

RESOLUTION NO. 05 - 24

A RESOLUTION AUTHORIZING THE USE OF POSSESSION AND USE AND/OR EMINENT DOMAIN TO ACQUIRE CERTAIN EASEMENTS NEEDED FOR THE ACADEMY BOULEVARD: FOUNTAIN TO JET WING PROJECT

WHEREAS, the City of Colorado Springs ("City"), by and through its Public Works Department ("Public Works") provides public roads, bridges, stormwater infrastructure and other works and ways, as authorized by Article 1, Section 1-20(d) of the Charter of the City of Colorado Springs; and

WHEREAS, the City is proceeding with the Academy Boulevard: Fountain to Jet Wing Project (the "Project") which includes the removal and replacement of asphalt, curb and gutter, and sidewalk to create a multi-modal path; and

WHEREAS, the Project is necessary for the public health, safety and welfare of the City, which is a necessary public purpose; and

WHEREAS, pursuant to the provisions of Article XX, Section 1 of the Colorado Constitution and the City Charter, the City is empowered to acquire property interests within or without its territorial jurisdiction through institution of eminent domain proceedings, for all interests necessary for the City; and

WHEREAS, negotiations with the two (2) Property Owners to purchase permanent easements ("Easements") have reached an impasse and Public Works has an imminent need to acquire the Easements in order to perform the necessary construction included in the Project; and

WHEREAS, the City will need to acquire rights on the following properties as set forth below and in the legal descriptions attached hereto to allow the Project to proceed as scheduled and to avoid delays which could adversely impact this Project and the City.

<b>Assessor's Parcel Number (APN)</b>	<b>Property Owner</b>	<b>Property Interest</b>	<b>Exhibits</b>
6427111050	J H Foods Ltd.	Permanent Easement 2,158 square feet; Temporary Easement 1,415 square feet	Exhibits A and B

6435216005	5710 South Highway LLC	Permanent Easement 381 square feet; Temporary Easements 533 and 67 square feet	Exhibits C and D
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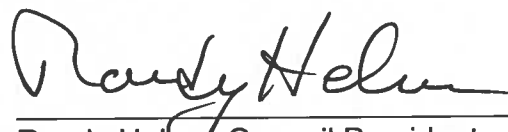
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:**

Section 1. City Council hereby finds it to be in the interest of public health, safety and, welfare, and that the City has a need to, and it is necessary to, acquire the Easements from the Property Owners for constructing and maintaining the Project which is for a public purpose.

Section 2. The City Attorney is hereby authorized to take all action necessary to acquire the Easements and to seek immediate possession of the Easements by a voluntary Possession and Use Agreement, eminent domain, or other appropriate proceedings.

Section 3. This Resolution shall be in full force and effect immediately upon its adoption.

Dated at Colorado Springs, Colorado this 23<sup>rd</sup> day of January 2024.



Randy Helms, Council President

ATTEST:



Sarah B. Johnson, City Clerk



**EXHIBIT "A"**  
**CITY OF COLORADO SPRINGS**  
**PROJECT: SOUTH ACADEMY BOULEVARD WIDENING**

DATE: March 21, 2023

**PUBLIC IMPROVEMENT EASEMENT: PIE-56**

SITUATED IN THE NE ¼ OF SECTION 27, TOWNSHIP 14 SOUTH, RANGE 66 WEST  
OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, EL PASO  
COUNTY, COLORADO  
**LEGAL DESCRIPTION**

A Public Improvement Easement No. PIE-56 being a part of that certain parcel of land as described in Book 6010, Page 1364 of the El Paso County Clerk and Recorder's Office Records, containing 2,158 sq. ft. (0.050 acres), more or less, in Lot 1, Hardee's Subdivision Filing No. 2, recorded in Plat Book E-5, Page 127, at Reception Number 2182635, El Paso County Clerk and Recorder's Office Records, in the Northeast Quarter of Section 27, Township 14 South, Range 66 West, of the Sixth Principal Meridian, El Paso County, Colorado, said public improvement easement being more particularly described as follows:

Commencing at the Southwest Corner of Section 23, Township 14 South, Range 66 West, of the Sixth Principal Meridian, as calculated from three reference monuments (two 3-1/4" aluminum caps both stamped "T14S R66W R.M. 47.17' S22 S23 S27 S26 L.S. 17665" and a #5 rebar, no cap); Thence S. 2°04'15" W., a distance of 1,948.74 feet to the northeast corner of said Lot 1, monumented with chiseled x in the sidewalk, said point being the **TRUE POINT OF BEGINNING**;

1. Thence S. 0°16'52" E., along the east line of said Lot 1 and the west right of way line of Academy Boulevard, a distance of 141.52 feet to the southeast line of said Lot 1 also being the northerly right of way line of Chelton Road;
2. Thence 36.89 feet along said southeast lot line on the arc of a curve to the right, said curve having a radius of 29.50 feet, a central angle of 71°38'46" and a chord which bears S. 53°47'24" W., a distance of 34.53 feet to the south line of said Lot 1 also being the northerly right of way line of Chelton Road;
3. Thence S. 89°36'40" W., along said south lot line, a distance of 54.71 feet;
4. Thence N. 59°38'51" E., a distance of 74.75 feet;
5. Thence N. 89°16'08" E., a distance of 14.64 feet;
6. Thence N. 0°23'08" W., a distance of 124.32 feet to the north line of said Lot 1;
7. Thence N. 89°43'08" E., along said north lot line, a distance of 3.57 feet, more or less, to the **TRUE POINT OF BEGINNING**.

The above described public improvement easement contains 2,158 sq. ft. (0.050 acres), more or less.

The purpose of the above described public improvement easement is for road improvement purposes.

**Basis of Bearings:** Bearings used in the calculations of coordinates are based on a grid bearing of N. 0°29'05" W. (a distance of 10,590.30 feet), from the Southwest Corner of Section 35, T.14 S., R.66 W., of the 6<sup>th</sup> P.M. as calculated from two reference monuments (a 3-1/4" aluminum cap stamped "URS T14S R66W R.M. 56.20' S34 S35 S3 S2 T15S R66W 2012 PLS 24313" and a 3-1/4" aluminum cap stamped "URS T14S R66W R.M. 38.26' S34 S35 S3 S2 T15S R66W 2012 PLS 24313) to the Southwest Corner of Section 23, T.14 S., R.66 W., of the 6<sup>th</sup> P.M. as calculated from three reference monuments (two 3-1/4" aluminum caps both stamped "T14S R66W R.M. 47.17' S22 S23 S27 S26 L.S. 17665" and a #5 rebar, no cap), as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

Prepared by:  
Stan Vermilyea, P.L.S. 25381  
For and on the behalf of AECOM  
2315 Briargate Parkway, Suite 150  
Colorado Springs, CO 80920



# Exhibit B

NE 1/4 Section 27

T.14 S., R.66W., Sixth Principal Meridian

Lot 2  
Hardee's  
Subdivision No.3  
Rec.#97089272

JH Foods Limited  
A Colorado limited  
partnership  
Book 6010, Page 1364

Lot 1  
Hardee's  
Subdivision No.2  
Rec.#2182635

Avigation Easement  
Book 5381, Page 793

Declaration of Use  
Restriction  
-Rec.#97091700  
-Rec.#97091701  
-Rec.#200040785

4' wide  
Sidewalk  
Easement  
per plot

2.5' wide Sidewalk Easement  
per plot

15' wide Electrical Easement  
Book 5336, Page 1370

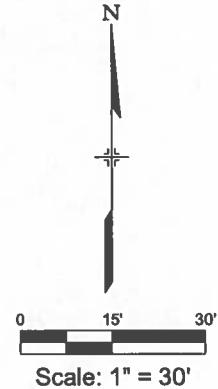
25' wide Access and  
Utility Easement  
Book 5189, Page 92

PIE-56  
2,158 SF  
(0.050 AC)

N59° 38'51"E  
74.75'

S89° 36'40"W  
54.71'

N89° 43'08"E  
3.57'  
POINT OF BEGINNING PIE-56  
Northeast corner of Lot 1  
Tie to SW corner of Sec 23  
T.14S., R.66W., of the 6th P.M.  
N 2°04'15" E, 1,948.74'



ACADEMY BOULEVARD



CHELTON ROAD  
Pikes Peak Park  
Subdivision No.21

Basis of Bearings: Bearings used in the calculations of coordinates are based on a grid bearing of N. 0° 29'05" W. (a distance of 10,590.30 feet), from the Southwest Corner of Section 35, T.14 S., R.66 W., of the 6th P.M. as calculated from two reference monuments as described in the monument record filed by P.L.S. 28658, dated September 13, 2016 to the Southwest Corner of Section 23, T.14 S., R.66 W., of the 6th P.M. as calculated from three reference monuments as described in the monument record filed by L.S. 17665, dated March 23, 1990.

Note: This exhibit does not represent a monumented land survey. It is intended only to depict the attached property description.

AECOM JN: 60675689

DRAWN BY: JKB

DATE: 3/21/2023

SCALE: 1" = 30'



## Exhibit B - PIE-56 JH Foods Limited

TITLE:

South Academy Boulevard Widening

REVISION:

N/A

DRAWING NO.

56-Exhibit\_PIE-56Rev.dgn

SHEET NO.

3 of 3

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**EXHIBIT "A"**  
**CITY OF COLORADO SPRINGS**  
**PROJECT: SOUTH ACADEMY BOULEVARD WIDENING**

DATE: March 21, 2023

**TEMPORARY CONSTRUCTION EASEMENT: TCE-56**

SITUATED IN THE NE ¼ OF SECTION 27, TOWNSHIP 14 SOUTH, RANGE 66 WEST  
 OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, EL PASO  
 COUNTY, COLORADO

**LEGAL DESCRIPTION**

A Temporary Construction Easement No. TCE-56 being a part of that certain parcel of land as described in Book 6010, Page 1364 of the El Paso County Clerk and Recorder's Office Records, containing 1,415 sq. ft. (0.032 acres), more or less, in Lot 1, Hardee's Subdivision Filing No. 2, recorded in Plat Book E-5, Page 127, at Reception Number 2182635, El Paso County Clerk and Recorder's Office Records, in the Northeast Quarter of Section 27, Township 14 South, Range 66 West, of the Sixth Principal Meridian, El Paso County, Colorado, said temporary construction easement being more particularly described as follows:

Commencing at the Southwest Corner of Section 23, Township 14 South, Range 66 West, of the Sixth Principal Meridian, as calculated from three reference monuments (two 3-1/4" aluminum caps both stamped "T14S R66W R.M. 47.17' S22 S23 S27 S26 L.S. 17665" and a #5 rebar, no cap); Thence S. 2°04'15" W., a distance of 1,948.74 feet to the northeast corner of said Lot 1, monumented with chiseled x in the sidewalk; Thence S. 89°43'08" W., along the north line of said Lot 1, a distance of 3.57 feet to the **TRUE POINT OF BEGINNING**;

1. Thence S. 0°23'08" E., a distance of 124.32 feet;
2. Thence S. 89°16'08" W., a distance of 14.64 feet;
3. Thence S. 59°38'51" W., a distance of 66.74 feet to the northerly line of a 4 foot sidewalk easement per said plat of Hardee's Subdivision Filing No. 2;
4. Thence S. 89°36'40" W., along said northerly easement line, a distance of 20.28 feet;
5. Thence N. 0°21'09" W., a distance of 3.35 feet;
6. Thence N. 89°38'51" E., a distance of 8.94 feet;
7. Thence N. 50°38'51" E., a distance of 22.15 feet;
8. Thence N. 90°00'00" E., a distance of 17.85 feet;
9. Thence N. 59°38'51" E., a distance of 38.40 feet;

10. Thence N. 89°16'08" E., a distance of 8.03 feet;
11. Thence N. 0°23'08" W., a distance of 120.82 feet;
12. Thence N. 16°29'19" E., a distance of 0.58 feet to said north lot line;
13. Thence N. 89°43'08" E., along said north lot line, a distance of 7.26 feet, more or less, to the **TRUE POINT OF BEGINNING.**

The above described temporary construction easement contains 1,415 sq. ft. (0.032 acres), more or less.

The purpose of the above temporary construction easement is for road improvement purposes.

Basis of Bearings: Bearings used in the calculations of coordinates are based on a grid bearing of N. 0°29'05" W. (a distance of 10,590.30 feet), from the Southwest Corner of Section 35, T.14 S., R.66 W., of the 6<sup>th</sup> P.M. as calculated from two reference monuments (a 3-1/4" aluminum cap stamped "URS T14S R66W R.M. 56.20' S34 S35 S3 S2 T15S R66W 2012 PLS 24313" and a 3-1/4" aluminum cap stamped "URS T14S R66W R.M. 38.26' S34 S35 S3 S2 T15S R66W 2012 PLS 24313) to the Southwest Corner of Section 23, T.14 S., R.66 W., of the 6<sup>th</sup> P.M. as calculated from three reference monuments (two 3-1/4" aluminum caps both stamped "T14S R66W R.M. 47.17' S22 S23 S27 S26 L.S. 17665" and a #5 rebar, no cap), as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

Prepared by:  
Stan Vermilyea, P.L.S. 25381  
For and on the behalf of AECOM  
2315 Briargate Parkway, Suite 150  
Colorado Springs, CO 80920



# Exhibit B

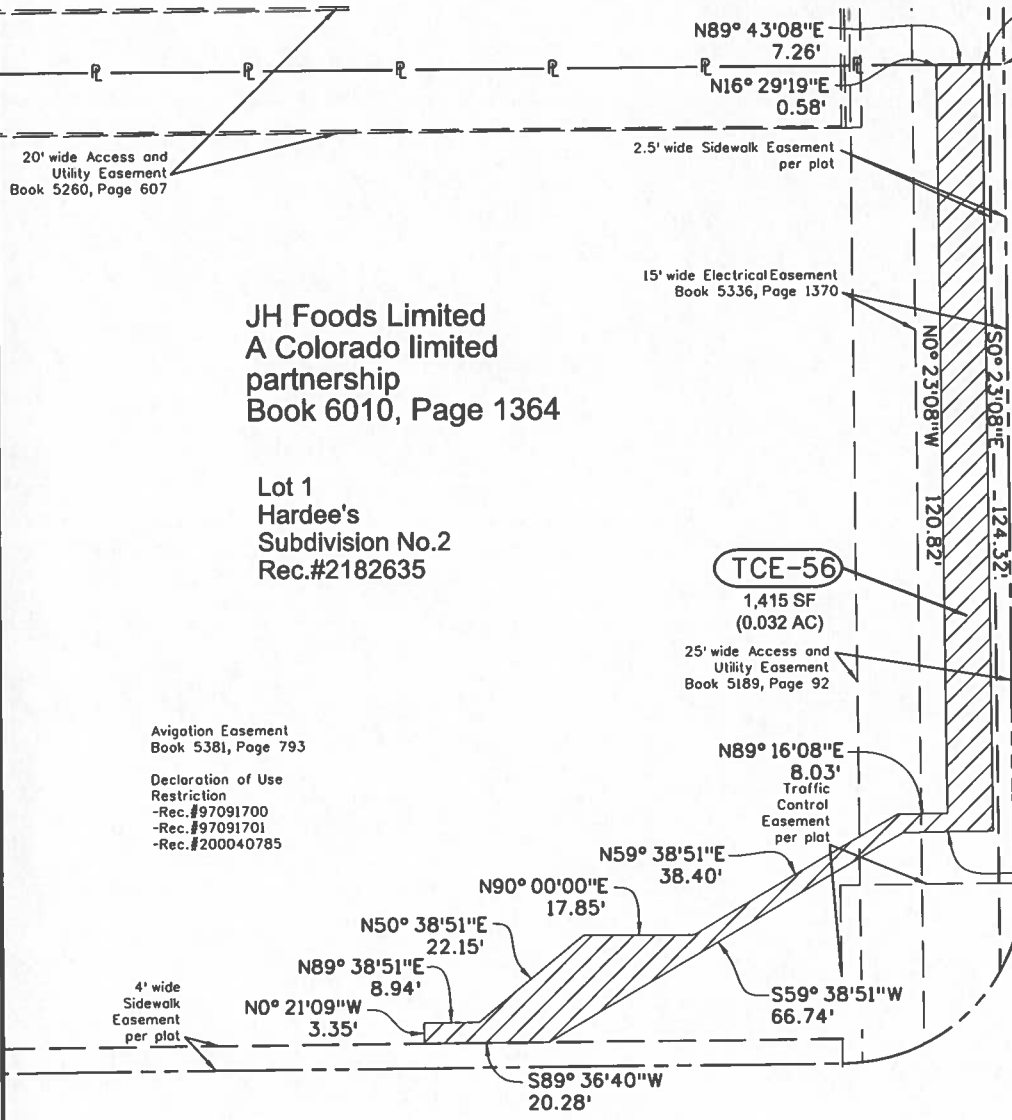
NE 1/4 Section 27

T.14 S., R.66W., Sixth Principal Meridian

Lot 2  
Hardee's  
Subdivision No.3

POINT OF BEGINNING TCE-56  
Tie from the Northeast corner of Lot 1  
S 89°43'08" W, 3.57'

Northeast corner of Lot 1  
Tie to SW corner of Sec 23  
T.14S., R.66W., of the 6th P.M.  
N 2°04'15" E, 1,948.74'



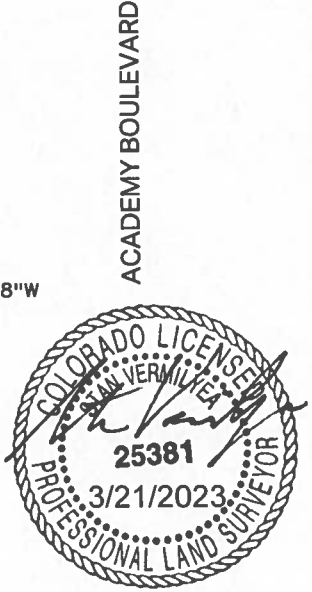
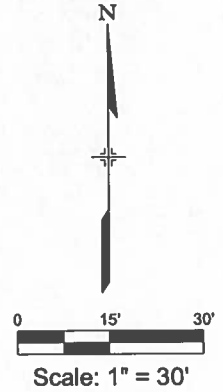
JH Foods Limited  
A Colorado limited  
partnership  
Book 6010, Page 1364

Lot 1  
Hardee's  
Subdivision No.2  
Rec.#2182635

Avigation Easement  
Book 5381, Page 793

Declaration of Use  
Restriction  
-Rec.#97091700  
-Rec.#97091701  
-Rec.#200040785

CHELTON ROAD  
Pikes Peak Park  
Subdivision No.21



Basis of Bearings: Bearings used in the calculations of coordinates are based on a grid bearing of N. 0° 29'05" W. (a distance of 10,590.30 feet), from the Southwest Corner of Section 35, T.14 S., R.66 W., of the 6th P.M. as calculated from two reference monuments as described in the monument record filed by P.L.S. 28658, dated September 13, 2016 to the Southwest Corner of Section 23, T.14 S., R.66 W., of the 6th P.M. as calculated from three reference monuments as described in the monument record filed by L.S. 17665, dated March 23, 1990.

Note: This exhibit does not represent a monumented land survey. It is intended only to depict the attached property description.

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AECOM JN: 60675689		
DRAWN BY: JKB	DATE: 3/21/2023	SCALE: 1" = 30'

2315 BRIARGATE PARKWAY, SUITE 150  
COLORADO SPRINGS, CO 80920  
(719) 531-0001  
FAX (719) 531-0007  
AECOM PN: 60603801

<h2>Exhibit B - TCE-56</h2> <h3>JH Foods Limited</h3>		
TITLE: South Academy Boulevard Widening		
REVISION: N/A	DRAWING NO. 56-Exhibit_TCE-56Rev.dgn	SHEET NO. 3 of 3



**EXHIBIT "A"**  
**CITY OF COLORADO SPRINGS**  
**PROJECT: SOUTH ACADEMY BOULEVARD WIDENING**

DATE: March 16, 2023

**PUBLIC IMPROVEMENT EASEMENT: PIE-80**

SITUATED IN THE SW ¼ OF SECTION 26 AND THE NW ¼ OF SECTION 35,  
TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

**LEGAL DESCRIPTION**

A Public Improvement Easement No. PIE-80 being a part of that certain parcel of land as described in Reception Number 221048424 of the El Paso County Clerk and Recorder's Office Records, containing 381 sq. ft. (0.009 acres), more or less, in Lot 1, Block 1, Astro-Jet Subdivision Filing No. 2, recorded at Plat Book S-3, at Page 68, Reception Number 943701, of the El Paso County Clerk and Recorder's Office Records, in the Southwest Quarter of Section 26 and Northwest Quarter of Section 35, Township 14 South, Range 66 West, of the Sixth Principal Meridian, El Paso County, Colorado, said public improvement easement being more particularly described as follows:

Commencing at the Southwest Corner of Section 23, Township 14 South, Range 66 West, of the Sixth Principal Meridian, as calculated from three reference monuments (two 3-1/4" aluminum caps both stamped "T14S R66W R.M. 47.17' S22 S23 S27 S26 L.S. 17665" and a #5 rebar, no cap); Thence S. 0°46'08" E., a distance of 5,266.36 feet to the northwest corner of said Lot 1, to the **TRUE POINT OF BEGINNING**;

1. Thence N. 89°40'02" E., along the northerly line of said Lot 1 and the south right of way Astrozon Boulevard, a distance of 35.61 feet;
2. Thence S. 70°47'20" W., a distance of 25.44 feet;
3. Thence S. 19°06'03" W., a distance of 34.39 feet to the westerly line of said Lot 1, coincidentally being the east right of way line of Academy Boulevard;
4. Thence N. 00°27'56" W., along said westerly lot line, a distance of 40.67 feet, more or less, to the **TRUE POINT OF BEGINNING**.

The above described public improvement easement contains 381 sq. ft. (0.009 acres), more or less.

The purpose of the above described public improvement easement is for road improvement purposes.

**Basis of Bearings:** Bearings used in the calculations of coordinates are based on a grid bearing of N. 0°29'05" W. (a distance of 10,590.30 feet), from the Southwest Corner of Section 35, T.14 S., R.66 W., of the 6<sup>th</sup> P.M. as calculated from two reference monuments (a 3-1/4" aluminum cap stamped "URS T14S R66W R.M. 56.20' S34 S35 S3 S2 T15S R66W 2012 PLS 24313" and a 3-1/4" aluminum cap stamped "URS T14S R66W R.M. 38.26' S34 S35 S3 S2 T15S R66W 2012 PLS 24313) to the Southwest Corner of Section 23, T.14 S., R.66 W., of the 6<sup>th</sup> P.M. as calculated from three reference monuments (two 3-1/4" aluminum caps both stamped "T14S R66W R.M. 47.17' S22 S23 S27 S26 L.S. 17665" and a #5 rebar, no cap), as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

Prepared by:  
Stan Vermilyea, P.L.S. 25381  
For and on the behalf of AECOM  
2315 Briargate Parkway, Suite 150  
Colorado Springs, CO 80920



# Exhibit B

EXHIBIT C, Page 3 OF 3

SW 1/4 Section 26 and NW 1/4 Section 35  
T.14 S., R.66W., Sixth Principal Meridian

ASTROZON BLVD.

SE Section 27  
SW Section 26

NE Section 34  
NW Section 35

SE Section 27  
NE Section 34

SW Section 26  
NW Section 35

POINT OF BEGINNING PIE-80  
Northwest corner Lot 1  
Tie to SW corner of Sec 23,  
T.14 S., R.66W., 6th P.M.  
N0°46'08"W, 5,266.36'

N89° 40'02"E  
35.61'

S70° 47'20"W  
25.44'

Electric Easement  
-B1327, PG9  
-OCD B3688, P14

N0° 27'56"W  
40.67'

S19° 06'03"W  
34.39'

**PIE-80**  
381 SF  
(0.009 AC)

Electric Easement  
B1327, P9

Subject to  
-Avigation Easement  
Rec 203056945

5710 South Highway, LLC  
REC 221048424

Astro-Jet Subdivision  
Filing No. 2  
Plat Book S-3, Page 68  
Rec 943701

Lot 1,  
Block 1

Non-Exclusive  
Drainage, Utility &  
Ingress/Egress  
Easement  
Rec 203132134

7' wide  
Public Utility & Drainage  
Easement  
per plat

10' wide  
Public Utility  
Easement  
per plat

Lot 1

McDonald's  
Subdivision No. 4

Basis of Bearings: Bearings used in the calculations of coordinates are based on a grid bearing of N. 0° 29' 05" W. (a distance of 10,590.30 feet), from the Southwest Corner of Section 35, T.14 S., R.66 W., of the 6th P.M. as calculated from two reference monuments as described in the monument record filed by P.L.S. 28658, dated September 13, 2016 to the Southwest Corner of Section 23, T.14 S., R.66 W., of the 6th P.M. as calculated from three reference monuments as described in the monument record filed by L.S. 17665, dated March 23, 1990.

Note: This exhibit does not represent a monumented land survey. It is intended only to depict the attached property description.



AECOM JN: 60603801  
DRAWN BY: JKB      DATE: 3/20/2023      SCALE: 1" = 30'

**AECOM**  
2315 BRIARGATE PARKWAY, SUITE 150  
COLORADO SPRINGS, CO 80920  
(719) 531-0001  
FAX (719) 531-0007  
AECOM PN: 60603801



## Exhibit B - PIE-80 5710 South Highway, LLC

TITLE:  
South Academy Boulevard Widening

REVISION: N/A      DRAWING NO. 80-Exhibit\_PIE-80.dgn      SHEET NO. 3 of 3

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**EXHIBIT "A"**  
**CITY OF COLORADO SPRINGS**  
**PROJECT: SOUTH ACADEMY BOULEVARD WIDENING**

DATE: March 16, 2023

**TEMPORARY CONSTRUCTION EASEMENT: TCE-80 and TCE-80A**  
**SITUATED IN THE SW ¼ OF SECTION 26 AND THE NW ¼ OF SECTION 35,**  
**TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,**  
**CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO**  
**LEGAL DESCRIPTION**

A Temporary Construction Easement No. TCE-80 being a part of that certain parcel of land as described in Reception Number 221048424 of the El Paso County Clerk and Recorder's Office Records, containing 533 sq. ft. (0.012 acres), more or less, in Lot 1, Block 1, Astro-Jet Subdivision Filing No. 2, recorded at Plat Book S-3, at Page 68, Reception Number 943701, of the El Paso County Clerk and Recorder's Office Records, in the Southwest Quarter of Section 26 and Northwest Quarter of Section 35, Township 14 South, Range 66 West, of the Sixth Principal Meridian, El Paso County, Colorado, said temporary construction easement being more particularly described as follows:

Commencing at the Southwest Corner of Section 23, Township 14 South, Range 66 West, of the Sixth Principal Meridian, as calculated from three reference monuments (two 3-1/4" aluminum caps both stamped "T14S R66W R.M. 47.17' S22 S23 S27 S26 L.S. 17665" and a #5 rebar, no cap); Thence S. 0°46'08" E., a distance of 5,266.36 feet to the northwest corner of said Lot 1; Thence N. 89°40'02" E., along the northerly line of said Lot 1, coincidentally being the south right of way Astrozon Boulevard, a distance of 35.61 feet to the **TRUE POINT OF BEGINNING**;

1. Thence N. 89°40'02" E., continuing along said northerly lot line, a distance of 5.03 feet;
2. Thence S. 41°41'52" W., a distance of 60.53 feet to the westerly line of said Lot 1, coincidentally being the east right of way line of Academy Boulevard;
3. Thence N. 0°41'03" W., along said westerly lot line, a distance of 4.29 feet;
4. Thence N. 19°06'03" E., a distance of 34.39 feet;
5. Thence N. 70°47'20" E., a distance of 25.44 feet, more or less, to the **TRUE POINT OF BEGINNING**.

The above described temporary construction easement contains 533 sq. ft. (0.012 acres), more or less.

The purpose of the above temporary construction easement is for road improvement purposes.

**ALSO**

A Temporary Construction Easement No. TCE-80A being a part of that certain parcel of land as described in Reception Number 221048424 of the El Paso County Clerk and Recorder's Office Records, containing 67 sq. ft. (0.002 acres), more or less, in Lot 1, Block 1, Astro-Jet Subdivision Filing No. 2, recorded at Plat Book S-3, at Page 68, Reception Number 943701, of the El Paso County Clerk and Recorder's Office Records, in the Northwest Quarter of Section 35, Township 14 South, Range 66 West, of the Sixth Principal Meridian, El Paso County, Colorado, said temporary construction easement being more particularly described as follows:

Commencing at the Southwest Corner of Section 23, Township 14 South, Range 66 West, of the Sixth Principal Meridian, as calculated from three reference monuments (two 3-1/4" aluminum caps both stamped "T14S R66W R.M. 47.17' S22 S23 S27 S26 L.S. 17665" and a #5 rebar, no cap); Thence S. 0°45'58" E., a distance of 5,329.67 feet to the westerly line of said Lot 1, coincidentally being the east right of way line of Academy Boulevard to the **TRUE POINT OF BEGINNING**;

1. Thence N. 89°20'20" E., a distance of 5.39 feet;
2. Thence S. 0°39'40" E., a distance of 12.44 feet;
3. Thence S. 89°20'20" W., a distance of 5.39 feet to said westerly line of Lot 1;
4. Thence N. 0°41'03" W., along said westerly lot line, a distance of 12.44 feet, more or less, to the **TRUE POINT OF BEGINNING**.

The above described temporary construction easement contains 67 sq. ft. (0.002 acres), more or less.

The purpose of the above temporary construction easement is for road improvement purposes.

**Basis of Bearings:** Bearings used in the calculations of coordinates are based on a grid bearing of N. 0°29'05" W. (a distance of 10,590.30 feet), from the Southwest Corner of Section 35, T.14 S., R.66 W., of the 6<sup>th</sup> P.M. as calculated from two reference monuments (a 3-1/4" aluminum cap stamped "URS T14S R66W R.M. 56.20' S34 S35 S3 S2 T15S R66W 2012 PLS 24313" and a 3-1/4" aluminum cap stamped "URS T14S R66W R.M. 38.26' S34 S35 S3 S2 T15S R66W 2012 PLS 24313) to the Southwest Corner of Section 23, T.14 S., R.66 W., of the 6<sup>th</sup> P.M. as calculated from three reference monuments (two 3-1/4" aluminum caps both stamped "T14S R66W R.M. 47.17' S22 S23 S27 S26 L.S. 17665" and a #5 rebar, no cap), as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

Prepared by:  
Stan Vermilyea, P.L.S. 25381  
For and on the behalf of AECOM  
2315 Briargate Parkway, Suite 150  
Colorado Springs, CO 80920

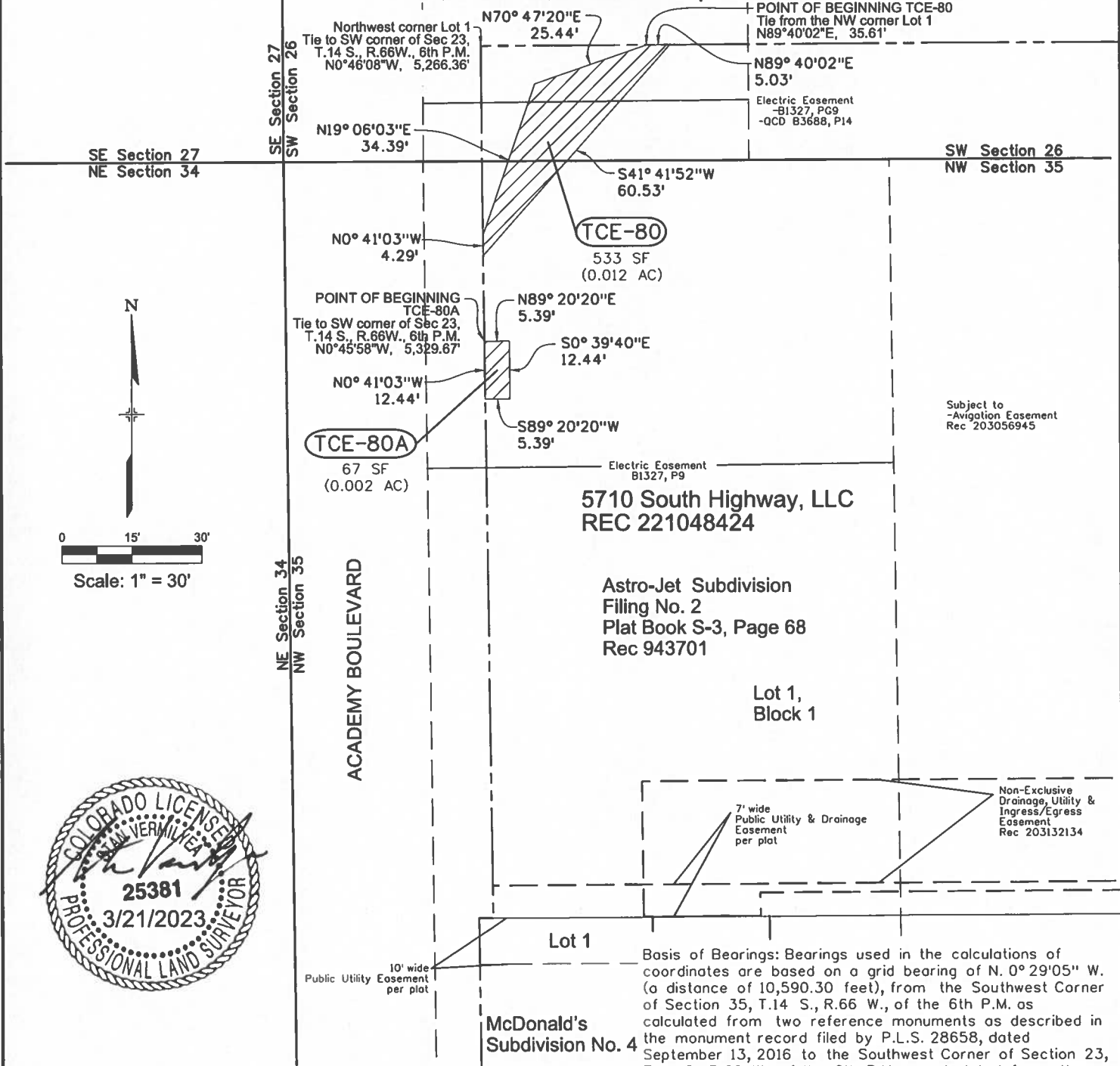


# Exhibit B

EXHIBIT D, Page 4 OF 4

SW 1/4 Section 26 and NW 1/4 Section 35  
T.14 S., R.66W., Sixth Principal Meridian

ASTROZON BLVD.



Subject to  
-Avigation Easement  
Rec 203056945

Note: This exhibit does not represent a monumented land survey. It is intended only to depict the attached property description.

AECOM JN: 60603801  
DRAWN BY: JKB    DATE: 3/20/2023    SCALE: 1" = 30'

**AECOM**  
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AECOM PN: 60603801

**COLORADO SPRINGS**

**PPRTA**  
PIKES PEAK RURAL TRANSPORTATION AUTHORITY

**Exhibit B - TCE-80 and TCE-80A**  
**5710 South Highway, LLC**

TITLE:  
**South Academy Boulevard Widening**

REVISION: N/A    DRAWING NO. 80-Exhibit\_TCE-80\_80A.dgn    SHEET NO. 4 of 4

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