## Supporting Documentation to Letter of Request for Plat Map Amendment Application

## <u>Tracts L2, L3, and west ends of Yosemite Lane and Teton Ridge Drive in Cuchara</u> Mountain Park Estates Filing #4

## Additional Supporting Documentation and reason for the Map Amendment:

- 1. Regarding Tracts L2 and L3 labeled on Map 425 (see attached) as "HOA Controlled Open Space", please refer to the attached 3 documents:
  - A) Recorded Bargain and Sale Deed from the now terminated HOA to Grantees.
  - B) Recorded <u>Termination of Declarations</u> by the HOA. Note Recital B, and bullets 3 and 4 that remove any and all HOA restrictions and encumbrances on L2 and L3 including HOA/public access. Moreover, Tract L2 and L3 have never been used by nor utilized for HOA or public access or use.
  - C) Recorded Articles of Dissolution for the HOA.
- **2.** Regarding vacation of western part of Yosemite Lane, please refer to the attached:
  - A) Recorded <u>Declaration of Access Easement</u> which details the terms and conditions of this "perpetual" public access easement across Lots 25 and 24 to "connect Yosemite Lane and Teton Ridge Drive". This easement is the existing road (Not the deeded and uncut Yosemite Lane) that is already cut in and is the only means of egress and ingress for all other landowners in Cuchara Mountain Park Estates Filing #4. JJH Property 3, LLC Does not want Huerfano County nor the owners of Lots 25 and 24 (so labeled on Map 425 as "Excessive Slope Lots") to cut in this remaining part Yosemite Lane or it's new circle at the new western end because the existence of the perpetual easement makes it unnecessary and doing so would be detrimental to the subdivision's appeal, operation, the forest, and drainage. Subdivision landowners and the public will still have National Forest Access off the southern end of the new Yosemite Lane traffic circle which is at the western end of the perpetual easement across Lots 24 and 25.

The Map Amendment is submitted this way because the new owners of Lots 24 and 25 have both indicated to Mr. Hotaling that they do not want to have their adjacent portions of Yosemite Lane vacated and instead intend to carve it in themselves in an attempt to do away with the existing road, now with a perpetual easement, that is being and always has been utilized by every landowner in the subdivision since the formation of the subdivision.

JJH Property 3, LLC would prefer to have all of Yosemite Lane vacated and the current road / easement made into the permanent road as outlined in section 5.9 of the recorded Declaration of Access Easement. However, the cooperation of the owners of Lots 24 and 25 will apparently be required to do so.

**Current Zoning:** Urban residential

**Legal Description:** Tracts L2 and L3 of Cuchara Mountain Park Estates Filing #4, and western ends of

current Yosemite Lane and Teton Ridge Drive.

Parcel Numbers: 122424, 122425

**Existing Utilities that serve the parcels:** None.

**Existing Structures:** None.

Please feel free to contact us if you have any questions of concerns.

Sincerely,

JJH Property 3. LLC

3327 Springridge Cir, Colorado Springs, CO 80906

Jon & Jen Hotaling

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