

TOWN OF LARKSPUR

ORDINANCE NO. 2.17

DC9743195

11P

AN ORDINANCE EFFECTING THE DISCONNECTION OF
CERTAIN REAL PROPERTY COMMONLY KNOWN AS SPRUCE MOUNTAIN RANCH
FROM THE TOWN OF LARKSPUR, DOUGLAS COUNTY, COLORADO

WHEREAS, on May 23, 1997, the owners of 100% of a tract of land located within the municipal boundaries of the Town of Larkspur, Douglas County, Colorado, filed an application for enactment of an ordinance disconnecting the real property from the Town of Larkspur ("Application") pursuant to Section 31-12-501, C.R.S.; and

WHEREAS, upon receipt of such Application, the Town Council of the Town of Larkspur gave due consideration to the Application; and

WHEREAS, the Town Council of the Town of Larkspur finds that the best interests of the Town will not be prejudiced by the disconnection requested in the Application.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO, as follows:

Section 1. Disconnection. Upon the filing of two certified copies of this Ordinance with the Douglas County Clerk and Recorder, the real property commonly known as Spruce Mountain Ranch and fully described on Exhibit A attached hereto and incorporated herein (the "Property"), shall be disconnected from and shall no longer be within the municipal boundaries of the Town of Larkspur, Colorado. Such certified copies will be and shall only be filed with the Douglas County Clerk and Recorder upon execution of and completion of all the obligations set forth in an agreement to disconnect the Property and to rescind the Annexation Agreement, as authorized by Section 3 hereof.

Section 2. Liability for Taxes. The Property shall not be exempted from the payment of taxes, if any, lawfully assessed against it for the purpose of paying any indebtedness lawfully contracted by the Town of Larkspur, Colorado, while such Property was within the limits of the Town of Larkspur and which remain unpaid and for the payment of which the Property could be lawfully taxed.

Section 3. Rescission of Annexation Agreement. The Town shall enter into an agreement to disconnect the Property and to rescind the Annexation Agreement entered into on March 18, 1987, between the Town of Larkspur and the predecessor owners of the

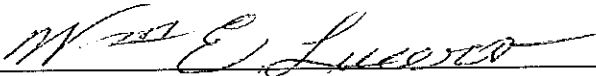
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Property.

Section 4. Effective Date. This Ordinance shall take effect five days after posting following final passage.

INTRODUCED, READ, APPROVED and ORDERED POSTED AT A SPECIAL MEETING OF THE TOWN COUNCIL OF THE TOWN OF LARKSPUR ON THE 29th DAY OF July, 1997.



William E. Lucero, Mayor

ATTEST:


Town Clerk



EXHIBIT A

SPRUCE MOUNTAIN ROAD AND NOE ROAD IN PARCEL "A"

A TRACT OF LAND SITUATED IN SECTIONS 3, 4, 10, 15, AND 16, TOWNSHIP 10 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3; THENCE S 89°47'36" W, 21.83 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF SPRUCE MOUNTAIN ROAD, OR DOUGLAS COUNTY ROAD NUMBER 53, AND THE TRUE POINT OF BEGINNING; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF SPRUCE MOUNTAIN ROAD THE FOLLOWING TEN (10) CONSECUTIVE COURSES: (1) THENCE 350.85 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 5830.00 FEET, A CENTRAL ANGLE OF 03°26'53" AND A CHORD BEARING OF S 01°56'34" E, 350.80 FEET TO A POINT OF TANGENCY; (2) THENCE S 00°13'08" E, 427.30 FEET; (3) THENCE S. 89°46'52" W, 50.00 FEET; (4) THENCE S 00°13'08" E, 1064.00 FEET TO A POINT OF CURVATURE; (5) THENCE 427.83 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1382.50 FEET AND A CENTRAL ANGLE OF 17°43'51" TO A POINT OF TANGENCY; (6) THENCE S 17°57'08" E, 8070.60 FEET; (7) THENCE N 72°02'52" E, 50.00 FEET; (8) THENCE S 17°57'08" E, 650.00 FEET; (9) THENCE S 72°02'52" W, 50.00 FEET; (10) THENCE S 17°57'08" E. 2807.55 FEET TO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF NOE ROAD, OR DOUGLAS COUNTY ROAD NUMBER 74, AND THE EASTERLY RIGHT-OF-WAY LINE OF SAID SPRUCE MOUNTAIN ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF NOE ROAD THE FOLLOWING THIRTEEN (13) CONSECUTIVE COURSES: (1) THENCE S 88°57'02" W, 344.14 FEET; (2) THENCE N 89°27'21" W, 1268.00 FEET; (3) THENCE N 89°47'09" W, 645.16 FEET; (4) THENCE N 89°19'17" W, 574.14 FEET; (5) THENCE N 88°05'18" W, 794.15 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16; CONSECUTIVE COURSES: (6) THENCE N 89°25'21" W, 2657.52 FEET; (7) THENCE N 61°53'53" W, 394.84 FEET; (8) THENCE N 68°23'15" W, 173.42 FEET; (9) THENCE N 80°09'04" W, 119.26 FEET; (10) THENCE N 85°43'37" W, 888.77 FEET; (11) THENCE S 88°31'31" W, 314.52 FEET; (12) THENCE S 81°19'55" W, 631.35 FEET; (13) THENCE N 81°23'12" W, 216.22 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE N 00°03'49" E, 60.67 FEET ALONG SAID WEST LINE TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID NOE ROAD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF NOE ROAD THE FOLLOWING THIRTEEN (13) CONSECUTIVE COURSES: (1) THENCE S 81°23'12" E, 216.12 FEET; (2) THENCE N 81°19'55" E, 626.00 FEET; (3) THENCE N 88°31'31" E, 321.31 FEET; (4) THENCE S 85°43'37" E, 894.70 FEET; (5) THENCE S 80°09'04" E, 128.36 FEET; (6) THENCE S 68°23'15" E, 183.01 FEET; (7) THENCE S 61°53'53" E, 383.54 FEET; (8) THENCE S 89°25'21" E, 2643.52 FEET; (9) THENCE S 88°05'18" E, 794.20 FEET;

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(10) THENCE S 89°19'17" E, 573.25 FEET; (11) THENCE S 89°47'09" E, 645.09 FEET (12) THENCE S 89°27'21" E, 1267.34 FEET; (13) THENCE N 88°57'02" E, 220.56 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID SPRUCE MOUNTAIN ROAD; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SPRUCE MOUNTAIN ROAD THE FOLLOWING TEN (10) CONSECUTIVE COURSES: (1) THENCE N 17°57'08" W, 2064.45 FEET; (2) THENCE S 72°02'52" W, 50.00 FEET; (3) THENCE N 17°57'08" W, 650.00 FEET; (4) THENCE N 72°02'52" E, 50.00 FEET; (5) THENCE N 17°57'08" W, 8720.60 FEET TO A POINT OF CURVATURE; (6) THENCE 458.77 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1482.50 FEET AND A CENTRAL ANGLE OF 17°43'51" TO A POINT OF TANGENCY; (7) THENCE N 00°13'08" W, 1064.00 FEET; (8) THENCE S 89°46'52" W, 10.00 FEET; (9) THENCE N 00°13'08" W, 427.30 FEET TO A POINT OF CURVATURE; (10) THENCE 350.90 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5670.00 FEET AND A CENTRAL ANGLE OF 03°32'45" TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4; THENCE N 89°47'36" E, 160.30 FEET ALONG SAID NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 4 TO THE EASTERLY RIGHT-OF-WAY LINE OF SAID SPRUCE MOUNTAIN ROAD, AND THE TRUE POINT OF BEGINNING, AND CONTAINING 46.51 ACRES, MORE OR LESS.

CONTIGUOUS PERIMETER = 160.30 FEET

TOTAL TRACT PERIMETER OF HIGHWAY = 45,933.61 FEET

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EXHIBIT A

PARCEL "A" EXCLUSIVE OF PUBLIC DEDICATED RIGHT-OF-WAY

A TRACT OF LAND SITUATED IN THE WEST HALF OF SECTION 16, TOWNSHIP 10 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 16 AND THE TRUE POINT OF BEGINNING; THENCE N 00°03'49" E, 190.62 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 16 TO THE SOUTHERLY LINE OF NOE ROAD OR DOUGLAS COUNTY ROAD NUMBER 74; THENCE S 81°23'12" E, 160.30 FEET ALONG THE SOUTHERLY LINE OF SAID NOE ROAD, AND BEING THE SAME CONTIGUOUS DISTANCE AS THE TOWN LIMITS OF LARKSPUR EXCLUDING PUBLIC DEDICATED R.O.W.; THENCE LEAVING SAID SOUTHERLY LINE OF NOE ROAD S 00°01'18" E, 299.00 FEET; THENCE S 83°40'49" W, 160.00 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 16; THENCE N 00°04'49" E, 150.00 FEET ALONG SAID WEST LINE TO THE WEST QUARTER CORNER OF SAID SECTION 16 AND THE TRUE POINT OF BEGINNING, AND CONTAINING 1.17 ACRES, MORE OR LESS.

CONTIGUOUS PERIMETER = 160.30 FEET

TRACT PERIMETER = 959.92 FEET

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PARCEL "B"

A TRACT OF LAND SITUATED IN SECTIONS 16, 20, 21, 22, AND 28, TOWNSHIP 10 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF REFERENCE AT THE WEST QUARTER CORNER OF SAID SECTION 16; THENCE N 00°03'49" E, 190.62 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF NOE ROAD, OR DOUGLAS COUNTY ROAD NUMBER 74; THENCE S 81°23'12" E, 160.30 FEET ALONG SAID SOUTHERLY LINE TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTHERLY LINE THE FOLLOWING TEN (10) CONSECUTIVE COURSES: (1) THENCE S 81°23'12" E, 55.92 FEET; (2) THENCE N 81°19'55" E, 631.35 FEET; (3) THENCE N 88°31'31" E, 314.52 FEET; (4) THENCE S 85°43'37" E, 888.77 FEET; (5) THENCE S 80°09'04" E, 119.26 FEET; (6) THENCE S 68°23'15" E, 173.42 FEET; (7) THENCE S 61°53'53" E 394.84 FEET; (8) THENCE S 89°25'21" E, 2657.52 FEET; (9) THENCE S 88°05'18" E, 794.15 FEET; (10) THENCE S 89°19'17" E, 544.61 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE LEAVING SAID RIGHT-OF-WAY LINE S 00°29'11" E, 2592.17 FEET ALONG SAID EAST LINE TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE S 00°43'51" E, 2635.47 FEET ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 22 TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22; THENCE S 00°43'50" E, 2637.86 FEET ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 22 TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22; THENCE N 89°51'16" W, 1336.14 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE S 00°12'31" E, 1311.87 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S 89°57'39" W, 1333.17 FEET TO THE CENTER OF SAID NORTHEAST QUARTER OF SECTION 28; THENCE S 89°17'25" W, 1333.10 FEET ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28 TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE N 89°42'10"W, 2676.34 FEET ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 28 TO THE SOUTHWEST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE N 00°38'50" W, 1314.11 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28 TO THE NORTHWEST CORNER OF SAID SECTION 28; THENCE N 00°37'51" W, 662.72 FEET ALONG THE EAST LINE OF SOUTHEAST QUARTER SAID SECTION 20 TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 20; THENCE S 89°43'45" W, 2615.02 FEET ALONG SAID NORTH LINE TO THE EAST RIGHT-OF-WAY LINE OF PERRY PARK ROAD, OR DOUGLAS COUNTY ROAD NUMBER 105; THENCE ALONG SAID EAST LINE OF PERRY PARK ROAD THE FOLLOWING TEN (10) CONSECUTIVE COURSES: (1) THENCE N 05°48'37" W, 73.17 FEET; (2)

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THENCE N 00°47'56" E, 282.14 FEET; (3) THENCE N 13°11'06" E, 570.40 FEET; (4) THENCE N 01°48'28" E, 1095.93 FEET; (5) THENCE N 12°03'57" E, 795.16 FEET; (6) THENCE N 20°57'42" E, 67.54 FEET; (7) THENCE N 04°29'35" W, 258.73 FEET; (8) THENCE N 10°32'58" W, 884.30 FEET; (9) THENCE N 10°16'12" W, 493.03 FEET; (10) THENCE N 36°00'04" W, 254.84 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 20; THENCE S 89°52'04" E, 2624.69 FEET TO THE NORTHEAST CORNER OF SAID SECTION 20; THENCE N 00°04'49" E, 2538.51 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 16; THENCE N 83°40'49" E, 160.00 FEET; THENCE N 00°01'18" W, 299.00 FEET TO THE TRUE POINT OF BEGINNING, AND CONTAINING 1648.66 ACRES, MORE OR LESS.

EXCEPT

THAT PART CONVEYED IN BOOK 436 AT PAGE 131 DESCRIBED AS FOLLOWS: A TRACT OF LAND IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 10 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 20, RECORDED IN THE COLORADO LAND SURVEY MONUMENT RECORD FILED IN THE RECORDS OF SAID DOUGLAS COUNTY; THENCE DUE SOUTH (AN ASSUMED BEARING RELATIVE TO OTHERS HEREIN) ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 20, A DISTANCE OF 1325.34 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF SAID SOUTHEAST QUARTER OF SECTION 20, FROM WHENCE THE SOUTHEAST CORNER OF SAID SECTION 20 BEARS DUE SOUTH, A DISTANCE OF 1325.34 FEET; THENCE N 89°42'07" W ALONG THE NORTH LINE OF SAID SOUTH HALF, A DISTANCE OF 1546.20 FEET TO THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREBY:

1. THENCE S 61°38'12" W, A DISTANCE OF 205.97 FEET;
2. THENCE S 80°02'21" W, A DISTANCE OF 17.83 FEET;
3. THENCE N 80°22'46" W, A DISTANCE OF 18.26 FEET;
4. THENCE N 70°09'55" W, A DISTANCE OF 296.08 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 20, FROM WHENCE THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER BEARS N 89°42'07" W, A DISTANCE OF 858.65 FEET;
5. THENCE S 89°42'07" E, ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 20, A DISTANCE OF 495.33 FEET TO THE POINT OF BEGINNING.

NOTE: THE BEARINGS AND DISTANCES SHOWN HEREIN FOR THIS EXCEPTION WERE TAKEN FROM A RECORDED DEED AND DO NOT UTILIZE THE SAME BASIS OF BEARINGS AS THE SPRUCE MOUNTAIN RANCH PARCEL.

CONTIGUOUS PERIMETER = 7,033.35 FEET
TRACT PERIMETER = 38,453.22 FEET

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PARCEL "C"

A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 10 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16 AND THE TRUE POINT OF BEGINNING; THENCE S 89°12'52" E, 2641.98 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER TO THE NORTH QUARTER CORNER OF SAID SECTION 16; THENCE S 00°13'20" E, 2647.26 FEET ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO THE NORTHERLY RIGHT-OF-WAY LINE OF NOE ROAD, OR DOUGLAS COUNTY ROAD NUMBER 74; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF NOE ROAD THE FOLLOWING SEVEN (7) CONSECUTIVE COURSES: (1) THENCE N 61°53'53" W, 353.85 FEET; (2) THENCE N 68°23'15" W, 183.01 FEET; (3) THENCE N 80°09'04" W, 128.36 FEET; (4) THENCE N 85°43'37" W, 894.70 FEET; (5) THENCE S 88°31'31" W, 321.31 FEET; (6) THENCE S 81°19'55" W, 626.00 FEET; (7) THENCE N 81°23'12" W, 216.12 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER OF SAID SECTION 16; THENCE N 00°03'49" E, 2431.00 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SAID SECTION 16 TO THE NORTHWEST CORNER OF SAID SECTION 16, THE TRUE POINT OF BEGINNING, AND CONTAINING 146.72 ACRES, MORE OR LESS.

CONTIGUOUS PERIMETER = 2,723.35 FEET

TRACT PERIMETER = 10,443.59 FEET

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PARCEL "D"

A TRACT OF LAND SITUATED IN SECTIONS 28 AND 29, TOWNSHIP 10 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 28; THENCE N 00°36'57" W, 2242.60 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28 TO THE SOUTHEAST CORNER OF LOT 1 IN A SUBDIVISION ENTITLED SPRUCE MOUNTAIN ESTATES, UNIT 1 AND THE TRUE POINT OF BEGINNING; THENCE N 67°26'23" W, 236.99 FEET ALONG THE SOUTH LINE OF SAID LOT 1 TO THE EASTERLY RIGHT-OF-WAY LINE OF YARNELL DRIVE; THENCE ALONG SAID EASTERLY LINE OF YARNELL DRIVE THE FOLLOWING THREE (3) CONSECUTIVE COURSES: (1) THENCE 116.37 FEET ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 269.20 FEET, A CENTRAL ANGLE OF 24°46'06" AND A CHORD BEARING N 13°51'38" W, 115.47 FEET TO A POINT OF TANGENCY; (2) THENCE N 26°14'41" W, 172.63 FEET TO THE SOUTH LINE OF SPRUCE MOUNTAIN ESTATES, UNIT 2; (3) THENCE N 26°14'41" W, 198.78 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SPRUCE ROAD; THENCE ALONG SAID SOUTHERLY LINE OF SPRUCE ROAD THE FOLLOWING TWO (2) CONSECUTIVE COURSES: (1) THENCE 114.67 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 180.00 FEET, A CENTRAL ANGLE OF 36°30'00" AND A CHORD BEARING N 82°00'19" E, 112.74 FEET TO A POINT OF TANGENCY; (2) THENCE S 79°44'41" E 139.00 FEET; THENCE LEAVING SAID SOUTHERLY LINE N 10°15'19" E, 80.00 FEET TO THE SOUTHEAST CORNER OF LOT 21 OF SPRUCE MOUNTAIN ESTATES, UNIT 2; THENCE N 03°29'41" W, 378.00 FEET TO THE NORTHERNMOST CORNER OF SAID LOT 21 AND THE SOUTHEAST CORNER OF LOT 20 OF SAID SPRUCE MOUNTAIN ESTATES, UNIT 2; THENCE N 42°59'41" W, 190.00 FEET TO THE NORTHERNMOST CORNER OF SAID LOT 20; THENCE S 58°13'56" W, 415.60 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF YARNELL DRIVE, AND THE WESTERNMOST CORNER OF SAID LOT 20; THENCE S 75°38'39" W, 60.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID YARNELL DRIVE; THENCE 178.77 FEET ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 418.72 FEET, A CENTRAL ANGLE OF 24°27'44" AND A CHORD BEARING S 26°35'21" E, 177.42 FEET, SAID LINE BEING THE WEST RIGHT-OF-WAY LINE OF YARNELL DRIVE, TO THE NORTHEAST CORNER OF LOT 16 OF SAID SPRUCE MOUNTAIN ESTATES, UNIT 2; THENCE S 80°32'29" W, 167.77 FEET TO THE NORTHWEST CORNER OF SAID LOT 16; THENCE S 15°32'50" E, 360.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16; THENCE S 89°37'10" W, 245.57 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF VALLEY VIEW DRIVE AS ESTABLISHED IN SPRUCE MOUNTAIN ESTATES, UNIT 1; THENCE ALONG SAID WESTERLY LINE OF VALLEY VIEW DRIVE THE FOLLOWING THIRTEEN (13) CONSECUTIVE COURSES: (1) THENCE S 62°38'02" E, 54.21 FEET TO A POINT OF CURVATURE; (2) THENCE 125.97 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 68.79 FEET AND A CENTRAL ANGLE OF 104°55'32" TO A POINT OF TANGENCY; (3) THENCE S 42°17'30" W, 69.12 FEET TO A POINT OF CURVATURE; (4) THENCE 136.62 FEET ALONG

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THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 230.45 FEET AND CENTRAL ANGLE OF 33°58'03" TO A POINT OF TANGENCY; (5) THENCE S 76°15'33" W, 21.86 FEET TO A POINT OF CURVATURE; (6) THENCE 121.08 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 125.50 FEET AND A CENTRAL ANGLE OF 55°16'48" TO A POINT OF TANGENCY; (7) THENCE S 20°58'45" W, 49.80 FEET TO A POINT OF CURVATURE; (8) THENCE 239.96 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 113.25 FEET AND A CENTRAL ANGLE OF 121°24'00" TO A POINT OF TANGENCY; (9) THENCE N 37°37'15" W, 113.27 FEET TO A POINT OF CURVATURE; (10) THENCE 255.35 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 316.50 FEET AND A CENTRAL ANGLE OF 46°13'31" TO A POINT OF TANGENCY; (11) THENCE N 83°50'46" W, 24.28 FEET TO A POINT OF CURVATURE; (12) THENCE 259.80 FEET ALONG A CURVE TO THE RIGHT A RADIUS OF 256.50 FEET AND A CENTRAL ANGLE OF 58°01'58" TO A POINT OF TANGENCY; (13) THENCE N 25°48'48" W, 51.11 FEET TO THE NORTHERLY LINE OF SPRUCE MOUNTAIN ESTATES, UNIT 1; THENCE S 89°37'10" W, 24.95 FEET ALONG THE NORTHERLY LINE OF SPRUCE MOUNTAIN ESTATES, UNIT 1 TO THE EASTERLY RIGHT-OF-WAY LINE OF PINE VIEW ROAD AS ESTABLISHED BY SPRUCE MOUNTAIN ESTATES, UNIT 2; THENCE N 14°25'41" E, 51.72 FEET ALONG THE EAST LINE OF SAID PINE VIEW ROAD TO A POINT; THENCE S 89°37'10" W, 62.06 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF PINE VIEW ROAD AND THE SOUTHEAST CORNER OF LOT 3 IN SAID SPRUCE MOUNTAIN ESTATES, UNIT 2; THENCE ALONG SAID WESTERLY LINE OF PINE VIEW ROAD THE FOLLOWING FOUR (4) CONSECUTIVE COURSES: (1) THENCE N 14°25'41" E, 68.21 FEET TO A POINT OF CURVATURE; (2) THENCE 211.32 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 357.14 FEET AND A CENTRAL ANGLE OF 33°54'08" TO A POINT OF TANGENCY; (3) THENCE N 19°28'27" W, 172.40 FEET TO A POINT OF CURVATURE; (4) THENCE 30.00 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 758.61 FEET AND A CENTRAL ANGLE OF 02°15'57" TO THE SOUTHEAST CORNER OF LOT 5 OF SAID SPRUCE MOUNTAIN ESTATES, UNIT 2; THENCE ALONG SAID LOT 5 THE FOLLOWING FOUR (4) CONSECUTIVE COURSES: (1) THENCE S 72°16'51" W, 331.71 FEET TO THE EASTERLY LINE OF A CUL-DE-SAC FOR PINE VIEW CIRCLE AS ESTABLISHED IN SAID SPRUCE MOUNTAIN ESTATES, UNIT 2; (2) THENCE 58.13 FEET ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 45.00 FEET, A CENTRAL ANGLE OF 74°01'06" AND A CHORD BEARING OF N 54°43'42" W, 54.17 FEET ALONG SAID CUL-DE-SAC; (3) THENCE N 01°44'15" W, 288.32 FEET TO THE NORTHERLY LINE OF SAID SPRUCE MOUNTAIN ESTATES, UNIT 2; (4) THENCE N 89°41'24" E, 335.00 FEET ALONG THE SAID NORTH LINE OF UNIT 2 TO THE WESTERLY LINE OF SAID PINE VIEW ROAD; THENCE N 00°01'40" E, 420.00 FEET; THENCE S 89°41'24" W, 605.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF PERRY PARK ROAD OR DOUGLAS COUNTY ROAD NO. 105; THENCE N 00°08'54" W, 1557.88 FEET ALONG SAID EASTERLY LINE OF SAID PERRY PARK ROAD TO THE NORTH LINE OF SAID SECTION 29; THENCE N 89°46'20" E, 2641.32 FEET ALONG SAID NORTH LINE OF SECTION 29 TO THE NORTHEAST CORNER OF SAID SECTION 29; THENCE S 00°38'50" E, 886.11 FEET ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 29 TO THE NORTHEASTERLY CORNER OF A PARCEL DESIGNATED AS A SCHOOL SITE BY SPRUCE MOUNTAIN ESTATES

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UNIT 2; THENCE ALONG SAID SCHOOL SITE THE FOLLOWING THREE (3) CONSECUTIVE COURSES: (1) THENCE S 89°41'24" W, 701.97 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF TIMBER TRAIL; (2) THENCE S 00°38'50" E, 428.00 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE; (3) THENCE N 89°41'24" E, 701.97 FEET TO THE SOUTHWEST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE S 89°42'10" E, 2676.34 FEET ALONG THE NORTH LINE OF THE SOUTH HALF OF THE NORTH HALF OF SAID SECTION 28 TO THE NORTHEAST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE N 89°17'25" E, 1333.10 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S 00°25'44" E, 1312.51 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE S 89°56'02" W, 4004.27 FEET TO THE WEST QUARTER OF SAID SECTION 28; THENCE S 00°36'57" E, 439.00 FEET ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28 TO THE TRUE POINT OF BEGINNING AND CONTAINING 263.01 ACRES, MORE OR LESS.

CONTIGUOUS PERIMETER = 4,895.56 FEET
TRACT PERIMETER = 24,037.89 FEET

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