

PETITION FOR INCLUSION OF LAND

TO: WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 3 (commercial)
CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

Pursuant to § 32-1-401, et al., C.R.S., the undersigned Petitioner hereby respectfully petitions the above-named District, acting by and through its Elder Council, for the inclusion of the hereinafter described land into Woodmen Heights Metropolitan District No. 3 (the "District"), subject to the conditions described herein.

The description of said land situated ("Property") in the City of Colorado Springs, County of El Paso, State of Colorado, is as follows, to wit:

[SEE EXHIBIT A ATTACHED HERETO]

The Petitioner hereby consents that the Property be included into said District and that an Order may be entered in the District Court in and for the County of El Paso, State of Colorado, including the Property in said District, and that from and after entry of such Order, the Property shall be liable for taxes, assessments, or other obligations of said District except that such District taxes, assessments or other obligations shall not be an obligation of the Property so long as, and to the extent, Petitioner, as a Colorado non-profit corporation, or another non-profit entity, is the fee owner thereof and the Property is subject to the Agreement for Payment in Lieu of Taxes (PILOT) between Petitioner, Woodmen Heights LLC, Woodmen Heights Metropolitan District Nos. 1, 2 and 3 and American National Bank wherein Petitioner's pro rata share of the costs and expenses of public improvements is determined.

The Petitioner represents to said District that it is the one hundred percent (100%) owner of the Property and that no other person, persons, entity or entities own an interest therein.

The Petitioner acknowledges that acceptance of this Petition by said District does not in and of itself constitute any assurance from said District that the Property can be served by said District.

Name/Address of Petitioner: Woodmen Valley Chapel, a Colorado Non-Profit Corporation
290 E. Woodmen Road, Colorado Springs, CO 80919

PETITIONER: Woodmen Valley Chapel

By: Michael H. Biedermann Michael H. Biedermann

Its: Treasurer

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 28th day of April, 2008, on behalf of Woodmen Valley Chapel, by Michael H. Biedermann its Treasurer.

WITNESS my hand and official seal.
My Commission expires: 11-05-2011

(SEAL)

WHMD\INCLUSION 0710.0908 #234608

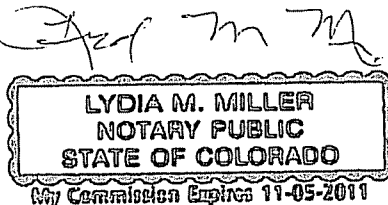


EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY
TO BE INCLUDED INTO
WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 3 (commercial)
(WVC – 49 Acres)

EXHIBIT A

PARCEL A:

A PARCEL OF LAND LYING WITHIN SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO BEING MONUMENTED AT THE EAST END BY A 3 1/4" ALUMINUM CAP STAMPED "PLS 17496" AND AT THE WEST END BY A 3 1/4" ALUMINUM CAP STAMPED "PLS 17496", ASSUMED TO BEAR SOUTH 89 DEGREES 23 MINUTES 04 SECONDS WEST, A DISTANCE OF 5221.44 FEET.

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO; THENCE NORTH 00 DEGREES 10 MINUTES 59 SECONDS EAST, ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 1769.01 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87 DEGREES 36 MINUTES 42 SECONDS WEST, A DISTANCE OF 867.76 FEET; THENCE NORTH 64 DEGREES 42 MINUTES 16 SECONDS WEST, A DISTANCE OF 101.02 FEET TO A POINT ON CURVE; THENCE ON THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTER BEARS NORTH 64 DEGREES 42 MINUTES 16 SECONDS WEST HAVING A DELTA OF 50 DEGREES 47 MINUTES 33 SECONDS, A RADIUS OF 500.00 FEET, A DISTANCE OF 443.25 FEET TO A POINT ON CURVE; THENCE ON THE ARC OF A CURVE TO THE LEFT, WHOSE CENTER BEARS SOUTH 77 DEGREES 13 MINUTES 11 SECONDS WEST HAVING A DELTA OF 20 DEGREES 51 MINUTES 38 SECONDS, A RADIUS OF 950.00 FEET A DISTANCE OF 345.88 FEET TO A POINT OF TANGENT; THENCE NORTH 33 DEGREES 38 MINUTES 27 SECONDS WEST, A DISTANCE OF 272.22 FEET; THENCE SOUTH 75 DEGREES 08 MINUTES 00 SECONDS EAST, A DISTANCE OF 243.00 FEET; THENCE NORTH 30 DEGREES 42 MINUTES 00 SECONDS EAST, A DISTANCE OF 193.00 FEET; THENCE NORTH 13 DEGREES 39 MINUTES 00 SECONDS WEST, A DISTANCE OF 369.00 FEET; THENCE NORTH 31 DEGREES 25 MINUTES 00 SECONDS EAST, A DISTANCE OF 224.00 FEET; THENCE NORTH 63 DEGREES 38 MINUTES 00 SECONDS EAST, A DISTANCE OF 205.00 FEET; THENCE NORTH 17 DEGREES 08 MINUTES 00 SECONDS EAST, A DISTANCE OF 222.00 FEET; THENCE NORTH 25 DEGREES 23 MINUTES 00 SECONDS WEST, A DISTANCE OF 272.00 FEET; THENCE NORTH 41 DEGREES 34 MINUTES 00 SECONDS WEST, A DISTANCE OF 204.00 FEET; THENCE 34 DEGREES 21 MINUTES 00 SECONDS WEST, A DISTANCE OF 107.00 FEET; THENCE NORTH 17 DEGREES 10 MINUTES 00 SECONDS WEST, A DISTANCE OF 104.00 FEET; THENCE NORTH 13 DEGREES 26 MINUTES 00 SECONDS EAST, A DISTANCE OF 147.00 FEET; THENCE NORTH 60 DEGREES 48 MINUTES 00 SECONDS EAST, A DISTANCE OF 348.00 FEET; THENCE NORTH 45 DEGREES 46 MINUTES 00 SECONDS EAST, A DISTANCE OF 69.10 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 14 OF THE PAWNEE RANCHEROS FILING NO. 2, AS RECORDED IN BOOK U2 AT PAGE 45, RECORDS OF EL PASO COUNTY, COLORADO; THENCE NORTH 89 DEGREES 17 MINUTES 09 SECONDS EAST, ON THE SOUTHERLY BOUNDARY LINE OF SAID PAWNEE RANCHEROS FILING NO. 2, A DISTANCE OF 928.40 FEET TO A POINT ON THE SOUTHERLY LINE OF LOT 17 OF SAID PAWNEE RANCHEROS FILING NO. 2, SAID POINT BEING ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4; THENCE SOUTH 00 DEGREES 14 MINUTES 38 SECONDS WEST, ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 1259.69 FEET TO THE CENTER QUARTER OF SAID SECTION 4; THENCE SOUTH 00 DEGREES 10 MINUTES 59 SECONDS WEST, ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 933.56 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PARCEL CONVEYED IN WARRANTY DEED RECORDED DECEMBER 3, 2004 UNDER RECEPTION NO. 204198229.

PARCEL B:

A PARCEL OF LAND LYING WITHIN SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO BEING MONUMENTED AT THE EAST END BY A 3 1/4" ALUMINUM CAP STAMPED "PLS 17496" AND AT THE WEST

EXHIBIT A

END BY A 3 1/4" ALUMINUM CAP STAMPED "PLS 17496", ASSUMED TO BEAR S 89 DEGREES 23 MINUTES 04 SECONDS W, A DISTANCE OF 5221.44 FEET.

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO;
THENCE N 00 DEGREES 10 MINUTES 59 SECONDS E, ON THE EAST LIEN OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 1769.01 FEET TO THE NORTHEASTERLY CORNER OF A TRACT OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 204004025, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON THE NORTHERLY BOUNDARY OF SAID LAST MENTIONED TRACT THE FOLLOWING TWO (2) COURSES;

1. S 87 DEGREES 36 MINUTES 42 SECONDS W, A DISTANCE OF 867.76 FEET;
2. N 64 DEGREES 42 MINUTES 16 SECONDS W, A DISTANCE OF 101.02 FEET TO A POINT ON CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, WHOSE CENTER VEARS N 64 DEGREES 42 MINUTES 16 SECONDS W HAVING A DELTA OF 10 DEGREES 09 MINUTES 18 SECONDS, A RADIUS OF 500.00 FEET, A DISTANCE OF 88.62 FEET TO A POINT OF TANGENT;
THENCE N 15 DEGREES 08 MINUTES 29 SECONDS E, A DISTANCE OF 554.31 FEET;
THENCE N 88 DEGREES 52 MINUTES 29 SECONDS E, A DISTANCE OF 785.17 FEET, TO A POINT ON THE WESTERLY LINE OF BAR J-B ACRES RECORDED IN PLAT BOOK A-2 AT PAGE 10, SAID POINT BEING ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4;

THENCE S 00 DEGREES 10 MINUTES 59 SECONDS W, ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 640.55 FEET THE THE POINT OF BEGINNING;

LEGAL DESCRIPTION PREPARED BY:

DOUGLAS P. REINELT FOR AND ON BEHALF OF CLASSIC CONSULTING ENGINEERS & SURVEYORS
6385 CORPORATE DRIVE
COLORADO SPRINGS, COLORADO 80919