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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission
Brian Risley, Chair

FROM: Nina Ruiz, Planner III
Gilbert LaForce, PE Engineer II
Craig Dossey, Executive Director

RE: Project File #: SF-18-034
Project Name: Walden Preserve 2 Filing No. 4
Parcel No.: 61230-01-023

OWNER:	REPRESENTATIVE:
Walden Holdings I, LLC 1230 Scarsbrook Court Monument, CO 80132	Custom Castles Building Company, Inc. 17145 Colonial Park Drive Monument, CO 80132

Commissioner District: 1

Planning Commission Hearing Date:	1/7/2020
Board of County Commissioners Hearing Date	1/28/2020

EXECUTIVE SUMMARY

A request by Walden Holding I, LLC, for approval of a final plat for the Walden Preserve 2 Filing No. 4 subdivision. The proposed final plat includes 45.27 acres of the 134.05 acre parent parcel, which is zoned PUD (Planned Unit Development), pursuant to the Walden Preserve 2 PUD Development Plan (PUD-18-007), and is located east of Highway 83, south of Walker Road, north of Hodgen Road, along the north side of the Pond View Place and Walden Way/Timber Meadow Drive intersection and is within Sections 14, 15, 22, and 23, Township 15 South, Range 66 West of the 6th P.M. The final plat includes the following: 23 single-family residential lots with a minimum lot size of one acre per lot; two tracts totaling 18.16 acres for utilities, drainage, open space,



and recreation; and three (3) acres of right-of-way. The property is included within the Black Forest Preservation Plan (1987) area.

A Park Lands Agreement, which memorialized an agreement between the County and the property owner to satisfy the park dedication and fee requirements of the County's Land Development Code, was approved by the Board of County Commissioners on March 20, 2014. The Agreement stipulated that the developer may satisfy regional park dedication and fee requirements for all 116 lots within the Walden Preserve 2 development at the time of recording the first final plat by constructing a regional trail as shown on the Regional Trail Exhibit attached to the Agreement, and by dedicating a public trail easement.

The public trail was required to be constructed in accordance with standards for a regional trail as specified in the El Paso County Parks Master Plan (2013). The Agreement also allowed the developer to satisfy urban park dedication and fee requirements by installing urban park amenities within the development. Under the Agreement, the developer would install urban park amenities that would have a value equal to or greater than the total amount of urban park fees that would otherwise be required (\$19,140 based on 2013 Urban Park fees).

The trail was not constructed to regional trail standards. The developer plans to enter into a new agreement which will require the payment of fees in lieu of park land dedication for Regional Park Fees for all future filings within the Walden Preserve 2 PUD area.

A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION

Request: A request by Walden Holdings I, LLC, for approval of a final plat to create twenty-three (23) single-family residential lots; two tracts totaling 18.16 acres for utilities, drainage, open space, and recreation; and three (3) acres of right-of-way.

Waiver(s)/Deviation(s): The following deviation from the standards of the El Paso County Engineering Criteria Manual (ECM) have been administratively approved by the County Engineer:

1. Appendix B Section B.1.3, Revisions and Updates, states if the original traffic impact study (TIS) is older than three years, an entirely new TIS shall be prepared. The applicant has submitted a deviation requesting that a full TIS be postponed to the next subdivision filing (Filing No. 5). The Preliminary Plan was approved with a condition limiting the subdivision to 66 lots prior to the requirement for the Pinehurst Circle connection to the north. The total platted lots for Filing Nos. 1 through 4 are 66 lots. The request has been approved since no significant changes to the internal roadway system is anticipated with Filing No. 4 and the future connection is required with Filing No. 5.

Authorization to Sign: Final Plat, Subdivision Improvements Agreement, Detention Pond Maintenance Agreement and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. PLANNING COMMISSION SUMMARY

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

In approving a final plat, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2019):

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the approved preliminary plan;
- The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
- A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;
- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of this Code;
- All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)];
- Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;

- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;
- Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;
- Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;
- The subdivision meets other applicable sections of Chapter 6 and 8; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §34-1-302(1), et seq.]

D. LOCATION

North: RR-0.5 (Residential Rural)	Residential
South: RR-5 (Residential Rural)	Residential
East: PUD (Planned Unit Development)	Residential
West: PUD (Planned Unit Development)	Vacant (Walden)

E. BACKGROUND

On December 16, 2004, the Board of County Commissioners approved the Walden Preserve PUD development plan (PUD-04-015), which rezoned the subject property from RR-3 (Residential Rural) (which is now known as RR-5 Residential Rural) to PUD (Planned Unit Development). The Walden Preserve PUD, as applied to the subject property, called for the phased development of 66 single-family residential lots on 208.8 acres at an overall density of one dwelling unit per 3.16 acres and a minimum lot size of 2.5 acres. On March 20, 2014, the Board of County Commissioners approved a rezoning request to rezone the property from PUD, pursuant to the Walden Preserve PUD development plan having a minimum lot size of 2.5 acres, to PUD, pursuant to the Walden Preserve 2 PUD development plan having a minimum lot size of 1.0 acre.

An administrative amendment to the preliminary plan and Planned Unit Development was approved on December 17, 2019. The amendment allowed for slight variations in the lot configuration but did not result in an increase in the overall density or in the creation of additional lots.

F. ANALYSIS

1. Land Development Code Compliance

The final plat application meets the final plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2019).

2. Zoning Compliance

This final plat is in compliance with the current Walden Preserve 2 PUD development plan, which provides zoning and land use requirements for the entire Walden Preserve 2 development.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues and provides a framework to tie together the more detailed sub-area elements of the County master plan. Relevant policies are as follows:

Policy 6.1.3- Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use, and access.

Policy 6.1.6- Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be development concurrently.

Policy 6.1.11- Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

Policy 6.1.13- Encourage the use of carefully planned and implemented clustering concepts in order to promote efficient land use, conservation of open space and reduction of infrastructure costs.

A finding of consistency with the Policy Plan was made at the Planned Unit Development (PUD) zoning and rezoning stages. The proposed final plat is consistent with the applicable PUD zoning and represents a logical progression of development within the overall Walden Preserve 2 development.

4. Small Area Plan Analysis

The property is located within the Black Forest Preservation Plan (1987) area, specifically within Subarea 5, Spruce Hill/Highway 83 Corridor. As noted above, a finding of conformity was made by the Board of County Commissioners at earlier stages in the planning process. The proposed final plat is consistent with those previous approvals.

5. Water Master Plan Analysis

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

The application was submitted prior to the adoption of the Water Master Plan, therefore, consistency with the Plan is not an applicable review criteria. For background purposes, the following analysis has been provided:

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

Goal 1.2 – Integrate water and land use planning.

Water sufficiency has been analyzed with the review of the proposed subdivision. Please see the Water section below for a summary of the water findings and recommendations for the proposed subdivision. The State Engineer and the County Attorney's Office have recommended that the proposed subdivision has an adequate water supply in terms of quantity and dependability.

6. Other Master Plan Elements

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

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

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards have been identified that would preclude development.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a moderate wildlife impact potential.

3. Floodplain

The subdivision is not impacted by a designated floodplain as indicated by FEMA Flood Insurance Rate Map No. 08041C0285G, which has an effective date of December 7, 2018.

4. Drainage and Erosion

The subdivision lies within the West Cherry Creek drainage basin (CYCY0400). The basin is unstudied and has no associated drainage or bridge fees. Drainage generally flows to the northeast. Runoff is conveyed by ditches, culverts and channels into an existing retention pond and proposed water quality facility. The applicant's engineering consultant prepared a drainage report in support of the final plat application. The report concludes that development of the proposed final plat would have no significant adverse drainage impact on downstream or surrounding areas. The drainage improvements to be constructed are proposed to be privately owned and maintained and are not eligible for reimbursement.

Grading and erosion control plans associated with the development identified permanent and temporary best management practices (BMPs) to prevent sediment and debris from affecting adjoining properties and the public drainage system before, during, and after construction. The applicants will need to obtain appropriate County permits, including an Erosion and Stormwater Quality Control Permit (ESQCP), for any proposed grading activity, along with any State-required permits, prior to construction. Pre-site development grading is not being requested.

5. Transportation

The applicant is not proposing to construct any roads that are identified in the El Paso County Major Transportation Corridors Plan Update (2016). The subdivision is accessed from Walden Way via an extension of Pinehurst Circle. All streets are planned to be public roads and will be dedicated to El Paso County. The platting of this subdivision will result in the dedication of approximately 0.35 miles of developer-constructed rural local roadways for ongoing County ownership and maintenance.

The Walden Preserve 2 Filing No. 4 subdivision is subject to the El Paso County Road Impact Fee Program (Resolution 18-471), as amended.

H. SERVICES

1. Water

Sufficiency:

Quality:

Quantity:

Dependability:

Attorney's summary: To be provided at the hearing.

2. Sanitation

Wastewater treatment will be provided via a centralized system managed by the Walden District.

3. Emergency Services

The property is within the Tri-Lakes Monument Fire Protection District. The District was sent a referral on the final plat application and have no outstanding comments or concerns.

4. Utilities

Mountain View Electric Association and Black Hills Energy will provide electrical and natural gas services, respectively.

5. Metropolitan Districts

The property is within the Walden Metropolitan District #2.

6. Parks/Trails

Fees in lieu of park land dedication will be due at the time of recording the final plat.

A Park Lands Agreement, which memorialized the agreement between the County and the property owner for satisfying the park dedication and fee requirements of the County's Land Development Code, was approved by the Board of County Commissioners on March 20, 2014. The Agreement stipulated that the developer may satisfy its regional park dedication and fee requirements for the entire 116 lots at the time of recording the first final plat within the property by constructing the regional trail within the property as shown on the Regional Trail Exhibit attached to the Agreement, and by dedicating the public trail easement.

The public trail was to be constructed in accordance with standards for a regional trail as specified in the El Paso County Parks Master Plan (2013). The developer also could satisfy its urban park dedication and fee requirements by installing urban park amenities within the property pursuant to the terms of the

Agreement. Under the Agreement, the developer would install urban park amenities that would have a value equal to or greater than the total amount of urban park fees that would be required (\$19,140 based on 2013 Urban Park fees).

The trail was not constructed to regional trail standards. The developer will enter into a new agreement which will require the payment of fees in lieu of park land dedication for Regional Park Fees for all future filings within the Walden Preserve 2 PUD area.

7. Schools

Fees in lieu of school land dedication in the amount of \$5,520.00 shall be paid to El Paso County for the benefit of Lewis Palmer School District No. 38 at the time of final plat recording

I. APPLICABLE RESOLUTIONS

Approval Page 19
Disapproval Page 20

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2019), staff recommends the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer’s Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer’s Office that all prior years’ taxes have been paid in full.

3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing prior to recording the final plat.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the final plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 18-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
10. Park fees in lieu of land dedication shall be paid at the time of plat recordation.
11. Fees in lieu of school land dedication in the amount of \$5,520.00 shall be paid to El Paso County for the benefit of Lewis Palmer School District No. 38 at the time of final plat recording.
12. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.

NOTATIONS

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.
2. Site grading or construction, other than installation of initial temporary control measures, may not commence until a preconstruction conference is held with Planning and Community Development Inspections staff and a construction permit is issued by the Planning and Community Development Department.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 56 adjoining property owners on December 19, 2019, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map

Letter of Intent

Plat Drawing

State Engineer's Letter

County Attorney's Letter

El Paso County Public Health Recommendation Letter

El Paso County Parcel Information

File Name: SF-18-034

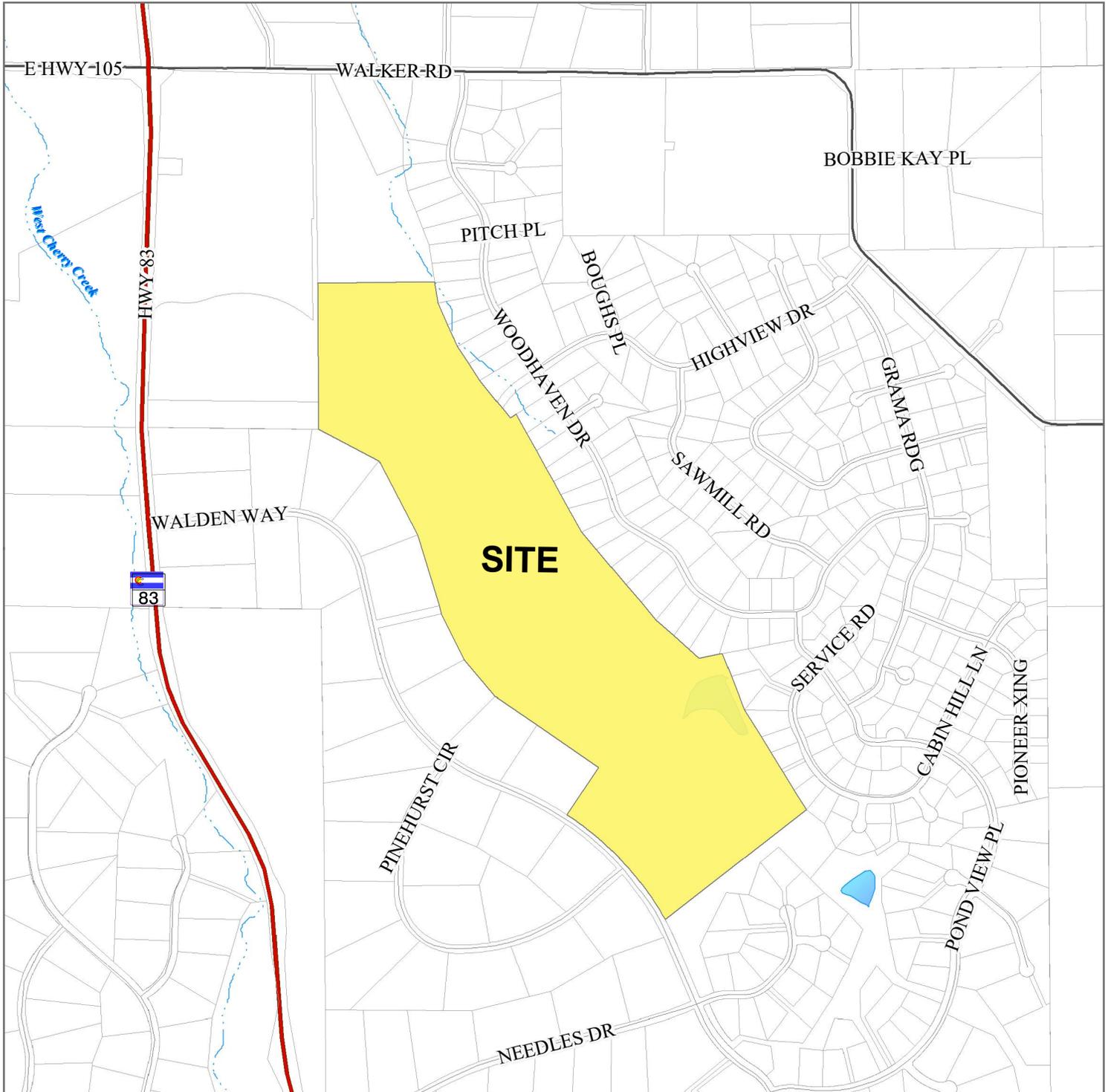
PARCEL	NAME
6123001023	WALDEN HOLDINGS I LLC

Zone Map No. --

ADDRESS	CITY	STATE
1230 SCARBROOK CT	MONUMENT	CO

ZIP	ZIPLUS
80132	8487

Date: December 18, 2019



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W. Garden of the Gods Rd.
 Colorado Springs, CO 80907
 520-6600



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LETTER OF INTENT

March 6, 2019
September 19, 2018

RE: WALDEN PRESERVE 2, FILING NO. 4, FINAL PLAT APPLICATION

PARCEL NUMBER: 61230 01 023

OWNER

Walden Holdings I, LLC a Colorado Limited Liability Company
Matthew W. Dunston, Managing Partner
17145 Colonial Park Dr.
Monument, CO 80132-8437

DEVELOPER

Custom Castles Building Company, Inc.
17145 Colonial Park Dr.
Monument, CO 80132-8487
719.339.2410
mattdunston@hotmail.com

CONSULTANTS

Land Resource Associates, c/o David Jones
9735 Mountain Road
Chipita Park, CO 80809
719.684.2298
chipita1@comcast.net

JPS Engineers, John Schwab, Principal Engineer
19 East Willamette Ave.
Colorado Springs, CO 80903
719.477.9429
john@jpsengr.com

LSC Transportation Consultants, Inc., Jeff Hodsdon, Principal Engineer
545 East Pikes Peak Ave., Suite 210
Colorado Springs, CO 80903
719.633.2868
jeff@lsctrans.com

Rampart Surveys, Kevin Lloyd, RLS
1050 Tamarac Pkwy
Woodland Park, CO 80863
719.687.0920
kevin@rampartls.com

SITE INFORMATION

The Walden Preserve 2, Filing No. 4, Final Plat is located within portions Sections 14, 15, 22 and 23, T11S, R66W of the 6th PM. More specifically, the property is located north of Walden Preserve 2 Filing 2 and 3, and east of Walden Way. Vehicular access to the site is currently provided from the west via Walden Way, a 70' ROW asphalt County rural residential collector roadway. Future vehicular access from the north will be provided via a future extension of Pinehurst Circle to Walker Road, a 60' ROW asphalt County rural residential collector roadway. The 45.27 acre site is currently zoned PUD.

DEVELOPMENT REQUEST

The applicant is requesting a Final Plat approval for the Walden Preserve 2 subdivision, Filing 4 subdivision. The 45.27 acre parcel will facilitate the development of 23 single family residential lots at a minimum lot size of 1.0 acres each and the development of 18.16 acres of open space. The proposed average lot size is 1.06 acres and the proposed gross density is 1 lot per 1.97 acres.

JUSTIFICATION FOR REQUEST

This application is consistent with the goals and objectives of the Black Forest Preservation Plan, approved PUD zoning and pending administrative approval of the Walden Preserve 3 amended Preliminary Plan and PUD Development Plans.

EXISTING AND PROPOSED IMPROVEMENTS

Existing improvements within this parcel are related to existing recreational opportunities including fishing ponds, structured play areas and trails. The area contains some drainage facilities related to earlier Walden Preserve filings. Storm water facilities are estimated to be less than 10% of the subdivision's total open space areas and have been designed such that they play an integral part in the subdivision's recreational activities.

Proposed improvements within this parcel include; 23 single family residential lots, County owned and maintained asphalt roadways, expanded recreational facilities, expanded trail facilities, drainage channels, drainage detention ponds, electric service, natural gas service and telephone service.

Water service, including fire hydrants, will be provided by a central water system. Waste water collection and treatment will be provided by a central waste water system. Both systems currently exist and are owned and operated by the development company. Work is currently underway to develop a Metropolitan District which would take over ownership, maintenance and operation of the water and waste water facilities. Should the applicant be unsuccessful in obtaining the various required governmental approvals and permits necessary to implement the proposed Metropolitan District, the current central water and waste water facilities owner, the Walden Corporation, will own and maintain the central water and waste water facilities proposed within this application.

Except as otherwise noted, all open space parcels and facilities, including storm water facilities located within the open space parcels, will be owned and maintained by the proposed Metropolitan District. Should the applicant be unsuccessful in obtaining the various require governmental approvals and permits necessary to implement the proposed Metropolitan District, the Walden Corporation, will own and maintain all proposed open space parcels and open space facilities.

The property is located within the service areas of Mountain View Electric Association, Blackhills Energy Corporation, Qwest Telephone, Tri-lakes Monument Fire Protection District and the Lewis-Palmer School District.

CRITERIA FOR APPROVAL

In approving a final plat, the BoCC/PCD Staff shall find that:

- *The proposed subdivision is in general conformance with the goals, objectives and policies of the Master Plan;* The amended Walden Preserve 2 Preliminary Plan and PUD Development Plans have been found by the BoCC/ PCD Staff to be generally consistent with the goals, objectives and policies of the Black Forest Preservation Plan. As the Filing 4 Final Plat is consistent with the approved amended Preliminary Plan and PUD Development Plans, Filing 4 can be found to be in general conformance with the Master Plan.
- *The subdivision is in substantial conformance with the approved Preliminary Plan;* The Filing No. 4 Final Plat accurately reflects the previously approved amended Preliminary Plan and amended PUD Development Plans.
- *The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents and other supporting materials;* Compliance with subdivision design standards, regulations and requirements is documented and ensured through the various State and County departmental and agency review responses.
- *A sufficient water supply has been acquired in terms of quantity, quality and dependability complying with all State and County water supply standards;* Water treatment, storage and distribution will be provided via a central water system currently operated by the Walden Corporation. See JPS Engineering's Water Resource Report, County Attorney's letter regarding the proposed water supply and the State Engineer's letter regarding the proposed water supply.
- *A public sewage disposal system has been established complying with all State and County sewage disposal system standards;* Waste water collection and treatment will be provided via a central waste water collection and treatment system operated by the Walden Corporation. See JPS Engineering's Waste Water Treatment Report.
- *All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions.* All areas containing soil hazards or requiring special precautions, including areas in excess of 30% slope, are located within the subdivision's open space areas outside of the proposed lots or roadways. See Entech Engineering's Soils, Geology and Geologic Hazards Report on file.
- *Adequate drainage improvements complying with State law and the requirements of this Code and the ECM are provided by the design;* See JPS Engineering's Master Development Drainage Report.
- *Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easements, acceptable to the County in compliance with this Code and the ECM;* All proposed lots have direct physical and legal vehicular access onto proposed dedicated public right-of-ways. See LRA's Amended Preliminary Plan and Amended PUD Development Plans.
- *Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;* Police protection for the Walden Preserve 2, Filing No. 4 subdivision will be provided by the El Paso County Sheriff's Office. The subdivision is located within and will be serviced by the Tri-lakes Monument Fire Protection District (see service commitment letter). Central water and waste water service will be provided by the Walden Corporation's existing central system. Electric service will be provided by Mountain View Electric Association and natural gas service will be provided by Black Hills Energy Corporation (see utility service commitment letters). Recreational opportunities will be provided via the subdivision's open space / trail network and will be greatly enhanced by the future YMCA facility planned at the northwest corner of the Walden community.

The public vehicular circulation network has been designed to provide safe and convenient vehicular circulation to and throughout the subdivision (see LSC's Traffic Impact Memorandum).

- *The subdivision provides evidence to show that the proposed methods of fire protection comply with Chapter 6 of the Land Development Code;* Because the Walden community's central water system includes fire hydrants and large quantities of stored fire suppression water, the developers of the Walden community work closely with the Tri-lakes Monument Fire Protection District to provide fire suppression infrastructure for the Walden community and surrounding subdivisions. The Walden Property Owners Association participates in the District's Firewise Communities Program and has integrated wildfire hazards mitigation measures into their communities Covenants and Restrictions. In addition, the developer has provided a fire break system via the subdivision's roadway and trail construction (see Fire Protection Report, District Service Commitment Letter and District application review response).
- *Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;* Off-site impacts generated by the development of Filing No. 4 are primarily related to traffic impacts including off-site roadway and intersection capacities and improvements required to mitigate any identified capacity deficiencies (see LSC's Traffic Memorandum). Additional off-site improvements related to Filing No. 4's water distribution and waste water collection systems will be required (see JPS Engineering's Utility Plans and Construction Documents).
- *Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;* Construction of all required Filing No. 4 public improvements will be the responsibility of the developer in accordance with County approved (1) construction documents and specifications, (2) estimate of guaranteed funds and (3) subdivision improvements agreement and guaranteed by a County approved letter of credit.
- *The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Land Development Code;* Chapter 6 of the LDC deals with general development standards while Chapter 8 deals with subdivision design, improvements and dedication standards. Compliance with these standards is documented and ensured through the various State and County departmental and agency review responses.
- *The extraction of any know commercial mining deposit shall not be impeded by this subdivision;* As documented within the Entech Engineering Soils, Geology and Geologic Hazards Report (on file), there are no know commercially viable mineral deposits within the subdivision.

SUPPLEMENTAL INFORMATION

The developer proposes to pay fees in lieu of land dedication for school dedication requirements.

The developer will be responsible for constructing all required subdivision improvements at his sole expense. Installation of the required improvements will be guaranteed by a completion bond, letter of credit or joint certificate of deposit acceptable to the El Paso County Board of County Commissioners.

There are no slopes exceeding 30% within the proposed lot areas or road ROW. A few areas of slopes exceeding 30% exist within the open space and storm water facilities areas and are limited to existing pond embankments and drainage swale side slopes. No construction is proposed within these areas.

All lots within this subdivision are subject to transportation impact fees in accordance with the El Paso County Road Impact Fee Program (Resolution No. 12-382), as amended, at the time of building permit

application. The Road Impact Fees will be paid on a per lot basis by each individual residential building contractor at the time of building permit application.

No waivers to the El Paso County Land Development Code or deviations to the El Paso County Engineering Criteria Manual are proposed within this application.

WALDEN PRESERVE 2, FILING NO. 4 LOCATED IN THE SW1/4 OF SEC. 14, THE SE1/4 OF SEC. 15, THE NE1/4 OF SEC. 22 & THE NW1/4 OF SEC. 23, ALL IN T. 11 S., R. 66 W. OF THE 6th P.M., EL PASO COUNTY, COLORADO

KNOW ALL MEN BY THESE PRESENTS:

THAT WALDEN HOLDINGS I, LLC, A COLORADO LIMITED LIABILITY COMPANY, MATTHEW W. DUNSTON, MANAGER, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

TO WIT:

A TRACT OF LAND BEING A PORTION OF THAT TRACT OF LAND AS DESCRIBED IN DEED RECORDED UNDER RECEPTION NO. 213109361 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, LOCATED IN THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (SW1/4 SW1/4) OF SECTION 14, THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (SE1/4 SW1/4) OF SECTION 15, THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER (NE1/4 NE1/4) OF SECTION 22 AND THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NW1/4 NW1/4) OF SECTION 23, ALL IN TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF TRACT A, WALDEN PRESERVE 2, FILING NO. 2, AS RECORDED UNDER RECEPTION NO. 215713641 OF SAID COUNTY RECORDS, SAID POINT ALSO BEING THE COMMON SOUTHWESTERLY CORNER OF LOT 9 AND LOT 10, WALDEN PRESERVE FILING NO. 1, AS RECORDED UNDER RECEPTION NO. 205122356 OF SAID COUNTY RECORDS, AS MONUMENTED BY A REBAR AND RED CAP STAMPED "PLS RLS 25968" FROM WHICH THE MOST WESTERLY CORNER OF SAID TRACT A, SAID POINT ALSO BEING A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF WALDEN WAY, AS SHOWN ON THE PLAT OF WALDEN III, AS RECORDED IN PLAT BOOK H-2 AT PAGE 19 UNDER RECEPTION NO. 000417849 OF SAID COUNTY RECORDS, AS MONUMENTED BY A REBAR AND ORANGE CAP STAMPED "RAMPART PLS 25968" BEARS S52°00'21"W (PER SAID PLAT OF WALDEN PRESERVE 2, FILING NO. 2), A DISTANCE OF 1329.52 FEET (OF RECORD) AND IS THE BASIS OF BEARINGS USED HEREIN;

THENCE S52°00'21"W ALONG THE NORTHWESTERLY LINE OF SAID TRACT A, A DISTANCE OF 1329.52 FEET TO THE MOST WESTERLY CORNER THEREOF, SAID POINT ALSO BEING A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE;

THENCE ALONG THAT LINE COMMON TO SAID TRACT AND SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF A 2185.61 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 28°23'06", AN ARC LENGTH OF 1082.77 FEET (THE LONG CHORD OF WHICH BEARS N41°00'30"W, A LONG CHORD DISTANCE OF 1071.73 FEET) TO AN ANGLE POINT ON THE WESTERLY LINE OF SAID TRACT, SAID POINT ALSO BEING THE MOST SOUTHERLY CORNER OF TRACT 10 OF SAID WALDEN III;

THENCE ALONG THAT LINE COMMON TO SAID TRACT AND THE WESTERLY LINE OF SAID WALDEN PRESERVE FILING NO. 1, THE FOLLOWING TWO (2) COURSES:

- 1.) THENCE N44°07'06"E, A DISTANCE OF 417.69 FEET;
 - 2.) THENCE N54°20'22"W, A DISTANCE OF 231.20 FEET;
- THENCE N44°28'12"E, A DISTANCE OF 844.52 FEET;
- THENCE N80°11'30"E ALONG THE SOUTHERLY LINE OF WALDEN III, FILING 3, AS RECORDED IN PLAT BOOK R-2 AT PAGE 49 UNDER RECEPTION NO. 029800707 OF SAID COUNTY RECORDS AND THE WESTERLY EXTENSION THEREOF, A DISTANCE OF 518.58 FEET TO THE NORTHWEST CORNER OF SAID WALDEN PRESERVE FILING NO. 1;
- THENCE ALONG THAT LINE COMMON TO SAID TRACT AND THE WESTERLY LINE OF SAID WALDEN PRESERVE FILING NO. 1, THE FOLLOWING TWO (2) COURSES:
- 1.) THENCE S20°41'02"E, A DISTANCE OF 442.48 FEET;
 - 2.) THENCE S30°46'38"E, A DISTANCE OF 866.95 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 45.27 ACRES OF LAND, MORE OR LESS.

DEDICATION:

THE UNDERSIGNED, BEING THE OWNERS AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAS LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO LOTS, TRACTS, STREETS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF "WALDEN PRESERVE 2, FILING NO. 4". ALL PUBLIC IMPROVEMENTS SO PLATED ARE HEREBY DEDICATED TO PUBLIC USE AND SAID OWNER DOES HEREBY COVENANT AND AGREE THAT THE PUBLIC IMPROVEMENTS WILL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS AND THAT PROPERTY DRAINAGE AND EROSION CONTROL FOR SAME WILL BE PROVIDED AT SAID OWNER'S EXPENSE, ALL TO THE SATISFACTION OF THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, UPON ACCEPTANCE BY RESOLUTION, ALL PUBLIC IMPROVEMENTS SO DEDICATED WILL BECOME MATTERS OF MAINTENANCE BY EL PASO COUNTY, COLORADO. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

MATTHEW W. DUNSTON

STATE OF COLORADO }
COUNTY OF EL PASO } ss

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019, BY MATTHEW W. DUNSTON.

MY COMMISSION EXPIRES: _____

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY PUBLIC: _____

SUMMARY:

23 LOTS	24.11 ACRES	53.26%
2 TRACTS	18.16 ACRES	40.11%
RIGHT-OF-WAY	3.00 ACRES	6.63%
TOTAL	45.27 ACRES	100.00%

FEES:

DRAINAGE FEE:	_____
BRIDGE FEE:	_____
SCHOOL FEE:	_____
PARK FEE:	_____

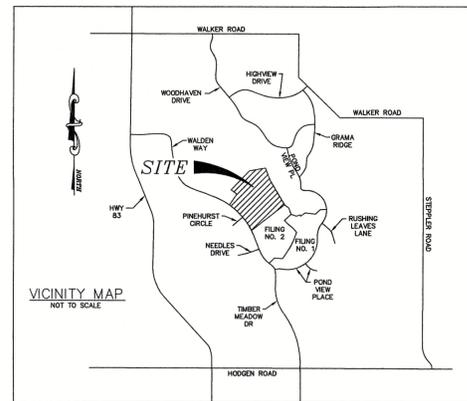
RECORDING:

STATE OF COLORADO }
COUNTY OF EL PASO } ss

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT MY OFFICE AT _____ O'CLOCK _____ M., THIS _____ DAY OF _____, 2019, A.D., AND IS DULY RECORDED UNDER RECEPTION NUMBER _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CHUCK BROERMAN, RECORDER

FEES: _____ BY: _____
DEPUTY



BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

THIS PLAT FOR WALDEN PRESERVE 2, FILING NO. 4 WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS ON THE _____ DAY OF _____, 2019, SUBJECT TO ANY NOTES SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RESOLUTION OF APPROVAL, THE DEDICATIONS OF LAND TO THE PUBLIC (STREETS, TRACTS AND EASEMENTS) ARE ACCEPTED, BUT PUBLIC IMPROVEMENTS THEREON WILL NOT BECOME THE MAINTENANCE RESPONSIBILITY OF EL PASO COUNTY UNTIL PRELIMINARY ACCEPTANCE OF THE PUBLIC IMPROVEMENTS IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL, AND THE SUBDIVISION IMPROVEMENTS AGREEMENT.

CHAIR, BOARD OF COUNTY COMMISSIONERS _____ DATE _____

PCD DIRECTOR CERTIFICATE:

THIS PLAT FOR WALDEN PRESERVE 2, FILING NO. 4 WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR ON THE _____ DAY OF _____, 2019, SUBJECT TO ANY NOTES OR CONDITIONS SPECIFIED HEREON.

PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR _____

SURVEYOR'S CERTIFICATION:

I, ERIC SIMONSON, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON NOVEMBER 1, 2018, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:10,000; AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISION OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE EL PASO COUNTY LAND DEVELOPMENT CODE.

I ATTEST THE ABOVE ON THIS _____ DAY OF _____, 2019.

ERIC SIMONSON, COLORADO PLS 38560 DATE _____
FOR AND ON BEHALF OF:
RAMPART SURVEYS, LLC
P.O. BOX 5101
WOODLAND PARK, CO 80866
(719) 687-0920

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

FLOOD PLAIN CERTIFICATION:

ACCORDING TO NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NUMBER 0804100285G (MAP REVISED DECEMBER 7, 2018), THE SUBJECT PROPERTY LIES WITHIN OTHER AREAS, ZONE X, AREAS DETERMINED TO BE SUBJECT TO THE 0.2% ANNUAL CHANCE FLOODPLAIN. NO STRUCTURES ARE PERMITTED WITHIN DESIGNATED FLOODPLAIN AREAS.

EASEMENTS:

UNLESS OTHERWISE INDICATED, ALL SIDE LOT LINES ARE HEREBY PLATTED WITH A TEN FOOT (10') PUBLIC UTILITIES AND DRAINAGE EASEMENT, ALL REAR LOT LINES ARE HEREBY PLATTED WITH A TEN FOOT (10') PUBLIC UTILITIES AND DRAINAGE EASEMENT AND ALL FRONT LOT LINES ARE HEREBY PLATTED WITH A FIFTEEN FOOT (15') PUBLIC IMPROVEMENTS, PUBLIC UTILITIES AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR MAINTENANCE OF ALL HEREBY DESCRIBED EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNERS.

ADDITIONAL EASEMENT NOTE NO. 1 = 30' COMMON INGRESS, EGRESS AND UTILITY EASEMENT OVER, UNDER AND ACROSS LOT 3 FOR THE BENEFIT OF LOTS 2, 3 AND 4.

ADDITIONAL EASEMENT NOTE NO. 2 = 30' COMMON INGRESS, EGRESS AND UTILITY EASEMENT OVER, UNDER AND ACROSS LOT 9 FOR THE BENEFIT OF LOTS 8, 9 AND 10.

ADDITIONAL EASEMENT NOTE NO. 3 = 30' TO 32.40' WIDE COMMON INGRESS, EGRESS AND UTILITY EASEMENT OVER, UNDER AND ACROSS LOT 12 FOR THE BENEFIT OF LOTS 11, 12 AND 13.

ADDITIONAL EASEMENT NOTE NO. 4 = 30' COMMON INGRESS, EGRESS AND UTILITY EASEMENT OVER, UNDER AND ACROSS LOT 23 FOR THE BENEFIT OF LOTS 22 AND 23.

NOTES:

1. ALL BEARINGS USED ON THIS PLAT ARE BASED ON AN ASSUMED BEARING OF S52°00'21"W (N52°00'21"E PER THE PLAT OF WALDEN PRESERVE 2, FILING NO. 2, AS RECORDED UNDER RECEPTION NO. 215713641 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER), A DISTANCE OF 1329.52 FEET (OF RECORD) BETWEEN THE MOST NORTHERLY CORNER OF TRACT A OF SAID WALDEN PRESERVE 2, FILING NO. 2, SAID POINT ALSO BEING THE COMMON SOUTHWESTERLY CORNER OF LOT 9 AND LOT 10, WALDEN PRESERVE FILING NO. 1, AS RECORDED UNDER RECEPTION NO. 205122356 OF SAID COUNTY RECORDS, AS MONUMENTED BY A REBAR AND RED CAP STAMPED "PLS RLS 25968", AND THE MOST WESTERLY CORNER OF SAID TRACT A, SAID POINT ALSO BEING A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF WALDEN WAY, AS SHOWN ON THE PLAT OF WALDEN III, AS RECORDED IN PLAT BOOK H-2 AT PAGE 19 UNDER RECEPTION NO. 000417849 OF SAID COUNTY RECORDS, AS MONUMENTED BY A REBAR AND ORANGE CAP STAMPED "RAMPART PLS 25968".
2. THIS PLAT DOES NOT CONSTITUTE A TITLE SEARCH BY RAMPART SURVEYS FOR EITHER OWNERSHIP OR EASEMENTS OF RECORD. FOR EASEMENTS OF RECORD SHOWN HEREON RAMPART SURVEYS RELIED ON A COMMITMENT FOR TITLE INSURANCE PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 570-FO610334-370-CSP, AMENDMENT NO. 1 (EFFECTIVE DATE: SEPTEMBER 8, 2018 AT 7:00 A.M.) AS PROVIDED TO RAMPART SURVEYS BY THE CLIENT. NO OTHER EASEMENTS OF RECORD ARE SHOWN EXCEPT AS FOUND THEREIN. THE NUMBERS USED BELOW CORRESPOND WITH THE NUMBERS USED IN SCHEDULE B - SECTION 2 EXHIBITS OF THE REFERENCED TITLE COMMITMENT.

1. THRU 7., & 50. RAMPART SURVEYS DID NOT ADDRESS THESE ITEMS.
8. THE PROPERTY IS SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS AND LIEN RIGHTS, WHICH DO NOT INCLUDE A FORFEITURE OR REVERTER CLAUSE, SET FORTH IN THE DECLARATION, RECORDED AUGUST 9, 2005 AT RECEPTION NO. 205122348. AMENDMENT RECORDED NOVEMBER 19, 2012 AT RECEPTION NO. 212137689 AND JUNE 30, 2015 AT RECEPTION NO. 215068490 AND JUNE 30, 2015 AT RECEPTION NO. 215068494.
9. THE PROPERTY IS SUBJECT TO RESERVATIONS AS SET FORTH IN DEED RECORDED APRIL 24, 1951 IN BOOK 1292 AT PAGE 23.
10. THE PROPERTY IS SUBJECT TO THE EFFECTS OF AND ANY TAX, ASSESSMENT, FEE, CHARGE OR INCREASE IN MILL VALUE RESULTING FROM THE INCLUSION OF THE SUBJECT PROPERTY IN THE DOUGLAS COUNTY SOIL CONSERVATION DISTRICT AS DISCLOSED BY CERTIFICATE RECORDED OCTOBER 10, 1960 AT RECEPTION NO. 169543.
11. THE PROPERTY IS SUBJECT TO ALL MINERAL RIGHTS CONVEYED TO WALDEN CORPORATION IN DEED RECORDED JULY 18, 1968 IN BOOK 2244 AT PAGE 288 AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN.
12. THE PROPERTY IS SUBJECT TO AN EASEMENT FOR ELECTRIC, TELEPHONE AND/OR TELEGRAPH LINES AND INCIDENTAL PURPOSES GRANTED TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC. BY THE INSTRUMENT RECORDED JUNE 11, 1971 IN BOOK 2414 AT PAGE 653.
13. THE PROPERTY IS SUBJECT TO RESERVATIONS AS SET FORTH IN DEED RECORDED JUNE 11, 1985 IN BOOK 5020 AT PAGE 429.
14. THE PROPERTY IS SUBJECT TO AN EASEMENT FOR ELECTRIC, TELEPHONE AND/OR TELEGRAPH LINES AND INCIDENTAL PURPOSES GRANTED TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC. BY THE INSTRUMENT RECORDED NOVEMBER 4, 1988 IN BOOK 5573 AT PAGE 1234.
15. THE PROPERTY IS SUBJECT TO AN EASEMENT FOR UTILITY LINES AND WATER LINES AND INCIDENTAL PURPOSES GRANTED TO WALDEN CORPORATION BY THE INSTRUMENT RECORDED MAY 6, 2002 AT RECEPTION NOS. 202073591, 202073592, 202073593, 202073595, 202073596, 202073597. RELEASES RECORDED IN CONNECTION THEREWITH SEPTEMBER 30, 2005 AT RECEPTION NO. 205154117, SEPTEMBER 3, 2005 AT RECEPTION NO. 205137835, SEPTEMBER 30, 2005 AT RECEPTION NO. 205154116 AND SEPTEMBER 30, 2005 AT RECEPTION NO. 205154121.
16. THE PROPERTY IS SUBJECT TO AN EASEMENT FOR WATER WELLS AND INCIDENTAL PURPOSES GRANTED TO WALDEN CORPORATION BY THE INSTRUMENT RECORDED MAY 6, 2002 AT RECEPTION NO. 202073598.
17. THE PROPERTY IS SUBJECT TO THE EFFECTS OF AND ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF THE LAND IN THE DONALD WESCOTT FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENT(S) RECORDED AUGUST 15, 2003 AT RECEPTION NO. 203188592.
18. THE PROPERTY IS SUBJECT TO ANY ASSESSMENT OR LIEN OF TRI-LAKES FIRE PROTECTION DISTRICT, AS DISCLOSED BY THE INSTRUMENT RECORDED FEBRUARY 27, 2004 AT RECEPTION NO. 204033303 AND FEBRUARY 27, 2004 AT RECEPTION NO. 204033311.
19. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE WALDEN PRESERVE SUBDIVISION PUD DEVELOPMENT GUIDELINES RECORDED FEBRUARY 7, 2005 AT RECEPTION NO. 205018612.
20. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE RESOLUTION NO. 04-555 RECORDED FEBRUARY 17, 2005 AT RECEPTION NO. 205023414.
21. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, JUDGMENT AND DECREE IN THE NON-TRIBUTARY ARAPAHOE AND LARAMIE-FOX HILLS AND THE NON-TRIBUTARY DAWSON AQUIFERS, CASE NO. 02CW187 (WD#1) AND CASE NO. 02CW117 (WD#2) RECORDED MARCH 28, 2005 AT RECEPTION NO. 205042890. SPECIAL WARRANTY DEED IN CONNECTION THEREWITH RECORDED AUGUST 09, 2005 AT RECEPTION NO. 205122351.
22. THE PROPERTY IS SUBJECT TO EASEMENTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, NOTES AND NOTICES AS SET FORTH IN THE RECORDED PLAT OF WALDEN PRESERVE FILING NO. 1 RECORDED AUGUST 9, 2005 AT RECEPTION NO. 205122356.
23. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE SUBDIVISION IMPROVEMENTS AGREEMENT RECORDED AUGUST 9, 2005 AT RECEPTION NO. 205122347.
24. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS AND OBLIGATIONS CONTAINED IN THE PRIVATE DETENTION BASIN MAINTENANCE AGREEMENT AND EASEMENT, RECORDED AUGUST 9, 2005 AT RECEPTION NO. 205122349.
25. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS AND OBLIGATIONS CONTAINED IN THE DETENTION BASIN MAINTENANCE EASEMENT GRANT TO WALDEN PROPERTY OWNERS ASSOCIATION, RECORDED AUGUST 9, 2005 AT RECEPTION NO. 205122350.
26. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE DEVELOPMENT AGREEMENT, WALDEN PRESERVE FILING NO. 1, RECORDED AUGUST 9, 2005 AT RECEPTION NO. 205122352.
27. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN RESOLUTION NO. 04-556, RECORDED OCTOBER 14, 2005 AT RECEPTION NO. 205163757.
28. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN RESOLUTION NO. 05-292 RECORDED JANUARY 20, 2006 AT RECEPTION NO. 206008988.
29. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN RESOLUTION NO. 09-218 RECORDED JUNE 17, 2009 AT RECEPTION NO. 209068842.
30. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN LICENSE AGREEMENT RECORDED JUNE 17, 2009 AT RECEPTION NO. 209068843.
31. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, JUDGMENT AND DECREE IN THE NON-TRIBUTARY ARAPAHOE AND LARAMIE-FOX HILLS AND THE NOT TRIBUTARY DAWSON AQUIFERS RECORDED AUGUST 9, 2005 AT RECEPTION NO. 205122353.
32. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS AND OBLIGATIONS CONTAINED IN THE TEMPORARY ACCESS EASEMENT TO WALDEN WAY FOR EMERGENCY PURPOSES RECORDED MAY 5, 2006 AT RECEPTION NO. 206066528.
33. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN RESOLUTION NO. 09-259 RECORDED JULY 14, 2009 AT RECEPTION NO. 209081391.
34. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS AND OBLIGATIONS CONTAINED IN THE INGRESS/EGRESS & IMPROVEMENT EASEMENT RECORDED OCTOBER 13, 2006 AT RECEPTION NO. 206151588.
35. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE TEMPORARY USE COMPLIANCE AFFIDAVIT FILE NO. TV-09-20 RECORDED JUNE 1, 2009 AT RECEPTION NO. 209060496.
36. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE TEMPORARY USE APPLICATION RECORDED JUNE 17, 2010 AT RECEPTION NO. 210057451.
37. THE PROPERTY IS SUBJECT TO DEEDS RECORDED APRIL 15, 2005 AT RECEPTION NO. 205053672, APRIL 5, 2005 AT RECEPTION NO. 205048457 AND AUGUST 9, 2005 AT RECEPTION NO. 205122351 MAKE REFERENCE TO WATER RIGHTS.
38. & 39. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE MAP RECORDED DECEMBER 6, 2012 AT RECEPTION NO. 212145668.
40. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE RESOLUTION NO. 14-109 RECORDED APRIL 1, 2014 AT RECEPTION NO. 214026891.
41. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE PUD DEVELOPMENT GUIDELINES RECORDED JULY 30, 2014 AT RECEPTION NO. 214088052.
42. THE PROPERTY IS SUBJECT TO WALDEN PRESERVE 2 PUD DEVELOPMENT PLAN RECORDED JULY 30, 2014 AT RECEPTION NO. 214088053.
43. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE RESOLUTION NO. 14-322 RECORDED AUGUST 27, 2014 AT RECEPTION NO. 214078089.
44. THE PROPERTY IS SUBJECT TO ANY TAX, LIEN, FEE OR ASSESSMENT BY REASON OF INCLUSION OF THE LAND IN THE WALDEN METROPOLITAN DISTRICT NO. 2, AS EVIDENCED BY INSTRUMENT(S) RECORDED NOVEMBER 17, 2014 AT RECEPTION NO. 214105771.
45. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE RESOLUTION NO. 15-023 RECORDED JANUARY 16, 2015 AT RECEPTION NO. 215004812.
46. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE RESOLUTION NO. 15-025 RECORDED JANUARY 16, 2015 AT RECEPTION NO. 215004814.

NOTES (CONT'D):

47. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE EL PASO COUNTY SPECIAL DISTRICTS ANNUAL REPORT AND DISCLOSURE FORM RECORDED JANUARY 23, 2015 AT RECEPTION NO. 215006922.
48. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE PARK LANDS AGREEMENT RECORDED AUGUST 13, 2014 AT RECEPTION NO. 214073311.
49. THE PROPERTY IS SUBJECT TO THE WALDEN PRESERVE 2 AMENDED PUD DEVELOPMENT PLAN RECORDED MAY 26, 2016 AT RECEPTION NO. 216056505.
50. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, RESTRICTIONS, PROVISIONS, NOTES AND EASEMENTS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILY STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, SOURCE OF INCOME, GENDER, GENDER IDENTITY, GENDER EXPRESSION, MEDICAL CONDITION OR GENETIC INFORMATION, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH ON THE PLAT(S) OF SAID SUBDIVISION AS RECORDED _____, 2019 UNDER RECEPTION NO. _____.
51. ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY REGISTERED IN THE STATE OF COLORADO.
52. WATER AND WASTEWATER SERVICE WILL BE PROVIDED BY WALDEN CORPORATION, A PRIVATE UTILITY COMPANY, AND IS SUBJECT TO THE DISTRICT'S RULES, REGULATIONS AND SPECIFICATIONS.
53. THE FOLLOWING REPORTS HAVE BEEN SUBMITTED AND ARE ON FILE AT THE EL PASO COUNTY DEVELOPMENT SERVICES DEPARTMENT: SOILS AND GEOLOGICAL STUDY, DRAINAGE REPORT, WATER RESOURCES REPORT AND TRAFFIC IMPACT STUDY.
54. THE ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
55. ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. PUBLIC DRAINAGE EASEMENTS AS SPECIFICALLY NOTED ON THE PLAT SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS UNLESS OTHERWISE INDICATED. STRUCTURES, FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPEDE THE FLOW OF RUNOFF SHALL NOT BE PLACED IN DRAINAGE EASEMENTS.
56. ALL PROPERTY OWNERS SHALL MAINTAIN THE PORTION OF DRAINAGE AND SLOPE EASEMENTS WITHIN THEIR PROPERTIES. FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPEDE THE FLOW OF RUNOFF SHALL NOT BE PLACED IN DRAINAGE AND SLOPE EASEMENTS.
57. ALL DEVELOPMENT WITHIN THE WALDEN PRESERVE 2 SUBDIVISION SHALL COMPLY WITH THE PUD DEVELOPMENT PLAN AND DEVELOPMENT GUIDE AS RECORDED UNDER RECEPTION NOS. 214088053 AND 214088052, RESPECTIVELY, AND THE AMENDED PUD DEVELOPMENT PLAN AS RECORDED UNDER RECEPTION NO. 216056505. ALL OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER OR OTHERWISE AMENDED FOLLOWING APPROPRIATE HEARINGS.
58. NATURAL GAS SERVICE TO BE PROVIDED BY BLACK HILLS ENERGY, ELECTRICAL SERVICE TO BE PROVIDED BY MOUNTAIN VIEW ELECTRIC ASSOCIATION.
59. WALDEN PRESERVE 2, FILING NO. 4 IS LOCATED WITHIN THE TRI-LAKES FIRE PROTECTION DISTRICT AND LEWIS PALMER SCHOOL DISTRICT NO. 38 AND WILL BE SERVED BY BOTH.
60. WATER IN THE DENVER BASIN AQUIFERS IS ALLOCATED BASED ON A 100 YEAR AQUIFER LIFE; HOWEVER, FOR EL PASO COUNTY PLANNING PURPOSES, WATER IN THE DENVER BASIN AQUIFERS IS EVALUATED BASED ON A 300 YEAR AQUIFER LIFE. APPLICANTS, THE HOME OWNERS ASSOCIATION, AND ALL FUTURE OWNERS IN THE SUBDIVISION SHOULD BE AWARE THAT THE ECONOMIC LIFE OF A WATER SUPPLY BASED ON WELLS IN A GIVEN DENVER BASIN AQUIFER MAY BE LESS THAN EITHER THE 100 YEARS OR 300 YEARS INDICATED DUE TO ANTICIPATED WATER LEVEL DECLINES. FURTHERMORE, THE WATER SUPPLY PLAN SHOULD NOT RELY SOLELY UPON NONRENEWABLE AQUIFERS. ALTERNATIVE RENEWABLE WATER RESOURCES SHOULD BE ACQUIRED AND INCORPORATED IN A PERMANENT WATER SUPPLY PLAN THAT PROVIDES UTILITY GENERATIONS WITH A WATER SUPPLY.
61. ALL PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO A DECLARATION OF COVENANTS AS RECORDED UNDER RECEPTION NO. _____ A PRIVATE DETENTION BASIN/STORMWATER QUALITY BEST MANAGEMENT PRACTICE MAINTENANCE AGREEMENT AND EASEMENT AS RECORDED UNDER RECEPTION NO. 215068493 AND IS REGULATED BY AN AMENDED P.U.D. DEVELOPMENT PLAN AS RECORDED UNDER RECEPTION NO. 216056505. ALL OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
 - TRACT A IS RESERVED FOR UTILITIES, DRAINAGE, OPEN SPACE AND RECREATION.
 - TRACT B IS RESERVED FOR UTILITIES, DRAINAGE, OPEN SPACE AND RECREATION.
62. ACCESS: NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
63. BUILDING SETBACKS TO BE: FRONT YARD - 25', SIDE YARD - 15', AND REAR YARD - 25'.
64. MAXIMUM BUILDING HEIGHT: 30 FEET, AS MEASURED BY THE EL PASO COUNTY LAND DEVELOPMENT CODE REQUIREMENTS.
65. DEVELOPER SHALL COMPLY WITH FEDERAL AND STATE LAWS, REGULATIONS, ORDINANCES, REVIEW AND PERMIT REQUIREMENTS, AND OTHER AGENCY REQUIREMENTS, IF ANY, OF APPLICABLE AGENCIES INCLUDING, BUT NOT LIMITED TO, THE COLORADO DEPARTMENT OF WILDLIFE, COLORADO DEPARTMENT OF TRANSPORTATION, U.S. ARMY CORP. OF ENGINEERS, THE U.S. FISH AND WILDLIFE SERVICE AND/OR COLORADO DEPARTMENT OF WILDLIFE REGARDING THE ENDANGERED SPECIES ACT, PARTICULARLY AS IT RELATES TO THE PREBLE'S MEADOW JUMPING MOUSE AS A LISTED THREATENED SPECIES.
66. THERE ARE 23 LOTS AND 2 TRACTS PLATTED IN THIS SUBDIVISION.
67. MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICE REGULATIONS.
68. PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO THE TERMS AND PROVISIONS OF THE EL PASO COUNTY ROAD IMPACT FEE PROGRAM (RESOLUTION NO. 18-471) AND ANY SUBSEQUENT AMENDMENTS. FEES FOR EACH LOT WITHIN THIS SUBDIVISION SHALL BE PAID IN FULL AT THE TIME OF BUILDING PERMIT ISSUANCE.
69. NO LOT OR INTEREST THEREIN, SHALL BE SOLD, CONVEYED, OR TRANSFERRED WHETHER BY DEED OR BY CONTRACT, NOR SHALL BUILDING PERMITS BE ISSUED, UNTIL AND UNLESS EITHER THE REQUIRED PUBLIC AND COMMUNITY DEVELOPMENT IMPROVEMENTS HAVE BEEN CONSTRUCTED AND COMPLETED AND PRELIMINARILY ACCEPTED IN ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE APPLICANT / OWNER AND EL PASO COUNTY AS RECORDED UNDER RECEPTION NO. _____ IN THE OFFICE OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO OR, IN THE ALTERNATIVE, OTHER COLLATERAL IS PROVIDED TO MAKE PROVISION FOR THE COMPLETION OF SAID IMPROVEMENTS IN ACCORDANCE WITH THE EL PASO COUNTY LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL, ANY SUCH ALTERNATIVE COLLATERAL MUST BE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE DEVELOPMENT SERVICES DEPARTMENT DIRECTOR AND MEET THE POLICY AND PROCEDURE REQUIREMENTS OF EL PASO COUNTY PRIOR TO THE RELEASE BY THE COUNTY OF ANY LOTS FOR SALE, CONVEYANCE OR TRANSFER. THIS PLAT RESTRICTION MAY BE REMOVED OR RESPONDED BY THE BOARD OF COUNTY COMMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE DEVELOPMENT SERVICES DEPARTMENT DIRECTOR UPON EITHER APPROVAL OF AN ALTERNATIVE FORM OF COLLATERAL OR COMPLETION AND PRELIMINARY ACCEPTANCE BY THE EL PASO BOARD OF COUNTY COMMISSIONERS. ALL IMPROVEMENTS REQUIRED TO BE CONSTRUCTED AND COMPLETED IN ACCORDANCE WITH SAID SUBDIVISION IMPROVEMENTS AGREEMENT, THE PARTIAL RELEASE OF LOTS FOR SALE, CONVEYANCE OR TRANSFER MAY ONLY BE GRANTED IN ACCORDANCE WITH ANY PLANNED PARTIAL RELEASE OF LOTS AUTHORIZED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT.
70. INDIVIDUAL LOT PURCHASERS ARE RESPONSIBLE FOR CONSTRUCTING DRIVEWAYS, INCLUDING NECESSARY DRAINAGE CULVERTS FROM PINEHURST CIRCLE PER LAND DEVELOPMENT CODE SECTION 6.3.3.C.2 AND 6.3.3.C.3. DUE TO THEIR LENGTH, SOME OF THE DRIVEWAYS WILL NEED TO BE SPECIFICALLY APPROVED BY THE TRI-LAKES MONUMENT FIRE PROTECTION DISTRICT.
71. FENCING SHALL NOT IMPEDE FLOW IN DRAINAGE WAYS.
72. A MINIMUM 25' X 25' SIGHT TRIANGLE AREA EXISTS FOR ALL CORNER LOTS. NO OBSTRUCTION GREATER THAN THIRTY INCHES (30") IN HEIGHT ARE ALLOWED IN THIS AREA WITH THE SOLE RESPONSIBILITY FOR MAINTENANCE AND OWNERSHIP BEING VESTED WITH INDIVIDUAL PROPERTY OWNERS.
73. ALL ROADWAYS AND DRAINAGE FACILITIES SHALL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS AND SPECIFICATIONS.
74. PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO THE TERMS AND PROVISIONS OF THE PARK LANDS AGREEMENT, AS RECORDED UNDER RECEPTION NO. 214073311 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
75. PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO THE TERMS AND PROVISIONS OF THE REGIONAL TRAIL EASEMENT, AS RECORDED UNDER RECEPTION NO. 215068485 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
76. NO STRUCTURES OR FENCES ARE PERMITTED WITHIN DESIGNATED "FLOODPLAIN" OR "PARK AND OPEN SPACE" AREAS.
77. NO IMPROVEMENTS SHALL BE PLACED WITHIN THE HIGH WATER LINE OF THE RESERVOIR OR IN THE SPILLWAY OR SPILLWAY CHANNEL, IF DEVELOPMENT ACTIVITIES ARE CONDUCTED WITHIN THIS SUBDIVISION RESULT IN REQUIRED MODIFICATIONS, REPAIRS, ENLARGEMENTS TO, OR REPLACEMENT OF, ANY DAM, SPILLWAY, SPILLWAY CHANNEL, OR OTHER WATER DETENTION FACILITY LOCATED WITHIN, OR ASSOCIATED WITH, THIS DEVELOPMENT. DEVELOPER, THE HOMEOWNERS ASSOCIATION, AND/OR THE DAM OWNER SHALL BE RESPONSIBLE OR LIABLE FOR SUCH MODIFICATIONS, REPAIRS, ENLARGEMENTS, OR REPLACEMENT AND THE COSTS THEREOF. HOWEVER, EL PASO COUNTY SHALL NOT BE RESPONSIBLE OR LIABLE FOR SUCH MODIFICATIONS, REPAIRS, ENLARGEMENTS, OR REPLACEMENT AND THE COSTS THEREOF BY VIRTUE OF THIS SUBDIVISION APPROVAL.
78. ALL LINEAL UTILITIES DEPICTED ON THIS SUBDIVISION PLAT ARE U.S. SURVEY FEET.

REVISION DATE: JUNE 17, 2019 (UPDATE FLOOD PLAIN CERT)
REVISION DATE: APRIL 16, 2019 (PER COUNTY COMMENTS)
REVISION DATE: MARCH 5, 2019 (PER AMENDED PRELIMINARY PLAN)
REVISION DATE: OCTOBER 26, 2018 (PER COUNTY COMMENTS)
REVISION DATE: SEPTEMBER 13, 2018 (PER UPDATED TITLE COMMITMENT)
DATE OF PLAT PREPARATION: MAY 31, 2018

WALDEN PRESERVE 2, FILING NO. 4 - PT. SW1/4 SEC. 14, PT. SE1/4 SEC. 15, PT. NE1/4 SEC. 22 & PT. NW1/4 SEC. 23, T11S, R66W of the 6th P.M., EL PASO COUNTY, CO

OWNER:

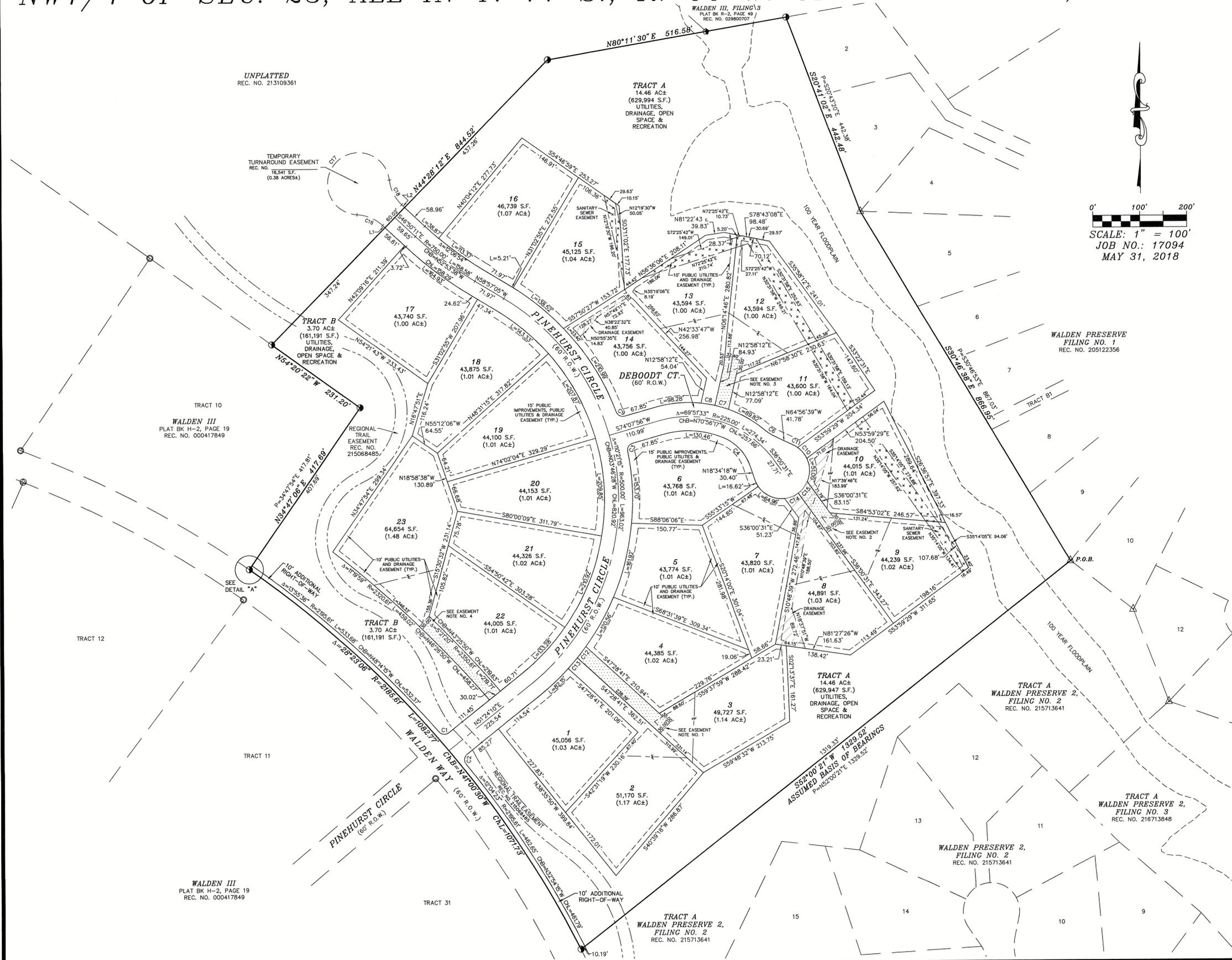
WALDEN HOLDINGS I, LLC
1230 SCARSBROOK COURT
MONUMENT, COLORADO 80132
(719) 488-9602

RAMPART
SURVEYS, LLC

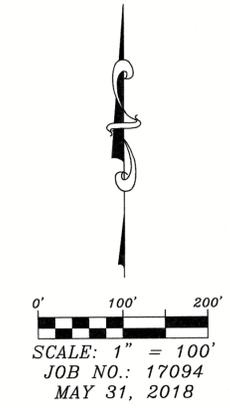
P.O. Box 5101 Woodland Park, CO 80866 (719

WALDEN PRESERVE 2, FILING NO. 4

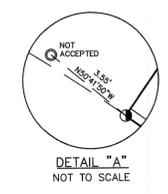
LOCATED IN THE SW1/4 OF SEC. 14, THE SE1/4 OF SEC. 15, THE NE1/4 OF SEC. 22 & THE NW1/4 OF SEC. 23, ALL IN T. 11 S., R. 66 W. OF THE 6th P.M., EL PASO COUNTY, COLORADO



CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	22.86'	15.00'	87°19'23"	S84°56'09"E	20.71'
C2	23.65'	15.00'	90°20'36"	S06°13'52"W	21.28'
C3	22.32'	15.00'	85°15'50"	S31°30'01"W	20.32'
C4	85.93'	100.55'	48°57'45"	N43°03'10"W	83.34'
C6	26.07'	100.55'	14°51'10"	S57°31'04"E	25.99'
C7	30.07'	255.00'	6°45'23"	N73°39'07"W	30.05'
C8	30.07'	255.00'	6°45'23"	N80°24'30"W	30.05'
C9	22.32'	15.00'	85°15'50"	S63°14'09"E	20.32'
C10	30.39'	60.00'	29°00'58"	N39°41'25"W	30.06'
C11	11.25'	60.00'	10°44'44"	N59°34'17"W	11.24'
C12	30.11'	530.00'	3°15'19"	S37°38'58"W	30.11'
C13	30.02'	530.00'	3°14'42"	N40°53'58"E	30.01'
C14	31.35'	60.00'	29°56'16"	N68°33'04"E	31.00'
C15	31.48'	60.00'	30°03'52"	N38°33'00"E	31.12'



- LEGEND:**
- SET 5/8" REBAR AND ORANGE CAP STAMPED "RAMPART PLS 38560"
 - ⊙ FOUND REBAR AND ORANGE CAP STAMPED "RAMPART PLS 26965"
 - ⊙ FOUND REBAR AND YELLOW CAP STAMPED "PLS 13830"
 - FOUND 1/2" REBAR (NO CAP)
 - △ FOUND REBAR AND RED CAP STAMPED "PLS RLS 25968"
 - ⊙ FOUND REBAR AND 1-1/2" ALUMINUM CAP STAMPED "LS 7017"
 - 150' LOT WIDTH AT FRONT YARD BUILDING SETBACK
 - - - DRAINAGE EASEMENT
 - - - 20' WIDE SANITARY SEWER EASEMENT



TEMPORARY TURN-AROUND EASEMENT

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C16	59.93'	85.00'	40°23'44"	N67°02'03"W	58.69'
C17	300.41'	66.00'	260°47'27"	N43°09'49"E	100.53'
C18	59.93'	85.00'	40°23'44"	S26°38'20"E	58.69'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N46°50'11"W	7.12
L2	S46°50'11"E	8.49

REVISION DATE: JUNE 25, 2019 (PER COUNTY PARKS REQUEST)
 REVISION DATE: MARCH 5, 2019 (PER AMENDED PRELIMINARY PLAN)
 REVISION DATE: OCTOBER 26, 2018 (PER COUNTY COMMENTS)
 REVISION DATE: SEPTEMBER 13, 2018 (PER UPDATED TITLE COMMITMENT)
 DATE OF PLAT PREPARATION: MAY 31, 2018

WALDEN PRESERVE 2, FIL. NO. 4 - PT. SW1/4 SEC. 14, PT. SE1/4 SEC. 15, PT. NE1/4 SEC. 22 & PT. NW1/4 SEC. 23, T11S, R66W of the 6th P.M., EL PASO COUNTY, CO

RAMPART SURVEYS, LLC

P.O. Box 5101 Woodland Park, CO. 80866 (719) 687-0920

DRAWING: 17094FP4.DWG PAGE 2 OF 2



April 2, 2019

Nina Ruiz
El Paso County Development Services Department
Transmission via email: NinaRuiz@elpasoco.com

Re: Walden Preserve 2 Filing 4- Final Plat
File No. SF1834
SW 1/4 SW 1/4 of Section 14, SE 1/4 SE 1/4 of Section 15, NE 1/4 NE 1/4 of Section 22, and NW 1/4
NW 1/4 of Section 23, all in T11S, R66W, 6th P.M.
Water Division 1, Water District 8

Dear Ms. Ruiz:

We have reviewed your referral dated March 25, 2019 regarding the above-referenced request for approval of a subdivision final plat, to allow for the development of 23 single-family residential lots at a minimum lot size of 1.06 acres each and the development of 18.16 acres of open space, on an approximately 45.27 acre parcel. All lots within this filing will use central water and sanitation services. The State Engineer's Office previously provided comments to the Walden Preserve 2, Filing 4 final plat, by our letter dated November 1, 2018.

Water Supply Demand

The estimated water requirements for the Walden Preserve 2 Filing 4 remain at 7.82 acre-feet annually. This amount breaks down to 6.21 acre-feet/year for in house use or 0.27 acre-feet/year/lot, and 1.61 acre-feet/year for irrigation use or 0.07 acre-feet/year/lot for irrigation of approximately 2,000 square feet of home gardens and lawns.

Source of Water Supply

The proposed water supplier is still listed as the Walden Corporation ("Corporation"), a private water company. A letter of commitment from the Corporation dated August 14, 2018 was previously provided and was again included in the referral material. The Corporation operates seven Denver Basin ground water wells. Six of the wells withdraw ground water from the Dawson aquifer and were decreed as nontributary in Division 1 Water Court case nos. W-7843-74 and W-6220. The seventh well, permit no. 32697-F, withdraws ground water from the nontributary portion of the Denver aquifer.

As indicated in our previous letter, the current withdrawal capacity of the seven wells as previously determined by the State Engineer's Office ("SEO") is approximately 406.5 acre-feet/year, consisting of approximately 166.5 acre-feet/year from the Dawson aquifer and 240 acre-feet/year from the Denver aquifer. We have previously noted that the Dawson Well No. 6 is currently capable of producing 26 gallons per minute or 41 acre-feet/year and indicated that the Corporation could obtain a permit and re-drill the Dawson Well No. 6 to show that the well can produce the decree amount of 148 gallons per minute or 238 acre-feet/year. In addition, the Denver aquifer well is currently capable of producing 105 acre-feet per year. The Corporation has the ability to seek permits to construct additional wells into the Denver aquifer to withdraw the full allowed annual amount permitted to be withdrawn of 240 acre-feet per year. The Corporation's total annual amount of water that could be withdrawn would accordingly increase to 604 acre-feet.

In addition to the Dawson and Denver aquifer wells decreed in Cases W-7843-74 and W-6220, the Corporation obtained supplemental not nontributary Dawson aquifer water from the decree in consolidated Case Nos. 2002CW187 (Division 1) and 2002CW117 (Division 2). In the decree in consolidated Case Nos. 2002CW187



(Division 1) and 2002CW117 (Division 2), an augmentation plan was approved for the use of 93 individual wells in the not nontributary Dawson aquifer for the annual withdrawal of 0.47 acre-feet per well and 43.71 acre-feet total for 300 years (13,113 acre-feet total over 300 years). In Case No. 2015CW3007 the original augmentation plan was revised to reduce the number of Dawson aquifer wells which will operate pursuant to the plan from 93 to 22 lots. The balance of water previously allocated for individual on lot wells from the original augmentation plan was transferred to the Corporation for use in the central water system. An augmentation plan for the Dawson aquifer water decreed in consolidated Case Nos. 2002CW187 (Division 1) and 2002CW117 (Division 2) was approved on August 8, 2017 under consolidated Case Nos. 2016CW3103 (Division 1) and 2016CW3048 (Division 2). The augmentation plan allows for the withdrawal of up to 155 acre-feet/year for 100 years and was transferred to the Corporation. The referral material indicated that under the county's "300-year rule," the Dawson aquifer groundwater allocation provides for an additional water supply of 51.67 acre-feet/year for the Corporation's central water supply system. However, as previously noted the current augmentation plan allows for pumping for 100 years, not the 300 years, therefore the 155 acre-feet/year is adequate for 100 years of pumping. The augmentation plan allows for the ground water to be used for in-house, irrigation, commercial, fire protection, and stock watering purposes, including storage, through a central water supply system.

According to the information from our previous letter the Corporation has committed to serve 239 single-family equivalent ("SFE") units and an elementary school (6.2 SFE), which would require approximately 8,336 acre-feet of water, based on a 100-year water supply. An additional 20,094 acre-feet of water is committed to serving 197 single-family equivalents in the Walden Pines, Walden Preserve Filing 1 and the Walden Preserve 2 PUD, based on a 300-year water supply. Therefore, the Corporation has approximately 27,720 acre-feet (based on the actual amount determined by SEO) of Denver Basin ground water available for additional commitments.

The proposed source of water for this development is bedrock aquifers in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water.

According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this allocation approach, the allowed annual amount of water permitted to be withdrawn from the Denver aquifer is equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in this annual amount for a maximum of 100 years.

In the *El Paso County Land Development Code*, effective November, 1986, Chapter 5, Section 49.5, (D), (2) states:

"- Finding of Sufficient Quantity - The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of three hundred (300) years."

The State Engineer's Office does not have evidence regarding the length of time for which this source will "meet the average annual demand of the proposed subdivision." However, treating El Paso County's requirement as an allocation approach based on three hundred years, the allowed combined average annual amount of withdrawal would be reduced to one third of that amount, which is greater than the annual demand for this development.

State Engineer's Office Opinion

Based upon the above we reiterate that pursuant to Section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights. Our previous comments regarding any storm water detention structure proposed for this subdivision still apply.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

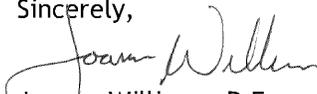
Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed development.

Our opinion is qualified by the following:

The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years (or 300 years) used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Should you or the applicant have any questions, please contact Ioana Comaniciu at (303) 866-3581 x8246.

Sincerely,


Joanna Williams, P.E.
Water Resource Engineer

Ec: Subdivision File: 25273

JMW/idc: Walden Preserve 2 Filing 4 add SF1834 (El Paso)

Walden Preserve 2, Filing 4, SF-18-034

Please accept the following comments from El Paso County Public Health regarding the development project referenced above:

- **The 23-residential lot, 45.27-acre development final plat project referenced above will be provided both water and wastewater services by the Walden Corporation.**
- **There is a finding for sufficiency in terms of water quality for the drinking water obtained from the Colorado Department of Public Health and Environment, Water Quality Control Division, regulated central water supply, and issued PWSID # CO-0121850. The JPS Engineering, Water Resources Report and Wastewater Treatment Report, dated 11Sep2019, was reviewed to support this finding, as well as a review of the water quality test results from the most recent Walden Corporation Consumer Confidence Report. A Commitment to Serve Water Letter from Walden Corporation dated 14Aug2018 is on file and reviewed.**
- **There is sufficient treatment capacity at the Walden Corporation wastewater treatment facility for the projected wastewater flows from the proposed residential development project. The JPS Engineering, Water Resources Report and Wastewater Treatment Report, dated 11Sep2018 was reviewed to support connection to the central wastewater system operated by the Walden Corporation. The Colorado Department of Public Health and Environment, Water Quality Control Division, has assigned discharge permit COX-631032 to Walden Corporation.**
- **Radon resistant construction building techniques/practices are encouraged to be used in this area. The EPA has determined that Colorado, and the El Paso County area, have potentially higher radon levels than other areas of the country.**
- **Earthmoving activity in excess of one acre, but less than twenty-five acres, will require a Construction Activity Permit from El Paso County Public Health. Go to <http://www.elpasocountyhealth.org/service/air-quality> for more information.**
- **El Paso County Public Health encourages planned walk-ability of residential communities with sidewalks, walking paths, and bike trails to neighborhood parks, schools and commercial areas. Walk-ability**

features promote exercise, help reduce obesity and lower the risk of heart disease.

**Mike McCarthy, REHS
El Paso County Public Health
mikemccarthy@elpasoco.com
719-575-8602
30Apr2019**