

## **EL PASO COUNTY DEVELOPMENT SERVICES DEPARTMENT**



**File No:** SF-05-016 - Antler's Ridge Estates  
**Applicant:** Antler's Ridge Estates LLC.  
**Owner:** David & Luann Zude, Black & White Moulton Corp., Peter & Pamela Miller  
**Date Submitted:** March 11, 2005  
**Location:** The property is located on the east side of Meridian Road between Ayers Road and Rex Road.

**Commissioner District:** 2

---

Staff report prepared for Planning Commission Public Hearing  
**Date Prepared:** March 3, 2006  
**Project Manager:** Not Applicable  
**Planner:** Mike Garrott  
**Engineer:** Gary Hamacher

---

### **I. SUMMARY OF STAFF REPORT COMMENTS**

The applicants are requesting approval of a Final Plat to subdivide 166.024 acres into 59 single-family lots. The property is currently zoned RR-2 (Rural Residential - minimum 2.5 acre lot size). The applicant's proposed lot sizes within the subdivision to range from a minimum of 2.5 acres to 2.612 acres, with the gross overall density of 1 lots per 2.8 acre. The following developments are directly adjacent to the proposed subdivision: The Camelot Development (2.5 acre lots), The Trails Development (2.5 acre lots) and The Meridian Ranch Development (5,000 square feet to 1 acre lots).

The Development Services Department received several comments from reviewing agencies, with responses ranging from no comment to approval (specific reviewing agency comments are located in the Master File).

The proposed final plat is in conformance with the approved Preliminary Plan for The Antlers Ridge Estates Development.

### **II. ACREAGE, PARCEL NUMBERS, PROPOSED USE**

**Acreege:** 166.024 acres  
**Parcel Number(s):** 42180-00-006, 007, 010  
**Proposed Use:** Single-family

**III. STAFF RECOMMENDATION**

That the Planning Commission **approve** the proposed Final Plat -

**IV. NOTIFICATION**

Staff notified 16 adjoining property owners.

**Public Input:**

**V. PUBLIC HEARINGS and LEGAL NOTIFICATION**

**Planning Commission:**

**Request:** Scheduled Hearing Date(s) 3/21/2006

**Waiver(s):** None

**Vote:**

**Voting Rationale:**

**Summary of Planning Commission Hearing:**

**Legal Notice:**

**Board of County Commissioners:**

**Request:** Not Applicable Hearing Date

**Waiver(s):** None

**VI. CODE AND POLICY COMPLIANCE:**

The project was reviewed against Chapter V, Section 48.C. and all other applicable sections of the Land Development Code.

The proposed project is in compliance with the El Paso County Land Development Code.

**VII. IDENTIFICATION AND LOCATIONAL INFORMATION**

**Surrounding Land Use:** North: Undeveloped

South: Undeveloped  
Meridian Ranch Development

Project Name: Final Plat – Antler’s Ridge Estates  
Project Number: SF-05-016  
Project Manager: N/A Mike Garrott, Planner

East: Developed Single-Family Residential  
Trails filing #2  
West: Undeveloped  
Camelot

**Zoning of Surrounding Property:** North: RR-3 - Undeveloped  
South: PUD - Planned Unit Development  
East: RR-2 - Residential  
West: PUD OA-G Planned Unit Development

## **VIII. LAND USE ANALYSIS AND IMPLICATIONS**

The Antler's Ridge Estates Subdivision is located on the east side of Meridian Road between Ayers Road and Rex Road. The property consists of approximately 166 acres of land. The property is proposed for subdivision into fifty-nine (59) single-family residential lots ranging in size from 2.5 to 2.525 acres. The minimum lot size for fifty-nine (59) of the single-family lots is 2.5 acres.

Access to the development will be provided via Meridian Road and Ayer Road to the proposed internal roadways.

The parcel is bordered by the following developments: Camelot (2.5 acre lots), The Trails (2.5 acre lots) and Meridian Ranch (5,000 square feet to 1 acre lots). The 200 acre parcel directly north is presently undeveloped.

Proposed improvements to the property associated with the development of 59 single-family lots include the construction of asphalt roadways, drainage structures and facilities, and underground utilities including telephone and electric.

Staff finds that the request for approval of the Final Plat complies with the submittal and review criteria set forth in Chapter V, Section 48, Part C. of the El Paso County Land Development Code.

Staff also finds that all issues identified during the initial review process have been satisfactorily addressed and/or resolved by the applicant, and there are no outstanding issues remaining with the approval of the Antlers Ridge Estates Final Plat.

## **IX. COMPREHENSIVE PLAN ANALYSIS**

### **Policy Plan Recommendation**

### **Small Area Plan Recommendation**

Project Name: Final Plat – Antler's Ridge Estates  
Project Number: SF-05-016  
Project Manager: N/A Mike Garrott, Planner

## **Other Master Plan Recommendations**

### **Summary**

Long Range Planning Division has no comments at the Final Plat stage. A finding of Master Plan consistency was made at the PUD zoning stage. There have been no changes to the El Paso County Master Plan in the interim. To the extent the final plat is generally consistent with the pending PUD and Preliminary Plans, a presumption of Master Plan consistency is appropriate.

## **X. PUBLIC SERVICE AND SITE CONSIDERATIONS**

### **Major Thoroughfare and Transportation**

This project is located north of the Meridian Ranch Subdivision and takes access off of Meridian Road at Ayers Road and about midway between Ayers Road and Rex Road to the south. Meridian Road is classified as a four-laned Principal Arterial south of Ayer Road and as a Minor Arterial north of Ayer Road. The roadway layout and right-of-way widths shown on the plat and construction drawings are acceptable to the engineering division. Access locations to Meridian Road have been reviewed and are acceptable to engineering. The developer will be required to dedicate right-of-way for Meridian Road. Intersection improvements will also be required at the access to Meridian Road.

### **Drainage**

The proposed development is located within the Bennett Ranch, Geick Ranch and Upper Black Squirrel Drainage Basins. There is no FEMA flood plain on the site. Detention ponds with water quality are proposed for each drainage basin. Drainage to the south and east will be collected into three detention ponds and will be held to near historic flows from the development. Drainage to the north will be collected into one detention pond south of Ayers Road and pass under the roadway. This basin will also be held to historic. There are no drainage or bridge fees for the Upper Black Squirrel or Geick Basins at this time. The Geick basin is being studied and a DBPS is expected to be completed at the end of this year. Drainage and bridge fees will be due for the Bennett Ranch Basin.

### **Utilities Services**

Utility providers have requested standard easements which the applicant has provided on the final plat.

### **Schools**

District: #49- Falcon

As long as this developer agrees to the conditions the other developers have set up through the non-profit, then Falcon School District #49 takes no exception to this development.

**Public Safety (Fire Protection and Law Enforcement)**

The property is within the Falcon Fire Protection District and will be provided with fire protection and emergency medical services accordingly.

**Recreation and Parks**

District Number:	2
Urban Parks Area:	3
Fees in Lieu of Land:	
Regional Parks:	\$20,827.00
Urban Parks:	
Neighborhood:	N/A
Community:	N/A

**Topography and Land Characteristics Adaptability**

As stated in the Soils and Geology report for the Antlers Ridge Estates Development, this subdivision is located on "gently rolling topography that slopes down to the north and south from a west-northeast trending topographic rise located on the northwest and north central portions of the property." The elevation of the property ranges from 7,314 feet on a knoll located on the topographic rise on the central portion of the property to 7,205 feet on the extreme southeastern edge of the property. The typical vegetation within the boundaries of the property consists of grasses, weeds and yuccas.

The land is composed of soil types classified as silty sand, silty, clayey sand and sandy lean clay overburden deposits underlain by shallow sandstone and claystone bedrock.

The main geologic conditions which could affect the development of the site are those related to shallow ground-water, man-made fill, erosion control terraces and a vertical cut area on the central portion of the property. .

**Water**

<b>Source</b>	Individual Wells
<b>Quantity</b>	Finding of sufficiency
<b>Quality</b>	Finding of sufficiency regarding water quality
<b>Dependability</b>	Finding of Sufficiency
<b>Comments</b>	The County Attorney's Office makes a finding of insufficiency regarding water quantity and dependability based on the State Engineer's office interpretation.

The complete agency comments are found in the public record file.

**XI. APPLICABLE RESOLUTIONS**

Approval: Page 1  
Disapproval Page 2

**XII. CONDITIONS OF APPROVAL**

1. School Fees (District #49) in the amount of \$14,160 shall be paid prior to recording of the Final Plat.
2. Park Fees in lieu of land for regional park purposes in the amount of \$20,827.00 and \$28,690 respectively shall be paid prior to recording of the Final Plat
3. Drainage and Bridge fees (Bennett Ranch) in the amount of \$21,149.35 shall be paid prior recording of the Final Plat.
4. 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.
5. 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, for 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 Development Services 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.
6. 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.
7. The Subdivision Improvements Agreement, including the Estimate of Guaranteed Funds as approved by the El Paso County Development Services Department shall be filed at the time of the recording of the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Estimate of Guaranteed Funds shall be provided when the Final Plat is recorded.
9. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.

10. Prior to Building Permit approval by the Development Services Department, proof of payment in the amount of \$1500 per lot to the 501© (3) "Falcon Community Builders for Classrooms" or School District #49 shall be paid and proof of such payment shall be provided to the Development Services Department.

11. Prior to scheduling this item for BOCC, all remaining comments as presented in the County's most recent comment letters shall be resolved.

### **XIII. NOTATIONS**

1. Final Plats not forwarded to the Board of County Commissioners for consideration within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.

---

#### **Attachments:**

Vicinity Map  
Letter of Intent  
Reduced Plat  
State Engineer's letter

# El Paso County Parcel Information

Parcel Number: 4218000006

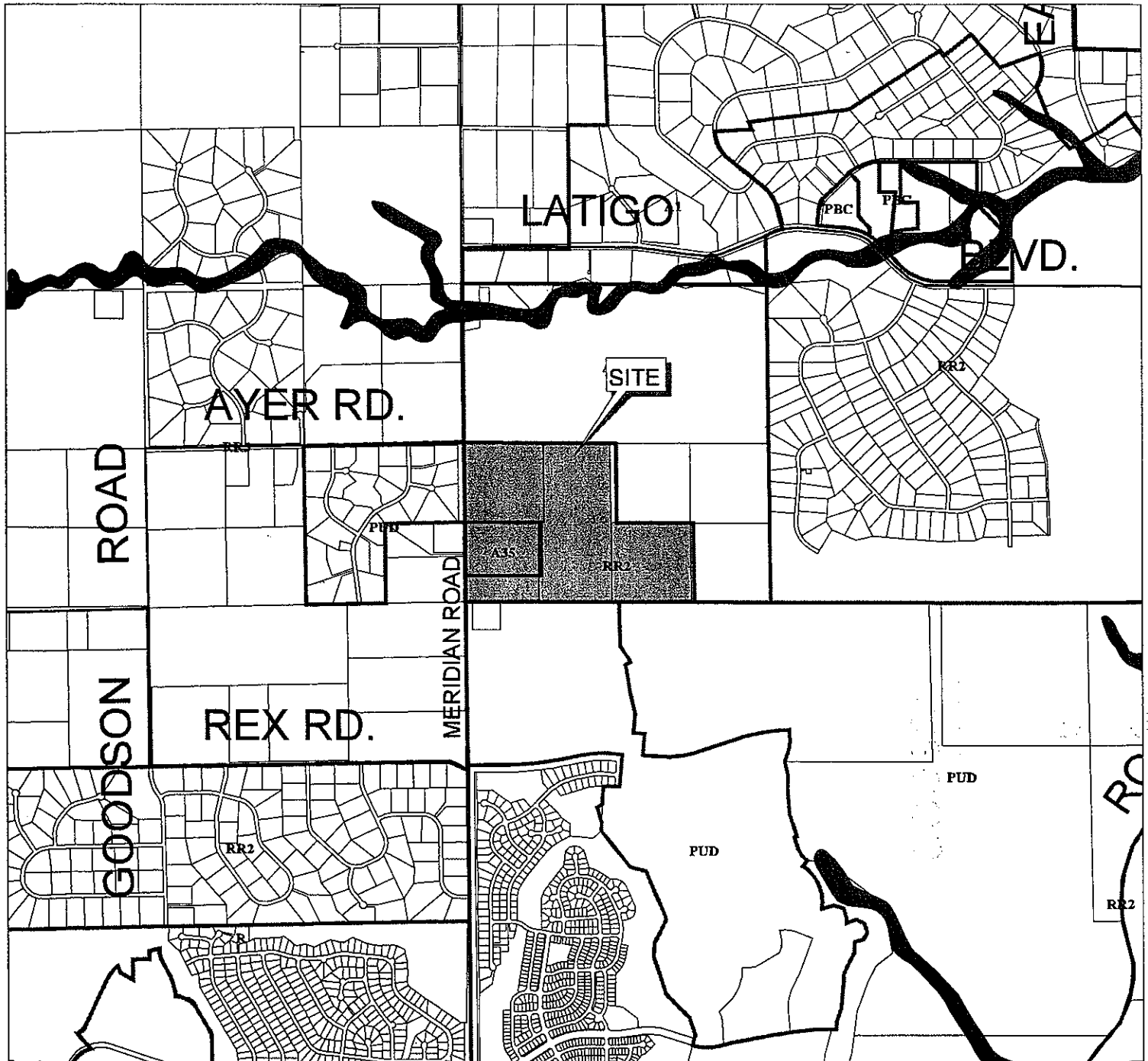
Parcel Address: 12005 MERIDIAN RD

Parcel Owner: ZUDE DAVID M & LUANN M

File Name: SF-05-016

Zone Map No.: 422.18

Owner Mailing Address: 12005 MERIDIAN RD, PEYTON, CO 80831



Please report any discrepancies to:  
El Paso County GIS/Mapping  
325 S. Cascade  
Colorado Springs, CO 80903  
(719)520-6523

COPYRIGHT 2003 by the Board of County Commissioners, El Paso County, Colorado.  
All rights reserved. No part of this document or data contained hereon may be reproduced; used to prepare derivative products; or distributed without the specific written approval of the Board of County Commissioners, El Paso County, Colorado. This document was prepared from the best data available at the time of plotting and is for internal use only. El Paso County, Colorado, makes no claim as to the completeness or accuracy of the data contained hereon.

March 10, 2006





# ANTLER'S RIDGE SUBDIVISION:

## FINAL PLAT - LETTER OF INTENT

**Developer:**

Wilshire Developments (Wisconsin) LLC.  
6040 N. 22nd Place  
Phoenix, AZ 85016  
(602) 957-0966

**Planners:**

Thomas & Thomas Planning, Urban Design, Landscape Architecture, Inc.  
614 North Tejon Street  
Colorado Springs, Colorado 80903  
(719) 578-8777  
Contact: Ryan Weston

**Surveyors - Engineers:**

Merrick & Co.  
One Commerce Center  
7222 Commerce Center Dr.  
Suite 120  
Colorado Springs, CO 80919  
Contact: Bob Yoo

**LSC Transportation Consultants**

101 North Tejon St. STE. 200  
Colorado Springs, CO. 80903  
(719) 633-2868  
Contact: Jeff Hodsdon

Kumar & Associates, Inc.  
3015 Pennsylvania Ave.  
Colorado Springs, CO 80907  
(719) 632-7009  
Contact: Justin Sieberg

**Site Location, Size, Zoning:**

This report was prepared for review by El Paso County to provide sufficient information in support of the Antler's Ridge Final Plat Application. Located in the unincorporated area of El Paso County on Meridian Road between Ayers and Rex Roads, this development will consist of fifty nine -2.5 acre, single-family residential lots. The property is currently zoned A-35. Concurrent to the Final Plat Application a Rezone and will seek to rezone the property to RR-2 to conform to both the Falcon/Peyton Comprehensive Plan and the Black Forest Preservation Plan.

**Request and Justification:**

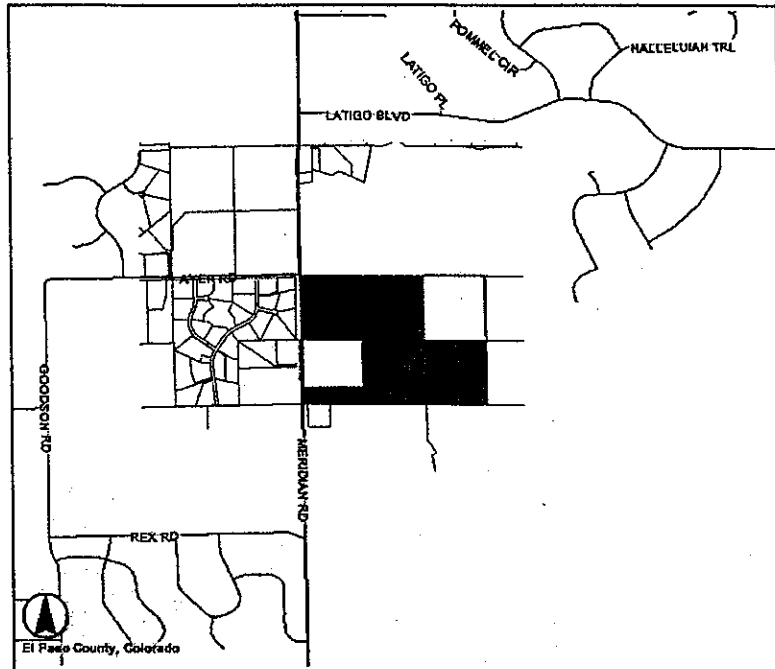
The purpose of this submittal and accompanying reports is a request for approval of the Antler's Ridge Final Plat and to illustrate the resources and impacts involved with the development. The Final Plat is intended to lay out the land uses, lot sizes, transportation systems, rights-of-way, and easements within the development.

### Existing and Proposed Facilities, Structures, Roads, Etc:

The site is currently undeveloped except for two existing ranch houses and outbuildings. The existing houses and improvements will be platted on 2.5-acre lots with the subdivision of the property.

### Land Uses:

The site is currently used for the existing ranch houses and open pasture land. Meridian Road forms its western boundary and Ayers forms its northern boundary. Properties directly on the north and east are open pasture land with the Latigo subdivision just beyond. 2.5 acre lots are typical in the Latigo subdivision as well as properties to the West. Land to the south is within the Meridian Ranch development.



The site is within the North Meridian area of the Falcon/Peyton Comprehensive Plan. This plan calls for a transition between the much

higher residential densities in Meridian Ranch and others to the south and larger lot developments to the north. The Black Forest Preservation Plan also shows the site on the border of the Meridian-Eastonville Corridor and the Southeastern Mixed Use Area. Development within the site will seek to preserve the open character of the Black Forest Area. The 165.04 acre site will allow for 59 lots with the proposed RR-2 zoning.

### Transportation:

The development is bounded on the west by Meridian Ranch Road; classified as a major arterial road in the El Paso County Small Area Traffic Report for the Falcon Area. The main access points to the development will be from Ayers Road which will have a full movement intersection on Meridian Road. From Ayers Road, there are two access points to the development. The third access point will be on Meridian Road approximately one half mile south of Ayers Road that will provide a southern access for the development. An access will also be provided for the land to the east when it is developed.

### Services and Easements:

Services for the development are as follows:

- |                |                         |
|----------------|-------------------------|
| 1. Water:      | Individual wells        |
| 2. Wastewater: | Individual septic tanks |
| 3. Gas:        | Aquila                  |
| 4. Electric:   | Mountain View Electric  |

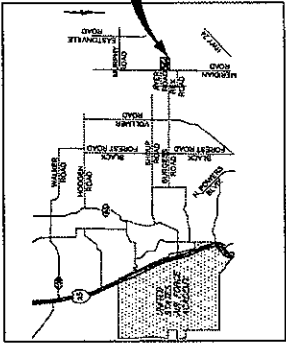
- |                        |                                     |
|------------------------|-------------------------------------|
| 5. Phone:              | Qwest                               |
| 6. Fire:               | Falcon Fire Protection District     |
| 7. School:             | School District 49                  |
| 8. Library:            | Pikes Peak Library District         |
| 9. Roads:              | El Paso County Road and Bridge      |
| 10. Police Protection: | El Paso County Sheriff's Department |

All of the service providers are in the process of or have identified the development as part of their service areas. See attached documentation for verification.

**Phasing:** Development will occur over a two to three year period occurring in a single phase beginning in late 2005.

# ANTLERS RIDGE ESTATES FINAL PLAN

LOCATED IN THE SOUTH 1/2 OF SECTION 18, T12S, R64W OF THE 6TH P.M.,  
EL PASO COUNTY, STATE OF COLORADO



IN WITNESS WHEREOF,  
THE ABOVE-SIGNED, BLACK & WHITE MUTTON CORP., HAVE EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D.  
BY: \_\_\_\_\_  
NOTARIAL: \_\_\_\_\_  
STATE OF COLORADO }  
COUNTY OF EL PASO }  
THE ABOVE AND FOREGOING STATEMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D., BY \_\_\_\_\_  
WITNESS MY HAND AND SEAL  
ADDRESS \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

SUBJECT'S CERTIFICATION  
THE UNDERSIGNED COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR DOES HEREBY CERTIFY THAT THE ACCOMPANYING PLAT WAS PREPARED AND DRAWN UNDER MY DIRECT, RESPONSIBILITY AND SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE COLORADO REVISED STATUTES 1973 AS AMENDED, HAVE BEEN LET TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND OPINION.  
CHRISTINE L. PETERSON  
P.L.L.M. NO. 2439  
FOR AND ON BEHALF OF MERRICK & COMPANY  
DATE \_\_\_\_\_  
APPROVALS  
THIS SUBMISSION WAS APPROVED BY THE EL PASO COUNTY DEVELOPMENT SERVICES DEPARTMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006.  
DEVELOPMENT SERVICES DIRECTOR \_\_\_\_\_  
DATE \_\_\_\_\_

LAND USE	THICK	IN ACRES
GROSS AREA		18.004
PUBLIC STREETS		18.000
RESERVE		0.004
PLAT OF LOT		19
LARGEST LOT		2.617
SMALLEST LOT		2.500

NOTES & EXEMPTIONS  
SEE SECOND SHEET.  
IN WITNESS WHEREOF,  
THE ABOVE-SIGNED, PETER AND PAMELA MILLER, HAVE EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D.  
BY: \_\_\_\_\_  
NOTARIAL: \_\_\_\_\_  
STATE OF COLORADO }  
COUNTY OF EL PASO }  
THE ABOVE AND FOREGOING STATEMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D., BY \_\_\_\_\_  
WITNESS MY HAND AND SEAL  
ADDRESS \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

IN WITNESS WHEREOF,  
THE ABOVE-SIGNED, DANIEL AND LUANN ZIMM, HAVE EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D.  
BY: \_\_\_\_\_  
NOTARIAL: \_\_\_\_\_  
STATE OF COLORADO }  
COUNTY OF EL PASO }  
THE ABOVE AND FOREGOING STATEMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D., BY \_\_\_\_\_  
WITNESS MY HAND AND SEAL  
ADDRESS \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

IN WITNESS WHEREOF,  
THE ABOVE-SIGNED, DANIEL AND LUANN ZIMM, HAVE EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D.  
BY: \_\_\_\_\_  
NOTARIAL: \_\_\_\_\_  
STATE OF COLORADO }  
COUNTY OF EL PASO }  
THE ABOVE AND FOREGOING STATEMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D., BY \_\_\_\_\_  
WITNESS MY HAND AND SEAL  
ADDRESS \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

IN WITNESS WHEREOF,  
THE ABOVE-SIGNED, DANIEL AND LUANN ZIMM, HAVE EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D.  
BY: \_\_\_\_\_  
NOTARIAL: \_\_\_\_\_  
STATE OF COLORADO }  
COUNTY OF EL PASO }  
THE ABOVE AND FOREGOING STATEMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D., BY \_\_\_\_\_  
WITNESS MY HAND AND SEAL  
ADDRESS \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

IN WITNESS WHEREOF,  
THE ABOVE-SIGNED, DANIEL AND LUANN ZIMM, HAVE EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D.  
BY: \_\_\_\_\_  
NOTARIAL: \_\_\_\_\_  
STATE OF COLORADO }  
COUNTY OF EL PASO }  
THE ABOVE AND FOREGOING STATEMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D., BY \_\_\_\_\_  
WITNESS MY HAND AND SEAL  
ADDRESS \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

IN WITNESS WHEREOF,  
THE ABOVE-SIGNED, DANIEL AND LUANN ZIMM, HAVE EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D.  
BY: \_\_\_\_\_  
NOTARIAL: \_\_\_\_\_  
STATE OF COLORADO }  
COUNTY OF EL PASO }  
THE ABOVE AND FOREGOING STATEMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006 A.D., BY \_\_\_\_\_  
WITNESS MY HAND AND SEAL  
ADDRESS \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

ANTLERS RIDGE ESTATES  
FINAL PLAN

SCALE	1" = 100'
DRAWN	J.S.
CHECKED	J.M.
APPROVED	J.M.
FILE	

MERRICK  
7222 Comanche Drive, Box 120  
Colorado Springs, CO 80907  
PH: 719.535.9777 FAX: 719.535.9778

# ANTLERS RIDGE ESTATES

LOCATED IN THE SOUTH 1/2 OF SECTION 18, T12S, R64W OF THE 6TH P.M.,  
EL PASO COUNTY, STATE OF COLORADO  
FINAL PLAT

**NOTES:**

1. A. INDICATES SURVEY MOUNTAIN SET WITH A #5 REBAR WITH SURVEYOR'S CAP. P.L.S. #35801 UNLESS OTHERWISE SHOWN.
2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY MERRICK AND COMPANY, TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORDS, APPLICANTS SHOULD CONSULT THE RECORDS OF THE COUNTY CLERK AND RECORDER, EL PASO COUNTY, COLORADO. COMPANION CASE NOS. LTPRO001636 C-3 AND 000188217, DATED MARCH 15, 2003, AND CASE NO. LTPRO001636 C-4, DATED NOVEMBER 3, 2006.
3. (M) - INDICATES NON-RURAL BEARING.
4. PRIOR TO THE ESTABLISHMENT OF ANY DRIVEWAY ONTO A COUNTY ROAD, AN ACCESS PERMIT MUST BE GRANTED BY THE EL PASO COUNTY DEVELOPMENT SERVICES DEPARTMENT.
5. THE FOLLOWING REPORTS HAVE BEEN SUBMITTED AND ARE ON FILE AT THE COUNTY DEVELOPMENT SERVICES DEPARTMENT: SOIL AND GEOLOGICAL STUDY, DRAINAGE REPORT, WILDFIRE HAZARD REPORT, MINERAL RELIANCE REPORT, POPULATION TEST RESULTS.
6. SEWAGE TREATMENT IS THE RESPONSIBILITY OF EACH INDIVIDUAL PROPERTY OWNER. WITH EXISTING SANITELLS IN PLACE, THE RESPONSIBILITY FOR THE DESIGN AND CONSTRUCTION OF SEWAGE TREATMENT SYSTEMS SHALL BE LOCATED A MINIMUM OF 50 FEET AWAY FROM ANY DRAINAGE EASEMENT.
7. INDIVIDUAL WELLS ARE THE RESPONSIBILITY OF EACH PROPERTY OWNER. PERMITS FOR INDIVIDUAL DOMESTIC WELLS MUST BE OBTAINED FROM THE STATE ENGINEER WHO BY LAW HAS THE AUTHORITY TO SET CONDITIONS FOR THE ISSUANCE OF THESE PERMITS.
8. NO LOT, OR INTEREST THEREIN, SHALL BE SAID, CONVERTED OR TRANSFERRED WHETHER BY DEED OR BY CONTRACT, NOW OR IN THE FUTURE, WITHOUT THE REQUIRED PUBLIC IMPROVEMENTS CONTRACT, NOW OR IN THE FUTURE, BEING IN FULL FORCE AND EFFECT. THE COUNTY CLERK AND RECORDER OF EL PASO COUNTY, COLORADO, OR IN THE ALTERNATIVE, OTHER COLLATERAL, IS PROVIDED WHICH IS SET FORTH IN THE AGREEMENT OF THE BOARD OF COUNTY COMMISSIONERS, TO MAKE PROVISION FOR THE COMPLETION OF SAID IMPROVEMENTS.
9. ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER CURRENTLY REGISTERED IN THE STATE OF COLORADO.
10. NO DIRECT LOT ACCESS TO MERRIMAN ROAD IS ALLOWED.
11. MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY DEPARTMENT OF TRANSPORTATION AND UNITED STATES POSTAL SERVICE REGULATIONS.
12. WATER WITHDRAWAL AND WELLS ARE SUBJECT TO LIMITATIONS, RESTRICTIONS, AND ADJUSTMENT REQUIREMENTS AND RESPONSIBILITIES AS FOUND WITHIN THE RECORDED COVENANTS FOR THIS SUBDIVISION (WHICH COVENANTS RUN WITH THE LAND) AS RECORDED AT RECEPTION NUMBER \_\_\_\_\_ OF THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER, EL PASO COUNTY, COLORADO, AND ALSO AS RECORDED AT RECEPTION NUMBERS \_\_\_\_\_ AND \_\_\_\_\_ OF THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER.

13. OWNER, ITS SUCCESSORS AND ASSIGNS, AT THE TIME OF LOT SALES, SHALL TRANSFER SUFFICIENT WATER RIGHTS IN THE DENVER AQUIFER OF THE DENVER BASIN TO SATISFY THE THREE HUNDRED YEAR WATER REQUIREMENTS OF EL PASO COUNTY, AS DESCRIBED IN THE PLANNING AND ORDERS OF THE COLORADO COMMISSION ON WATER RESOURCES. THE WATER RIGHTS TO BE TRANSFERRED SHALL BE OF THE SAME CLASS AND QUALITY AS THE SUBJECT PORTION OF THE DENVER AQUIFER GROUND WATER RIGHTS UNDERSTANDING THE LOT, IN ACCORDANCE WITH THE DENVER AQUIFER WATER RIGHTS TRANSFER ACT. THE WATER RIGHTS TO BE TRANSFERRED SHALL BE NON-RENEWABLE WATER RIGHTS. ALTERNATIVE RENEWABLE WATER RESOURCES SHOULD BE ACQUIRED AND INCORPORATED IN A PERMANENT WATER SUPPLY PLAN THAT PROMOTES FUTURE GENERATIONS WITH A WATER SUPPLY.

**NOTES (CONT.):**

14. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN ONE YEAR FROM THE DATE OF THE CERTIFICATION UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN 10 YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
15. DEVELOPER SHALL COMPLY WITH FEDERAL AND STATE LAWS, REGULATIONS, ORDINANCES, REVIEW AND PERMIT REQUIREMENTS, AND OTHER REQUIREMENTS, IF ANY, OF APPLICABLE AGENCIES INCLUDING, BUT NOT LIMITED TO, THE COLORADO DEPARTMENT OF TRANSPORTATION, U.S. ARMY CORPS OF ENGINEERS, FEDERAL BUREAU OF SURVEY, AND THE PREBLE'S MEADOW ANTIMINE ACT AS A LISTED THREATENED SPECIES.
16. THE EXISTING MOUNTAIN VIEW ELECTION, RESOLUTIONS, ORDINANCES, AND RESTRICTIONS OF THE EL PASO COUNTY CLERK AND RECORDER, AND WHICH ARE SUBJECT TO CODES, COVENANTS AND RESTRICTIONS OF THE PROPERTY OWNERS ASSOCIATION AS RECORDED AT RECEPTION NO. \_\_\_\_\_ OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
17. ALL PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO CODES, COVENANTS AND RESTRICTIONS OF THE PROPERTY OWNERS ASSOCIATION AS RECORDED AT RECEPTION NO. \_\_\_\_\_ OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
18. ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY.
19. RESOLUTION POWER WILL BE OWNED BY THE UNDERLYING PROPERTY OWNERS AND MAINTAINED BY THE ANTLERS RIDGE ESTATES HOMEOWNERS ASSOCIATION, INC. SUBJECT TO THE PRIVATE DEEDITION FUND MAINTENANCE AGREEMENT AS RECORDED AT RECEPTION NO. \_\_\_\_\_ OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
20. NO STRUCTURES OR MATERIAL STORAGE ACTIVITIES ARE PERMITTED WITHIN DESIGNATED DRAINAGE EASEMENTS. OPEN STORAGE OF MATERIALS SHALL BE LIMITED TO A MAXIMUM OF 100 CUBIC YARDS PER LOT. NO DRAINAGE EASEMENTS PROVIDED THAT PROPERTY IS NOT IMPROVED OR DISSEVERED FROM ANY DRAINAGE EASEMENT.
21. (NOT USED)
22. THE TEMPORARY TURNAROUND EASEMENT SHOWN HEREON SHALL BE EXTINGUISHED WHEN SHARKE BLUFFS ROAD IS EXTENDED PAST THE EASTERLY PROPERTY LINE WITH A FUTURE PLAT OR RIGHT-OF-WAY REDUCTION.
23. THE PORTIONS OF THE SIXTY (60) FOOT WIDE PUBLIC HIGHWAY SECTION LINE RIGHTS-OF-WAY CONTAINED WITHIN THIS PLAT AS RECORDED AT BOOK 571, PAGE 25 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, ARE HEREBY VACATED UPON REDEMPTION OF THIS PLAT.
24. THE PORTIONS OF INTEREST/EASEMENT EASEMENTS WITHIN THIS PLAT, RECORDED AT BOOK 3445, PAGE 261; BOOK 3443, PAGE 166; BOOK 3543, PAGE 42; BOOK 3584, PAGE 795; BOOK 3780, PAGE 875; BOOK 3847, PAGE 142; BOOK 3944, PAGE 192; BOOK 5133, PAGE 594; AND BOOK 5222, PAGE 142, ARE HEREBY VACATED UPON REDEMPTION OF THIS PLAT.
25. THE INTERESTS EMBODIED IN THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.

**EASEMENTS:**

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

SHORT TRAIL EASEMENTS, AS NOTED, ARE HEREBY PLATTED AT ALL RIGHT-OF-WAY INTERSECTIONS. NO OBSTRUCTION GREATER THAN FIFTEEN (15) INCHES IN HEIGHT SHALL BE PERMITTED WITHIN SAID SHORT TRAIL EASEMENTS.

DATE	DESCRIPTION	DATE	REFERENCE

ANTLERS RIDGE ESTATES  
FINAL PLAT - NOTES

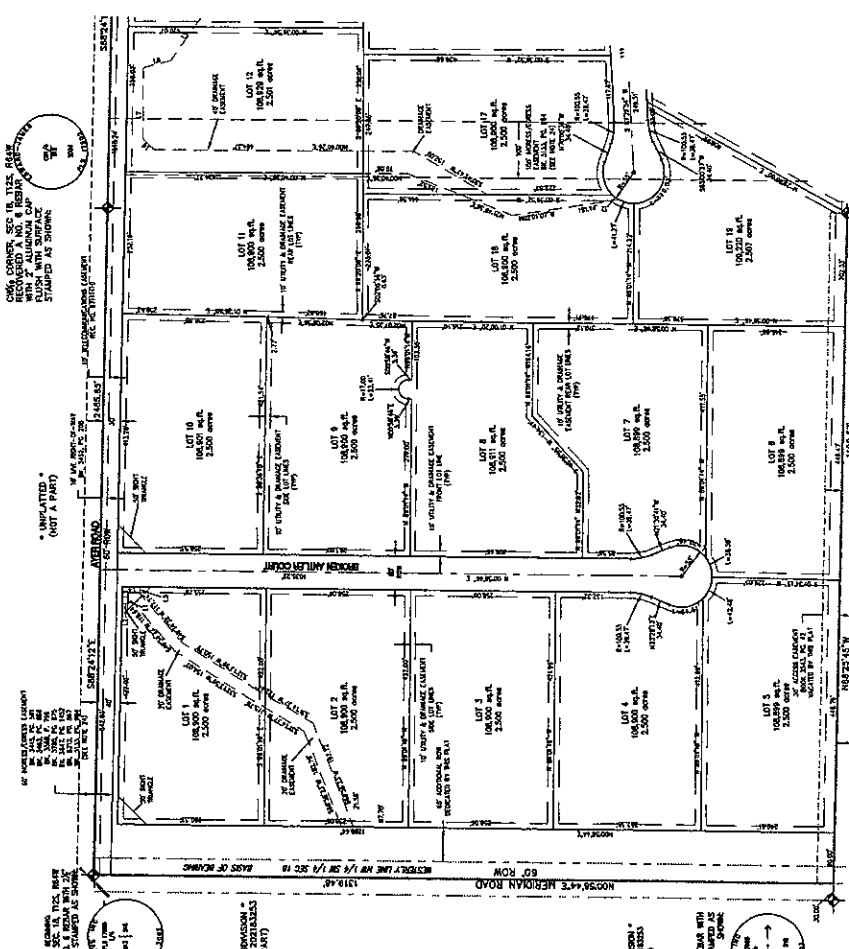
SCALE: 1" = 100'  
DRAWN: JMR  
CHECKED: JMR  
APPROVED: JMR

DATE: 02/22/09 BY: JMR

MERRICK  
1222 Colorado City, Colorado, Telephone: 719 530-8774  
1222 Colorado City, Colorado, Telephone: 719 530-8774  
1222 Colorado City, Colorado, Telephone: 719 530-8774

# ANTLERS RIDGE ESTATES

LOCATED IN THE SOUTH 1/2 OF SECTION 18, T12S, R64W OF THE 6TH P.M.,  
EL PASO COUNTY, STATE OF COLORADO  
FINAL PLAT



CHK. COUNTY SEC. 18, T12S, R64W  
RECORDED IN NO. 8 BOOKS  
WITH ORIGINAL  
STAMPED AS SHOWN

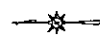
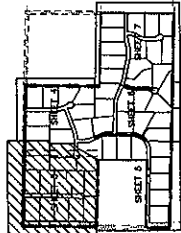
UNDEVELOPED  
RECORDED IN NO. 8 BOOKS  
WITH ORIGINAL  
STAMPED AS SHOWN

CANNOT SHOW  
RECORDED IN NO. 8 BOOKS  
WITH ORIGINAL  
STAMPED AS SHOWN

CANNOT SHOW  
RECORDED IN NO. 8 BOOKS  
WITH ORIGINAL  
STAMPED AS SHOWN

CANNOT SHOW  
RECORDED IN NO. 8 BOOKS  
WITH ORIGINAL  
STAMPED AS SHOWN

LOT	ACREAGE	AREA	PERCENT
LOT 1	2.500	108,300	1.176
LOT 2	2.500	108,300	1.176
LOT 3	2.500	108,300	1.176
LOT 4	2.500	108,300	1.176
LOT 5	2.500	108,300	1.176
LOT 6	2.500	108,300	1.176
LOT 7	2.500	108,300	1.176
LOT 8	2.500	108,300	1.176
LOT 9	2.500	108,300	1.176
LOT 10	2.500	108,300	1.176
LOT 11	2.500	108,300	1.176
LOT 12	2.500	108,300	1.176
LOT 13	2.500	108,300	1.176
LOT 14	2.500	108,300	1.176
LOT 15	2.500	108,300	1.176
LOT 16	2.500	108,300	1.176
LOT 17	2.500	108,300	1.176
TOTAL	42.500	1,723,500	100.000



0 25 50 100 200  
1" = 100 FT.

DATE	DESCRIPTION	DATE	REFERENCE

ANTLERS RIDGE ESTATES  
FINAL PLAT

SCALE 1" = 100'

DRAWN BY J.A. MERRICK

CHECKED BY J.M. MERRICK

APPROVED BY J.M. MERRICK

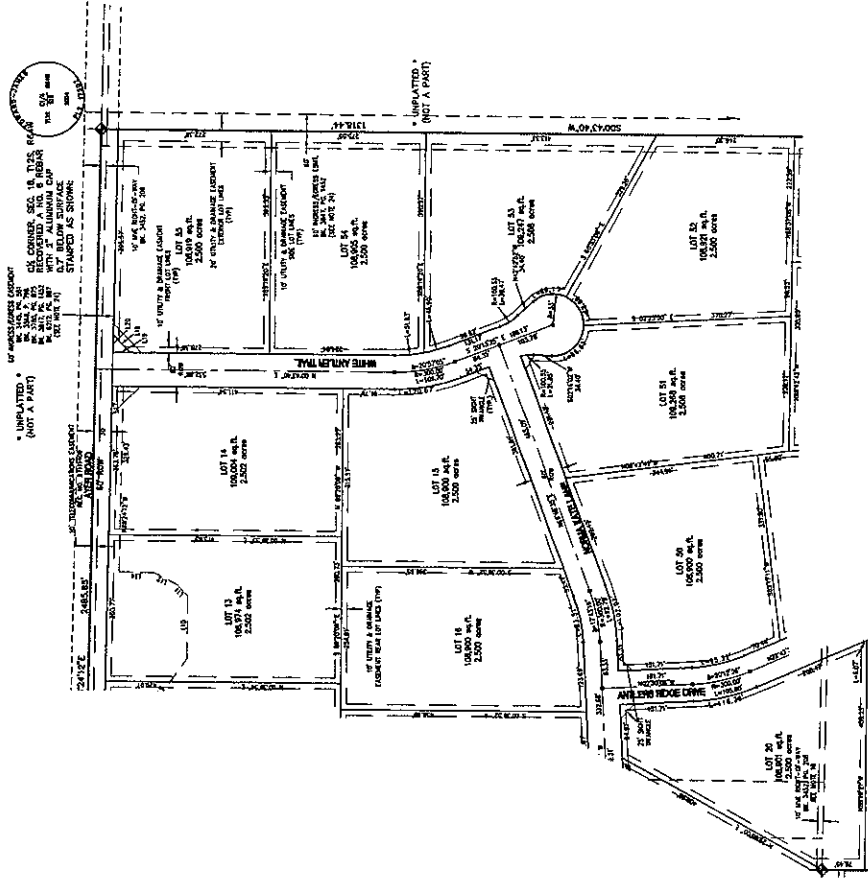
FILE NO. 2023-001-001

DATE 02/22/23 BY J.C.C.

Architect and Engineer  
**MERRICK**  
MERRICK, L. COMPANY, INCORPORATED  
2322 Commerce Center Dr.  
El Paso, Colorado 80926  
Phone: 703-240-4874  
Fax: 703-240-4875

# ANTLERS RIDGE ESTATES

LOCATED IN THE SOUTH 1/2 OF SECTION 18, T12S, R64W OF THE 6TH P.M.,  
E. PASO COUNTY, STATE OF COLORADO  
FINAL PLAT



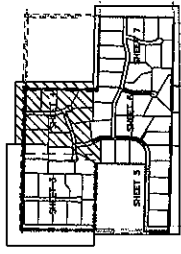
LOT	AREA	ACRES
12	18,000	2,500
13	18,000	2,500
14	18,000	2,500
15	18,000	2,500
16	18,000	2,500
17	18,000	2,500
18	18,000	2,500
19	18,000	2,500
20	12,500	2,500

DATE	DESCRIPTION	DATE	REFERENCE

ANTLERS RIDGE ESTATES  
FINAL PLAT

SCALE 1" = 100'  
DRAWN BY J.M.  
CHECKED BY J.M.  
APPROVED BY J.M.  
FILE

Antlers Ridge Estates  
MERRICK  
Merrick & Company, Inc.  
2222 Commerce Center Blvd., Suite 120  
Denver, Colorado 80202  
DATE 02/22/05 BY J.C.P.

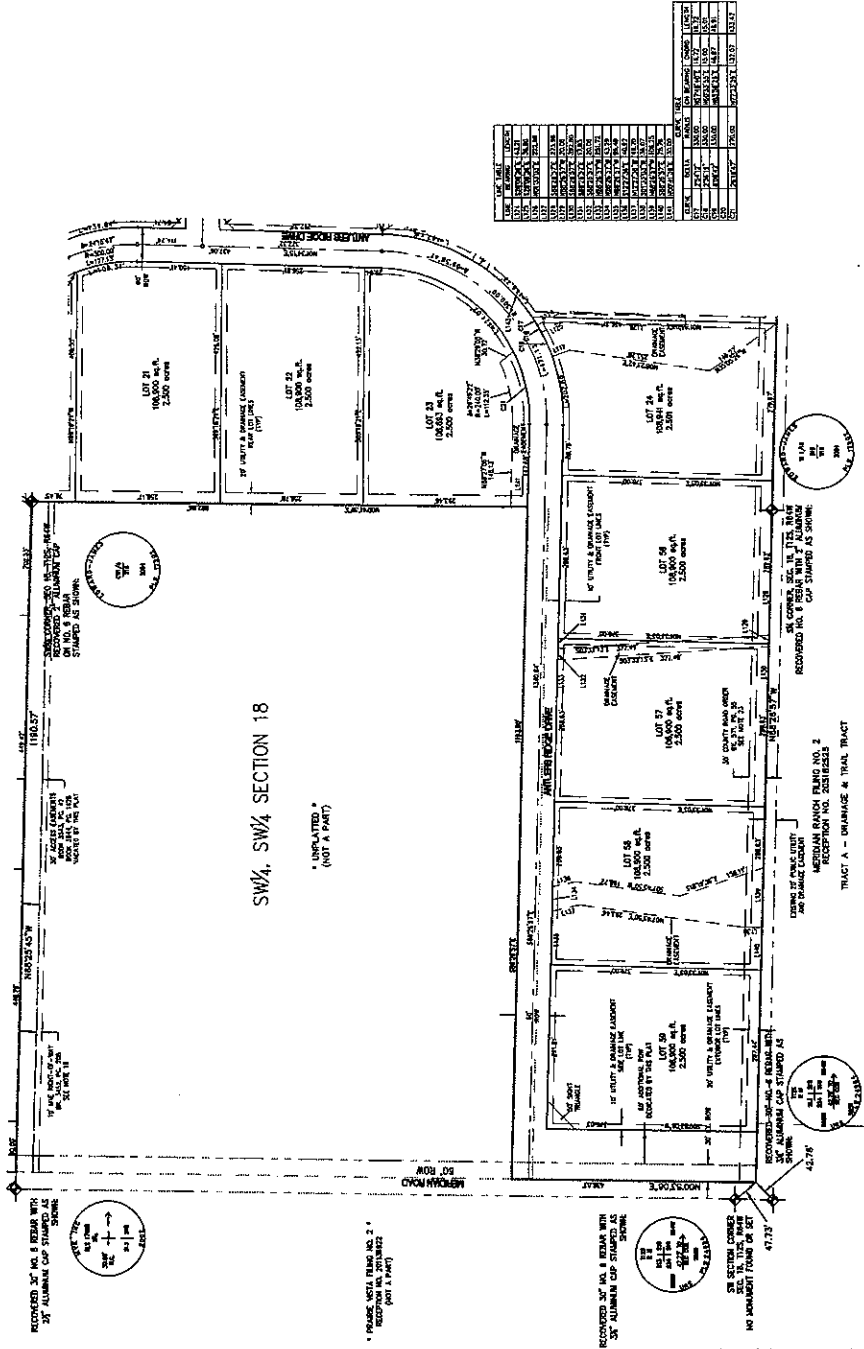


# ANTLERS RIDGE ESTATES

LOCATED IN THE SOUTH 1/2 OF SECTION 18, T12S, R64W OF THE 6TH P.M.,  
EL PASO COUNTY, STATE OF COLORADO  
FINAL PLAN

SW 1/4, SW 1/4 SECTION 18

\* UNPLATTED \*  
(NOT A PART)

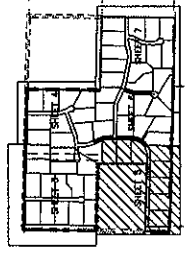
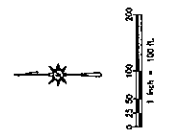


LOT NO.	ACREAGE	AREA	PERCENTAGE
LOT 21	10,000 sq. ft.	2.300 acres	100%
LOT 22	10,000 sq. ft.	2.300 acres	100%
LOT 23	10,000 sq. ft.	2.300 acres	100%
LOT 24	10,000 sq. ft.	2.300 acres	100%
LOT 25	10,000 sq. ft.	2.300 acres	100%
LOT 26	10,000 sq. ft.	2.300 acres	100%
LOT 27	10,000 sq. ft.	2.300 acres	100%
LOT 28	10,000 sq. ft.	2.300 acres	100%

DATE	DESCRIPTION	DATE	REFERENCE

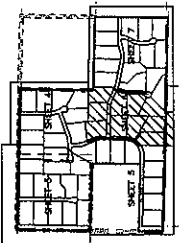
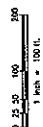
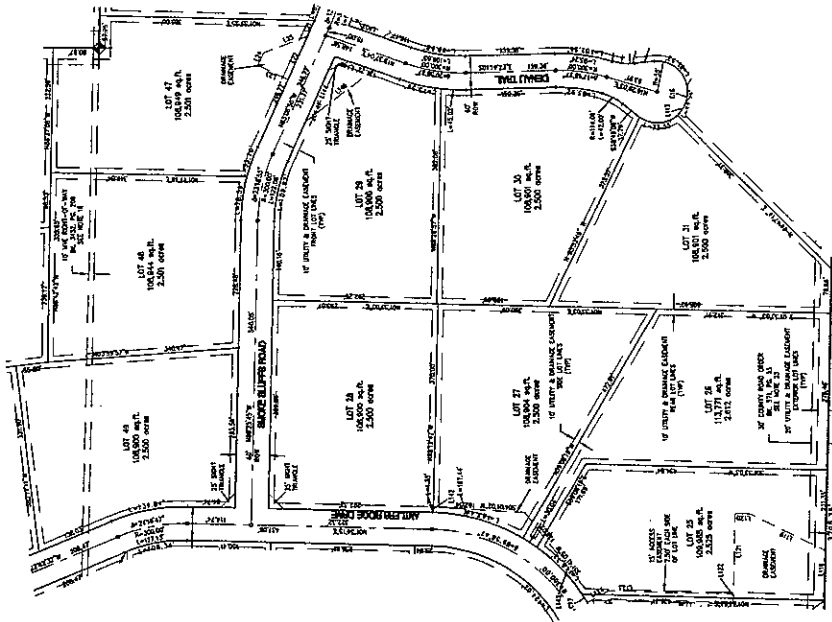
ANTLERS RIDGE ESTATES  
FINAL PLAN

SCALE 1" = 100'  
DRAWN BY: MERRICK  
CHECKED BY: MERRICK & COMPANY, INC. Phone: 719 250-8874  
APPROVED BY: MERRICK & COMPANY, INC. 7720 North Academy Blvd., Suite 100  
CO Springs, CO 80915  
FILE NO. 18014777 DATE 02/22/09 81.3 GP. 7





**ANTLERS RIDGE ESTATES**  
 LOCATED IN THE SOUTH 1/2 OF SECTION 18, T12S, R64W OF THE 8TH P.M.,  
 EL PASO COUNTY, STATE OF COLORADO  
**FINAL PLAT**



NO.	DATE	DESCRIPTION
1	11/21/27	PRELIMINARY PLAT
2	11/21/27	REVISIONS TO PRELIMINARY PLAT
3	11/21/27	REVISIONS TO PRELIMINARY PLAT
4	11/21/27	REVISIONS TO PRELIMINARY PLAT
5	11/21/27	REVISIONS TO PRELIMINARY PLAT
6	11/21/27	REVISIONS TO PRELIMINARY PLAT
7	11/21/27	REVISIONS TO PRELIMINARY PLAT
8	11/21/27	REVISIONS TO PRELIMINARY PLAT
9	11/21/27	REVISIONS TO PRELIMINARY PLAT
10	11/21/27	REVISIONS TO PRELIMINARY PLAT
11	11/21/27	REVISIONS TO PRELIMINARY PLAT
12	11/21/27	REVISIONS TO PRELIMINARY PLAT
13	11/21/27	REVISIONS TO PRELIMINARY PLAT
14	11/21/27	REVISIONS TO PRELIMINARY PLAT
15	11/21/27	REVISIONS TO PRELIMINARY PLAT
16	11/21/27	REVISIONS TO PRELIMINARY PLAT
17	11/21/27	REVISIONS TO PRELIMINARY PLAT
18	11/21/27	REVISIONS TO PRELIMINARY PLAT
19	11/21/27	REVISIONS TO PRELIMINARY PLAT
20	11/21/27	REVISIONS TO PRELIMINARY PLAT
21	11/21/27	REVISIONS TO PRELIMINARY PLAT
22	11/21/27	REVISIONS TO PRELIMINARY PLAT
23	11/21/27	REVISIONS TO PRELIMINARY PLAT
24	11/21/27	REVISIONS TO PRELIMINARY PLAT
25	11/21/27	REVISIONS TO PRELIMINARY PLAT
26	11/21/27	REVISIONS TO PRELIMINARY PLAT
27	11/21/27	REVISIONS TO PRELIMINARY PLAT
28	11/21/27	REVISIONS TO PRELIMINARY PLAT
29	11/21/27	REVISIONS TO PRELIMINARY PLAT
30	11/21/27	REVISIONS TO PRELIMINARY PLAT
31	11/21/27	REVISIONS TO PRELIMINARY PLAT
32	11/21/27	REVISIONS TO PRELIMINARY PLAT
33	11/21/27	REVISIONS TO PRELIMINARY PLAT
34	11/21/27	REVISIONS TO PRELIMINARY PLAT
35	11/21/27	REVISIONS TO PRELIMINARY PLAT
36	11/21/27	REVISIONS TO PRELIMINARY PLAT
37	11/21/27	REVISIONS TO PRELIMINARY PLAT
38	11/21/27	REVISIONS TO PRELIMINARY PLAT
39	11/21/27	REVISIONS TO PRELIMINARY PLAT
40	11/21/27	REVISIONS TO PRELIMINARY PLAT
41	11/21/27	REVISIONS TO PRELIMINARY PLAT
42	11/21/27	REVISIONS TO PRELIMINARY PLAT
43	11/21/27	REVISIONS TO PRELIMINARY PLAT
44	11/21/27	REVISIONS TO PRELIMINARY PLAT
45	11/21/27	REVISIONS TO PRELIMINARY PLAT
46	11/21/27	REVISIONS TO PRELIMINARY PLAT
47	11/21/27	REVISIONS TO PRELIMINARY PLAT
48	11/21/27	REVISIONS TO PRELIMINARY PLAT
49	11/21/27	REVISIONS TO PRELIMINARY PLAT
50	11/21/27	REVISIONS TO PRELIMINARY PLAT
51	11/21/27	REVISIONS TO PRELIMINARY PLAT
52	11/21/27	REVISIONS TO PRELIMINARY PLAT
53	11/21/27	REVISIONS TO PRELIMINARY PLAT
54	11/21/27	REVISIONS TO PRELIMINARY PLAT
55	11/21/27	REVISIONS TO PRELIMINARY PLAT
56	11/21/27	REVISIONS TO PRELIMINARY PLAT
57	11/21/27	REVISIONS TO PRELIMINARY PLAT
58	11/21/27	REVISIONS TO PRELIMINARY PLAT
59	11/21/27	REVISIONS TO PRELIMINARY PLAT
60	11/21/27	REVISIONS TO PRELIMINARY PLAT
61	11/21/27	REVISIONS TO PRELIMINARY PLAT
62	11/21/27	REVISIONS TO PRELIMINARY PLAT
63	11/21/27	REVISIONS TO PRELIMINARY PLAT
64	11/21/27	REVISIONS TO PRELIMINARY PLAT
65	11/21/27	REVISIONS TO PRELIMINARY PLAT
66	11/21/27	REVISIONS TO PRELIMINARY PLAT
67	11/21/27	REVISIONS TO PRELIMINARY PLAT
68	11/21/27	REVISIONS TO PRELIMINARY PLAT
69	11/21/27	REVISIONS TO PRELIMINARY PLAT
70	11/21/27	REVISIONS TO PRELIMINARY PLAT
71	11/21/27	REVISIONS TO PRELIMINARY PLAT
72	11/21/27	REVISIONS TO PRELIMINARY PLAT
73	11/21/27	REVISIONS TO PRELIMINARY PLAT
74	11/21/27	REVISIONS TO PRELIMINARY PLAT
75	11/21/27	REVISIONS TO PRELIMINARY PLAT
76	11/21/27	REVISIONS TO PRELIMINARY PLAT
77	11/21/27	REVISIONS TO PRELIMINARY PLAT
78	11/21/27	REVISIONS TO PRELIMINARY PLAT
79	11/21/27	REVISIONS TO PRELIMINARY PLAT
80	11/21/27	REVISIONS TO PRELIMINARY PLAT
81	11/21/27	REVISIONS TO PRELIMINARY PLAT
82	11/21/27	REVISIONS TO PRELIMINARY PLAT
83	11/21/27	REVISIONS TO PRELIMINARY PLAT
84	11/21/27	REVISIONS TO PRELIMINARY PLAT
85	11/21/27	REVISIONS TO PRELIMINARY PLAT
86	11/21/27	REVISIONS TO PRELIMINARY PLAT
87	11/21/27	REVISIONS TO PRELIMINARY PLAT
88	11/21/27	REVISIONS TO PRELIMINARY PLAT
89	11/21/27	REVISIONS TO PRELIMINARY PLAT
90	11/21/27	REVISIONS TO PRELIMINARY PLAT
91	11/21/27	REVISIONS TO PRELIMINARY PLAT
92	11/21/27	REVISIONS TO PRELIMINARY PLAT
93	11/21/27	REVISIONS TO PRELIMINARY PLAT
94	11/21/27	REVISIONS TO PRELIMINARY PLAT
95	11/21/27	REVISIONS TO PRELIMINARY PLAT
96	11/21/27	REVISIONS TO PRELIMINARY PLAT
97	11/21/27	REVISIONS TO PRELIMINARY PLAT
98	11/21/27	REVISIONS TO PRELIMINARY PLAT
99	11/21/27	REVISIONS TO PRELIMINARY PLAT
100	11/21/27	REVISIONS TO PRELIMINARY PLAT

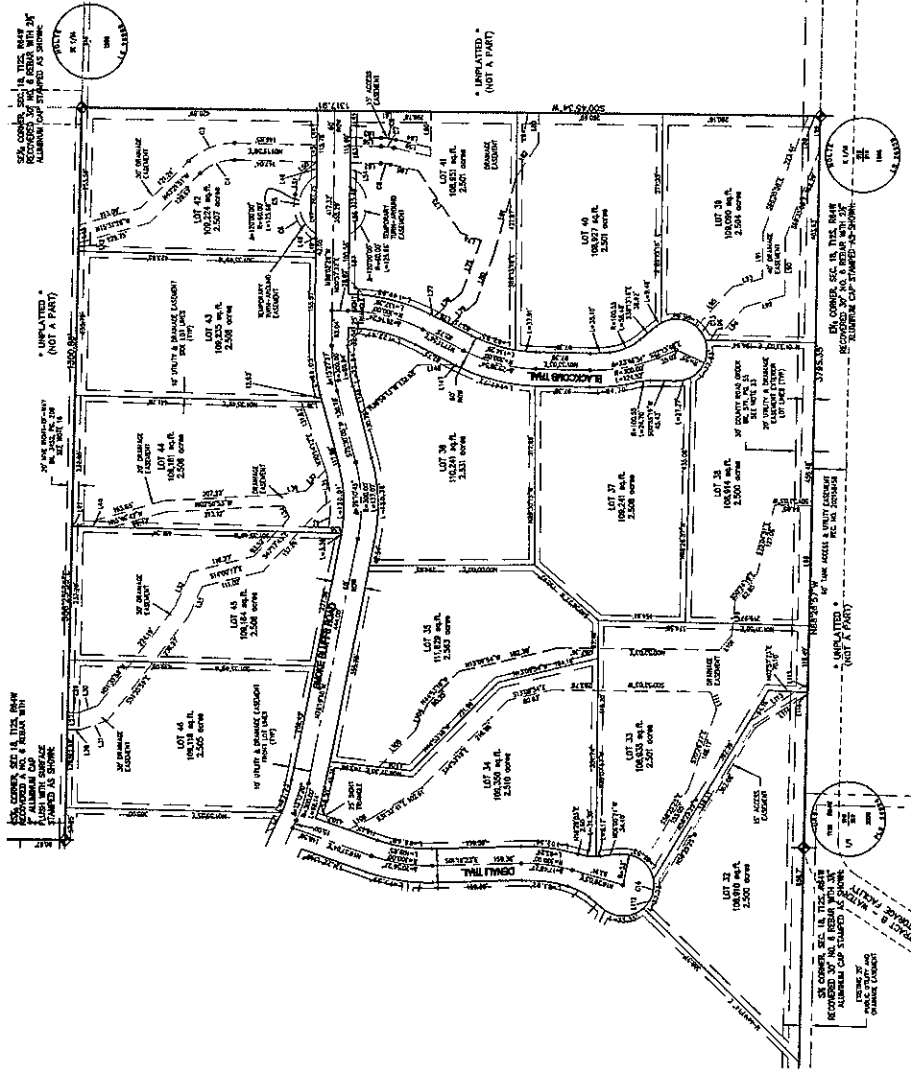
ANTLERS RIDGE ESTATES  
 FINAL PLAT

SCALE 1" = 100'  
 DRAWN BY J.L.  
 CHECKED BY M.H.  
 APPROVED BY J.L.  
 FILE 100-100-1000

Antlers and Engineers  
**MERRICK**  
 Surveyors and Engineers  
 7233 Commerce Center  
 Fort Worth, Texas 76120  
 DATE 10/27/27

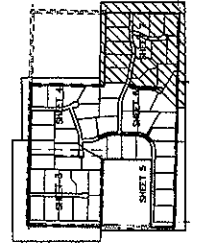
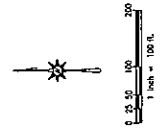
# ANTLERS RIDGE ESTATES

LOCATED IN THE SOUTH 1/2 OF SECTION 18, T12S, R64W OF THE 6TH P.M.,  
EL PASO COUNTY, STATE OF COLORADO  
FINAL PLAT



LOT	AREA (SQ. FT.)	AREA (ACRES)
1	106,338	2.42
2	106,338	2.42
3	106,338	2.42
4	106,338	2.42
5	106,338	2.42
6	106,338	2.42
7	106,338	2.42
8	106,338	2.42
9	106,338	2.42
10	106,338	2.42
11	106,338	2.42
12	106,338	2.42
13	106,338	2.42
14	106,338	2.42
15	106,338	2.42
16	106,338	2.42
17	106,338	2.42
18	106,338	2.42
19	106,338	2.42
20	106,338	2.42
21	106,338	2.42
22	106,338	2.42
23	106,338	2.42
24	106,338	2.42
25	106,338	2.42
26	106,338	2.42
27	106,338	2.42
28	106,338	2.42
29	106,338	2.42
30	106,338	2.42
31	106,338	2.42
32	106,338	2.42
33	106,338	2.42

**ANTLERS RIDGE ESTATES**  
**FINAL PLAT**  
 SCALE 1" = 100'  
 DRAWN BY J.A. MERRICK  
 CHECKED BY J.A. MERRICK  
 APPROVED BY J.A. MERRICK  
 DATE 02/22/05 BY J. DP



March 10, 2006

Mike Garrott  
El Paso County Development Services Department  
2880 International Cr.  
Colorado Springs, CO 80910

**Re: Antler Ridge Estates, Final Plat, SP-05-009, SF-05-016  
Sec. 18, T12S, R64W, 6<sup>th</sup> P.M.  
Upper Black Squirrel Creek Designated Ground Water Basin  
Water Division 2, Water District 10**

Dear Mr. Garrott:

This analysis is in response to your submitted amendment to the Antler Ridge Estates Subdivision's water supply plan. This letter supercedes our previous comment letters dated January 30, 2006 and September 30, 2005. The principle amendment concerns the addition of a Denver aquifer allocation pursuant to Determination of Water Right 835-BD, which enables the addition of four residential lots, which were previously removed. The revised submittal for the above-referenced proposal now consists of subdividing approximately 166 acres into 59 single-family lots.

Please be aware that a letter dated September 30, 2005, while noting the adequacy of the proposed supply, raised a concern with regard to potential injury as a result of the application of ground water to areas outside the allowed areas of application. In a communication dated November 4, 2005, the applicant proposes language to be added to the plat notes for the subject subdivision:

*"Denver aquifer water determined under Determinations of Water Rights 638-BD and 642-BD may not be applied to or used on Tract."*

While this area previously designated as "Tract" land is now to be developed into four lots, the water from the two above-mentioned allocations still cannot be applied to this area and as a result the note should remain on the plat. However, the ground water from the Denver aquifer allocation pursuant to Determination of Water Right 835-BD can be applied to the land area previously designated as "Tract" (See Figures 1-3).

All other aspects of the water supply plan initially acknowledged in our September 30, 2005 letter remain unchanged and with the current amendment are summarized as follows: The proposed water supply for the subdivision consists of individual on-lot wells that withdraw water from Denver aquifer allocations pursuant to Determinations of Water Right 638-BD, 642-BD and 835-BD. The proposed total annual water requirement for the subdivision is 27.2 acre-feet, of which 17.50 acre-feet is for household use (approximately 0.30 acre-feet per lot) and 9.5 acre-feet is for irrigation purposes (0.16 acre-feet per lot, or lawn and garden irrigation not to

exceed 3,000 square feet). Individual on-lot non-evaporative type septic systems will process waste water and sewage.

On January 27, 2005, David and Luann Zude received Determination of Water Right Number 638-BD from the Colorado Ground Water Commission to appropriate all the water within the Denver aquifer underlying a 39-acre parcel, which corresponds to a portion of the subject land area proposed for subdivision (See Figure 1a). The allowed beneficial uses for this allocation are domestic, stock watering, irrigation, commercial, industrial, and replacement supply. On January 26, 2005, Black and White Mouton Corp. received Determination of Water Right Number 642-BD from the Colorado Ground Water Commission to appropriate all the water within the Denver aquifer underlying a 117.6-acre parcel, which corresponds with the majority of the remaining land area proposed for subdivision (See Figure 2a). The allowed beneficial uses for this allocation are domestic, stock watering, irrigation, commercial and replacement supply (See Table 1 for further details). In accordance with CRS 37-90-107, both sets of Determinations of Water Rights allow for application of the subject ground water on the combined land areas described in each set of Findings and Order of the Commission. However, the described land areas do not include eight acres of the proposed subdivision and as a result, the ground water cannot be applied to those eight remaining acres of the land re-designated as "Tract" land (See Figures 1b and 2b). On February 2, 2006, Peter B. and Pamela H. Miller received Determination of Water Right Number 835-BD from the Colorado Ground Water Commission to appropriate all the water within the Denver aquifer underlying a 36.1-acre parcel, which corresponds to a portion of the subject land area proposed for subdivision (See Figure 3a). The allowed beneficial uses for this allocation are domestic, stock watering, irrigation, commercial, industrial, and replacement supply. The allowed area of application of this ground water is the entire area proposed for subdivision including the 8-acre area mentioned above (See Figure 3b).

The applicant's proposed total water demand for the subject subdivision is 27.2 acre-feet per year. With a maximum available annual supply from the three Denver aquifer allocations of 93.4 acre-feet, the 100-year aquifer life requirement under the provisions of Sections 37-90-107(7) and 37-90-111(5), C.R.S. is met. Likewise, the replacement requirement of Determination of Water Right No. 638-BD, 642-BD and 835-BD would be met using the proposed non-evaporative septic systems. In addition, this amount is sufficient to satisfy El Paso County's 300-year water supply requirement (See Table 1).

Table 1.

Water Right	Aquifer	Replacement Requirements	Annual Allocation	300-year supply <sup>2</sup>	Estimated Water Requirements
638-BD <sub>1,3</sub>	Denver	NNT-4%	19.2 AF	6.4 AF/yr	
642-BD <sub>1,3</sub>	Denver	NNT-4%	57.0 AF	19.0 AF/yr	
835-BD <sub>1</sub>	Denver	NNT-4%	17.2 AF	5.7 AF/yr	
<b>TOTALS</b>			93.4 AF	31.1 AF/yr	27.2 AF/yr

1 - Determination of water right designated as the principal supply

2 - 300-year supply based on annual value calculated for a 100-year aquifer life, divided by 3.

3 - The area of application for the water from these determinations is restricted as depicted in Figures 1-3

Antler Ridge Estates Subdivision Water Supply Analysis

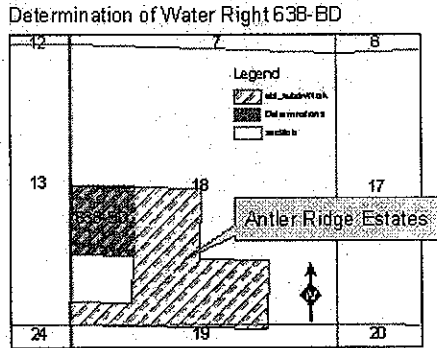


Figure 1a.

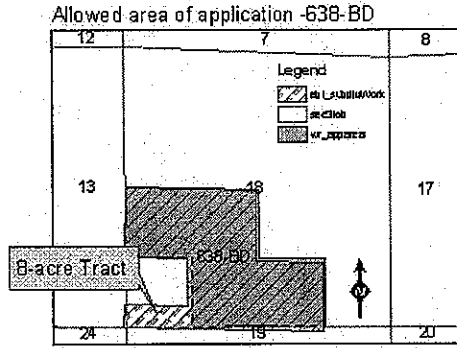


Figure 1b.

Figure 1a: Shaded area depicts overlying land area that corresponds with Determination of Water Right 638-BD  
 Figure 1b: Shaded area depicts land area to which water from Determination of Water Right 638-BD can be applied

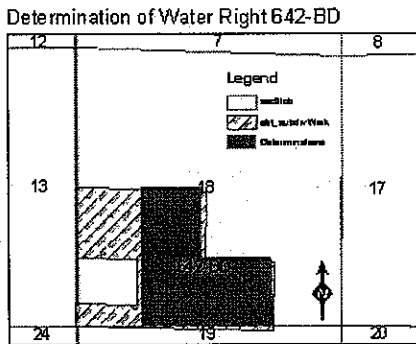


Figure 2a.

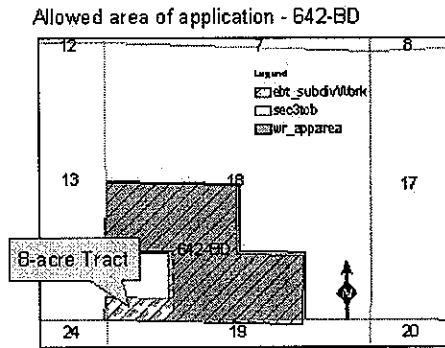


Figure 2b.

Figure 2a: Shaded area depicts overlying land area that corresponds with Determination of Water Right 642-BD  
 Figure 2b: Shaded area depicts land area to which water from Determination of Water Right 642-BD can be applied

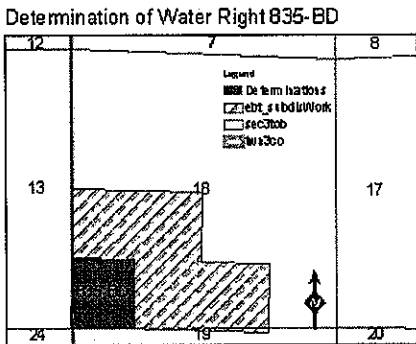


Figure 3a.

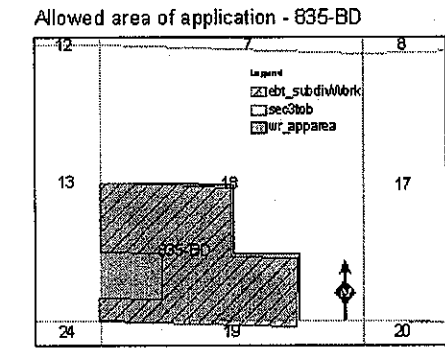


Figure 3b.

Figure 3a: Shaded area depicts overlying land area that corresponds with Determination of Water Right 835-BD  
 Figure 3b: Shaded area depicts land area to which water from Determination of Water Right 835-BD can be applied

The State Engineer under the provisions of Section 30-28-136(1)(h)(I) offers the opinion that the water supply, as proposed is adequate and will not cause material injury to existing water rights so long as the restrictions for the allocations under Determinations of Water Rights 638-BD and 642-BD are followed.

Water in the Designated Basin areas of the Denver Basin Aquifers is allocated based on a 100-year aquifer life under the provisions of Sections 37-90-107(7) and 37-90-111(5), C.R.S. 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 100 years due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon these non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply.

If you have any questions, please contact Eric B. Thoman of this office.

Sincerely,

Kevin G. Rein, P.E.  
Chief of Water Supply

KGR/SMS/EBT:AntlerRidgeFP\_rev3.doc

cc: Steve Witte, Division Engineer  
UBSC GWMD  
Designated Basins Branch  
Records



**El Paso County  
Office of the County Attorney  
Civil Division**

Assistant County Attorneys

John N. Franklin  
M. Cole Emmons  
Jay A. Lauer  
Lori L. Seago

William H. Louis, County Attorney

---

The County Attorney's Office previously reviewed this on February 22, 2006, and found sufficiency at that time. Based on Applicant proposing to have an additional 4 lots which results in a total of 59 single family lots and the addition of a new water source, Colorado Ground Water Commission Determination of Water Rights No. 835-BD, it was necessary for the County Attorney's Office to revise its earlier written opinion.

March 13, 2006

SF-05-016      Antlers Ridge  
(Final Plat/Rezone)

Reviewed by:    M. Cole Emmons, Assistant County Attorney  
                         Kristine J. Beatty, Paralegal

**FINDINGS AND CONCLUSIONS:**

1.      This is a proposal by Black & White Moulton Corp, David Zude, Luann Zude, Peter Miller and Pamela Miller to subdivide 165 acres into 59 single-family lots. The property is currently zoned A-35 and a request has been made to rezone it as RR-2.

2.      The Applicants have provided for the source of water to be from new individual on-lot wells withdrawing from the Denver Aquifer. Applicants estimate their annual water needs to serve household use at 17.50 acre-feet and irrigation of lawn and garden at approximately 9.5 acre-feet, which results in a total of 27.2 acre-feet or 0.46 acre-feet per residential lot. Applicants must be able to provide a supply of 8,160 acre-feet of water (27.2 ac. ft./yr. x 300 years) to meet the County's 300 year water supply requirement.

NOTE: Applicant indicated in a letter to the State Engineer dated November 4, 2005, that if and when a replacement plan is approved for Dawson aquifer water, he intends to amend the plat to provide for use of Dawson water. Applicant is hereby advised that if such a change to Dawson aquifer water is requested, that will be considered a substantial change to the water supply, which will require re-review by the State Engineer and the County Attorney's Office and approval by the Board of County Commissioners.

3.      In a letter dated March 10, 2006, the State Engineer indicates that they previously reviewed this subdivision in September 2005 and January 30, 2006, and had two concerns regarding the status of three existing small capacity wells and the potential for ground water being applied to 8 acres of land that were not covered by the

Colorado Ground Water Commission Determination of Water Rights that were issued to the Applicant. The Engineer indicates that both of these issues have been resolved – the existing wells, with Well Permit Nos. 145711, 154621 and 189099 withdraw from the Dawson Aquifer. The Applicant has agreed to abandon the existing wells unless they can be successfully re-permitted, and the Applicant will place a plat note restricting the use of water in the 8 acres that are not covered by the Determination of Water Rights. This Plat Note shall state: “Denver aquifer water determined under Determinations of Water Rights 638-BD and 642-BD may not be applied to or used on Tract.” However, the Engineer indicates that the Applicant obtained a Colorado Ground Water Commission Determination of Water Right No. 835-BD which allows water to be withdrawn from the Denver Aquifer. Determination of Water Right No. 835-BD will service the addition of four residential lots in an area previously designated as Tract land.

The Applicant also plans to use individual on-lot wells withdrawing from the Denver Aquifer pursuant to Colorado Ground Water Commission Determination of Water Right Nos. 638-BD and 642-BD. The Dawson Aquifer is not-nontributary at this location and requires approval of a replacement plan before utilizing the Dawson Aquifer pursuant to Case No. 639-BD. Case Nos. 640-BD, 641-BD and 642-BD allow for appropriation from the Laramie-Fox Hills, Arapahoe and Denver Aquifers underlying the parcel. The State Engineer indicates that the replacement requirement for Case Nos. 638-BD and 642-BD for 4% of water return should be met using the proposed non-evaporative septic systems.

The Engineer is of the opinion that with an annual demand of 27.2 acre-feet and a supply of 93.4 acre-feet (31.1 acre-feet for a 300 year supply) from the three Denver aquifer Determinations, this amount is sufficient to meet both the State's 100 year and the County's 300 year water supply requirements. Pursuant to C.R.S. 30-28-136(1)(h)(II), the State Engineer is of the opinion that the water supply as proposed is adequate and will not cause injury to existing water rights so long as the restrictions noted herein are sufficiently and correctly described in the plat notes.

4. Analysis: With a proposed annual supply of 27.2 acre-feet (8,160 acre-feet – 300 year supply) needed and the availability of 93.4 acre-feet (31.1 acre-feet for a 300 year supply) from the three Denver aquifer Determinations (8,160 acre-feet), there appears to be a sufficient supply to meet the County's 300 year water supply rule.

5. The water quality requirements of Section 49.5E of the Land Development Code must be satisfied.

6. The Colorado Ground Water Commission issued a Determination for Water Rights in Nos. 638-BD, 639-BD, 640-BD, 641-BD, 642-BD and 835-BD and the Commission found as follows:



	DENVER 638-BD	DAWSON 639-BD	LARAMIE- FOX HILLS 640-BD	ARAPAHOE 641-BD	DENVER 642-BD	DENVER 835-BD
Annual Water Amount to be Withdrawn	19.2 acre-feet	19.3 acre- feet	34.4 acre- feet	44.0 acre- feet	57.0 acre-feet	17.2 acre-feet

Quantity of Water Available in Aquifer	1,921 acre-feet	2,026 acre-feet	3,440 acre- feet	4,398 acre- feet	5,698 acre-feet	1,718 acre-feet
Wells shall be located on 38.97 acre area	X	X	Must be located on 117.6 acres of land	Must be located on 117.6 acres of land	Must be located on 117.6 acres of land	Must be located on 36.1 acres.
No more than 98% of Ground water withdrawn annually shall be consumed			X	X		
Wells must be constructed to withdraw from Aquifer	X 638- BD	X 639-BD	X 640-BD	X 641-BD	X 642-BD	X 835- BD
Replacement plan required		X				
4% Must be Returned to the Uppermost Vicinity of the Aquifer	X				X	X

In addition, the following is applicable to all Determinations of Water Rights:

a. The use of the ground water is limited to: domestic, commercial, industrial, irrigation, stock watering, and replacement plan.

b. The Applicant, or subsequent persons controlling the water right, shall record in the El Paso County Clerk and Recorder's Office Notice of Transfer of any portion of this water right to another within sixty (60) days after the transfer.

c. Each well shall be constructed within 200 feet of the location specified on the permit application but must be more than 600 feet from any existing large-capacity well completed in the same aquifer.

d. A totalizing flow meter shall be installed on each well.

7. Therefore, based upon the finding of sufficiency and no injury by the State Engineer, the Colorado Ground Water Commission Determinations of Water Rights, and based on the requirements below, the County Attorney's Office recommends a finding that the proposed water supply is sufficient in terms of quantity and dependability. The El Paso County Health Department shall provide an opinion as to quality.

#### **REQUIREMENTS:**

Plat Notes and Documentation are required to address the following:

A. Applicant, its successors and assigns, at the time of lot sales, shall convey by warranty deed to individual lot owners sufficient water rights in the Denver Aquifer underlying each lot to satisfy both El Paso County's 300 year water supply requirement and the replacement plan to replace depletions to the aquifer: (Denver) 138 acre-feet (0.46 ac. ft./lot/yr. x 300 yrs.). Additional conveyances may be required to create a clear chain of title for the water rights. Applicant shall provide a form warranty deed and any additional warranty deeds that may be required to create a clear chain of title for review and approval to the Development Services Department and the County Attorney's Office prior to recording the final plat.

B. Applicant, its successors and assigns, shall record all applicable documents including, but not limited to, the Colorado Ground Water Determination of Water Rights in Case Nos. 638-BD, 642-BD, and 835-BD, agreements, assignments, and warranty deeds regarding the water rights in the land records of the Office of the Clerk and Recorder of El Paso County, Colorado.

C. The following plat note shall be added that addresses the State Engineer's admonition to advise landowners of potential limited water supplies in the Denver Basin:

"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 non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply.”

D. The following plat note shall be added that addresses the State Engineer’s concerns regarding the potential for ground water being applied to 8 acres of land that is not covered by the Colorado Water Determination of Water Rights that were issued to the Applicant:

“Denver aquifer water determined under Determinations of Water Rights 638-BD and 642-BD may not be applied to or used on Lots \_\_\_\_\_; however, Denver aquifer water determined under Determination of Water Rights 835-BD may be used on these lots.”

E. The Applicant shall provide written proof to both the County Attorney’s Office and the Development Services Department that the wells with Well Permit Nos. 145711, 154621 and 189099 have either been abandoned or repermited.

cc: Mike Garrott, Planner