

RESOLUTION NO. 127 - 23

A RESOLUTION AUTHORIZING THE USE OF A POSSESSION AND USE AGREEMENT AND EMINENT DOMAIN TO ACQUIRE REAL PROPERTY INTERESTS OWNED BY JE MARTIN LLC AND JENNIFER RASMUSSEN FOR THE TUTT BOULEVARD EXTENSION: DUBLIN BOULEVARD TO TEMPLETON GAP ROAD PROJECT

WHEREAS, the City of Colorado Springs ("City"), by and through its Department of 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 voters of the City, along with other participating governments, approved the establishment of the Pikes Peak Rural Transportation Authority ("PPRTA") to fund infrastructure and capital projects within an area which includes the City; and

WHEREAS, the Tutt Boulevard Extension: Dublin Boulevard to Templeton Gap Road Project (the "Project"), consists of capital improvements to public roads and stormwater infrastructure within the jurisdictional boundaries of the City, essential for the public health, safety and welfare of the City, which is a valid and necessary public purpose; and

WHEREAS, the Project was identified by PPRTA as a Priority "A" project that was approved by the voters in November 2012;

WHEREAS, the acquisition of real property interests for right-of-way and easements more particularly described on Exhibits A, C, E, G, I, K and depicted on Exhibits B, D, F, H, J, L (the "Property") owned by JE Martin LLC, a Colorado limited liability company, and Jennifer Rasmussen (the "Property Owners") is necessary for construction of the Project; and

WHEREAS, despite repeated attempts by the City to negotiate an amicable acquisition of the Property with the Property Owners, the City has been unable to negotiate an agreement for the purchase of the Property; 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 limits through institution of eminent domain proceedings, for all interests necessary for the City; and

WHEREAS, the City needs to acquire possession of the Property immediately to allow the Project to proceed as scheduled and to avoid delays which could adversely impact this Project and the City.

**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 the public health, safety, and welfare and that it has a need for and it is necessary to acquire the Property from the Property Owners for the purpose of constructing the Project which is for a public purpose.

Section 2. The City Attorney is hereby authorized to take all action necessary to acquire the Property and to seek immediate possession of the Property 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 12<sup>th</sup> day of September 2023.

  
Randy Helms, Council President

ATTEST:

  
Sarah B. Johnson, City Clerk



# Exhibit 'A'



JOB NO. 2467.15-11 RW  
APRIL 22, 2022  
PAGE 1 OF 3

619 N. Cascade Avenue, Suite 200 (719) 785-0790  
Colorado Springs, Colorado 80903 (719) 785-0799 (Fax)

## LEGAL DESCRIPTION: RIGHT OF WAY PARCEL 9

A PARCEL OF LAND BEING A PORTION LOT 1 AS PLATTED IN A.A. SUBDIVISION RECORDED IN PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, LOCATED IN SECTION 7, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE NORTHERLY RIGHT OF WAY LINE OF VICKIE LANE AS PLATTED IN A. A. SUBDIVISION RECORDED UNDER PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, BEING ALSO THE SOUTHERLY BOUNDARY OF LOT 1 AS PLATTED IN SAID A. A. SUBDIVISION BEING MONUMENTED AT WESTERLY END BY A NAIL AND WASHER STAMPED "PLS 2692" AND AT THE EASTERLY END BY A YELLOW PLASTIC SURVEYORS CAP STAMPED "PLS 18465" AND IS ASSUMED TO BEAR S60°02'36"E, A DISTANCE OF 268.19 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 1 AS PLATTED IN A. A. SUBDIVISION RECORDED UNDER PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE EASTERLY RIGHT WAY OF TUTT BOULEVARD (FORMERLY TEMPLETON GAP ROAD) SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF VICKIE LANE AS PLATTED IN SAID A. A. SUBDIVISION;

THENCE S60°02'36"E, ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE, A DISTANCE OF 147.45 FEET TO A POINT ON CURVE SAID POINT BEING THE POINT OF BEGINNING.

THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S84°20'39"W, HAVING A DELTA OF 10°42'36", A RADIUS OF 986.50 FEET AND A DISTANCE OF 184.40 FEET TO A POINT OF REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 05°43'45", A RADIUS OF 388.50 FEET AND A DISTANCE OF 38.85 FEET TO A POINT ON CURVE SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF SAID TUTT BOULEVARD;

THENCE N29°57'29"E, ON THE EASTERLY RIGHT OF WAY LINE OF SAID TUTT BOULEVARD, A DISTANCE OF 229.47 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 215093531;

THENCE S67°27'07"E, ON THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 215093531, A DISTANCE OF 14.44 FEET TO A POINT ON CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S64°24'55"E, HAVING A DELTA OF 41°57'02", A RADIUS OF 281.50 FEET AND A DISTANCE OF 206.11 FEET TO A POINT OF REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 14°12'28", A RADIUS OF 1093.50 FEET AND A DISTANCE OF 271.16 FEET TO A POINT OF TANGENT;

THENCE S02°09'29"E, A DISTANCE OF 7.81 FEET TO A POINT ON CURVE SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE;

THENCE ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N25°50'32"E, HAVING A DELTA OF 04°06'52", A RADIUS OF 105.78 FEET AND A DISTANCE OF 7.60 FEET TO A POINT OF TANGENT;
2. N60°02'36"W, A DISTANCE OF 120.74 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 37,325 SQUARE FEET.

Exhibit 'A'

JOB NO. 2467.15-11 RW  
APRIL 22, 2022  
PAGE 2 OF 3

LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30118  
FOR AND ON BEHALF OF CLASSIC CONSULTING  
ENGINEERS AND SURVEYORS, LLC

APRIL 25, 2022  
DATE

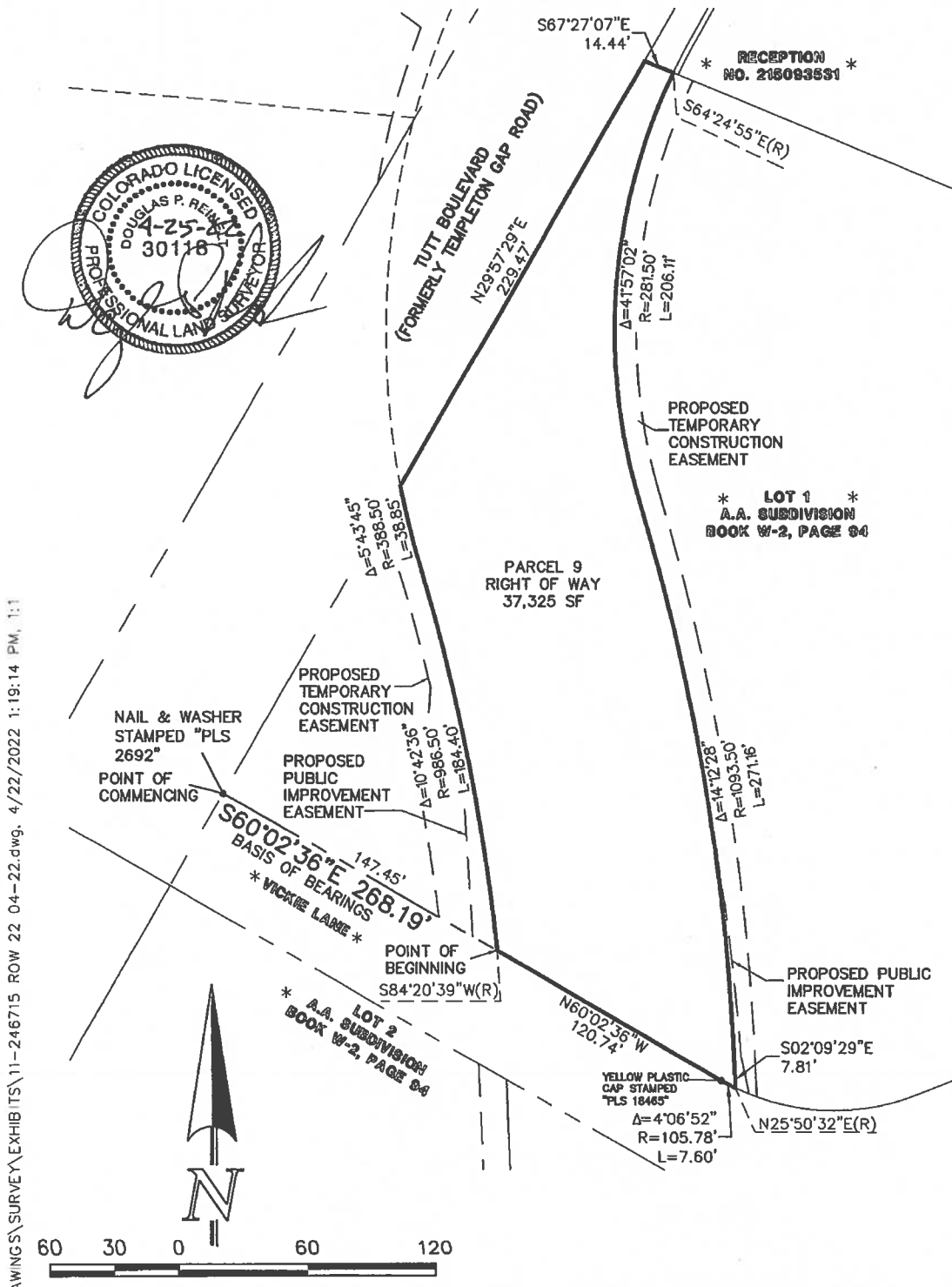




619 N. Cascade Avenue, Suite 200 (719)785-0790  
 Colorado Springs, Colorado 80903 (719)785-0799 (Fax)

Exhibit 'B'

TUTT BOULEVARD PHASE 2  
 PARCEL 9  
 RIGHT OF WAY EXHIBIT  
 JOB NO. 2467.15-11 RW  
 SHEET 3 OF 3  
 APRIL 22, 2022



N:\246715\DRAWING\SURVEY\EXHIBITS\11-246715 ROW 22 04-22.dwg, 4/22/2022 1:19:14 PM, 1:1

SCALE: 1" = 60' U.S. SURVEY FEET

CCES, LLC DOES NOT EXPRESS NOR IMPLY ANY WARRANTY WITH THE ABOVE WRITTEN LEGAL DESCRIPTION AND EXHIBIT. THE LEGAL DESCRIPTION WAS WRITTEN FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT DEPICT A MONUMENTED LAND SURVEY.

Exhibit 'C'



JOB NO. 2467.15-07 PIE  
MARCH 4, 2022  
PAGE 1 OF 2

619 N. Cascade Avenue, Suite 200 (719) 785-0790  
Colorado Springs, Colorado 80903 (719) 785-0799 (Fax)

**LEGAL DESCRIPTION: PUBLIC IMPROVEMENT EASEMENT PARCEL 7**

A PARCEL OF LAND BEING A PORTION LOT 1 AS PLATTED IN A.A. SUBDIVISION RECORDED IN PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, LOCATED IN SECTION 7, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE NORTHERLY RIGHT OF WAY LINE OF VICKIE LANE AS PLATTED IN A. A. SUBDIVISION RECORDED UNDER PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, BEING ALSO THE SOUTHERLY BOUNDARY OF LOT 1 AS PLATTED IN SAID A. A. SUBDIVISION BEING MONUMENTED AT WESTERLY END BY A NAIL AND WASHER STAMPED "PLS 2692" AND AT THE EASTERLY END BY A YELLOW PLASTIC SURVEYORS CAP STAMPED "PLS 18465" AND IS ASSUMED TO BEAR S60°02'36"E, A DISTANCE OF 268.19 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 1 AS PLATTED IN A. A. SUBDIVISION RECORDED UNDER PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE EASTERLY RIGHT WAY OF TUTT BOULEVARD (FORMERLY TEMPLETON GAP ROAD) SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF VICKIE LANE AS PLATTED IN SAID A. A. SUBDIVISION;

THENCE S60°02'36"E, ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE, A DISTANCE OF 134.56 FEET TO THE POINT OF BEGINNING.

THENCE N03°25'42"W, A DISTANCE OF 104.76 FEET TO A POINT ON CURVE;  
THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S77°48'52"W, HAVING A DELTA OF 06°31'47", A RADIUS OF 986.50 FEET AND A DISTANCE OF 112.43 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE;  
THENCE N60°02'36"W, ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE, A DISTANCE OF 12.88 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 683 SQUARE FEET.

**LEGAL DESCRIPTION STATEMENT:**

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF TO BE CORRECT.

  
DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30118



MARCH 10, 2022  
DATE

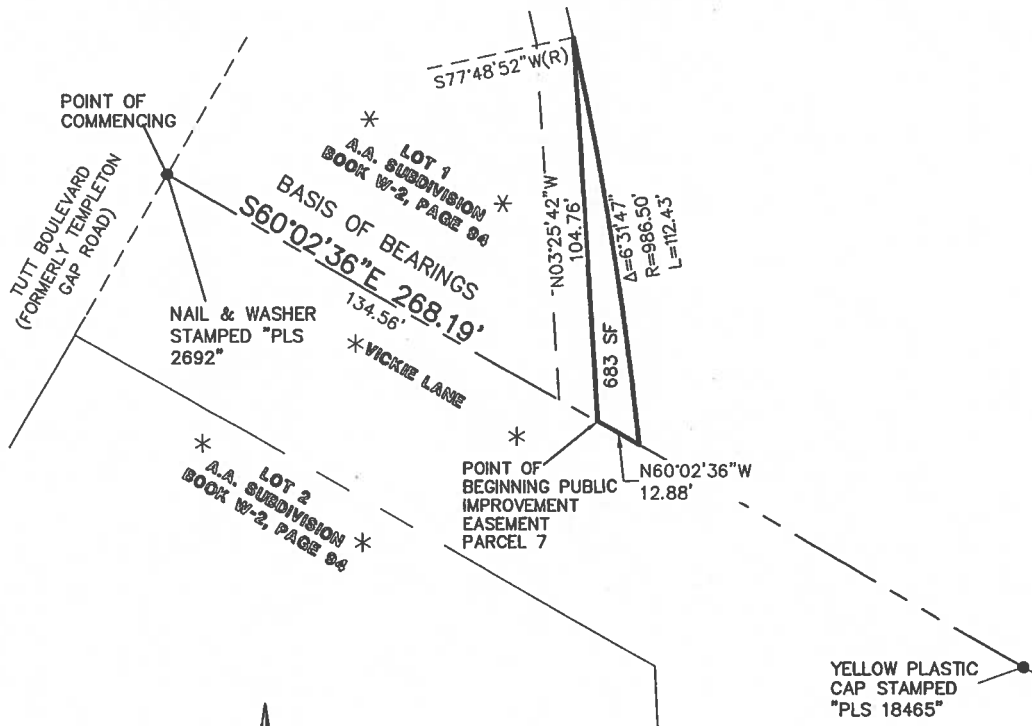
DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30118  
FOR AND ON BEHALF OF CLASSIC CONSULTING  
ENGINEERS AND SURVEYORS, LLC

Exhibit 'D'

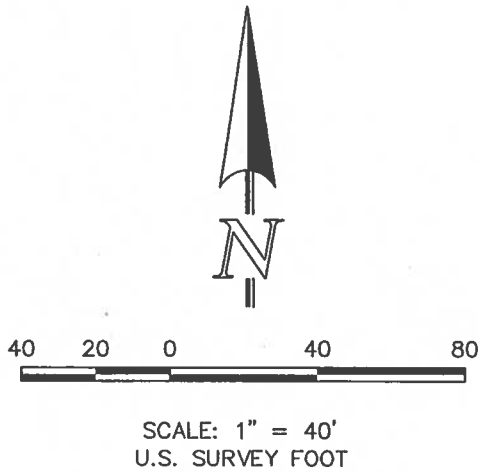


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TUTT BOULEVARD PHASE 2  
 PARCEL 7  
 JOB NO. 2467.15-07 PIE  
 MARCH 4, 2022  
 SHEET 2 OF 2



DRAWINGS\SURVEY\EXHIBITS\07-246715 PIE 22 03-04.dwg, 3/8/2022 8:11:34 AM, 1:1



ACCES, LLC DOES NOT EXPRESS NOR IMPLY ANY WARRANTY WITH THE ABOVE WRITTEN LEGAL DESCRIPTION AND EXHIBIT. THE LEGAL DESCRIPTION WAS WRITTEN FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT DEPICT A MONUMENTED LAND SURVEY.

# Exhibit 'E'



JOB NO. 2467.15-08 PIE  
MARCH 4, 2022  
PAGE 1 OF 2

619 N. Cascade Avenue, Suite 200 (719) 785-0790  
Colorado Springs, Colorado 80903 (719) 785-0799 (Fax)

## LEGAL DESCRIPTION: PUBLIC IMPROVEMENT EASEMENT PARCEL 8

A PARCEL OF LAND BEING A PORTION LOT 1 AS PLATTED IN A.A. SUBDIVISION RECORDED IN PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, LOCATED IN SECTION 7, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE NORTHERLY RIGHT OF WAY LINE OF VICKIE LANE AS PLATTED IN A. A. SUBDIVISION RECORDED UNDER PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, BEING ALSO THE SOUTHERLY BOUNDARY OF LOT 1 AS PLATTED IN SAID A. A. SUBDIVISION BEING MONUMENTED AT WESTERLY END BY A NAIL AND WASHER STAMPED "PLS 2692" AND AT THE EASTERLY END BY A YELLOW PLASTIC SURVEYORS CAP STAMPED "PLS 18465" AND IS ASSUMED TO BEAR S60°02'36"E, A DISTANCE OF 268.19 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 1 AS PLATTED IN A. A. SUBDIVISION RECORDED UNDER PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE EASTERLY RIGHT WAY OF TUTT BOULEVARD (FORMERLY TEMPLETON GAP ROAD) SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF VICKIE LANE AS PLATTED IN SAID A. A. SUBDIVISION;

THENCE ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE THE FOLLOWING TWO (2) COURSES:

1. S60°02'36"E, A DISTANCE OF 268.19 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 04°06'55", A RADIUS OF 105.78 FEET AND A DISTANCE OF 7.60 FEET TO A POINT ON CURVE SAID POINT BEING THE POINT OF BEGINNING.

THENCE N02°09'29"W, A DISTANCE OF 7.81 FEET TO A POINT OF CURVE;  
THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 06°36'58", A RADIUS OF 1093.50 FEET AND A DISTANCE OF 126.27 FEET TO A POINT ON CURVE;  
THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S79°32'41"W, HAVING A DELTA OF 06°24'39", A RADIUS OF 1065.00 FEET AND A DISTANCE OF 119.16 FEET TO A POINT ON CURVE;  
THENCE S12°03'22"E, A DISTANCE OF 18.61 FEET TO A POINT ON CURVE SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF SAID LOT 1;  
THENCE ON THE ARC OF A CURVE TO THE RIGHT BEING ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE, WHOSE CENTER BEARS N21°55'50"E, HAVING A DELTA OF 03°54'42", A RADIUS OF 105.78 FEET AND DISTANCE OF 7.22 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 279 SQUARE FEET.

## LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF TO BE TRUE AND CORRECT.

DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30118  
FOR AND ON BEHALF OF CLASSIC CONSULTING  
ENGINEERS AND SURVEYORS, LLC

MARCH 10, 2022  
DATE

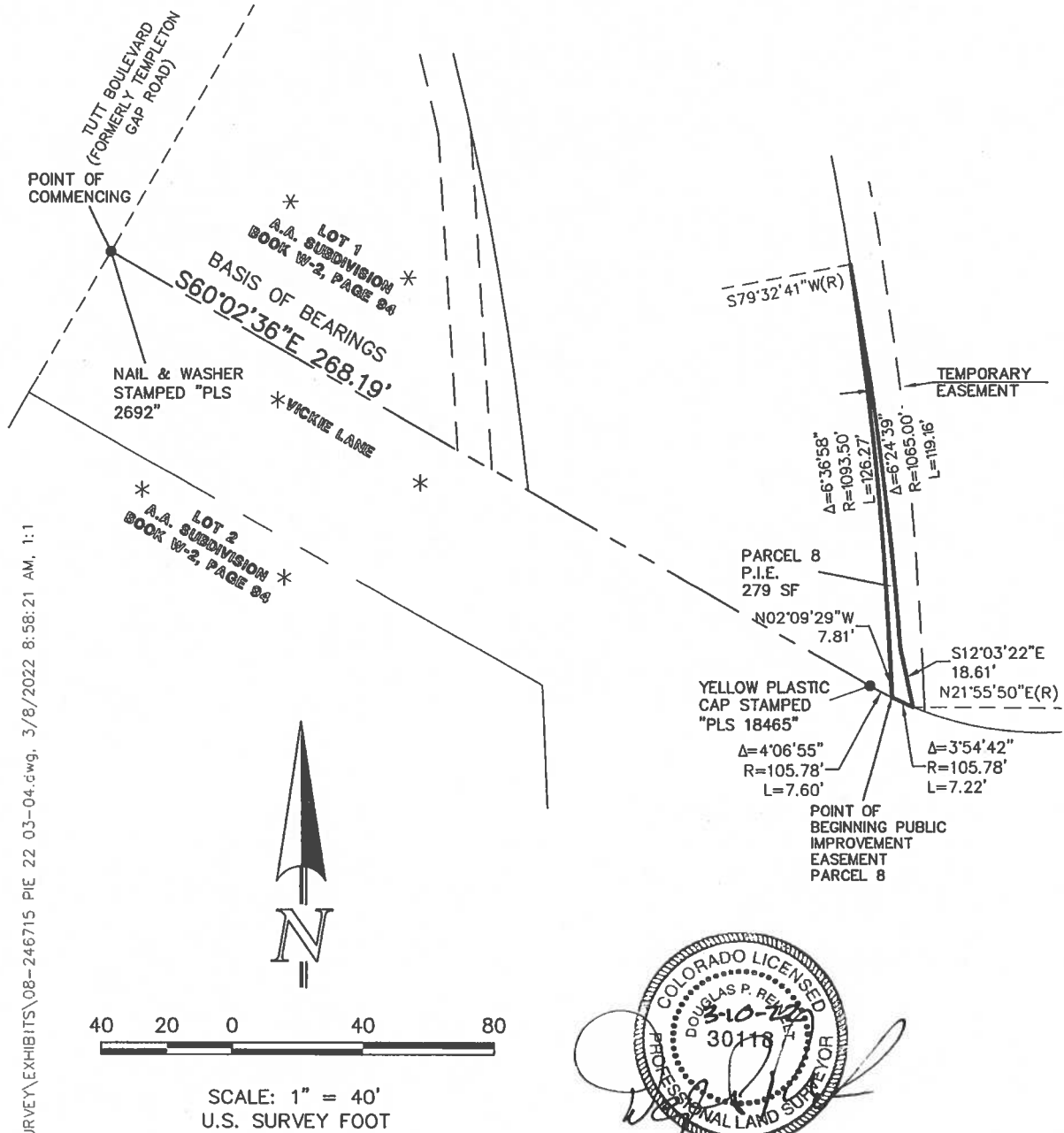


Exhibit 'F'



619 North Cascade Avenue, Suite 200 (719)785-0790  
 Colorado Springs, Colorado 80903 (719)785-0799 (Fax)

TUTT BOULEVARD PHASE 2  
 PARCEL 8  
 JOB NO. 2467.15-08 PIE  
 MARCH 4, 2022  
 SHEET 2 OF 2



N:\246715\DRAWINGS\SURVEY\EXHIBITS\08-246715 PIE 22 03-04.dwg, 3/8/2022 8:58:21 AM, 1:1

CLASSIC CONSULTING, LLC DOES NOT EXPRESS NOR IMPLY ANY WARRANTY WITH THE ABOVE WRITTEN LEGAL DESCRIPTION AND EXHIBIT. THE LEGAL DESCRIPTION WAS WRITTEN FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT DEPICT A MONUMENTED LAND SURVEY.



Exhibit 'G'



JOB NO. 2467.15-09 PDE  
MARCH 4, 2022  
PAGE 1 OF 2

619 N. Cascade Avenue, Suite 200 (719) 785-0790  
Colorado Springs, Colorado 80903 (719) 785-0799 (Fax)

**LEGAL DESCRIPTION: PUBLIC DRAINAGE EASEMENT**

A PARCEL OF LAND BEING A PORTION LOT 1 AS PLATTED IN A.A. SUBDIVISION RECORDED IN PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, LOCATED IN SECTION 7, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE NORTHERLY RIGHT OF WAY LINE OF VICKIE LANE AS PLATTED IN A. A. SUBDIVISION RECORDED UNDER PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, BEING ALSO THE SOUTHERLY BOUNDARY OF LOT 1 AS PLATTED IN SAID A. A. SUBDIVISION BEING MONUMENTED AT WESTERLY END BY A NAIL AND WASHER STAMPED "PLS 2692" AND AT THE EASTERLY END BY A YELLOW PLASTIC SURVEYORS CAP STAMPED "PLS 18465" AND IS ASSUMED TO BEAR S60°02'36"E, A DISTANCE OF 268.19 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 1 AS PLATTED IN A. A. SUBDIVISION RECORDED UNDER PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE EASTERLY RIGHT WAY OF TUTT BOULEVARD (FORMERLY TEMPLETON GAP ROAD) SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF VICKIE LANE AS PLATTED IN SAID A. A. SUBDIVISION SAID POINT BEING THE POINT OF BEGINNING;

THENCE N29°57'29"E, ON THE WESTERLY BOUNDARY OF SAID LOT 1 AND THE EASTERLY RIGHT OF WAY LINE OF SAID TUTT BOULEVARD (FORMERLY TEMPLETON GAP ROAD), A DISTANCE OF 35.00 FEET;

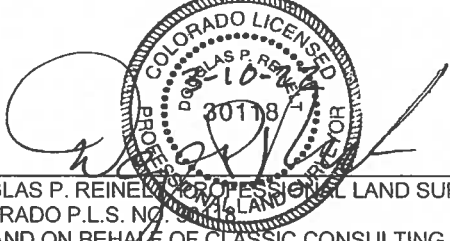
THENCE S60°02'36"E, A DISTANCE OF 121.17 FEET TO A POINT ON CURVE; THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S81°48'09"W, HAVING A DELTA OF 02°32'30", A RADIUS OF 986.50 FEET AND A DISTANCE OF 43.76 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE;

THENCE N60°02'36"W, ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE, A DISTANCE OF 147.44 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 4708 SQUARE FEET.

**LEGAL DESCRIPTION STATEMENT:**

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.

  
\_\_\_\_\_  
DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30118  
FOR AND ON BEHALF OF CLASSIC CONSULTING  
ENGINEERS AND SURVEYORS, LLC

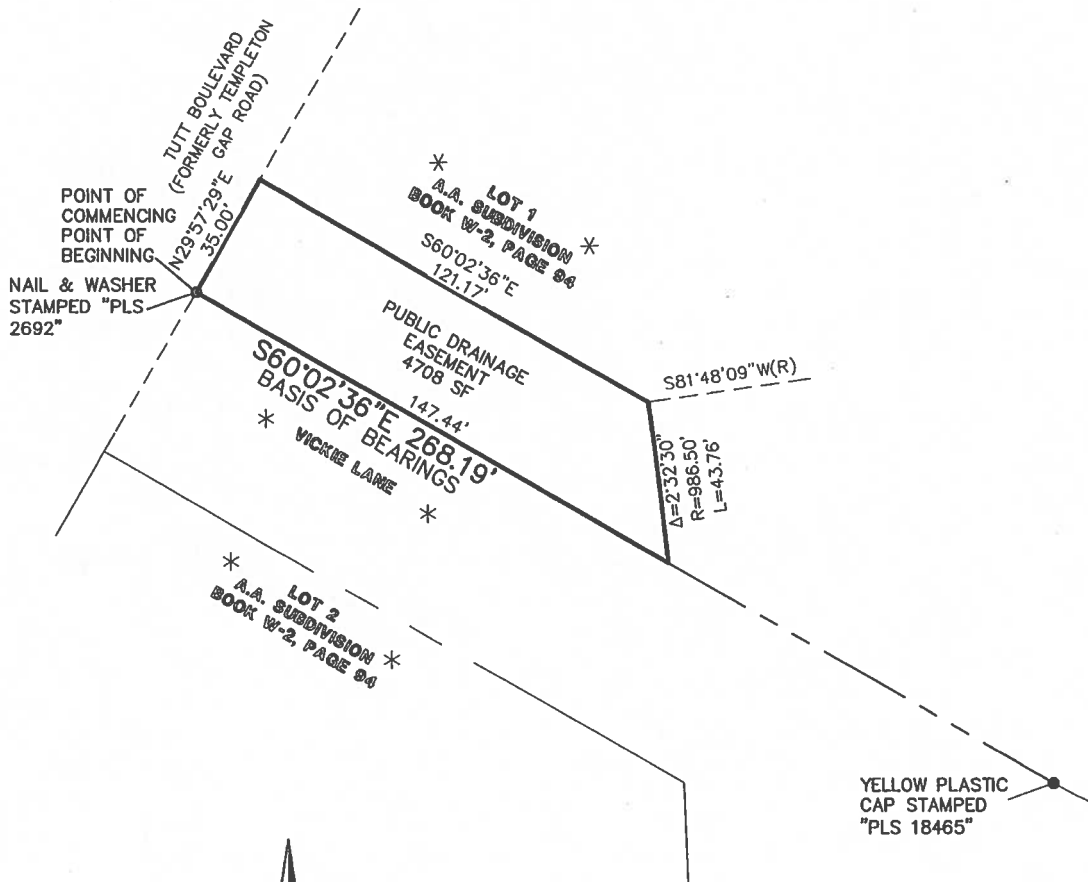
MARCH 10, 2022  
DATE



Exhibit 'H'

TUTT BOULEVARD  
JOB NO. 2467.15-09 PDE  
MARCH 4, 2022  
SHEET 2 OF 2

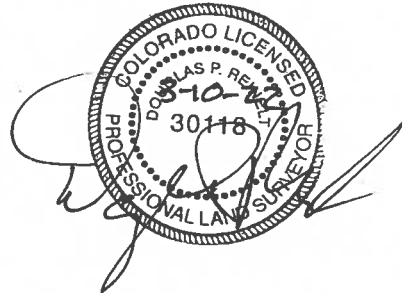
619 North Cascade Avenue, Suite 200 (719)785-0790  
Colorado Springs, Colorado 80903 (719)785-0799 (Fax)



N:\246715\DRAWINGS\SURVEY\EXHIBITS\09-246715 PDE 22 03-04.cwg, 3/8/2022 9:46:59 AM, 1:1



SCALE: 1" = 40'  
U.S. SURVEY FOOT



ACCES, LLC DOES NOT EXPRESS NOR IMPLY ANY WARRANTY WITH THE ABOVE WRITTEN LEGAL DESCRIPTION AND EXHIBIT. THE LEGAL DESCRIPTION WAS WRITTEN FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT DEPICT A MONUMENTED LAND SURVEY.

Exhibit 'I'



JOB NO. 2467.15-07 TCE  
MARCH 4, 2022  
PAGE 1 OF 2

619 N. Cascade Avenue, Suite 200 (719) 785-0790  
Colorado Springs, Colorado 80903 (719) 785-0799 (Fax)

**LEGAL DESCRIPTION: TEMPORARY CONSTRUCTION EASEMENT PARCEL 7**

A PARCEL OF LAND BEING A PORTION LOT 1 AS PLATTED IN A.A. SUBDIVISION RECORDED IN PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, LOCATED IN SECTION 7, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE NORTHERLY RIGHT OF WAY LINE OF VICKIE LANE AS PLATTED IN A. A. SUBDIVISION RECORDED UNDER PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, BEING ALSO THE SOUTHERLY BOUNDARY OF LOT 1 AS PLATTED IN SAID A. A. SUBDIVISION BEING MONUMENTED AT WESTERLY END BY A NAIL AND WASHER STAMPED "PLS 2692" AND AT THE EASTERLY END BY A YELLOW PLASTIC SURVEYORS CAP STAMPED "PLS 18465" AND IS ASSUMED TO BEAR S60°02'36"E, A DISTANCE OF 268.19 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 1 AS PLATTED IN A. A. SUBDIVISION RECORDED UNDER PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE EASTERLY RIGHT WAY OF TUTT BOULEVARD (FORMERLY TEMPLETON GAP ROAD) SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF VICKIE LANE AS PLATTED IN SAID A. A. SUBDIVISION;

THENCE S60°02'36"E, ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE, A DISTANCE OF 122.58 FEET TO THE POINT OF BEGINNING.

THENCE N03°25'42"W, A DISTANCE OF 97.40 FEET TO A POINT ON CURVE;  
THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S77°46'11"W, HAVING A DELTA OF 04°08'08", A RADIUS OF 976.50 FEET AND A DISTANCE OF 70.48 FEET TO A POINT OF REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 04°04'44", A RADIUS OF 398.50 FEET AND A DISTANCE OF 28.37 FEET TO A POINT ON CURVE SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF SAID TUTT BOULEVARD (FORMERLY TEMPLETON GAP ROAD) AND THE WESTERLY BOUNDARY OF SAID LOT 1;

THENCE N29°57'29"E, ON THE EASTERLY RIGHT OF WAY LINE OF SAID TUTT BOULEVARD (FORMERLY TEMPLETON GAP ROAD) AND THE WESTERLY BOUNDARY OF SAID LOT 1, A DISTANCE OF 15.11 FEET TO A POINT ON CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N79°21'48"E, HAVING A DELTA OF 05°43'45", A RADIUS OF 388.50 FEET AND A DISTANCE OF 38.85 FEET TO A POINT OF REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 04°10'49", A RADIUS OF 986.50 FEET AND A DISTANCE OF 71.98 FEET TO A POINT ON CURVE

THENCE S03°25'42"E, A DISTANCE OF 104.76 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID LOT 1;

THENCE N60°02'36"W, ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE, A DISTANCE OF 11.98 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 2059 SQUARE FEET.

**LEGAL DESCRIPTION STATEMENT:**

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY PERSONAL CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEFS.

DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30118  
FOR AND ON BEHALF OF CLASSIC CONSULTING  
ENGINEERS AND SURVEYORS, LLC

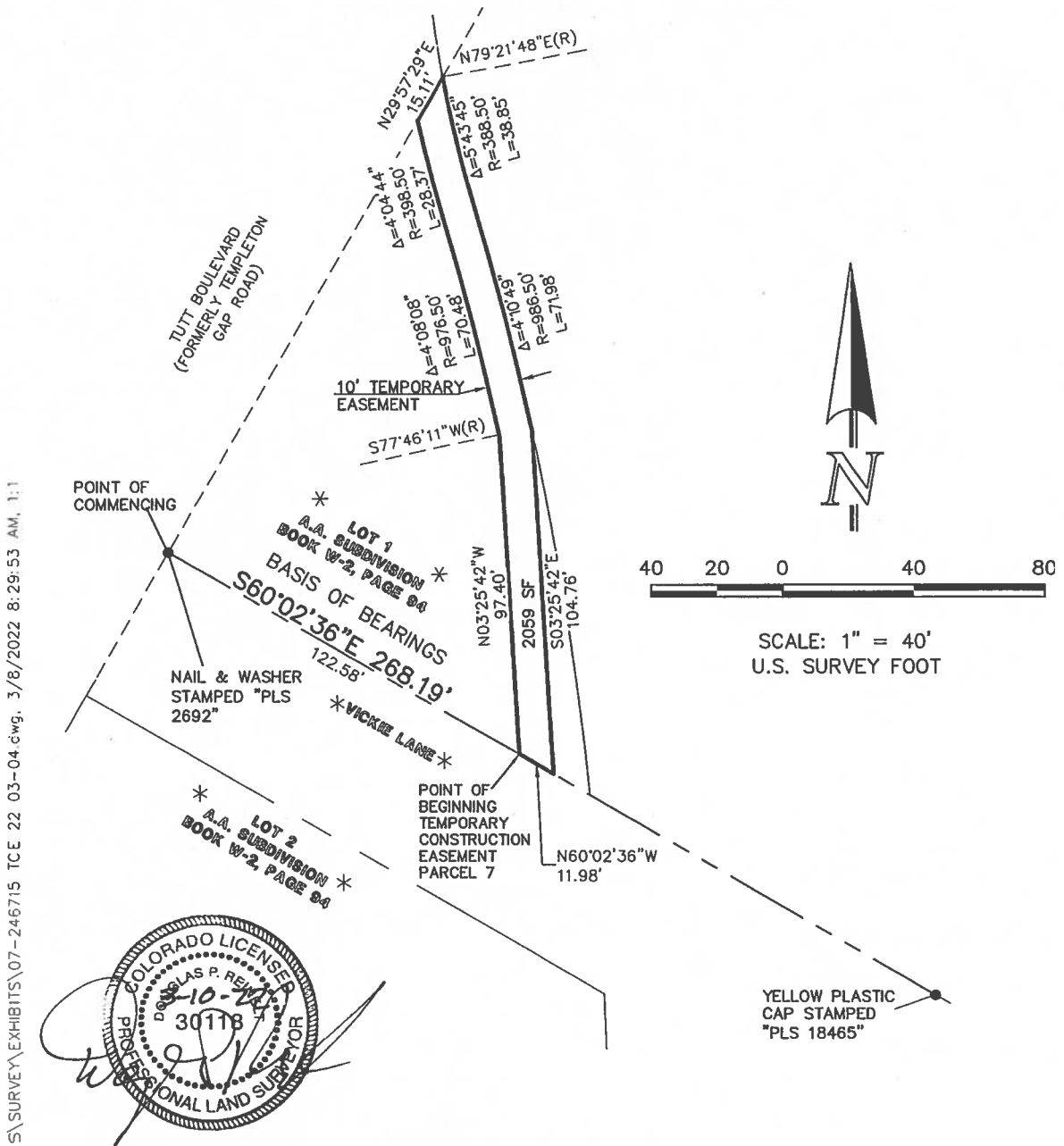
MARCH 10, 2022  
DATE

Exhibit 'J'



619 North Cascade Avenue, Suite 200 (719)785-0790  
 Colorado Springs, Colorado 80903 (719)785-0799 (Fax)

TUTT BOULEVARD PHASE 2  
 PARCEL 7  
 JOB NO. 2467.15-07 TCE  
 MARCH 4, 2022  
 SHEET 2 OF 2



DRAWINGS\SURVEY\EXHIBITS\07-246715 TCE 22 03-04.cwg, 3/8/2022 8:29:53 AM, 1:1

ACCES, LLC DOES NOT EXPRESS NOR IMPLY ANY WARRANTY WITH THE ABOVE WRITTEN LEGAL DESCRIPTION AND EXHIBIT. THE LEGAL DESCRIPTION WAS WRITTEN FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT DEPICT A MONUMENTED LAND SURVEY.



# Exhibit 'K'



JOB NO. 2467.15-08 TCE  
MARCH 4, 2022  
PAGE 1 OF 2

619 N. Cascade Avenue, Suite 200 (719) 785-0790  
Colorado Springs, Colorado 80903 (719) 785-0799 (Fax)

## LEGAL DESCRIPTION: TEMPORARY CONSTRUCTION EASEMENT PARCEL 8

A PARCEL OF LAND BEING A PORTION LOT 1 AS PLATTED IN A.A. SUBDIVISION RECORDED IN PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, LOCATED IN SECTION 7, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE NORTHERLY RIGHT OF WAY LINE OF VICKIE LANE AS PLATTED IN A. A. SUBDIVISION RECORDED UNDER PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, BEING ALSO THE SOUTHERLY BOUNDARY OF LOT 1 AS PLATTED IN SAID A. A. SUBDIVISION BEING MONUMENTED AT WESTERLY END BY A NAIL AND WASHER STAMPED "PLS 2692" AND AT THE EASTERLY END BY A YELLOW PLASTIC SURVEYORS CAP STAMPED "PLS 18465" AND IS ASSUMED TO BEAR S60°02'36"E, A DISTANCE OF 268.19 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 1 AS PLATTED IN A. A. SUBDIVISION RECORDED UNDER PLAT BOOK W-2 AT PAGE 94, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE EASTERLY RIGHT WAY OF TUTT BOULEVARD (FORMERLY TEMPLETON GAP ROAD) SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF VICKIE LANE AS PLATTED IN SAID A. A. SUBDIVISION;

THENCE ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 AND THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE THE FOLLOWING TWO (2) COURSES:

1. S60°02'36"E, A DISTANCE OF 268.19 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 08°01'34", A RADIUS OF 105.78 FEET AND A DISTANCE OF 14.82 FEET TO A POINT ON CURVE SAID POINT BEING THE POINT OF BEGINNING.

THENCE N12°03'22"W, A DISTANCE OF 18.61 FEET TO A POINT ON CURVE;  
THENCE ON ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S85°57'20"W, HAVING A DELTA OF 06°24'39", A RADIUS OF 1065.00 FEET AND A DISTANCE OF 119.16 FEET TO A POINT ON CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S81°13'33"W, HAVING A DELTA OF 07°35'30", A RADIUS OF 1093.50 FEET AND A DISTANCE OF 144.89 FEET TO A POINT OF REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 41°57'02", A RADIUS OF 281.50 FEET AND A DISTANCE OF 206.11 FEET TO A POINT ON CURVE SAID POINT BEING ON THE NORTHERLY BOUNDARY OF SAID LOT 1 AND ON THE SOUTHERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 215093531;

THENCE S67°27'07"E, ON THE NORTHERLY BOUNDARY OF SAID LOT 1 AND ON THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 215093531, A DISTANCE OF 10.01 FEET TO A POINT ON CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S64°18'12"E, HAVING A DELTA OF 42°03'45", A RADIUS OF 271.50 FEET AND A DISTANCE OF 199.32 FEET TO A POINT OF REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 14°12'28", A RADIUS OF 1103.50 FEET AND A DISTANCE OF 273.64 FEET TO A POINT OF TANGENT;

THENCE S02°09'29"E, A DISTANCE OF 12.47 FEET TO A POINT ON CURVE SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF SAID LOT 1;

THENCE ON THE ARC OF A CURVE TO THE RIGHT TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID LOT 1 BEING ALSO ON THE NORTHERLY RIGHT OF WAY LINE OF SAID VICKIE LANE, WHOSE CENTER BEARS N19°51'45"E, HAVING A DELTA OF 02°04'05", A RADIUS OF 105.78 FEET AND A DISTANCE OF 3.82 FEET TO THE POINT OF BEGINNING;

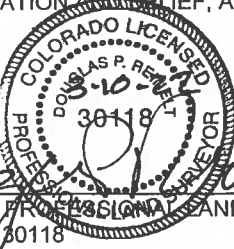

CONTAINING A CALCULATED AREA OF 4573 SQUARE FEET.

# Exhibit 'K'

JOB NO. 2467.15-08 TCE  
MARCH 4, 2022  
PAGE 2 OF 3

## LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION AND ATTACHED EXHIBIT WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, ARE CORRECT.



DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30118  
FOR AND ON BEHALF OF CLASSIC CONSULTING  
ENGINEERS AND SURVEYORS, LLC

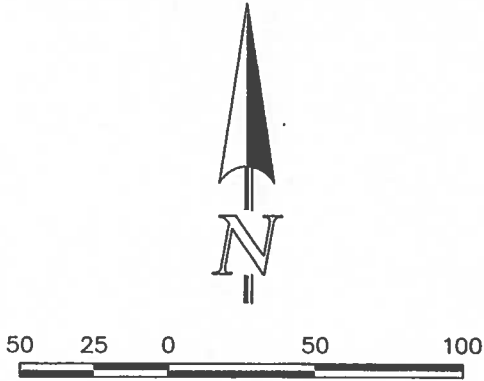
MARCH 10, 2022  
DATE

Exhibit 'L'



619 North Cascade Avenue, Suite 200 (719)785-0790  
 Colorado Springs, Colorado 80903 (719)785-0799 (Fax)

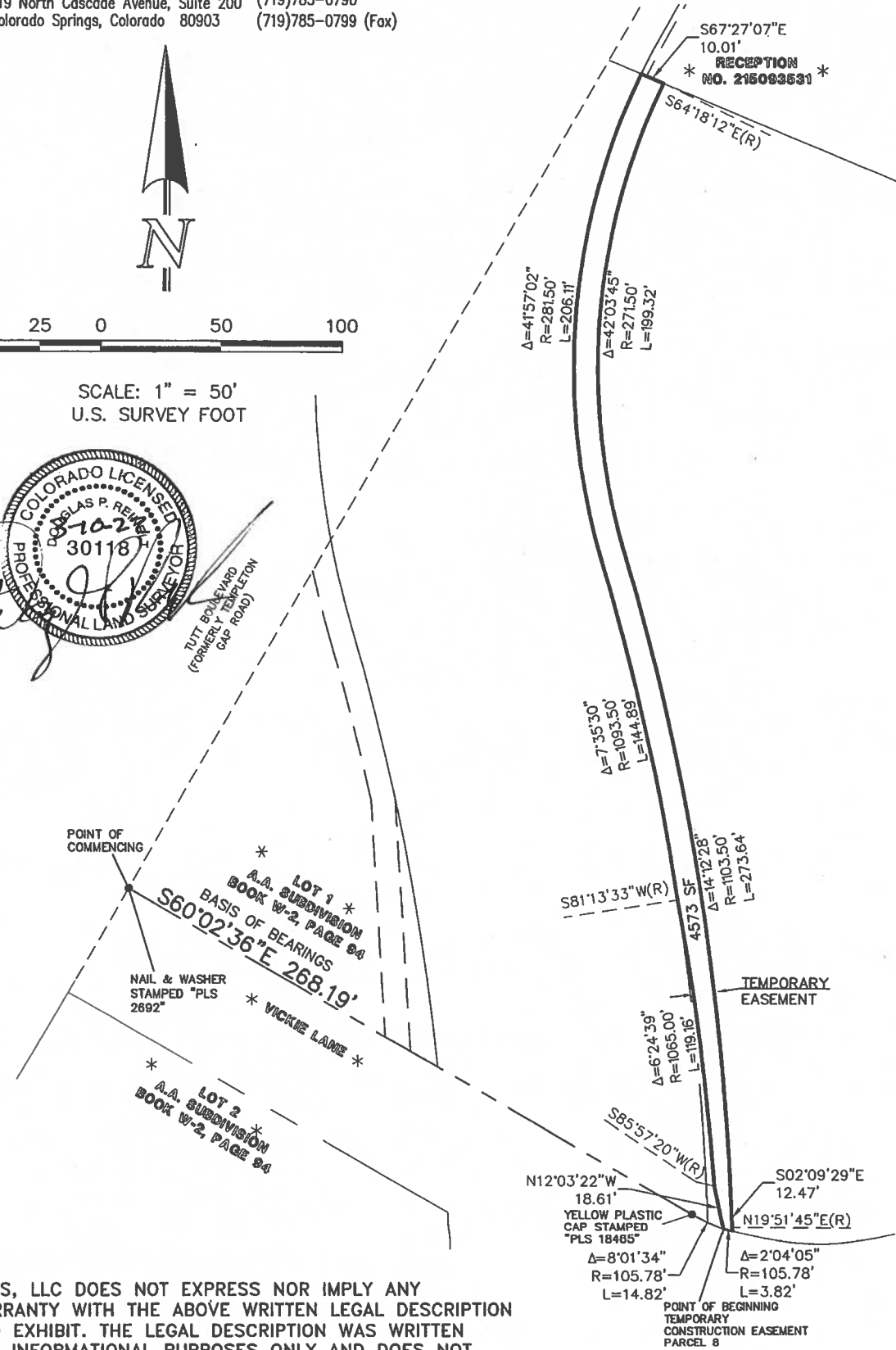
TUTT BOULEVARD PHASE 2  
 PARCEL 8  
 JOB NO. 2467.15-08 TCE  
 MARCH 4, 2022  
 SHEET 3 OF 3



SCALE: 1" = 50'  
 U.S. SURVEY FOOT



N:\246715\DRAWINGS\SURVEY\EXHIBITS\08-246715TCE 22 03-04.dwg, 3/8/2022 9:35:41 AM, 1:1



CCES, LLC DOES NOT EXPRESS NOR IMPLY ANY WARRANTY WITH THE ABOVE WRITTEN LEGAL DESCRIPTION AND EXHIBIT. THE LEGAL DESCRIPTION WAS WRITTEN FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT DEPICT A MONUMENTED LAND SURVEY.