

PETITION FOR EXCLUSION OF PROPERTY

(COLA, LLC– Shiloh Mesa Filing No. 1)

TO: THE BOARD OF DIRECTORS OF THE
WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 3
CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

Pursuant to the provisions of §§ 32-1-401, *et seq.*, C.R.S., **COLA, LLC** (the “Petitioner”) hereby respectfully requests that the **WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 2** (the “District”), by and through its Board of Directors, exclude the real property described in **Exhibit A**, attached hereto and incorporated herein by this reference (the “Property”), from the boundaries of the District.

The Petitioner hereby represents and warrants to the District that it is the one hundred percent (100%) fee owner of the Property and that no other person, persons, entity or entities own an interest therein except as beneficial holders of encumbrances, if any. The Petitioner hereby assents to the exclusion of the Property from the boundaries of the District and to the entry of an Order by the District Court in and for El Paso County, excluding the Property from the boundaries of the District.

The Petitioner hereby acknowledges that, without the consent of the Board of Directors of the District, it cannot withdraw its Petition once the notice of a public hearing on the Petition has been published.

Pursuant to § 32-1-501(1), C.R.S., the Petitioner agrees to pay all costs associated with the exclusion proceedings.

The name and address of the Petitioner is as follows:

COLA, LLC
6240 Lake Shore Court #D
Colorado Springs, CO 80915

Remainder of page intentionally left blank. Signature page follows.

PETITIONER:

COLA, LLC

Printed Name: _____

Title: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The above and foregoing instrument was acknowledged before me this _____ day of _____,
2016 by _____, as _____ of COLA, LLC.

WITNESS my hand and official seal.

Notary Public

My commission expires: _____

EXHIBIT A
(The Property)



20 Boulder Crescent, STE 110
Colorado Springs, CO 80903
Mail to: PO Box 1360
Colorado Springs, CO 80901
719.955.5485

Cola, LLC

M&S Job No. 08-031
January 7, 2016

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

BASIS OF BEARINGS: THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO BEING MONUMENTED AT THE SOUTH END BY A 2 ½" ALUMINUM CAP IN RANGE BOX STAMPED "PLS 17664" AND AT THE NORTH END BY A 3 ¼" ALUMINUM CAP STAMPED "PLS 33649", ASSUMED TO BEAR N00°11'12"E, SAID LINE BEING THE WESTERLY RIGHT OF WAY LINE OF MUSTANG ROAD AS RECORDED IN THE BAR J-B ACRES IN BOOK A2 AT PAGE 10.

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 4; THENCE N00°11'12"E ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 1779.03 FEET TO THE POINT OF BEGINNING;

THENCE S87°36'42"W, A DISTANCE OF 793.36 FEET;
THENCE 46.87 FEET ALONG THE ARC OF A 135.50 FOOT RADIUS NON-TANGENTIAL CIRCULAR CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 19°49'02" AND A CHORD THAT BEARS S00°50'05"W, A DISTANCE OF 46.63 FEET;
THENCE 47.42 FEET ALONG THE ARC OF A 135.50 FOOT RADIUS NON-TANGENTIAL CIRCULAR CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 20°03'05" AND A CHORD THAT BEARS S16°41'51"E, A DISTANCE OF 47.18 FEET;
THENCE S26°43'24"E, A DISTANCE OF 66.65 FEET;
THENCE S63°51'41"W, A DISTANCE OF 57.58 FEET;
THENCE N74°09'59"W, A DISTANCE OF 99.99 FEET;
THENCE S60°16'04"W, A DISTANCE OF 58.80 FEET;
THENCE 107.91 FEET ALONG THE ARC OF A 375.00 FOOT RADIUS TANGENTIAL CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 16°29'17" AND A CHORD THAT BEARS N68°30'42"E, 107.54 FEET;
THENCE S76°45'20"W, A DISTANCE OF 177.74 FEET;
THENCE 160.12 FEET ALONG THE ARC OF A 1013.50 FOOT RADIUS NON-TANGENTIAL CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 09°03'07" AND A CHORD THAT BEARS S06°27'23"E, 159.95 FEET;
THENCE S03°24'09"W, A DISTANCE OF 150.87 FEET;
THENCE S03°49'17"W, A DISTANCE OF 285.38 FEET;
THENCE S86°10'43"E, A DISTANCE OF 20.50 FEET;
THENCE S03°49'17"W, A DISTANCE OF 790.32 FEET TO THE NORTH LINE OF SPECIAL WARRANTY DEED AS RECORDED UNDER RECEPTION NO. 208127422; THENCE ALONG

SAID NORTH LINE N86°10'43"W A DISTANCE OF 80.00 FEET;
THENCE N03°49'17"E A DISTANCE OF 1125.00 FEET;
THENCE 621.15 FEET ALONG THE ARC OF A 950.00 FOOT RADIUS TANGENTIAL CURVE
TO THE LEFT, HAVING A CENTRAL ANGLE OF 37°27'44" AND A CHORD THAT BEARS
N14°54'35"W, 610.14 FEET;
THENCE N33°38'27"W, A DISTANCE OF 272.22 FEET;
THENCE S75°08'00"E, A DISTANCE OF 243.00 FEET;
THENCE N30°42'00"E, A DISTANCE OF 193.00 FEET;
THENCE S87°24'12"E, A DISTANCE OF 233.33 FEET;
THENCE S89°49'01"E, A DISTANCE OF 741.25 FEET;
THENCE N00°10'59"E, A DISTANCE OF 400.00 FEET;
THENCE S89°48'59"E, A DISTANCE OF 149.97 FEET;
THENCE S00°17'35"E, A DISTANCE OF 4.00 FEET;
THENCE S89°49'01"E, A DISTANCE OF 120.16 FEET; TO A POINT ON THE WESTERLY
RIGHT OF WAY LINE OF MUSTANG ROAD AS RECORDED IN AFORESAID BAR J-B
ACRES; THENCE S00°11'12"W, ALONG SAID WESTERLY RIGHT OF WAY LINE, SAID
LINE BEING THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A
DISTANCE OF 753.87 FEET TO THE POINT OF BEGINNING, CONTAINING A
CALCULATED AREA OF 864,759 SQUARE FEET (19.852 ACRES), MORE OR LESS.

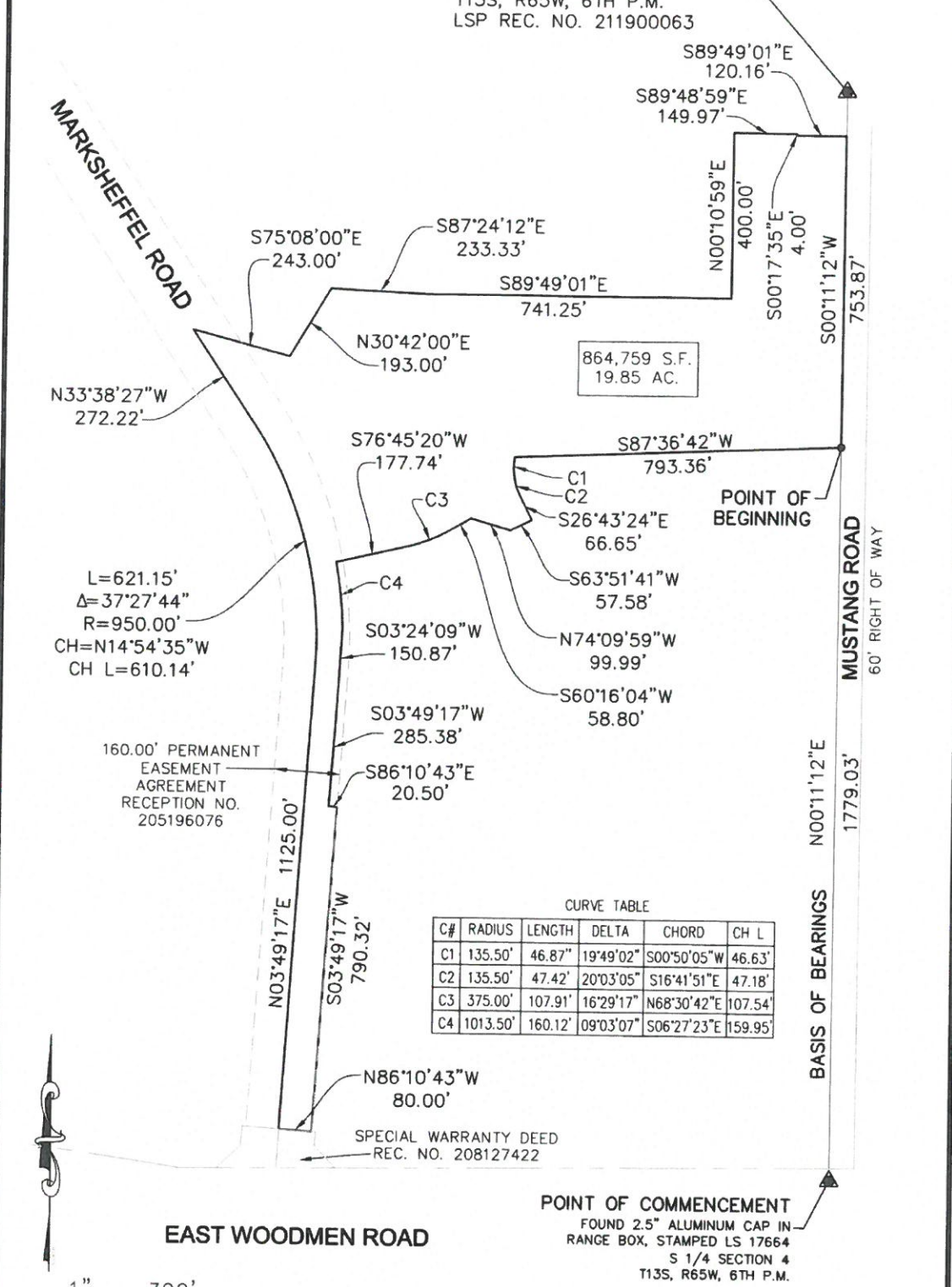
SPENCER J. BARRON
COLORADO REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 38141



DESCRIPTION PREPARED BY:
M&S CIVIL CONSULTANTS, INC
20 BOULDER CRESCENT, SUITE 110
COLORADO SPRINGS, CO 80903

COLA, LLC

FOUND 3 1/4" ALUMINUM CAP
 LS 33649 C 1/4 SECTION 4,
 NW CORNER BAR J-B ACRES
 T13S, R65W, 6TH P.M.
 LSP REC. NO. 211900063



864,759 S.F.
 19.85 AC.

L=621.15'
 $\Delta=37^{\circ}27'44''$
 R=950.00'
 CH=N14 $^{\circ}$ 54'35"W
 CH L=610.14'

160.00' PERMANENT
 EASEMENT
 AGREEMENT
 RECEPTION NO.
 205196076

CURVE TABLE

C#	RADIUS	LENGTH	DELTA	CHORD	CH L
C1	135.50'	46.87'	19 $^{\circ}$ 49'02"	S00 $^{\circ}$ 50'05"W	46.63'
C2	135.50'	47.42'	20 $^{\circ}$ 03'05"	S16 $^{\circ}$ 41'51"E	47.18'
C3	375.00'	107.91'	16 $^{\circ}$ 29'17"	N68 $^{\circ}$ 30'42"E	107.54'
C4	1013.50'	160.12'	09 $^{\circ}$ 03'07"	S06 $^{\circ}$ 27'23"E	159.95'



1" = 300'



Scale in Feet

POINT OF COMMENCEMENT

FOUND 2.5" ALUMINUM CAP IN
 RANGE BOX, STAMPED LS 17664
 S 1/4 SECTION 4
 T13S, R65W, 6TH P.M.

COLA, LLC
 JOB NO. 08-031
 DATE PREPARED: JANUARY 7, 2016



20 BOULDER CRESCENT, STE. 110
 COLORADO SPRINGS,
 COLORADO 80903
 719.555.5465