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Steve Schleiker
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El Paso County, CO
226081396

RESOLUTION NO. 26-254

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

RESOLUTION TO ACCEPT A SPECIAL WARRANTY DEED FROM LEWIS-PALMER SCHOOL DISTRICT NO. 38

WHEREAS, pursuant to C.R.S. §§ 30-11-101(1)(c)-(d), 30-11-102, 30-11-103, and 30-11-107(1)(a), the Board of County Commissioners of El Paso County, Colorado (hereinafter "Board" or "County") has the authority to accept and hold real and personal property for the use of the County when deemed by the Board to be in the best interests of the County; and

WHEREAS, the Lewis-Palmer School District No. 38 Subdivision Exemption plat ("Plat") purported to dedicate public right-of-way to El Paso County for a future extension of Mitchell Avenue; and

WHEREAS, because questions have arisen as to whether the Plat dedication was legally sufficient to dedicate the right-of-way, Lewis-County School District No. 38 desires to convey and the Board wishes to accept the dedicated property through a special warranty deed.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby approves and accepts the Special Warranty Deed attached hereto as Exhibit 1.

DONE THIS 25th day of August, 2026, at Colorado Springs, Colorado.

ATTEST:

By: _____
Steve Schleiker
El Paso County Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO

By: _____
Carrie Geitner, Chair

SPECIAL WARRANTY DEED

THIS DEED, made this 20th day of May, 2026, between LEWIS-PALMER SCHOOL DISTRICT NO. 38, whose mailing address is 146 N. Jefferson Street, PO Box 40, Monument, CO 80132 ("Grantor"), and EL PASO COUNTY BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY, COLORADO, whose street address is 200 S. Cascade Avenue, Colorado Springs, CO 80903 ("Grantee" or "County").

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars and No Cents ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto Grantee, and Grantee's heirs, successors and assigns forever, all the real property, together with all improvements, if any, situate, lying and being in the County of El Paso, State of Colorado described as follows:

See Exhibit A, attached hereto and incorporated herein by reference

TOGETHER WITH all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, and Grantee's heirs, successors and assigns forever. Grantor, for Grantor and Grantor's heirs, successors and assigns, does covenant and agree that Grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of Grantee, and Grantee's heirs, successors and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor and hereby warrants that the Property is free and clear of any lien or encumbrances, of whatever kind or nature soever, including taxes for 2023 and 2024 tax prorations, except any easements, rights-of-way, and restrictions of record and taxes for subsequent years.

IN WITNESS WHEREOF, Grantor has executed this deed on the date set forth above.

GRANTOR:

LEWIS-PALMER SCHOOL DISTRICT NO. 38

By: Brett Ridgway
[NAME & TITLE]
Bret Ridgway, Chief Business Officer

STATE OF CO)
) SS.
COUNTY OF El Paso)

The foregoing instrument was acknowledged before me this 20 day of May, 2026, by Brett Ridgway, as Chief Business Officer of Lewis-Palmer School District No. 38.

Witness my hand and official seal.

Vicki A. Wood
Notary Public

My Commission expires: Nov. 13, 2027

VICKI A WOOD
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20074042183
MY COMMISSION EXPIRES NOVEMBER 13, 2027

EXHIBIT 'A'

LEGAL DESCRIPTION – LEWIS PALMER SCHOOL DISTRICT NO. 38 PUBLIC DEDICATION APRIL 7, 2026

A TRACT OF LAND BEING A PART OF THE LEWIS-PALMER SCHOOL DISTRICT NO. 38 SUBDIVISION EXEMPTION, ACCORDING TO THE PLAT RECORDED AT RECEPTION NO. 223715138 IN THE RECORDS OF THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER, BEING FURTHER DESCRIBED AS FOLLOWS:

"**BEGINNING**" AT THE NORTHEAST CORNER OF SAID SUBDIVISION AND CONSIDERING THE NORTHERLY LINE OF SAID SUBDIVISION TO BEAR SOUTH 88°35'13" WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID SUBDIVISION THE FOLLOWING THREE (3) COURSES:

1) SOUTH 01°05'22" EAST, A DISTANCE OF 276.34 FEET TO A POINT OF CURVE;

2) 64.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 32°00'00", A RADIUS OF 114.80 FEET AND CHORD WHICH BEARS SOUTH 14°54'38" WEST, A DISTANCE OF 63.29 FEET;

3) SOUTH 30°54'38" WEST, A DISTANCE OF 207.28 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF FOREST LAKES DRIVE;

THENCE NORTH 59°29'23" WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 60.00 FEET TO THE MOST SOUTHERLY CORNER OF LOT 1, SAID LEWIS-PALMER SCHOOL DISTRICT NO. 38 SUBDIVISION EXEMPTION; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 1 THE FOLLOWING THREE (3) COURSES:

1) NORTH 30°54'38" EAST, A DISTANCE OF 70.00 FEET TO A POINT OF CURVE;

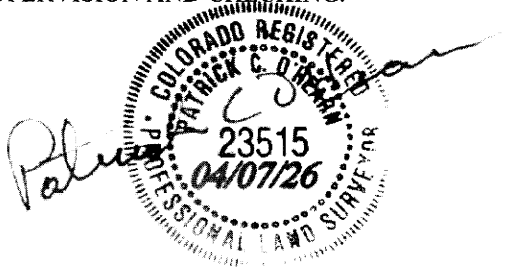
2) 298.80 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 32°00'00", A RADIUS OF 535.00 FEET AND CHORD WHICH BEARS NORTH 14°54'38" EAST, A DISTANCE OF 294.93 FEET;

3) NORTH 01°05'22" WEST, A DISTANCE OF 138.31 FEET TO THE NORTHERLY LINE OF SAID LEWIS-PALMER SCHOOL DISTRICT NO. 38 SUBDIVISION EXEMPTION ;

THENCE NORTH 88°35'13" EAST, ALONG SAID NORTHERLY LINE A DISTANCE OF 60.00 FEET TO THE "**POINT OF BEGINNING**".

THE ABOVE DESCRIBED TRACT CONTAINS 0.780 ACRES OR 33,982 SQUARE FEET, MORE OR LESS.

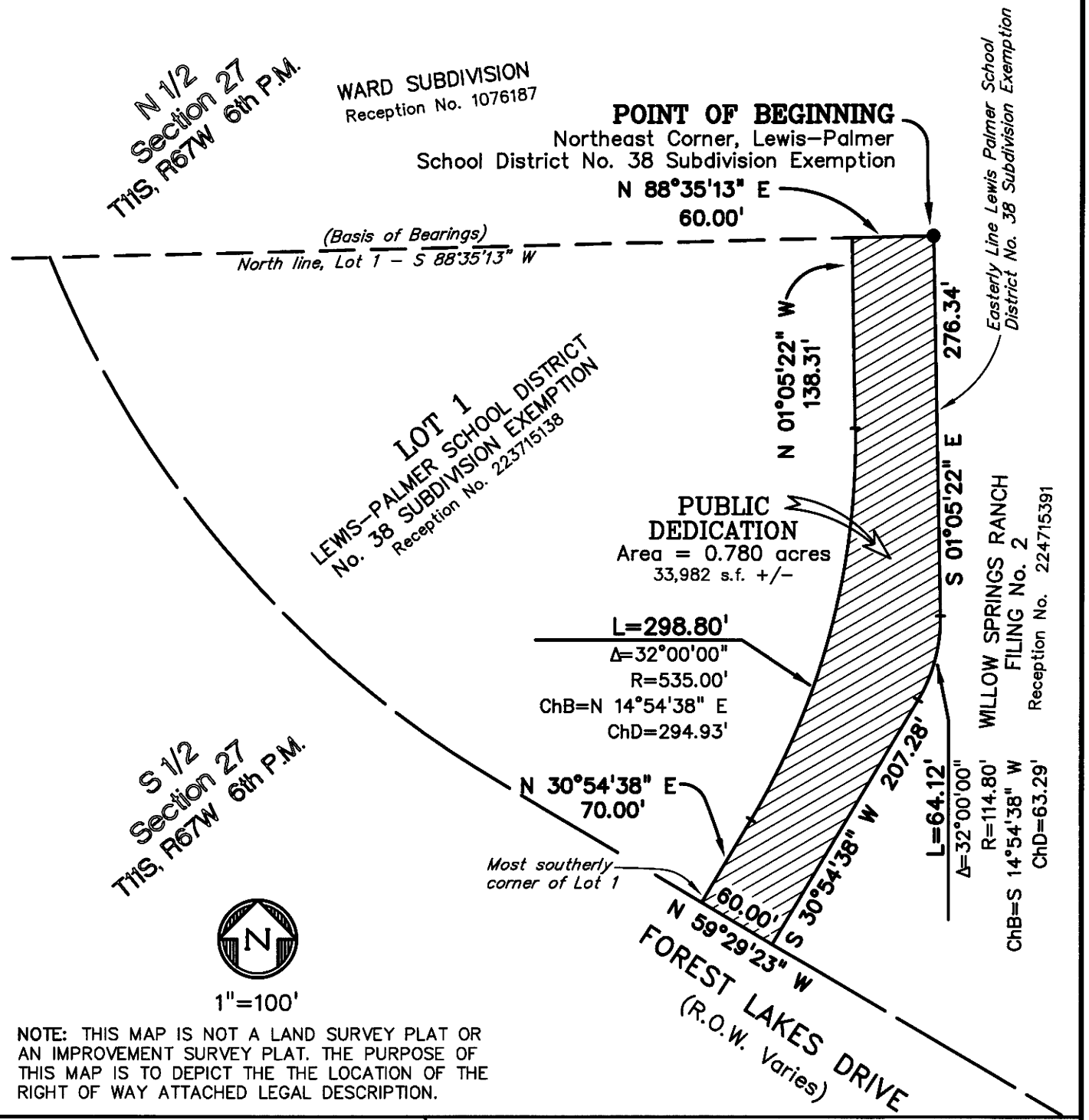
I, PATRICK C. O'HEARN, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.



PATRICK C. O'HEARN PLS No. 23515
FOR AND ON BEHALF OF
DREXEL, BARRELL & CO.
101 SAHWATCH STREET,
COLORADO SPRINGS, CO. 80903
719-260-0087

Job Number 21586-05

EXHIBIT 'B'



NOTE: THIS MAP IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT. THE PURPOSE OF THIS MAP IS TO DEPICT THE THE LOCATION OF THE RIGHT OF WAY ATTACHED LEGAL DESCRIPTION.

PUBLIC DEDICATION
A Part of
LEWIS-PALMER SCHOOL DISTRICT
No. 38 SUBDIVISION EXEMPTION
Reception No. 223715138
El Paso County, Colorado

Drexel, Barrell & Co. Engineers/Surveyors
1376 MINERS DRIVE, SUITE 107, LAFAYETTE, COLORADO 80026 303-442-4338
101 SAHWATCH STREET, COLORADO SPRINGS, COLORADO 80905 (719) 260-0887
Suite 100

Revisions - Date	Date:	Drawn By	Job No.
	04/07/2026	JCD	21586-05
	Scale: 1" = 100'	Checked By PCO	Drawing No. 21586-00 ROW rev

Parcel Map Check Report Date: 4/7/2026 10:18:10 AM
Parcel Name: Public Dedication
Drexel, Barrell & Co Prepared by: Patrick C. O'Hearn

"North:1,448,812.3041'" "East:3,178,150.9617'"
Segment# 1: Line
"Course: S1° 05' 22""E" Length: 276.34'
"North: 1,448,536.0140'" "East: 3,178,156.2159'"

Segment# 2: Curve
Length: 64.12' Radius: 114.80'
"Delta: 32° 00' 00""" Tangent: 32.92'
Chord: 63.29' "Course: S14° 54' 38""W"
"Course In: S88° 54' 38""W" "Course Out: S59° 05' 22""E"
"RP North: 1,448,533.8313'" "East: 3,178,041.4366'"
"End North: 1,448,474.8586'" "East: 3,178,139.9316'"
Segment# 3: Line
"Course: S30° 54' 38""W" Length: 207.28'
"North: 1,448,297.0185'" "East: 3,178,033.4520'"
Segment# 4: Line
"Course: N59° 29' 23""W" Length: 60.00'
"North: 1,448,327.4801'" "East: 3,177,981.7597'"
Segment# 5: Line
"Course: N30° 54' 38""E" Length: 70.00'
"North: 1,448,387.5380'" "East: 3,178,017.7187'"
Segment# 6: Curve
Length: 298.80' Radius: 535.00'
"Delta: 32° 00' 00""" Tangent: 153.41'
Chord: 294.93' "Course: N14° 54' 38""E"
"Course In: N59° 05' 22""W" "Course Out: N88° 54' 38""E"
"RP North: 1,448,662.3672'" "East: 3,177,558.7046'"
"End North: 1,448,672.5393'" "East: 3,178,093.6079'"
Segment# 7: Line
"Course: N1° 05' 22""W" Length: 138.31'
"North: 1,448,810.8243'" "East: 3,178,090.9781'"
Segment# 8: Line
"Course: N88° 35' 13""E" Length: 60.00'
"North: 1,448,812.3039'" "East: 3,178,150.9599'"

"Perimeter: 1,174.84'" "Area: 33,982.66Sq.Ft."
Error Closure: 0.0019 "Course: S83° 24' 48""W"
Error North : -0.00021 East: -0.00185

"Precision 1: 618,342.11"