26 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30; THENCE N89°01'31"E, ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 399.42 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 30; THENCE N00°08'48"E, ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 2,604.74 FEET TO A POINT 50.00 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE N88°58'45"E, ON A LINE 50.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 2,053.08 FEET; THENCE S00°07'59"W A DISTANCE OF 850.34 FEET; THENCE N89°47'27"E A DISTANCE OF 546.73 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BLACK FOREST ROAD, SAID POINT BEING ALSO 30.00 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE S00°00'48"W ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID BLACK FOREST ROAD, SAID POINT BEING 30.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1,747.59 FEET;



THENCE S00°00'53"W ON SAID WESTERLY RIGHT-OF-WAY LINE AND ON A LINE 30.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1,520.50 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF FLYING HORSE NORTH FILING NO. 1, RECORDED UNDER RECEPTION NO. 218714238; THENCE ON THE NORTHERLY AND WESTERLY BOUNDARY LINES OF SAID FLYING HORSE NORTH FILING NO. 1 THE FOLLOWING FIFTEEN (15) COURSES:

1. N89°59'04"W A DISTANCE OF 502.35 FEET;
2. N82°41'19"W A DISTANCE OF 492.47 FEET;
3. S06°27'11"W A DISTANCE OF 236.35 FEET;
4. N80°16'16"W A DISTANCE OF 554.19 FEET;
5. N56°06'05"W A DISTANCE OF 60.00 FEET TO A POINT ON CURVE;
6. ON THE ARC OF A CURVE TO THE LEFT, WHOSE CENTER BEARS S56°06'05"E, HAVING A DELTA OF 24°24'59", A RADIUS OF 530.00 FEET, A DISTANCE OF 225.86 FEET TO A POINT ON CURVE;
7. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S12°54'16"E, HAVING A DELTA OF 52°02'48", A RADIUS OF 100.00 FEET, A DISTANCE OF 90.84 FEET TO A POINT ON CURVE;
8. N88°31'45"W A DISTANCE OF 8.27 FEET TO A POINT OF CURVE;
9. ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 38°46'50", A RADIUS OF 1,040.00 FEET AND A DISTANCE OF 703.92 FEET TO A POINT OF TANGENT;
10. S52°41'25"W A DISTANCE OF 1,610.12 FEET TO A POINT OF CURVE;
11. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 52°50'29", A RADIUS OF 760.00 FEET AND A DISTANCE OF 700.92 FEET TO A POINT OF TANGENT;
12. N74°28'06"W A DISTANCE OF 169.05 FEET TO A POINT OF CURVE;
13. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 32°53'45", A RADIUS OF 1,640.00 FEET, A DISTANCE OF 941.59 FEET TO A POINT OF TANGENT;
14. S72°38'09"W A DISTANCE OF 400.46 FEET TO A POINT OF CURVE;
15. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 00°45'53", A RADIUS OF 3,460.00 FEET, A DISTANCE OF 46.18 FEET TO A POINT ON CURVE, SAID POINT BEING THE SOUTHEASTERLY CORNER OF LOT 28 AS PLATTED IN SAID FLYING HORSE NORTH FILING NO. 1;

THENCE N00°13'46"W ON THE EASTERLY BOUNDARY OF SAID LOT 28 A DISTANCE OF 497.29 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 36; THENCE N89°03'58"E ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 36, A DISTANCE OF 491.20 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 13,636,926 SQUARE FEET, OR 313.061 ACRES, MORE OR LESS.

**LEGAL DESCRIPTION:** FLYING HORSE NORTH METROPOLITAN DISTRICT NO. 3

A TRACT OF LAND BEING A PORTION OF THE SOUTH HALF OF SECTION 30, AND A PORTION OF SECTION 31, TOWNSHIP 11 SOUTH, RANGE 65 WEST, AND A PORTION OF THE EAST HALF OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:**

THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE WEST END BY A 1" YELLOW PLASTIC CAP STAMPED "18235" AND THE EAST END BY A 2" ALUMINUM CAP STAMPED "32439" WITH APPROPRIATE MARKINGS, IS ASSUMED TO BEAR N89°03'58"E A DISTANCE OF 1,332.09 FEET.

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID POINT BEING THE POINT OF BEGINNING; THENCE S89°20'59"W ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 36, A DISTANCE OF 973.69 FEET; THENCE N00°39'01"W A DISTANCE OF 50.11 FEET TO A POINT ON THE BOUNDARY LINE OF FLYING HORSE NORTH FILING NO. 1 AS RECORDED UNDER RECEPTION NUMBER 218714238, RECORDS OF EL PASO COUNTY, COLORADO; THENCE ON THE BOUNDARY OF SAID FLYING HORSE NORTH FILING NO. 1 THE FOLLOWING ELEVEN (11) COURSES:

1. N19°16'02"E A DISTANCE OF 386.88 FEET;
2. N43°30'36"E A DISTANCE OF 161.72 FEET TO A POINT ON CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N17°38'34"E, HAVING A DELTA OF 105°57'32", A RADIUS OF 183.50 FEET, A DISTANCE OF 339.35 FEET TO A POINT OF TANGENT;
4. N01°41'01"E A DISTANCE OF 409.04 FEET;
5. N10°53'40"E A DISTANCE OF 511.85 FEET;
6. N11°16'18"E A DISTANCE OF 794.70 FEET TO A POINT ON CURVE;
7. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N69°45'19"W, HAVING A DELTA OF 113°41'16", A RADIUS OF 80.00 FEET, A DISTANCE OF 158.74 FEET TO A POINT ON CURVE;
8. N11°15'44"E A DISTANCE OF 449.78 FEET TO A POINT OF CURVE;
9. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 19°27'35", A RADIUS OF 180.00 FEET, A DISTANCE OF 61.13 FEET TO A POINT OF TANGENT;
10. N30°43'19"E A DISTANCE OF 748.70 FEET;
11. N83°30'56"E A DISTANCE OF 43.73 FEET;

THENCE S78°15'13"E A DISTANCE OF 60.00 FEET TO A POINT ON THE BOUNDARY LINE OF TRACT M, AS PLATTED IN SAID FLYING HORSE NORTH FILING NO. 1; THENCE ON THE BOUNDARY LINE OF SAID TRACT M, THE FOLLOWING ELEVEN (11) COURSES:

1. N89°19'51"E A DISTANCE OF 44.51 FEET TO A POINT ON CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N78°15'26"E, HAVING A DELTA OF 35°23'13", A RADIUS OF 222.71 FEET, A DISTANCE OF 137.55 FEET TO A POINT OF TANGENT;
3. S47°07'47"E A DISTANCE OF 236.98 FEET;
4. S52°20'15"E A DISTANCE OF 614.62 FEET TO A POINT ON CURVE;
5. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N37°35'23"E, HAVING A DELTA OF 32°49'43", A RADIUS OF 180.00 FEET, A DISTANCE OF 103.13 FEET TO A POINT OF TANGENT;
6. S85°14'20"E A DISTANCE OF 773.82 FEET TO A POINT ON CURVE;
7. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N03°54'09"E, HAVING A DELTA OF 141°44'47", A RADIUS OF 74.72 FEET, A DISTANCE OF 184.84 FEET TO A POINT OF TANGENT;
8. N47°50'38"W A DISTANCE OF 125.93 FEET TO A POINT ON CURVE;
9. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N62°07'29"W, HAVING A DELTA OF 93°42'48", A RADIUS OF 178.44 FEET, A DISTANCE OF 291.86 FEET TO A POINT OF TANGENT;
10. N65°50'18"W A DISTANCE OF 926.31 FEET;
11. N66°22'10"W A DISTANCE OF 418.60 FEET;

THENCE N77°19'50"W A DISTANCE OF 99.91 FEET TO A POINT ON THE BOUNDARY LINE OF SAID FLYING HORSE FILING NO. 1; THENCE ON SAID BOUNDARY LINE THE FOLLOWING SIX (6) COURSES:

1. N56°12'59"W A DISTANCE OF 96.82 FEET;
2. N02°34'45"E A DISTANCE OF 964.84 FEET TO A POINT ON CURVE ;



3. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S01°51'31"W, HAVING A DELTA OF 13°40'23", A RADIUS OF 1,560.00 FEET, A DISTANCE OF 372.28 FEET TO A POINT OF TANGENT;
4. S74°28'06"E A DISTANCE OF 169.05 FEET TO A POINT OF CURVE;
5. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 52°50'29", A RADIUS OF 840.00 FEET, A DISTANCE OF 774.70 FEET TO A POINT OF TANGENT;
6. N52°41'25"E A DISTANCE OF 1,211.06 FEET;

THENCE S59°39'48"E A DISTANCE OF 939.97 FEET; THENCE N29°10'53"E A DISTANCE OF 345.10 FEET; THENCE N01°20'16"E A DISTANCE OF 323.59 FEET TO A POINT ON THE BOUNDARY LINE OF SAID FLYING HORSE FILING NO. 1; THENCE ON SAID BOUNDARY THE FOLLOWING THREE (3) COURSES:

1. S89°25'32"E A DISTANCE OF 60.00 FEET;
2. N89°59'56"E A DISTANCE OF 505.80 FEET;
3. S00°00'00"E A DISTANCE OF 477.97 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

THENCE S89°04'37"W, ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 144.30 FEET TO THE EAST SIXTEENTH CORNER OF SECTION 31; THENCE S00°00'11"E, ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 1,326.67 FEET TO THE NORTHEAST SIXTEENTH CORNER OF SAID SECTION 31; THENCE N89°08'21"E, ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 1,289.57 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BLACK FOREST ROAD, SAID POINT BEING 30.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31; THENCE S00°00'54"W, ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID BLACK FOREST ROAD, BEING ALSO 30.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 1,328.09 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31;

THENCE S89°11'15"W, ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 2,608.28 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 31; THENCE S89°11'00"W, ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 31, A DISTANCE OF 1,320.84 FEET TO THE CENTER WEST SIXTEENTH CORNER OF SAID SECTION 31;

THENCE S00°00'34"W, ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 31, A DISTANCE OF 1,329.16 FEET TO THE SOUTHWEST SIXTEENTH CORNER OF SAID SECTION 31; THENCE S89°24'17"W, ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 31, A DISTANCE OF 37.78 FEET TO A POINT ON A LINE DESCRIBED IN A BOUNDARY LINE AGREEMENT RECORDED UNDER RECEPTION NO. 204188565; THENCE S02°42'03"W, ON SAID LINE DESCRIBED IN A BOUNDARY LINE AGREEMENT RECORDED UNDER RECEPTION NO. 204188565, A DISTANCE OF 1,330.04 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 31; THENCE S89°35'20"W, ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 31, A DISTANCE OF 1,329.35 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 15,787,562 SQUARE FEET, OR 362.433 ACRES, MORE OR LESS.

**LEGAL DESCRIPTION:** FLYING HORSE NORTH METROPOLITAN DISTRICT NO. 4

A TRACT OF LAND BEING A PORTION OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE WEST END BY A 1" YELLOW PLASTIC CAP STAMPED "18235" AND THE EAST END BY A 2" ALUMINUM CAP STAMPED "32439" WITH APPROPRIATE MARKINGS, IS ASSUMED TO BEAR N89°03'58"E A DISTANCE OF 1,332.09 FEET.

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID POINT BEING THE POINT OF BEGINNING; THENCE N00°14'34"W, ON THE WEST LINE OF SAID SECTION 36, A DISTANCE OF 1,120.17 FEET TO THE SOUTHWESTERLY CORNER OF SAID FLYING HORSE NORTH FILING NO. 1 AS RECORDED UNDER RECEPTION NO. 218714238;

THENCE ON THE SOUTHERLY BOUNDARY OF SAID FLYING HORSE NORTH FILING NO. 1 THE FOLLOWING NINE (9) COURSES:

1. S72°33'10"E A DISTANCE OF 134.21 FEET;
2. N40°01'04"E A DISTANCE OF 569.80 FEET;
3. N38°52'02"E A DISTANCE OF 60.00 FEET TO A POINT ON CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N38°52'02"E, HAVING A DELTA OF 48°03'23", A RADIUS OF 520.00 FEET, A DISTANCE OF 436.14 FEET TO A POINT ON CURVE;
5. N86°55'25"E A DISTANCE OF 49.85 FEET TO A POINT ON CURVE;
6. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N28°22'34"E, HAVING A DELTA OF 26°35'09", A RADIUS OF 60.00 FEET, A DISTANCE OF 27.84 FEET TO A POINT OF TANGENT;
7. S88°12'35"E A DISTANCE OF 210.24 FEET;
8. S59°10'55"E A DISTANCE OF 565.00 FEET TO A POINT OF CURVE;
9. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 82°31'23", A RADIUS OF 60.00 FEET, A DISTANCE OF 86.42 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE WESTERLY BOUNDARY OF FLYING HORSE NORTH FILING NO. 2 RECORDED UNDER RECEPTION NO. 222715009;

THENCE ON THE BOUNDARY OF SAID FLYING HORSE NORTH FILING NO. 2 THE FOLLOWING FOUR (4) COURSES:

1. S52°59'28"E A DISTANCE OF 282.69 FEET;
2. N31°14'50"E A DISTANCE OF 8.64 FEET TO A POINT OF CURVE;
3. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 37°09'00", A RADIUS OF 231.00 FEET, A DISTANCE OF 149.78 FEET TO A POINT ON CURVE;
4. THENCE N21°50'10"W A DISTANCE OF 407.62 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID FLYING HORSE NORTH FILING NO. 1;

THENCE ON THE SOUTHERLY BOUNDARY OF SAID FLYING HORSE NORTH FILING NO. 1 THE FOLLOWING TWENTY-EIGHT (28) COURSES:

1. THENCE CONTINUING ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N20°27'45"W, HAVING A DELTA OF 04°42'48", A RADIUS OF 180.00 FEET, A DISTANCE OF 14.81 FEET TO A POINT OF TANGENT;
2. N64°49'27"E A DISTANCE OF 387.40 FEET;
3. S69°37'09"E A DISTANCE OF 609.64 FEET TO A POINT ON CURVE;
4. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S53°58'28"E, HAVING A DELTA OF 17°58'26", A RADIUS OF 182.00 FEET, A DISTANCE OF 57.09 FEET TO A POINT OF TANGENT;
5. S18°03'07"W A DISTANCE OF 513.19 FEET TO A POINT OF CURVE;

6. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 42°54'04", A RADIUS OF 180.00 FEET, A DISTANCE OF 134.78 FEET TO A POINT OF TANGENT;
7. S24°50'58"E A DISTANCE OF 794.30 FEET TO A POINT ON CURVE;
8. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N64°45'42"E, HAVING A DELTA OF 62°51'48", A RADIUS OF 60.00 FEET, A DISTANCE OF 65.83 FEET TO A POINT ON CURVE;
9. S28°40'51"E A DISTANCE OF 24.35 FEET TO A POINT ON CURVE;
10. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N10°33'41"W, HAVING A DELTA OF 11°46'40", A RADIUS OF 470.0 FEET, A DISTANCE OF 96.61 FEET TO A POINT ON CURVE;
11. N32°14'22"W A DISTANCE OF 83.48 FEET;
12. N07°36'57"W A DISTANCE OF 778.36 FEET;
13. N19°58'12"E A DISTANCE OF 445.86 FEET TO A POINT ON CURVE;
14. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N72°45'28"W, HAVING A DELTA OF 65°10'59", A RADIUS OF 180.00 FEET, A DISTANCE OF 204.78 FEET TO A POINT ON CURVE;
15. N05°55'12"E A DISTANCE OF 73.94 FEET TO A POINT OF CURVE;
16. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 66°48'26", A RADIUS OF 60.00 FEET, A DISTANCE OF 69.96 FEET TO A POINT OF TANGENT;
17. N60°53'14"W A DISTANCE OF 270.58 FEET;
18. N67°30'10"E A DISTANCE OF 203.94 FEET;
19. N18°26'34"E DISTANCE OF 216.03 FEET;
20. S49°40'30"E A DISTANCE OF 407.47 FEET TO A POINT OF CURVE;
21. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 42°44'34", A RADIUS OF 260.00 FEET, A DISTANCE OF 193.96 FEET TO A POINT OF TANGENT;
22. N87°34'56"E A DISTANCE OF 570.22 FEET;
23. S01°27'54"W A DISTANCE OF 421.65 FEET;
24. S04°30'48"W A DISTANCE OF 138.74 FEET TO A POINT OF CURVE;
25. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 122°48'28", A RADIUS OF 180.00 FEET, A DISTANCE OF 385.81 FEET TO A POINT ON CURVE;
26. S59°17'05"E A DISTANCE OF 59.71 FEET;
27. S09°25'47"E A DISTANCE OF 25.35 FEET TO A POINT OF CURVE;
28. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 115°22'45", A RADIUS OF 60.00 FEET, A DISTANCE OF 120.82 FEET TO A POINT ON CURVE;

THENCE S34°48'32"E A DISTANCE OF 197.36 FEET TO A POINT ON CURVE; THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N32°50'52"W, HAVING A DELTA OF 52°36'05", A RADIUS OF 450.00 FEET, A DISTANCE OF 413.13 FEET TO A POINT OF TANGENT; THENCE N04°33'03"E A DISTANCE OF 770.03 FEET TO A POINT OF CURVE; THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 20°48'59", A RADIUS OF 1,200.00 FEET, A DISTANCE OF 435.98 FEET TO A POINT ON CURVE; THENCE N43°38'05"E A DISTANCE OF 241.53 FEET TO A POINT ON THE BOUNDARY OF SAID FLYING HORSE NORTH FILING NO. 1; THENCE ON THE BOUNDARY OF SAID FLYING HORSE NORTH FILING NO. 1 THE FOLLOWING SIXTEEN (16) COURSES:

1. CONTINUING N43°38'05"E A DISTANCE OF 217.42 FEET;
2. S47°25'19"E A DISTANCE OF 125.23 FEET;
3. S12°39'47"W A DISTANCE OF 431.89 FEET TO A POINT ON CURVE;
4. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S78°44'16"E, HAVING DELTA OF 101°02'05", A RADIUS OF 180.00 FEET, A DISTANCE OF 317.41 FEET TO A POINT ON CURVE;
5. S36°07'10"E A DISTANCE OF 51.40 FEET;
6. S25°28'43"W A DISTANCE OF 583.21 FEET;

7. S11°05'37"W A DISTANCE OF 649.91 FEET;
8. S01°45'55"W A DISTANCE OF 367.28 FEET TO A POINT ON CURVE;
9. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S82°45'19"E, HAVING A DELTA OF 27°10'25", A RADIUS OF 206.15 FEET, A DISTANCE OF 97.77 FEET TO A POINT ON CURVE;
10. S44°23'58"W A DISTANCE OF 446.26 FEET;
11. N78°50'05"W A DISTANCE OF 682.24 FEET;
12. S89°54'56"W A DISTANCE OF 681.31 FEET;
13. N39°18'58"W A DISTANCE OF 58.41 FEET TO A POINT ON CURVE;
14. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N42°37'31"W, HAVING A DELTA OF 24°06'18", A RADIUS OF 530.00 FEET, A DISTANCE OF 222.98 FEET TO A POINT ON CURVE;
15. S63°45'49"E A DISTANCE OF 50.01 FEET;
16. S02°21'44"E A DISTANCE OF 383.10 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 36;

THENCE S89°20'35"W ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 2,674.50 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 7,331,066 SQUARE FEET, OR 168.298 ACRES, MORE OR LESS.

**LEGAL DESCRIPTION:** FLYING HORSE NORTH METROPOLITAN DISTRICT NO. 5

A TRACT OF LAND BEING A PORTION OF EAST HALF OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:**

THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE WEST END BY A 1" YELLOW PLASTIC CAP STAMPED "18235" AND THE EAST END BY A 2" ALUMINUM CAP STAMPED "32439" WITH APPROPRIATE MARKINGS, IS ASSUMED TO BEAR N89°03'58"E A DISTANCE OF 1,332.09 FEET.

COMMENCING AT THE NORTHWEST CORNER OF LOT 33, FLYING HORSE NORTH FILING NO. 1 AS RECORDED UNDER RECEPTION NUMBER 218714238 IN THE RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF OLD STAGECOACH ROAD AS PLATTED IN SAID FLYING HORSE NORTH FILING NO. 1, SAID POINT BEING THE POINT OF BEGINNING; THENCE ON SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N05°59'03"E, HAVING A DELTA OF 08°07'01", A RADIUS OF 3,540.00 FEET, A DISTANCE OF 501.50 FEET TO A POINT ON CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N63°57'20"E, HAVING A DELTA OF 50°08'31", A RADIUS OF 100.00 FEET, A DISTANCE OF 87.51 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF ALLEN RANCH ROAD AS PLATTED IN SAID FLYING HORSE NORTH FILING NO. 1;

THENCE ON THE RIGHT-OF-WAY LINE OF SAID ALLEN RANCH ROAD THE FOLLOWING FIVE (5) COURSES:

1. S03°38'37"E A DISTANCE OF 515.47 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 22°42'11", A RADIUS OF 970.00 FEET, A DISTANCE OF 384.35 FEET TO A POINT OF REVERSE CURVE;

3. ON THE ARC OF CURVE TO THE LEFT HAVING A DELTA OF  $30^{\circ}48'52''$ , A RADIUS OF 530.00 FEET, A DISTANCE OF 285.04 FEET TO A POINT ON CURVE;
4.  $N78^{\circ}14'42''E$  A DISTANCE OF 60.00 FEET TO A POINT ON CURVE;
5. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS  $N78^{\circ}14'42''E$ , HAVING A DELTA OF  $07^{\circ}44'48''$ , A RADIUS OF 470.00 FEET, A DISTANCE OF 63.55 FEET TO A POINT OF CURVE, SAID POINT BEING ON THE BOUNDARY LINE OF TRACT L AS PLATTED IN SAID FLYING HORSE NORTH FILING NO. 1;

THENCE ON THE BOUNDARY OF SAID TRACT L, THE FOLLOWING FOUR (4) COURSES:

1.  $N88^{\circ}03'35''E$  A DISTANCE OF 162.46 FEET;
2.  $S27^{\circ}57'38''W$  A DISTANCE OF 123.86 FEET TO A POINT ON CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS  $S55^{\circ}48'13''E$ , HAVING A DELTA OF  $79^{\circ}31'17''$ , A RADIUS OF 60.00 FEET, A DISTANCE OF 83.27 FEET TO A POINT OF TANGENT;
4.  $S45^{\circ}19'30''E$  A DISTANCE OF 529.41 FEET;

THENCE  $S43^{\circ}38'05''W$  A DISTANCE OF 241.53 FEET TO A POINT ON CURVE; THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS  $S73^{\circ}44'04''W$ , HAVING A DELTA OF  $20^{\circ}48'59''$ , A RADIUS OF 1,200.00 FEET, A DISTANCE OF 435.98 FEET TO A POINT OF TANGENT; THENCE  $S04^{\circ}33'03''W$  A DISTANCE OF 770.03 FEET TO A POINT OF CURVE; THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF  $52^{\circ}36'05''$ , A RADIUS OF 450.00 FEET, A DISTANCE OF 413.13 FEET TO A POINT ON CURVE; THENCE  $N34^{\circ}48'32''W$  A DISTANCE OF 197.36 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE BOUNDARY LINE OF SAID FLYING HORSE NORTH FILING NO. 1;

THENCE ON SAID BOUNDARY LINE THE FOLLOWING FIFTEEN (15) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS  $N34^{\circ}48'32''W$ , HAVING A DELTA OF  $47^{\circ}39'02''$ , A RADIUS OF 60.00 FEET, A DISTANCE OF 49.90 FEET TO A POINT OF TANGENT;
2.  $N07^{\circ}32'26''E$  A DISTANCE OF 809.64 FEET;
3.  $N04^{\circ}16'45''E$  A DISTANCE OF 483.65 FEET TO A POINT OF CURVE;
4. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF  $180^{\circ}00'00''$ , A RADIUS OF 180.00 FEET, A DISTANCE OF 565.49 FEET TO A POINT OF TANGENT;
5.  $S04^{\circ}16'45''W$  A DISTANCE OF 284.57 FEET;
6.  $S89^{\circ}20'23''W$  A DISTANCE OF 87.77 FEET TO A POINT ON CURVE;
7. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS  $S66^{\circ}09'28''W$ , HAVING A DELTA OF  $68^{\circ}09'39''$ , A RADIUS OF 180.00 FEET, A DISTANCE OF 214.13 FEET TO A POINT OF TANGENT;
8.  $S87^{\circ}59'49''W$  A DISTANCE OF 527.00 FEET;
9.  $N66^{\circ}21'10''W$  A DISTANCE OF 348.91 FEET;
10.  $N00^{\circ}25'40''E$  A DISTANCE OF 36.95 FEET TO A POINT ON CURVE;
11. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS  $N09^{\circ}45'03''E$ , HAVING A DELTA OF  $37^{\circ}48'36''$ , A RADIUS OF 180.00 FEET, A DISTANCE OF 118.78 FEET TO A POINT OF TANGENT;
12.  $N61^{\circ}56'28''E$  A DISTANCE OF 430.63 FEET TO A POINT OF CURVE;
13. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF  $27^{\circ}31'13''$ , A RADIUS OF 180.00 FEET, A DISTANCE OF 86.46 FEET TO A POINT OF TANGENT;
14.  $N34^{\circ}25'15''E$  A DISTANCE OF 478.77 FEET;
15.  $N46^{\circ}07'49''E$  A DISTANCE OF 163.89 FEET;

THENCE  $N18^{\circ}03'04''W$  A DISTANCE OF 744.95 FEET TO THE SOUTHWEST CORNER OF LOT 33 OF SAID FLYING HORSE NORTH FILING NO. 1; THENCE  $N04^{\circ}10'00''E$  ON THE WESTERLY BOUNDARY LINE OF SAID LOT 33 A DISTANCE OF 447.48 FEET, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF OLD STAGECOACH

ROAD AS PLATTING SAID FLYING HORSE NORTH FILING NO. 1, SAID POINT ALSO BEING THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 1,870,024 SQUARE FEET OR 42.930 ACRES.

**FOR A COMBINED TOTAL OF 910 ACRES**