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**RESOLUTION NO. 02-394**

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

Commissioner Brown moved adoption of the following Resolution:

**WHEREAS**, the Board of County Commissioners of El Paso County, Colorado, previously adopted Resolution No. 01-321 on August 23, 2001 concerning the control and licensing of dogs and the designated animal control area of El Paso County; and

**WHEREAS**, the Board of County Commissioners has the authority to provide for the control and licensing of dogs in the unincorporated areas of El Paso County pursuant to section 30-15-101, Vol. 9, C.R.S. 2002, as amended; and

**WHEREAS** the existing Resolution does not provide for the early release of vicious dogs which may have been seized by the Humane Society of the Pikes Peak Region; and

**WHEREAS** the public, the Humane Society, and the El Paso County Court desire that an early release option be made available for impounded vicious dogs; and

**WHEREAS** the public safety requires that such releases be made under circumstances, which will ensure that vicious dogs are not permitted to continue to run at large; and

**WHEREAS** the Board of County Commissioners recognizes that vicious dogs are a countywide problem which threaten public safety and welfare of county residents; and

**WHEREAS** the Board of County Commissioners desires to provide for control of vicious dogs in all areas of El Paso County along with reasonable means to secure the early release of such dogs if they are seized by the Humane Society; and

**WHEREAS** the Board of County Commissioners desires that vicious dogs released under the early release option shall be contained in a humane manner; and

**WHEREAS** the Board of County Commissioners likewise desires to implement a graduated fine system for violations of the Rules and Regulations for Pet Animal Control/ Dog Licensing, so as to encourage pet owners to responsibly control their animals.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of El Paso County, Colorado, that Resolution No. 01-321 is hereby repealed.

THIS IS A CORRECTED VERSION OF RESOLUTION NO. 02-394 RECORDED IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER ON NOVEMBER 7, 2002, AT RECEPTION NO. 202195447.

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**BE IT FURTHER RESOLVED** that the Board of County Commissioners hereby adopts the following Rules and Regulations for Pet Animal Control/Dog Licensing, which are attached hereto and incorporated herein, as Exhibit A.

**BE IT FURTHER RESOLVED** that the Board of County Commissioners hereby adopts the following boundaries of the designated animal control area, a description of which is attached hereto and incorporated herein as Exhibit B, and hereby designates those boundaries as the designated animal control area for purposes of this Resolution, which may be amended from time to time by the Board.

**BE IT FURTHER RESOLVED** that the Board of County Commissioners hereby adopts the following general map of the designated Animal Control/Dog Licensing enforcement boundaries, which is attached hereto and incorporated herein as Exhibit C.

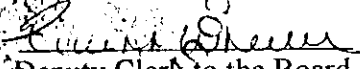
**BE IT FURTHER RESOLVED** that the Board of County Commissioners hereby adopts a fine schedule, which is attached hereto and incorporated herein as Exhibit D, which may be amended from time to time by the Board.

**BE IT FURTHER RESOLVED** that the Board of County Commissioners hereby directs the Humane Society to use forms for early release of vicious animals which are the same as, or substantially similar to, the forms attached to this Resolution and incorporated herein as Exhibit E, in carrying out its obligations under this Resolution.

**BE IT FURTHER RESOLVED** that all previous Board Resolutions not specifically designated herein shall be repealed to the extent that they are inconsistent with this Resolution.

**DONE THIS 31<sup>st</sup>** day of October, 2002, at Colorado Springs, Colorado.

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WITTEST:  
By:   
Deputy Clerk to the Board

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

By:   
T.D. Huffman, Chairperson

Commissioner Howells seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

Commissioner Jones	absent
Commissioner Bremer	aye
Commissioner Brown	aye
Commissioner Howells	aye
Commissioner Huffman	aye

The Resolution was unanimously adopted by the Board of County Commissioners of the County of El Paso, State of Colorado.

Resolution No. 02-394, Exhibit A

**PET ANIMAL CONTROL / DOG LICENSING  
RULES AND REGULATIONS**

1. **Applicability.** These Rules and Regulations shall be applicable to all persons who shall own or keep a pet animal within the following described portions of El Paso County (hereinafter referred to as the "designated animal control area"), other than those animals belonging to residents of a municipality within the animal control area which has enacted and is enforcing a dog registration, licensing, or restraining leash ordinance, to wit:

As further set forth and described in attached Exhibit B to Resolution 02-394, as adopted by the Board of County Commissioners on October 31, 2002.

Sections 9(a), 9(d), 17(b), 17(d), and 17(g) of these Rules and Regulations shall be applicable to all persons who own a dog within the unincorporated areas of El Paso County.

2. **Definitions.** Except as otherwise specifically indicated herein, the following definitions shall apply:
- a. "Board" shall mean the Board of County Commissioners of El Paso County.
  - b. "Bodily Injury" shall mean an injury caused by a pet animal wherein at a minimum the skin is broken, exterior bleeding occurs, or medical treatment by a licensed physician is reasonably necessary.
  - c. "Control" shall mean physical restraint, such as a leash or similar tether not longer than fifteen (15) feet in length, or pen, cage, fence or motor vehicle.
  - d. "Designated Agent" shall mean the Humane Society of the Pikes Peak Region.
  - e. "Keeper" shall mean any person who keeps or harbors a pet animal for less than thirty (30) days.
  - f. "Owner" shall mean any person who keeps or harbors a pet animal for more than thirty (30) days.
  - g. "Pet Animal", as defined in 30-15-101(3), C.R.S., shall mean and include any animal owned or kept by a person for companionship or protection or for sale to others for such purposes.
  - h. "Peace Officer" shall mean any law enforcement officer as defined under part 9 of Article 1 of Title 18, C.R.S. 2002, whose jurisdiction includes the designated animal control area of El Paso County, and any commissioned officer, agent, or employee of the Humane Society of the Pikes Peak Region.
  - i. "Running at Large" shall mean when a dog enters the property of another person without authorization of that person, or when a dog enters public property, and is not under control.

- j. "Vicious Dog" shall mean a pet animal which, without provocation, attacks or bites any person or other animal, except that no dog shall be deemed to have acted without provocation if such attack is reasonably related to defense of the dog itself, its property, its owner or keeper, or its owner or keeper's property.

3. License Required.

- a. Every person who lives within the designated animal control area of El Paso County and who owns one or more dogs which are more than four (4) months old, except those persons to whom a valid pet shop or boarding kennel license has been issued by appropriate officials of the State of Colorado pursuant to Section 25-4-702, C.R.S. 2002, shall obtain a license for each dog.
- b. No license shall be issued until the owner of a dog shall exhibit to the Board or its Designated Agent a valid anti-rabies vaccination certificate indicating that the dog has been vaccinated against rabies by a licensed veterinarian within the thirty-six (36) months preceding the date of application.
- c. At any time a dog becomes four (4) months of age, or if a dog which is at least four (4) months of age is brought into the designated animal control area of El Paso County, its owner shall obtain a license within the next succeeding thirty (30) days.
- d. Within thirty (30) days after a person brings a dog into the designated animal control area of El Paso County, a person shall inoculate the dog with anti-rabies vaccine unless he can demonstrate that the dog has been previously inoculated within the preceding thirty-six (36) months, in which case the previous inoculation shall be accepted.
- e. Notwithstanding subparagraphs (b) and (d) above, all dogs shall be inoculated with anti-rabies vaccine when they are at least four (4) months old, and shall receive a follow-up vaccination no later than when the dog turns sixteen (16) months old. Failure to do so shall result in denial of the application for license for that dog.

4. Application for License. An application for a license shall contain the following:

- a. A valid anti-rabies vaccination certificate as prescribed in paragraph 3, above;
- b. Age of the dog;
- c. Sex of the dog;
- d. Statement as to whether dog has been spayed or neutered;
- e. A description of the dog, including breed and color;
- f. Name of the dog;
- g. Identification number for the dog (if the dog is a guide dog for the physically handicapped); and
- h. Name and address of the dog's owner.

5. License Fees

a. Upon filing and acceptance by the Designated Agent of the Board of an application for a dog license, applicant shall pay a license fee as indicated below:

	<b>Annual</b>	<b>Three-Year</b>
i. Non-spayed female or non-neutered male dogs:	\$20.50	\$54.00
ii. Spayed female or neutered male dogs:	\$10.00	\$27.00
iii. Owner is sixty-five (65) years old; dog not spayed or neutered:	\$18.50	\$52.00
iv. Owner is sixty-five (65) years old; dog spayed or neutered:	\$ 8.00	\$25.00

- b. No license fee shall be charged for guide dogs used by the blind, the partially blind, the deaf or the partially deaf.
- c. Licenses for spayed female or neutered male dogs shall only be issued upon presentation of a certificate signed by a veterinarian stating that the dog has been spayed or neutered.
- d. License fees shall not be prorated.
- e. Upon payment by the applicant of the requisite fee, the Designated Agent shall issue a receipt bearing the owner's name and address and the dog's license number, together with a metallic tag bearing the year of issue, the expiration date of the license, County identification, and the license number corresponding to that shown on the receipt. The tag shall be worn by the dog at all times.
- f. Solely for the purposes of the collection and issuance of County dog licenses, the Designated Agent shall be authorized to assign, delegate, and subcontract the collection and issuance of County dog licenses to established and reputable veterinarians within El Paso County. All such assignments, delegations, and subcontracts shall be subject to the requirements and provisions contained herein, as the same may be amended from time to time, and the Designated Agent shall remain responsible for all such assignment, delegation, and subcontracting requirements, and the delivery of services as set forth herein. The Designated Agent shall periodically report to the Board or its authorized representative the names of the veterinarians authorized hereunder and of the status of the collection and issuance of County dog licenses by such authorized veterinarians.

6. Expiration, Transfer of License.

- a. All dog licenses shall expire either one year or three years from the date of issuance, depending upon the length of license purchased. New licenses must be obtained on or before the last day of the month in which the license shall expire. If the applicable fee for a new license is not paid before the first day of the succeeding month, a penalty of five dollars (\$5.00) shall be added thereto.

- b. No dog license may be transferred from one owner to another, but the license may be transferred from one dog to another dog belonging to the same owner upon compliance with paragraph 4 hereof. An explanation as to the disposition of the previous licensed dog is required.
7. Duplicate License. In the event a license tag is lost, a duplicate shall be provided by the Designated Agent of the Board to the owner or keeper upon payment of five dollars (\$5.00) for each duplicate tag.
8. Control. It shall be the duty of any owner or keeper of a dog to keep such dog under control, as hereinabove defined, so as to prevent the dog from running at large, becoming a danger to persons or property, or trespassing on the property of another, except that for purposes of this paragraph, dogs actually working livestock, locating or retrieving wild game in season for a licensed hunter, or assisting law enforcement officers, or dogs being trained for any of such pursuits, shall not be deemed out of control or running at large.
9. Dogs Subject to Seizure.
- a. Any vicious dog found running at large may be impounded or confined as herein provided. If any vicious dog found running at large cannot be safely impounded, such dog may be destroyed by any peace officer. Further, in any prosecution of an owner or keeper for violation of this paragraph, the Court may, upon entry of conviction, order that such dog be destroyed.
  - b. Where, in the opinion of the Health Officer, his designated representative, or an officer of the Humane Society of the Pikes Peak Region, a dog is suspected of being rabid, or where a dog has bitten a person or another animal, such officer may confine the dog in accordance with Section 25-4-604, C.R.S. 2002.
  - c. Any dog found running at large or otherwise not under the control of its owner or keeper as provided in Section 8 may be impounded as herein provided.
  - d. Any dog found to be in violation of the conditions of an early release order issued pursuant to Section 9.1(c)(iii) of these Rules and Regulations may be impounded or confined as herein provided.
- 9.1 Early Release.
- a. If a complaint has been filed in county court against the owner of an impounded dog for a charge under Section 9(a), the dog shall only be released pursuant to a court order under section 9.1(b). Any dog that remains unclaimed for five (5) days after an early release order has been issued by the court may be disposed of at the discretion of the Executive Director of the Designated Agent.

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- b. Upon the filing of a consent for release by the Designated Agent, with notice to the complaining witness/victim as provided for in Section 9.1(c)(iii), and after any hearing required by the court, the court may, based upon all of the facts and circumstances then before the court, order the Designated Agent to release the impounded dog to the owner, pending disposition of the underlying charges. Any order for early release shall include conditions requiring the following:
- i. Owner shall maintain containment facilities upon Owner's property which have been inspected and approved by the Designated Agent;
  - ii. The dog shall be confined to such containment facilities at any and all times the dog is not otherwise under the direct physical control of the owner, who shall remain responsible in all respects for the dog; and
  - iii. Owner shall pay all fees related to the impounding of the dog; and
  - iv. Any other conditions as the court finds appropriate.
- c. In order to implement the provisions for early release, the following procedures shall apply:
- i. At the time of issuing a citation to an owner of a dog that is to be impounded pursuant to Section 9(a), or as soon thereafter as is reasonably practicable, the Designated Agent shall provide the owner with a notice of early release procedures and the conditions the owner must satisfy prior to requesting that the Designated Agent consider filing a consent for early release with the court. Such notice shall contain the specifications for a containment facility, which must be constructed and maintained on the Owner's property to contain the dog in case an order for early release is granted by the court.
  - ii. After construction of the containment facilities, the Owner shall submit a written request to the Designated Agent for inspection of such facilities. After an inspection of the containment facilities, and upon any further construction or reinforcement that the Designated Agent may require, if the Designated Agent determines in the exercise of its discretion that such containment facilities meet the specifications required, the Designated Agent may file a consent for early release with the El Paso County Court. The consent may contain additional conditions for early release that the Designated Agent deems necessary and appropriate. The inspection report of the Designated Agent concerning the containment facilities shall be filed with the consent for early release.



iii. Concurrently with the filing of a consent and report with the court, the Designated Agent shall personally deliver or post in a conspicuous place, with notation of the date of posting, or shall send by first class mail, a notice, a copy of the consent, and a copy of the report of the underlying incident to the complaining witness/victim. Such posting or mailing shall be upon or to the address, if any, that the complaining witness/victim provided to the Designated Agent. Such notice shall advise the complaining witness/victim of their right to file a written objection to early release of the subject dog with the El Paso County Court within either three (3) business days of the date of personal delivery or posting, or within five (5) business days of the date of mailing, as applicable. The notice shall further state that an order for early release may be entered by the court if written objection is not timely filed, and that the court may enter an order for release conditions, deny early release, or set the matter for hearing if a written objection has been timely filed. The notice shall further advise the complaining witness/victim that if an order for early release is entered, the witness/victim may report any violations of the release conditions to the Designated Agent. Notwithstanding the foregoing, if the complaining witness/victim fails or refuses to provide an address to the Designated Agent at the time of the incident, the Designated Agent shall have no further obligation to send notice to the witness/victim. Notices required under this section shall be substantially in the form of the sample notices provided as Appendix "E" to Resolution 02-394.

10. Impoundment. If any pet animal is found by any peace officer or resident of El Paso County anywhere in the designated animal control area of the County other than at the home of its owner or keeper, and if such pet animal is not under the control of its owner or keeper or their agent as hereinafter defined, such pet animal may be impounded at the facility hereinafter designated, regardless of whether the pet animal is duly licensed or the identity of its owner or keeper is otherwise ascertainable.

11. Impoundment Facility. The facilities maintained by the Humane Society of the Pikes Peak Region shall serve as the impoundment facility for purposes of these Rules and Regulations.

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12. Redemption.

- a. Any impounded pet animal may be redeemed by its owner or keeper within five (5) days of its impoundment upon payment of an impounding fee of thirty dollars (\$30.00), plus an additional boarding fee of ten dollars (\$10.00) per day for each day or any part thereof the pet animal is held, in excess of five days. THE OWNER OR KEEPER OF ANY IMPOUNDED PET ANIMAL SHALL PAY AN IMPOUNDING FEE OF FIFTY DOLLARS (\$50.00) FOR EACH ADDITIONAL OFFENSE WITHIN A TWELVE (12) MONTH PERIOD, PLUS THE ADDITIONAL BOARDING FEE AS DESCRIBED HEREIN. Any unlicensed dog may be redeemed by its owner or keeper within five (5) days of its impoundment upon paying an impoundment fee of forty (\$40.00) dollars, plus an additional boarding fee of ten dollars (\$10.00) per day for each day or any part thereof the dog is held in excess of five (5) days. In the event an owner or keeper has a second or any subsequent incident of impoundment of an unlicensed dog within a twelve month period, an impoundment fee of sixty (\$60.00) dollars plus the additional boarding fee as stated above will be charged.
- b. Payment of impounding or boarding fees shall not be construed as payment of such fines as may be applicable for violation of the provisions of these Rules and Regulations, nor shall such payment be considered as being in lieu of license fees.
- c. No impounded dog which is required to be licensed or inoculated under the provisions of these Rules and Regulations may be redeemed until such licensing and inoculation is accomplished or ensured.

13. Notice to Owner or Keeper. When any pet animal is impounded pursuant to the provisions of these Rules and Regulations, the director of the designated impounding facility shall immediately make a reasonable effort to notify the pet animal's owner or keeper if his identity is ascertainable.

14. Sale or Other Disposal of Unredeemed Pet Animals. Any owner or keeper of an impounded pet animal who does not claim or redeem the pet animal within the five (5) day impounding period shall forfeit all right, title and interest therein, and shall pay such impounding and boarding fees which are due and owing. Any impounded pet animal which is not claimed or redeemed during the five (5) day impounding period may be put up for adoption in a manner consistent with the normal procedures of the Humane Society. Any impounded pet animal which is not adopted, claimed or redeemed may be humanely destroyed, removed and buried, or cremated, except that no pet animal, the identity and whereabouts of the owner or keeper of which is known or can be reasonably ascertained from a license tag or other identification worn by the pet animal, shall be destroyed until a reasonable effort has been made to so notify its owner or keeper.

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15. Unlawful Taking or Release.

- a. It shall be unlawful for any person to take any pet animal from an enclosed lot, premises, or other building and deliver the pet animal to the impounding facility unless authorized to do so by the owner or keeper of the pet animal or as otherwise authorized by these Rules and Regulations.
- b. It shall be unlawful for any person to open or cause to be opened any closed lot, premises or building for the purpose of allowing a pet animal to run at large.

16. Noisy, barking Dogs. It shall be unlawful to own or keep a dog which, by barking, howling, baying, or other utterance, disturbs the peace and quiet of a neighborhood. For purposes of this paragraph, "neighborhood" shall mean the area within five hundred (500) feet of the exterior boundaries of the premises where the dog resides, and "disturb" shall mean to unreasonably annoy, perturb, or interfere with the quiet enjoyment of another's premises.

17. Violations, Penalties.

- a. Any violation of any provision of these Rules and Regulations which does not result in bodily injury to any person or other animal shall be a Class Two (2) petty offense punishable by a fine, as set forth in Exhibit "D" of these rules and regulations, for each separate offense, plus customary costs as applicable. The penalty assessment procedures contained in Section 16-2-201, C.R.S. 2002, shall be followed by any peace officer enforcing the provision of these Rules and Regulations.
- b. Any violation of any provision of these Rules and Regulations which results in bodily injury to any person caused by a dog shall be a Class Two (2) misdemeanor punishable pursuant to the provisions of Section 18-1-106, C.R.S. 2002, as it now exists or may subsequently be amended.
- c. Nothing herein shall be construed to prevent impoundment of any pet animal under paragraph 10 of these Rules and Regulations.
- d. Any violation of any provision of these Rules and Regulations which results in bodily injury to any other animal caused by a dog shall be a Class Three (3) misdemeanor punishable pursuant to the provisions of Section 18-1-106, C.R.S. 2002, as it now exists or may subsequently be amended.
- e. For violations listed under subparagraphs (a) and (b) of this paragraph, the Court may order restitution to be paid by the Defendant for injuries sustained by any person or other animal.
- f. The County Judges and the County Court Referee may, when violation of these Rules and Regulations does not result in bodily injury to any person, refer the alleged violator and complaining witness to the Neighborhood Justice Center for a period not to exceed sixty (60) days.

g. Any violation of any condition of a court order for early release of a vicious dog as provided for in Section 9.1 of these Rules and Regulations shall be a class three (3) misdemeanor punishable pursuant to the provisions of 18-1-106, C.R.S., 2002, as it now exists or may subsequently be amended. Any violation shall also be the basis for seizure of the dog by the Designated Agent, as provided for in section 9(d). In the event of any such seizure, the owner of the dog shall have no further right to request early release under Section 9.1.

18. Enforcement. The provisions of these Rules and Regulations shall be enforced by persons designated "peace officers" as hereinabove defined, except that a peace officer not certified under part 6 of Article 32 of Title 24, C.R.S. 1973, shall have no authority to enforce any resolution or statute other than these Pet Animal Control/Dog Licensing Rules and Regulations.
19. Disposition of Fines and Forfeitures. All fines and forfeitures for violation of any provision of these Rules and Regulations and all monies collected by the County for licenses shall be paid over to the County Treasurer immediately upon their receipt.
20. Liability for Accident or Subsequent Disease from Impoundment. Neither the Board, its employees or agents, or persons authorized herein to enforce the provisions of these Rules and Regulations shall be held responsible for any accident or subsequent disease which may be suffered by a pet animal as a result of the administration or implementation of these Rules and Regulations.
21. Captions. The captions and paragraph headings used throughout these Rules and Regulations are for convenience of reference only, and the words contained therein shall in no way be held or deemed to define, limit, describe, explain, modify, amplify or add to the interpretation, construction, or meaning of any provision to or the scope or intent of these Rules and Regulations.
22. Severability. If any provision of these Rules and Regulations or the application thereof to any party or circumstance shall to any extent be invalid or unenforceable, the remainder of these Rules and Regulations, or the application of such provision to parties or circumstances other than those to which it is invalid or unenforceable, shall not be affected thereby, and each provision of these Rules and Regulations shall be valid and be enforced to the fullest extent permitted by law.

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Resolution No. 02-394  
Exhibit B

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Resolution No. 01-321  
EXHIBIT D

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Resolution No. 01-267  
Exhibit B

Resolution No. 99-399  
EXHIBIT C

Unincorporated Fountain, Widefield, Security, and Colorado Springs

All of that portion of the hereinafter described land, located within the County of El Paso and State of Colorado, and not included within the territorial limits of any incorporated town or city, to wit:

Point of beginning being on the South line of Section 17, Township 16 South, Range 65 West with its intersection with the Easterly R.O.W. line of Interstate Highway No. 25 (State Highway No. 1) and runs thence (1) Northerly and Northwesterly along the Easterly and Northeasterly R.O.W. line of aforesaid Interstate Highway No. 25 to its intersection with the Southerly line of Section 3, Township 15 South, Range 66 West, thence (2) West along the South line of Sections 3, 4, and 5, Township 15 South, Range 66 West to its intersection with the East R.O.W. line of State Highway No. 115, thence (3) South along the East R.O.W. of aforesaid State Highway No. 115 to its intersection with the South line of Section 8, Township 15 South, Range 66 West, thence (4) West along the South lines of Sections 8 and 7, Township 15 South, Range 66 West, and Sections 12 and 11, Township 15 South, Range 67 West to the Southwest corner of aforesaid Section 11, thence (5) North along the West lines of Sections 11 and 2, Township 15 South, Range 67 West to the Northwest corner of aforesaid Section 2, thence (6) West along the South lines of Sections 34, 33, and 32, Township 14 South, Range 67 West, to the Southwest corner of Section 32, thence (7) North along the West line of aforesaid Section 32, to the Northwest corner of aforesaid Section 32, thence (8) East along the North lines of Section 32, Township 14 South, Range 67 West to the Northeast corner of aforesaid Section 32, thence (9) North along the West lines of Sections 28, 21, and 16, Township 14 South, Range 67 West to the Northwest corner of aforesaid Section 16, thence (10) East along the North line of Section 16, Township 14 South, Range 67 West to the Northeast corner of aforesaid Section 16, thence (11) North along the West lines of Sections 10 and 3, Township 14 South, Range 67 West and Sections 34, 27, 22, 15, 10, and 3, Township 13 South, Range 67 West to the Northwest corner of aforesaid Section 3 and coinciding with the Southerly boundary of the United States Air Force Academy boundary, thence (12) East, Southeasterly and Northeasterly along the Southerly boundary of the United States Air Force Academy to its intersection with the North line of Section 5, Township 13 South, Range 66 West, thence (13) East along the North lines of Sections 5, 4, 3, 2, and 1, Township 13 South, Range 66 West and Sections 6, 5, and 4, Township 13 South, Range 65 West to the Northeast corner of aforesaid Section 4, thence (14) South along the East lines of Sections 4, 9, 16, 21, 28, and 33, Township 13 South, Range 65 West and Sections 4, 9, and 16, Township 14 South, Range 65 West to the Southeast corner of aforesaid Section 16, Township 14 South, Range 65 West, thence (15) East along the North line of Section 22, Township 14 South, Range 65 West to the Northeast corner of

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#### Tri-Lakes and Woodmoor

All that portion of the hereinafter described land located within the County of El Paso and the State of Colorado and not included within the territorial limits of any incorporated town or city, and not included within the territorial limits of the Pike National Forest, and not included within the territorial limits of a Military Reservation, to wit:

Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 29, 30, 31, 32, West 1/2 of Section 28, West 1/2 of Section 33, of Township 11 South, Range 66 West, 6th Principal Meridian.

Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 21, 22, 24, 25, 27, 28 and 36 of Township 11 South, Range 67 West, 6th Principal Meridian.

Sections 5, 6 and 7 and the West 1/2 of Section 4 of Township 12 South, Range 66 West, 6th Principal Meridian.

That portion of Section 1, Township 12 South, Range 67 West, 6th Principal Meridian, lying East of the East boundary of the United States Air Force Academy.

#### Woodlake

All that portion of the hereinafter described land located within the County of El Paso and the State of Colorado and not included within the territorial limits of any incorporated town or city, to wit:

Those portions of Sections 29, 30, 31, and 32 of Township 11 South, Range 64 West of the 6th Principal Meridian, and Section 6 of Township 12 South, Range 64 West of the 6th Principal Meridian that are included in the following subdivisions: Woodlake Filing No. 1 as recorded in book A3 page 65, Woodlake Filing No. 2 as recorded in book C3 page 57, Woodlake Filing No. 3 as recorded in book G3 page 60, and Woodlake Filing No. 4 as recorded in book M3 page 74 of the records of the El Paso County Clerk and Recorder.

#### Park Forest Estates

All that portion of the hereinafter described land located within the County of El Paso and the State of Colorado and not included within the territorial limits of any incorporated town or city, to wit:

Robert C. Balink El Paso Cty,CO 203015803  
01/23/2003 09:07

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J. Patrick Kelly El Paso Cty,CO 201138044  
09/21/2001 04:24  
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Thressa A. Sholdt El Paso Cty,CO 202195447  
11/07/2002 09:04  
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J. Patrick Kelly El Paso Cty,CO 099163142  
10/20/1999 04:12  
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Ute Pass

All that portion of the hereinafter described land located within the County of El Paso and the State of Colorado and not included within the territorial limits of any incorporated town or city, to wit:

Point of beginning being the half section line of Section 32, Township 12 South, Range 68 West, with its intersection with the El Paso County Line and runs thence (1) in a general Easterly manner following and being coterminous with the Pike National Forest Boundary Line to its intersection with the corporate limit line of Colorado Springs, thence (2) Southerly following and being coterminous with the corporate limit line of Colorado Springs to its intersection with the corporate limits of Manitou Springs, thence (3) in a general Westerly manner following and being coterminous with the Pike National Forest Boundary Line to its intersection with the El Paso County Line, thence (4) Northerly following and being coterminous with the El Paso County Line to the point of beginning.

Elk Creek Ranches Filings 1 and 2

All that portion of the hereinafter described land located within the County of El Paso and the State of Colorado and not included within the territorial limits of any incorporated town or city, and not included within the territorial limits of the Pike National Forest, and not included within the territorial limits of a Military Reservation, to wit:

That part of section 6 of Township 11 South, Range 65 West, 6th P. M. and that part of section 1 of Township 11 South, Range 66 West, 6th P. M. known as Elk Creek Ranches Filing One as recorded in book L3 at page 67 and Elk Creek Ranches Filing No. 2 as recorded in book E5 at page 147 of the records of El Paso County, Colorado.

J. Patrick Kelly El Paso Cty,CO 201128884  
09/04/2001 03:38

Robert C. Balink El Paso Cty, CO 203015803  
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J. Patrick Kelly El Paso Cty, CO 201138044  
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Thressa A. Sholdt El Paso Cty, CO 202195447  
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ADDRESS/LEGAL

~~MAY JOHN M TRUSTEE~~

~~710 ROCK CREEK CANYON RD~~

~~COLORADO SPRINGS, CO 30926~~

~~N2SE4 EX NLY 300 FT SEC 35-15-67, S2NW4, SW4, N2N2 EX~~

~~75000-00-236~~

~~130 X 150 FT TR TO STARRITT, EX TRACTS 5-3-6 DESC BY~~

~~SK 2045-759 THAT PART OF SE4E4 LY NLY OF OLD CANON~~

~~CITY RD SEC 36-15-67, THAT PART OF W2 SEC 31-15-66 LY~~

~~36-15-67~~

~~NLY OF HWY 115 & LY NLY OF OLD CANON CITY RD EX N2N2E2~~

~~OF S0 SEC, EX TR TO ALLRED~~

~~S 300.0 FT OF W 950.0 FT OF SEC 30-15-66, TOG WITH~~

~~TRACT IN SW4 SEC 3 IN SE4S E4 SEC 35-15-67 LY WLY OF OLD~~

~~HWY BET COLO SPGS & CANON CITY AS FOLS, BEG AT POI OF S~~

~~LN OF SE4SE4 WITH WLY R/W LN OF HWY 115, TH SWLY ON S0~~

~~S LN 1515.13 FT TO SW COR OF S0 SW4 SE4,~~

~~N 01<44' W ON W LN 330.0 FT, N 88<53'45" E 1532.38 FT~~

~~TO INTSEC W LN OF AFMD OLD HWY,~~

~~S 13<40.132' E 165.75 FT, TH S 15<37' W 176.30 FT TO~~

~~POB, EX TR OF LAND IN W2 SEC 36-15-67 DES AS FOLS: COM~~

~~AT N4 COR OF S0 SEC 36, TH S 01<29'26" W 150.00 FT FOR~~

~~POB, TH CONT S 01<29'26" W 146.00 FT,~~

~~S 90<00'00" W 1320.00 FT, S 00<00'00" W 1030.00 FT,~~

~~S 90<00'00" W 1320.00 FT M/L TO WLY SEC LN OF S0,~~

~~SEC 36, N 52<07'45" W 1320.00 FT,~~

~~N 90<00'00" E 2040.00 FT, N 01<29'26" E 1170.00 FT,~~

~~S 29<59'26" E 310.52 FT TO POB, TOG WITH S4 & S2NW4~~

~~2 W 300 FT OF SE4 SEC 35-15-67.~~

~~YOUNG MANLEY & LOUISE M~~

~~3825 OLD CANON CITY RD~~

~~COLORADO SPRINGS, CO 30926~~

~~75361-00-002~~

~~TRACT IN S2NE4 SEC 36-15-67 AS FOLS, BEG AT PT~~

~~WHENCE THE N QUAR COR OF SEC 31-15-66 BEARS N~~

~~36-15-67~~

~~32<03' E 2537.47 FT WHICH IS INTSEC OF C/L OF HWY 115~~

~~OLD CANON CITY RD, TH N 61<53' W ON C/L OF~~

~~OLD CANON CITY RD 1809.5 FT, S 38<09' W 151 FT, N~~

~~50<03' W 535 FT, TH ON CUR TO L THE RAD OF WHICH IS~~

~~160 FT + THRU A C/A OF 125<52' AN ARC DIST OF~~

~~351.49 FT, S 5<55' E TANG TO LAST MENT CUR 215.44 FT~~

~~FOR POB, TH N 54<07' E 200.57 FT, N 5<55' W 120 FT TO~~

~~INTSEC SLY LN OF TR DES IN BK 1595-34, N 34<19' W~~

~~100 FT ON S0 SLY LN TO ANG PT THEREON, S 77<30' W~~

~~155.05 FT TO C/L OF OLD CANON CITY RD, S 5<55' W ON~~

~~S0 C/L 200 FT TO POB EX PART WITHIN R/W OF~~

~~OLD CANON CITY RD~~

20

~~YOUNG MANLEY & LOUISE M~~

~~3825 OLD CANON CITY RD~~

~~COLORADO SPRINGS, CO 30926~~

~~75361-00-002~~



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J. Patrick Kelly El Paso Cty, CO  
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Thressa A. Sholdt El Paso Cty, CO  
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ADDRESS/LEGAL

NAME

~~MARTIN DAVID A & LINDA K~~ 8905 OLD CANON CITY RD  
COLORADO SPRINGS, CO 80926  
TRACT IN S2NE4 SEC 36-15-67 AS FOLS, COM AT A PT  
WHENCE THE N QUAR COR OF SEC 31-15-66 BEARS N 32<09'  
E 2987.47 FT WHICH IS THE INTSEC OF C/L OF HWY 115 +  
OLD CANON CITY RD, TH N 61<53' W ON C/L OF SD RD  
1809.56 FT, S 88<09' W 161 FT, N 60<03' W 535 FT,  
TH ON A CUR TO L THE RAD OF WHICH IS 160 FT + THROUGH A  
C/A OF 125<52' AN ARC DIST OF 351.49 FT, S 5<55' E  
TANG TO LAST MENT CUR 495 FT FOR POB, TH CONT S  
5<55' E 230.24 FT TO SLY LN OF TR DES IN BK 1172-606,  
TH S 66<03' E ON SD SLY LN 506.29 FT TO SLY COR OF A TR  
DES IN BK 1533-34, N 21<36' E ON SLY LN THEREOF  
199.24 FT TO INTSEC A LN DRAWN S 66<03' E FROM POB,  
TH N 66<03' W 612.76 FT TO POB

75361-00-009 8905 Old Canon City R

SPANGLER PATRICIA A 8915 OLD CANON CITY RD  
COLORADO SPRINGS, CO 80926  
TRACT IN SE4NE4 & IN NE4SE4 SEC 36-15-67 AS FOLS, SEC  
AT PT ON E LN OF OLD CANON CITY RD S 167<31' E  
34.4 FT FROM NW COR OF TR CONV IN BK 1095-234,  
TH S 67<31' E 468.7 FT, ANG R 90< SWLY 279 FT, ANG R  
93< 312 FT TO A PT ON E SIDE LN OF CO RD, TH ANG R  
60<41' ALG E LN OF SD RD 320 FT TO POB

75361-00-010 8915 Old Canon City R

CARNEY FREEMAN M 2919 DAKOTA DR  
COLORADO SPRINGS, CO 80910  
TRACT IN S2NE4 SEC 36-15-67 AS FOLS, COM AT PT WHICH  
N GTR COR OF SEC 31-15-66 BEARS N 32<09' E 2987.47 FT  
WHICH IS INTSEC OF C/L OF HWY 115 & OLD CANON CITY RD,  
TH N 61<53' W ON C/L OF OLD CANON CITY RD 1809.56 FT,  
S 88<09' W 161 FT, N 60<03' W 535 FT, TH ON A CUR TO L  
WITH A RAD OF 160 FT, A C/A OF 125<52' A DIST OF  
351.49 FT, S 5<55' E TANG 355.72 FT FOR POB, TH CONT  
S 05<55' E 139.23 FT, S 66<03' E 612.76 FT, N 21<36' E  
315.52 FT, N 44<15' W 188.11 FT, S 27<45' W 102.5 FT,  
N 50<56' W 308.56 FT, S 05<55' E 59.32 FT, S 34<27' W  
58.39 FT, S 05<55' E 182.82 FT, TH N 31<55' W 180.37 FT  
TO POB, EX RD

75361-00-011 36-15-67

PETERSON LOWELL D & DELOPES J 9325 OLD CANON CITY RD  
COLORADO SPRINGS, CO 80926  
TRACT IN SE4 SEC 36-15-67 AS FOLS, COM AT A PT ON N  
LN OF SE4SE4 OF SD SEC FROM WHICH PT THE E4 COR OF  
SD SEC BEARS N 4<17'30'' E 1293.3 FT + SD PT IS ON

75364-00-005 9325 Old Canon City R

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ADDRESS/LEGAL

NAME

~~SACCHETTA EDWARD L~~ ~~9250 OLD CANON CITY RD~~  
COLORADO SPRINGS, CO 80926  
TRACT IN SW4SE4 + 2 IN SE4SE4 SEC 36-15-67 LY WLY OF  
W R/W LN OF OLD HWY SET COLO SPGS 4 CANON CITY AS  
FOLS, COM AT POI OF S LN OF SD SE4SE4 WITH WLY R/W  
LN OF STATE HWY 115, TH W GN SD S LN 1515.10 FT TO  
SW COR OF SD SW4SE4, N 1444' W ON W LN 1021.27 FT  
FOR POB, CONT ON LAST MENT COURSE 299.16 FT TO NW  
COR OF S2SE4, E ON N LN THEREOF 1444.73 FT TO INTSEC  
WLY R/W LN OF SD OLD HWY, S 88°54'47" E ON SD R/W  
300.27 FT, TH S 88°54'05" W 1467.49 FT TO POB

75364-00-009

36-15-67

~~LOUZO BRENT A & LEE A~~ ~~9320 OLD CANON CITY RD~~  
COLORADO SPRINGS, CO 80926  
TRACT IN S2SE4 SEC 36-15-67 AS FOLS, COM AT SW COR  
OF SD SE4, TH N 1444' W ON W LN THEREOF 665.27 FT  
FOR POB, CONT NLY ON SAME COURSE 353.00 FT,  
N 88°54'05" E 1467.49 FT TO WLY LN OF OLD HWY, SELY  
ALG SD WLY LN 354.32 FT, TH S 88°53'45" W 1494.35 FT  
TO POB

75364-00-010

9320 Canon City Road

~~BASH BILL H & JUDY A~~ ~~9450 OLD CANON CITY RD~~  
COLORADO SPRINGS, CO 80926  
TRACT IN S2SE4 SEC 36-15-67 AS FOLS, COM AT SW COR  
OF SD SE4, N 1444' W ON W LN 559.0 FT FOR POB, CONT  
NLY ON LAST MENT COURSE 355.27 FT, N 88°54'05" E  
1494.35 FT TO WLY LN OF OLD HWY, SELY ALG SD HWY  
LN TO INTSEC A LN THAT IS N 88°53'45" E 1532.38 FT  
FROM POB, TH S 88°53'45" W ON SD LN 1532.28 FT  
TO POB

75364-00-011

36-15-67

J. Patrick Kelly El Paso Cty, CO  
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Resolution No. 01-321  
EXHIBIT A

Cheyenne Mountain Estate Mobile Home Park:  
All of La Mesa Del Angeles Subdivision except that tract described in Book 2321  
Page 16, and except road

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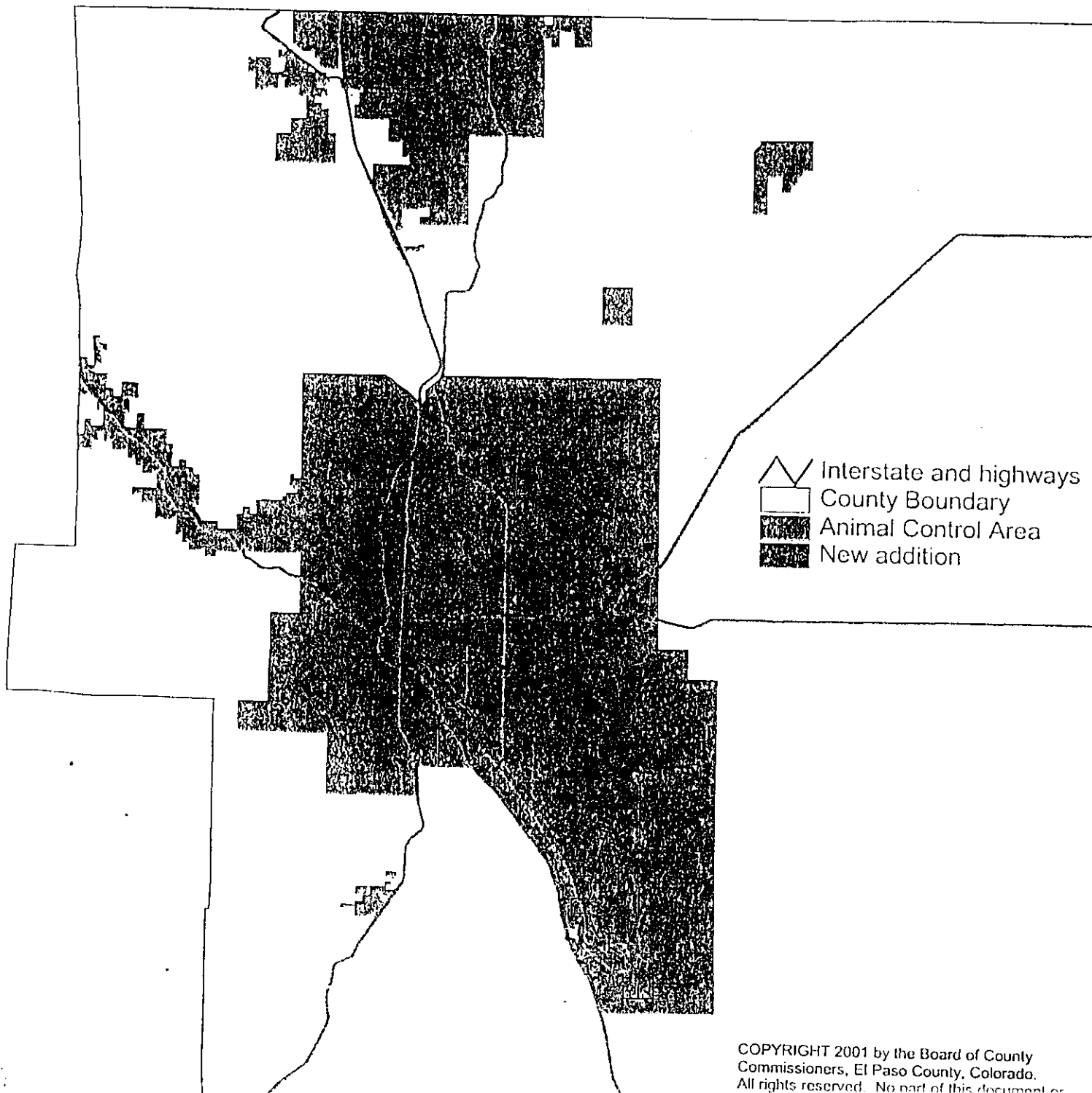
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Resolution No. 02-394  
Exhibit C

Resolution No. 01-321  
EXHIBIT E

Thressa A. Sholdt El Paso Cty,CO  
11/07/2002 09:04 202195447  
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## El Paso County Animal Control Area



Resolution No. 02-394, Exhibit D

**FINE SCHEDULE FOR VIOLATIONS OF PET ANIMAL CONTROL / DOG  
LICENSING RULES AND REGULATIONS**

<u>Violation</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third Offense</u>
Section 3(a) – License Required	\$45.00	\$75.00	\$100.00
Section 3(d) – Inoculation Required	\$45.00	\$75.00	\$100.00
Section 8 – Dog At Large	\$45.00	\$75.00	\$100.00
Section 9 – Vicious Dog At Large	\$75.00	\$100.00	\$150.00
Section 16 – Noisy, Barking Dogs	\$45.00	\$75.00	\$100.00

Other violations which do not  
result in bodily injury to any  
person or other animal and  
which are not enumerated above

\$25.00 per offense

Any violation designated above  
beyond third offense

Fined at rate of third offense.

**EARLY RELEASE NOTICE**

El Paso County Vicious Dog Impound Procedure

Your dog has been impounded as a result of the issuance of Vicious Dog charges under Section 9(a) of the El Paso County Rules and Regulations for Pet Animal Control / Dog Licensing, promulgated pursuant to County Resolution #\_\_\_\_\_.

The Humane Society of the Pikes Peak Region cannot release your dog without a judicial process and release order.

Your dog may be eligible for early release. **In order to qualify you must comply with Humane Society requirements. The complaining party has a right to object to the early release request. Compliance with these requirements is not a guarantee your dog will be released. The county court will make the final decision.**

Requirements

- 1) An enclosure inspection by the Humane Society is required as a condition of possible release. Please refer to the list of containment requirements provided by the Humane Society.
- 2) You must agree to maintain the dog under direct physical control at all times the dog is not in the enclosure.
- 3) If release is granted, any future violation of conditions or requirements occurring prior to disposition of this case constitutes a separate offense, allowing for issuance of a new citation and re-impoundment of the dog, with no further opportunity for release.
- 4) Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you wish to **request** early release of your dog, you must first comply with the above requirements and submit a **written request** to the Humane Society at 610 Abbott Ln., Colorado Springs, CO 80905, when your property is ready for inspection.

While your dog is at the Humane Society shelter, you may visit on a limited basis, and as staff are available to accompany you. Visitation privileges can be revoked. Hours for visitation are Monday through Friday, 11:00 a.m. to 12:30 p.m., and 3:00 p.m. to 5:00 p.m., or on Saturday and Sunday from 3:00 p.m. to 4:00 p.m. You will not be allowed into the kennel. Visits will be limited to fifteen (15) minutes. If you bring special care items (toys, blankets, etc.) for your dog, please permanently mark the item and inform a staff member that you want the item in the kennel. Your dog will be on a basic maintenance diet while at the shelter. Contact the Kennel Manager for any exceptions or special diets. You will be responsible for board fees of ten dollars (\$10.00) per day per dog while your dog is housed at the shelter.

If you have any questions, call the Humane Society at 473-1741.

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Officer: \_\_\_\_\_

Service:  Posting  Personal Delivery  Mail

Thressa A. Sholdt El Paso Cty, CO

11/07/2002 09:04

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**NOTICE TO WITNESS/VICTIM**

DATE: \_\_\_\_\_ SUMMONS NO.: \_\_\_\_\_ ACTIVITY NO.: \_\_\_\_\_

Dear \_\_\_\_\_:

The purpose of this letter is to notify you that the owner of the dog charged with the vicious dog violation for which you signed a complaint has requested consent for early release of the dog prior to disposition of the court case.

A County Court Judge or Magistrate may approve the release of the dog, if the dog owner complies with conditions imposed by the Humane Society, including an inspection of the enclosure in which the dog is to be maintained.

If release is ordered, any future violation of conditions or requirements occurring prior to the disposition of the case constitutes a separate offense, allowing for re-impoundment of the dog with no further opportunity for release. Violations should be reported to the Humane Society at 473-1741.

As the complaining party, you have the right to file a written objection to the request for a release. This objection must be filed **in writing** within:

\_\_\_\_\_ Three business days of the date of personal delivery of this notice, or:

\_\_\_\_\_ Five business days of the mailing or posting of this notice.

Written objection must be filed at the First Appearance Center, located on the first floor of the El Paso County Courthouse, 20 E. Vermijo, Room 103, Colorado Springs, CO 80903. If a written objection is not timely filed, an order for early release may be entered by the court. To file a written objection, you must reference the summons number above, provide your name and daytime telephone number, and specify your reasons for objection to early release of the dog. The court may enter an order for release with conditions, deny early release, or set the matter for a hearing.

For further information, you may contact the Field Services Department of the Humane Society at 473-1741, ext. 112.



**OBJECTION TO RELEASE**

DATE: \_\_\_\_\_ SUMMONS NO.: \_\_\_\_\_ ACTIVITY NO.: \_\_\_\_\_

Dear Judge/Magistrate:

I object to the release of the dog in this case for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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Date: \_\_\_\_\_

Signature: \_\_\_\_\_