

**TOWN OF MONUMENT
ORDINANCE 38 - 2014**

**AN ORDINANCE APPROVING AN AMENDMENT TO THE ANNEXATION AND
DEVELOPMENT AGREEMENT FOR THE WAHLBORG ANNEXATION AND VILLAGE AT
WOODMOOR**

WHEREAS, Classic Consulting, has applied for approval of an Amendment to the Annexation and Development Agreement for the Wahlborg Annexation and Village at Woodmoor, and

WHEREAS, the Board of Trustees hereby determines that the application complies with Town regulations; and

WHEREAS, approval of this application vests certain rights as described in Section 17.76 of the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MONUMENT, as follows:

- Section 1. The Board of Trustees approves the above-identified Amendment to the Annexation and Development Agreement for the Wahlborg Annexation and Village at Woodmoor.
- Section 2. The approvals are for the property described in Exhibit A, which is attached hereto and incorporated herein by this reference.
- Section 3. The approvals are subject to all conditions listed in Exhibit B, which is attached hereto and incorporated herein by this reference.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MONUMENT, THIS ORDINANCE WAS INTRODUCED, PASSED, APPROVED AND ADOPTED on this 3rd day of November, 2014, by a vote of 5 for and 1 against. (Trustee Bornstein)

Jeffrey Kaiser, Mayor Pro Tem

APPROVED AS TO FORM

Gary Shupp, Town Attorney

ATTEST:

Cynthia Sirochman, Town Clerk

EXHIBIT A

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16 AND TRACT A, VILLAGE CENTER AT WOODMOOR FILING NO. 4, RECORDED UNDER RECEPTION NO. 210713065, RECORDS OF EL PASO COUNTY, COLORADO IN THE TOWN OF MONUMENT, COUNTY OF EL PASO, STATE OF COLORADO.

TOGETHER WITH:

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 13 AND THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF MONUMENT, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE EASTERLY BOUNDARY OF LOT 8 AS PLATTED IN VILLAGE CENTER AT WOODMOOR FILING NO. 4, RECORDED UNDER RECEPTION NO. 210713065, RECORDS OF EL PASO COUNTY, COLORADO, BEING ALSO A PORTION OF THE WESTERLY RIGHT OF WAY LINE OF GOLD CANYON ROAD AS PLATTED IN VILLAGE CENTER AT WOODMOOR FILING NO. 3, RECORDED UNDER RECEPTION NO. 206712452, MONUMENTED AT BOTH ENDS BY AN ORANGE PLASTIC SURVEYORS CAP STAMPED "AZTEC 38064" ASSUMED TO BEAR $S00^{\circ}08'16''W$, A DISTANCE OF 178.24 FEET.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, VILLAGE CENTER AT WOODMOOR FILING NO. 4 AS RECORDED UNDER RECEPTION NO. 210713065 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER'S OFFICE;

THENCE, ALONG THE SOUTHERLY BOUNDARY OF SAID VILLAGE CENTER AT WOODMOOR FILING NO. 4, THE FOLLOWING SIX (6) COURSES;

1. $S89^{\circ}32'52''E$, A DISTANCE OF 236.00 FEET;
2. $N00^{\circ}27'08''E$, A DISTANCE OF 186.67 FEET;
3. $S89^{\circ}32'52''E$, A DISTANCE OF 1,378.91 FEET;
4. $N00^{\circ}27'08''E$, A DISTANCE OF 168.83 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 100.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS $N41^{\circ}06'21''E$;
5. THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $40^{\circ}39'13''$, AN ARC LENGTH OF 70.95 FEET;
6. $S89^{\circ}32'52''E$, A DISTANCE OF 70.75 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 81.50 FEET, THE RADIUS POINT OF SAID CURVE BEARS $S85^{\circ}29'28''E$, SAID POINT ALSO BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF GOLD CANYON ROAD AS PLATTED IN SAID VILLAGE CENTER AT WOODMOOR FILING NO. 4;

THENCE, ALONG SAID WESTERLY RIGHT-OF-WAY OF GOLD CANYON ROAD, THE FOLLOWING TWO (2) COURSES;

1. THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 146°28'53", AN ARC OF LENGTH OF 208.36 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 65.00 FEET;
2. THENCE, NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 52°36'14", AN ARC LENGTH OF 59.68 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF GOLD CANYON ROAD AS PLATTED IN VILLAGE CENTER AT WOODMOOR FILING NO. 3, UNDER RECEPTION NO. 206712452, IN SAID RECORDS;

THENCE S89°22'07"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 116.84 FEET TO THE NORTHWEST CORNER OF TRACT B, SAID VILLAGE CENTER AT WOODMOOR FILING NO. 3;

THENCE S40°57'04"W, ALONG THE WEST LINE OF SAID TRACT B, A DISTANCE OF 605.14 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT A, VILLAGE CENTER AT WOODMOOR FILING NO. 2, AS PLATTED UNDER RECEPTION NO. 206712451, IN SAID RECORDS;

THENCE, ALONG SAID NORTHERLY LINE OF TRACT A, THE FOLLOWING SIX (6) COURSES:

1. N71°13'13"W, A DISTANCE OF 118.28 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 300.00 FEET;
2. THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 58°08'54", AN ARC LENGTH OF 304.46 FEET;
3. S50°37'53"W, A DISTANCE OF 250.59 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 200.00 FEET;
4. THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39°30'24", AN ARC LENGTH OF 137.90 FEET;
5. N89°51'44"W, A DISTANCE OF 350.00 FEET;
6. S00°08'16"W, A DISTANCE OF 20.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF WOODMOOR ACRES DRIVE AS RECORDED UNDER RECEPTION NO. 205078262, IN SAID RECORDS;

THENCE N89°51'44"W, ALONG SAID NORTHERLY RIGHT-OF-WAY, A DISTANCE OF 604.21 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF KNOLLWOOD DRIVE;

THENCE N00°27'08"E, ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 408.53 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 20.447 ACRES, (890,673 SQUARE FEET), MORE OR LESS.

TOGETHER WITH:

A PARCEL OF LAND BEING A PORTION OF HIGHWAY 105 AND A TRACT OF LAND DEDICATED FOR ADDITIONAL RIGHT OF WAY FOR HIGHWAY 105 AS PLATTED IN SAID VILLAGE CENTER AT WOODMOOR FILING NO. 4, RECORDED UNDER RECEPTION NO. 210713065, RECORDS OF EL PASO COUNTY, COLORADO, LOCATED IN PORTIONS OF THE SOUTHWEST QUARTER OF SECTION 13 AND THE SOUTHEAST

QUARTER OF SECTION 14, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF MONUMENT, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF LOT 4, AS PLATTED IN SAID VILLAGE CENTER AT WOODMOOR FILING NO. 4, SAID POINT BEING THE NORTHEASTERLY CORNER OF LOT 3 AS PLATTED IN SAID VILLAGE CENTER AT WOODMOOR FILING NO. 4, SAID POINT BEING ON THE SOUTHERLY LINE OF SAID TRACT OF LAND DEDICATED FOR ADDITIONAL RIGHT OF WAY FOR HIGHWAY 105 AS PLATTED IN SAID VILLAGE CENTER AT WOODMOOR FILING NO. 4. SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE N86°27'37"W, ON THE NORTHERLY BOUNDARY OF SAID LOT 3 AND THE SOUTHERLY RIGHT OF WAY LINE SAID HIGHWAY 105, A DISTANCE OF 45.27 FEET;
THENCE N89°42'05"E, A DISTANCE OF 519.17 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF LOT 5 AS PLATTED IN SAID VILLAGE CENTER AT WOODMOOR FILING NO. 4;

THENCE ON THE NORTHERLY BOUNDARY OF SAID LOT 5 THE FOLLOWING (2) TWO COURSES;

1. S60°14'42"W, A DISTANCE OF 26.76 FEET;
2. N89°45'18"W, A DISTANCE OF 21.90 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 5 BEING ALSO THE NORTHEASTERLY CORNER OF SAID LOT 4;

THENCE ON THE NORTHERLY BOUNDARY OF SAID LOT 4 THE FOLLOWING (2) TWO COURSES;

1. N89°45'18"W, A DISTANCE OF 327.23 FEET;
2. N86°27'37"W, A DISTANCE OF 101.83 FEET TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 4,892 SQUARE FEET

TOGETHER WITH:

A PARCEL OF LAND BEING A PORTION OF GOLD CANYON ROAD AS PLATTED IN VILLAGE CENTER AT WOODMOOR FILING NO. 3, RECORDED UNDER RECEPTION NO. 206712452, RECORDS OF EL PASO COUNTY, COLORADO AND VILLAGE CENTER AT WOODMOOR FILING NO. 4, RECORDED UNDER RECEPTION NO. 210713065, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF MONUMENT, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY END OF A TANGENT LINE ON THE EASTERLY BOUNDARY OF LOT 8, AS PLATTED IN VILLAGE CENTER AT WOODMOOR FILING NO. 4, RECORDED UNDER RECEPTION NO. 210713065, RECORDS OF EL PASO COUNTY, COLORADO, WHICH BEARS S00°08'16"W, A DISTANCE OF 178.25 FEET, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF GOLD CANYON ROAD AS

PLATTED IN VILLAGE CENTER AT WOODMOOR FILING NO. 3, RECORDED UNDER RECEPTION NO. 206712452, SAID POINT BEING THE POINT OF BEGINNING:

THENCE S00°08'16"W, ON THE WESTERLY RIGHT OF WAY LINE OF SAID GOLD CANYON ROAD AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 89.17 FEET;
THENCE N89°22'07"W, A DISTANCE OF 47.50 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID GOLD CANYON ROAD SAID POINT BEING A POINT ON CURVE;

THENCE ON THE WESTERLY RIGHT OF WAY LINE OF SAID GOLD CANYON ROAD THE FOLLOWING (2) TWO COURSES;

- 1.ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S66°59'29"E, HAVING A DELTA OF 25°21'04", A RADIUS OF 81.50 FEET AND A DISTANCE OF 36.06 FEET TO A POINT OF REVERSE CURVE;
- 2.ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 48°13'19", A RADIUS OF 80.00 FEET AND A DISTANCE OF 67.33 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,627 SQUARE FEET

TOGETHER WITH:

A PARCEL OF LAND BEING A PORTION OF GOLD CANYON ROAD AS PLATTED IN VILLAGE CENTER AT WOODMOOR FILING NO. 3, RECORDED UNDER RECEPTION NO. 206712452, RECORDS OF EL PASO COUNTY, COLORADO AND VILLAGE CENTER AT WOODMOOR FILING NO. 4, RECORDED UNDER RECEPTION NO. 210713065, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF MONUMENT, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF A TRACT OF LAND DEDICATED FOR ADDITIONAL RIGHT OF WAY FOR GOLD CANYON ROAD AS PLATTED IN SAID VILLAGE CENTER AT WOODMOOR FILING NO. 4, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF GOLD CANYON WAY AS PLATTED IN SAID VILLAGE CENTER AT WOODMOOR FILING NO. 3, SAID POINT BEING A POINT ON CURVE, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE ON THE SOUTHERLY RIGHT OF WAY LINE GOLD CANYON ROAD AS PLATTED IN SAID VILLAGE CENTER AT WOODMOOR FILING NO. 4 THE FOLLOWING (2) TWO COURSES;

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S00°37'52"W, HAVING A DELTA OF 52°36'13", A RADIUS OF 65.00 FEET AND A DISTANCE OF 59.68 FEET TO A POINT OF REVERSE CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 129°08'32", A RADIUS OF 81.50 FEET AND A DISTANCE OF 183.70 FEET TO A POINT ON CURVE;

THENCE S89°22'07"E, A DISTANCE OF 51.82 FEET;

THENCE S00°08'16"E, A DISTANCE OF 5.00 FEET;
THENCE S89°22'07"E, A DISTANCE OF 143.78 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 7,045 SQUARE FEET

CONTAINING A TOTAL CALCULATED AREA OF 39.942 ACRES.

Exhibit B

None.

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