

# FOREST HEIGHTS ESTATES

FINAL PLAT

PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M. COUNTY OF EL PASO, STATE OF COLORADO

Add note:  
There shall be no direct lot access to Herring Road.

The developer is responsible for extending access and utilities to each lot, tract or building site

## KNOW ALL MEN BY THESE PRESENTS:

That Phyllis J. Dideau and Jon Dideaux, being the owners of the following described tract of land:

A Tract of land in the Southwest 1/4 of Section 9, Township 12 South, Range 65 West, of the 6th P.M. County of El Paso, State of Colorado, more specifically described as follows:  
Commencing at the West 1/4 corner of Section 9,  
Thence Along the North line of said Southwest 1/4, N89°55'03"E a distance of 1391.55 feet to the Point of Beginning of the parcel to be described hereby;  
Thence continue along said North line, N89° 55'03"E a distance of 506.51 feet to the Northwest corner of that parcel described at Book 2318, Page 387, of the records of the El Paso County Clerk and Recorder;  
Thence S00°03'25"W along the West line of said parcel a distance of 430.00 feet;  
Thence N89°55'03"E parallel to said North line, a distance of 506.81 feet to the Northmost West line of the parcel described in Book 721, Page 970 of said records;  
Thence S00°09'20"W a distance of 60.00 feet;  
Thence S89°55'03"W along the line of said parcel 459.94 feet;  
Thence S00°11'43"W along the West line of said parcel a distance of 829.47 feet;  
Thence S89°54'44"W a distance of 1941.21 feet to a point on the East Right of Way line of Herring Road;  
Thence N00°03'25"E along said East line a distance of 327.80 feet to the South line of that parcel described in Book 2371 Page 388 of said records;  
Thence N89°55'03"E along the South line of said parcel a distance of 434.00 feet;  
Thence; N00°03'25"E along the East line of said parcel a distance of 215.85 feet to the Southeast corner of that parcel described in Book 1951 at Page 432 of said records;  
Thence N89°55'03"E along the South line of said parcel a distance of 381.00 feet to the Southeast corner thereof;  
Thence N00°11'21"E along the East line of said parcel a distance of 286.00 feet to a point on the South line of that parcel described in Book 2215 Page 559 of said records;  
Thence along said South line N89°55'03"E along said South line a distance of 67.27 feet to the East line of said parcel;  
Thence N00°03'25"E along said East line a distance of 60.00 feet;  
Thence Thence N89°55'03"E a distance of 506.51 feet,  
Thence; N00°03'25"E a distance of 430.00 feet to the Point of Beginning, except that parcel described in Book 2645, Page 207.

EXCEPTION PARCEL: Book 2645, Page 207 of the records of El Paso County, Colorado  
A tract of land in the Southwest 1/4 of Section 9, Township 12 South, Range 65 West of the 6th p.m. County of El Paso, State of Colorado more particularly described as follows:  
Commencing at the West 1/4 corner of said Section 9,  
Thence along the West line of Section 9, S00°03'25"W a distance of 490.00 feet;  
Thence N89°55'03"E a distance of 1090.00 feet to the Point of Beginning of the tract described hereby;  
Thence N89°55'03"E a distance of 610.00 feet;  
Thence S00°03'25"W a distance of 325.00 feet;  
Thence S89°55'03"W a distance of 610.00 feet;  
Thence N00°03'25"E a distance of 325.00 feet to the Point of Beginning.

This description contains 34.529 acres (not including the exception parcel).

TRACT A  
Tract in Northwest quarter of the Southwest quarter of Section 9, Township 12 South, Range 65 West, of the 6th P.M. County of El Paso, State of Colorado, described as follows:  
Commencing at the West 1/4 corner of said Section 9,  
Thence along the west line of said Section 9 S00°03'25"W a distance of 430.00 feet;  
Thence N89°55'03"E 30.00 feet to a point on the West Right of Way line of Herring Road and the Point Of Beginning (P.O.B.) of the Tract described hereby;  
Thence N89°55'03"E a distance of 435.00 feet;  
Thence S01°00'46"W a distance of 60.01 feet;  
Thence S89°55'03"W a distance of 434.00 feet to a point on said West Right of Way line;  
Thence N00°03'25"E a distance of 60.00 feet to the Point Of Beginning (POB).

Tract A contains 0.598 Acres, more or less.

Tract B missing

THE TOTAL ACREAGE OF THIS SUBDIVISION PLAT IS 32.618 ACRES.

## DEDICATION:

The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided, and platted said lands into lots, tracts, and easements as shown herein under the name and subdivision of FOREST HEIGHTS ESTATES, The utility easements shown herein are hereby dedicated for public utilities and communication systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance, and replacement of utility lines and related facilities.

By: \_\_\_\_\_  
Phyllis J. Dideau, Trustee  
Phyllis J. Dideau Revocable Trust

STATE OF COLORADO }  
COUNTY OF EL PASO } SS

ACKNOWLEDGED before me this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_ by Phyllis J. Dideau as Trustee of Phyllis J. Dideau Revocable Trust.

MY COMMISSION EXPIRES \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

By: \_\_\_\_\_  
Jon P. Dideaux  
Owner

STATE OF COLORADO }  
COUNTY OF EL PASO } SS

ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_\_ by Jon P. Dideaux.

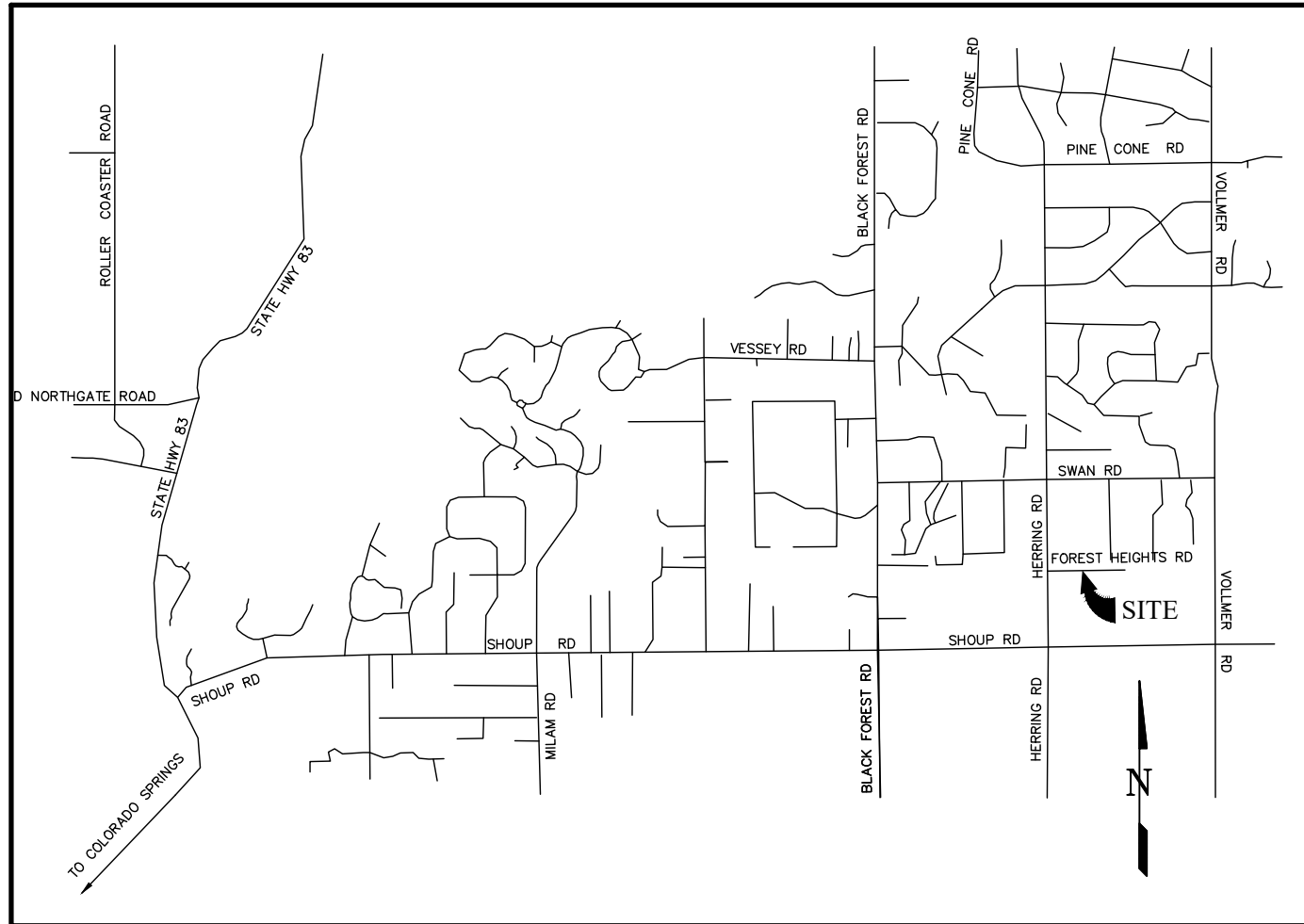
MY COMMISSION EXPIRES \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

Tract A shall be utilized as a Private Road. Ownership of Tract A shall be vested with the owner of Lot 4.

Tract B shall be utilized as a Private Road. Ownership of Tract B shall be vested with the owner of Lot 1.

Maintenance of Tract A and Tract B shall be vested to the parties that are signatory and designated in the "ACCESS EASEMENT GRANT AND MAINTENANCE AGREEMENT FOR FOREST HEIGHTS CIRCLE AND RESTRICTIVE COVENANTS FOR LOTS 1, 2, 3 & 4 FOREST HEIGHTS ESTATES SUBDIVISION" and their successor and assigns.



VICINITY MAP  
NOT TO SCALE

## NOTES:

- - Indicates survey monument recovered as shown.
  - o - Indicates set survey monument no. 4 rebar and plastic cap PLS No. 18465 set flush with ground surface.
  - \* - Indicates Not a Part of this Subdivision.
- This survey does not constitute a title search by LDC, Inc. to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of record, LDC, Inc. relied upon Owner's Policy of Title Insurance issued by Stewart Title Guaranty Company, File No. 49789ECS, Policy No. 0-9301-004251616, date of policy is June 10, 2020.
- Each individual property owner is responsible for the construction and operation of a non-evaporative wastewater disposal system approved by the El Paso County Health Department. The Health Department may require a specially designed, or "engineered," system prior to permit approval. Engineered systems may cost more to design, install and maintain than systems which are not engineered.
- The Basis of Bearings as shown on this plat is the Observed Bearing of the line from the Center 1/4 Corner of Section 9 Township 12 South, Range 65 West of the 6TH P.M. being a 3" aluminum cap PLS No. 18830, and the West 1/4 corner of Section 9 Township 12 South, Range 65 West of the 6TH P.M. being a 3" aluminum cap PLS No. 9477 as monumented upon the ground, and whose positions, as observed individually, were determined utilizing survey quality GPS instruments. The line as observed, and as calculated bears N89°55'03"E.
- All structural foundations shall be located and designed by a Professional Engineer, currently registered in the State of Colorado.
- Individual wells in the Dawson aquifer are the responsibility of each lot owner. Permits for such wells must be obtained from the Colorado Division of Water Resources. Ground water rights associated with the subdivision were decreed in Case No. 22CW3060, Water Division 2 (adjudication of water rights and plan for augmentation).  
  
The plan for augmentation was designed to allow pumping of 0.77 acre foot annually from as many as four Dawson aquifer wells in the subdivision. Applicant, its successors and assigns at the time of lot sales, shall transfer rights to underlying ground water to the initial purchaser of each lot in an amount at least sufficient to satisfy the 300 year water supply requirement of El Paso County for four lots, or 924 acre feet from the Dawson aquifer and 943 acre feet from the Laramie-Fox Hills aquifer, as well as an undivided interest in the plan for augmentation. Each subsequent sale of a lot shall convey the remaining portion of such water rights, unless a lot is further subdivided in which case the water will be equally divided; this provision is included only to be consistent with the provisions of the augmentation plan, and does not imply the future approval by El Paso County of further subdivision of any of the four lots. Such conveyance may be accomplished either by separate quit claim deed, by other appropriate deed of the water rights associated with the lot, or by specifically identifying and transferring the water rights in the warranty deed which transfers the real property to the individual lot purchaser.  
  
Water in the Denver Basin aquifers is allocated based on a 100 year aquifer life. However, for El Paso County planning purposes, water in the Denver Basin aquifers is evaluated based on a 300 year aquifer life. Applicant, and all future owners of lots in the subdivision, should be aware that the economic life of a water supply in the Dawson aquifer may be less than either 100 years or 300 years indicated due to anticipated water level declines.
- FEDERAL EMERGENCY MANAGEMENT AGENCY, Flood Insurance Rate Map Number 08041C0320G, effective date December 7, 2018, indicates the area in the vicinity of this parcel of land to be a Zone X (area determined to be out of the 500 year flood plain).
- (12345)- Indicates property address. The addresses exhibited on this plat are for informational purposes only. They are not the legal description and are subject to change.
- Fire protection to be provided by Black Forest Fire Protection District.
- The following reports and/or documentation have been submitted in association with the Final Plat for this subdivision and are on file at the El Paso County Planning and Community Development Department: Drainage Report; Water Resources Report; Wastewater Disposal Report; Geology and Soils Report; Development Report and Evidence.
- All property owners are responsible for maintaining proper storm water drainage in and through their property. Public drainage easements as specifically noted on the plat shall be maintained by the individual lot owners unless otherwise indicated. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.
- Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and/or the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the listed species, if applicable.
- Mailboxes shall be installed in accordance with all El Paso County and United States Postal Service regulations.
- Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a Class Two (2) misdemeanor pursuant to C.R.S. 18-4-508.
- The Subdivider agrees on behalf of him/herself and any other builders, successors, and assignees that Subdivider and/or said assigns shall be required to pay Traffic Impact Fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471) or any amendments thereto, at or prior to the time of Building Permit submittals. The fee obligation if not paid at final plat recording shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
- Forest Heights Estates subdivision as shown is Zoned RR-5.
- No Driveway shall be established unless an Access Permit has been granted by El Paso County.
- Individual lot purchasers are responsible for constructing driveways, including necessary drainage culverts from Forest Heights Circle per Land Development Code Sections 6.3.3.C.2 and 6.3.3.C.3. Due to their length some of the driveways will need to be specifically approved by the Black Forest Fire Rescue Protection District.

## NOTES (cont.):

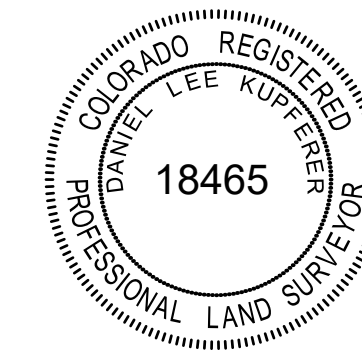
- The area encompassed by the Forest Heights Estates subdivision has been found to be impacted by geologic hazards:  
-Seasonally high groundwater.  
-Potentially high seasonal groundwater.  
Mitigation measures and a map of the hazard area can be found in the report "Soil, Geology, and Geologic Hazard Study, Dideau Subdivision" by Entech Engineering Inc. Dated March 10, 2020 in file MS-20-004 available at the El Paso County Planning and Community Development Department.
- The private road as shown on this plat will not be maintained by El Paso County until, and unless the road is constructed in conformance with the El Paso County standards in effect at the date of request for dedication and maintenance.
- Forest Heights Estates subdivision is Subject to the ACCESS EASEMENT GRANT AND MAINTENANCE AGREEMENT FOR FOREST HEIGHTS CIRCLE AND RESTRICTIVE COVENANTS FOR LOTS 1, 2, 3 & 4 FOREST HEIGHTS ESTATES SUBDIVISION as recorded under Reception No. \_\_\_\_\_ of the records of the El Paso County Clerk and Recorder
- NO BUILD AREAS: No permanent structures shall be within No Build Areas shown hereon. Fences, driveways and portable structures may be placed within the No Build Areas. Components of onsite wastewater treatment systems may be placed within No Build Areas and outside of any drainage easements as determined by the system designer.
- DRAINAGE EASEMENTS: Public drainage easements as specifically noted on the plat shall be maintained by the individual lot owners unless otherwise indicated. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements. Components of onsite wastewater treatment systems shall not be placed in drainage easements.
- All Property within Forest Heights Estates subdivision is subject to a Declaration of Covenants as recorded under Reception No. \_\_\_\_\_ of the records of the El Paso County Clerk and Recorder

## EASEMENTS:

Unless otherwise shown, both sides of all side lot lines and common rear lot lines are hereby platted with a ten (10) feet wide public utility and drainage easement on each side and a ten (10) feet wide public utility and drainage easement on lot lines abutting a public right-of-way and a twenty (20) feet wide public utility and drainage easement on the subdivision boundary lines. Said easements are hereby dedicated to the public for installation and maintenance of public utilities and drainage facilities as shown hereon, with the sole responsibility for maintenance being vested with the property owners.

## SURVEYOR'S CERTIFICATION:

I Daniel L. Kupferer, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat correctly represents the results of a survey made on (date of survey), by me or under my direct supervision and accurately shows the subdivision thereof and that all monuments exist as shown hereon; that mathematical closure errors are less than 1:10,000; and that said plat has been prepared in full compliance with all applicable provisions of the El Paso County Land Development Code, and that the requirements of Title 38 of the Colorado Revised Statutes, 1973 have been met to the best of my professional knowledge, belief and opinion and that it is accordance with applicable standards of practice and this is not a guaranty or warranty, either expressed or implied.



Daniel L. Kupferer  
Colorado Professional Land Surveyor No. 18465  
For and on behalf of LDC, Inc

## BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

This plat of FOREST HEIGHTS ESTATES was approved for filing by the El Paso County, Colorado Board of County Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, subject to any notes specified hereon and any conditions included in the resolution of approval.

Chair, Board of County Commissioners \_\_\_\_\_ Date \_\_\_\_\_

## APPROVALS:

This subdivision was approved by the El Paso County Planning and Community Development Department this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D.

Director, Planning and Community Development Department \_\_\_\_\_

## RECORDING:

STATE OF COLORADO }  
COUNTY OF EL PASO } SS

I hereby certify that this instrument was filed for record in my office at \_\_\_\_\_ o'clock \_\_\_\_M.

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D., and is duly recorded under

Reception No. \_\_\_\_\_ of the records of El Paso County, Colorado.

Chuck Broerman, Recorder BY: \_\_\_\_\_ Deputy

SURCHARGE: \_\_\_\_\_  
FEE: \_\_\_\_\_

## FEES:

Park Fee: \_\_\_\_\_  
Bridge Fee: \_\_\_\_\_  
Drainage Fee: \_\_\_\_\_  
School Fee: \_\_\_\_\_

PCD File No. MS206

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after the first discovery of such defect. In no event may any action based upon any defect in this survey be commenced more than the date of the certification, shown hereon.

CALL BEFORE YOU DIG ...  
811  
DIAL 811  
48 HOURS BEFORE CALLING CALL UTILITY LOCATORS FOR LOCATING AND MARKING GAS, ELECTRIC, WATER AND WASTEWATER

No.	Description	By	Date
1	LOT REVISIONS	DAS	02/23/2022
2	ROAD REVISIONS	DAS	04/12/2022
3	EPC REVIEW COMMENTS	MVE	9/26/2023

H Scale: N/A  
V Scale: N/A  
Designed By: XXX  
Drawn By: JLG  
Checked By: DLK  
Date: 5/01/2020

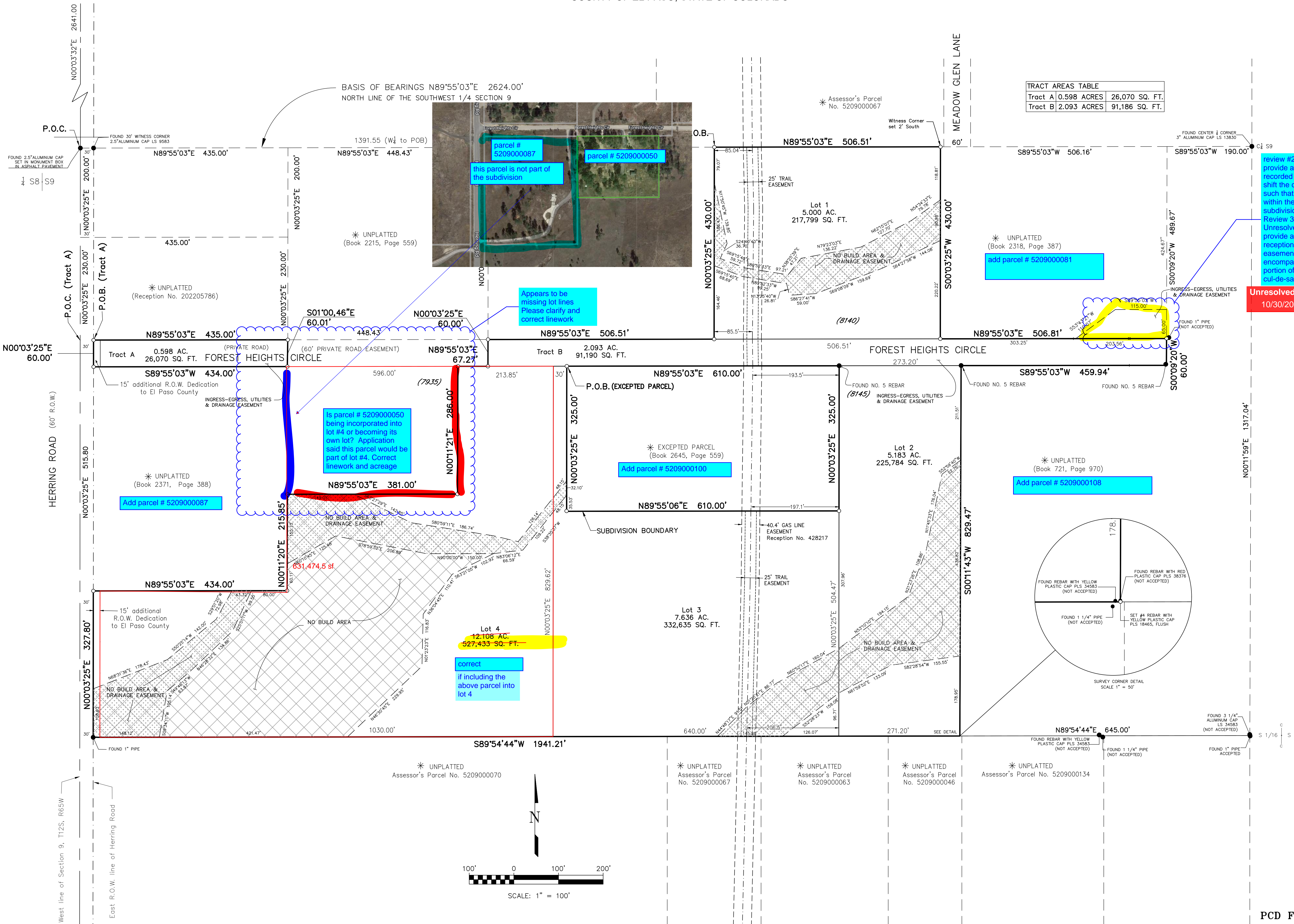
Land Development Consultants, Inc.  
PLANNING • SURVEYING  
www.ldc-inc.com • TEL: (719) 528-6133 • FAX: (719) 528-8648  
3888 MAZELAND ROAD • COLORADO SPRINGS, CO 80909

FOREST HEIGHTS ESTATES  
FINAL PLAT.  
SW 1/4 SECTION 9, T12S, R65W, 6TH PM  
COUNTY OF EL PASO, STATE OF COLORADO

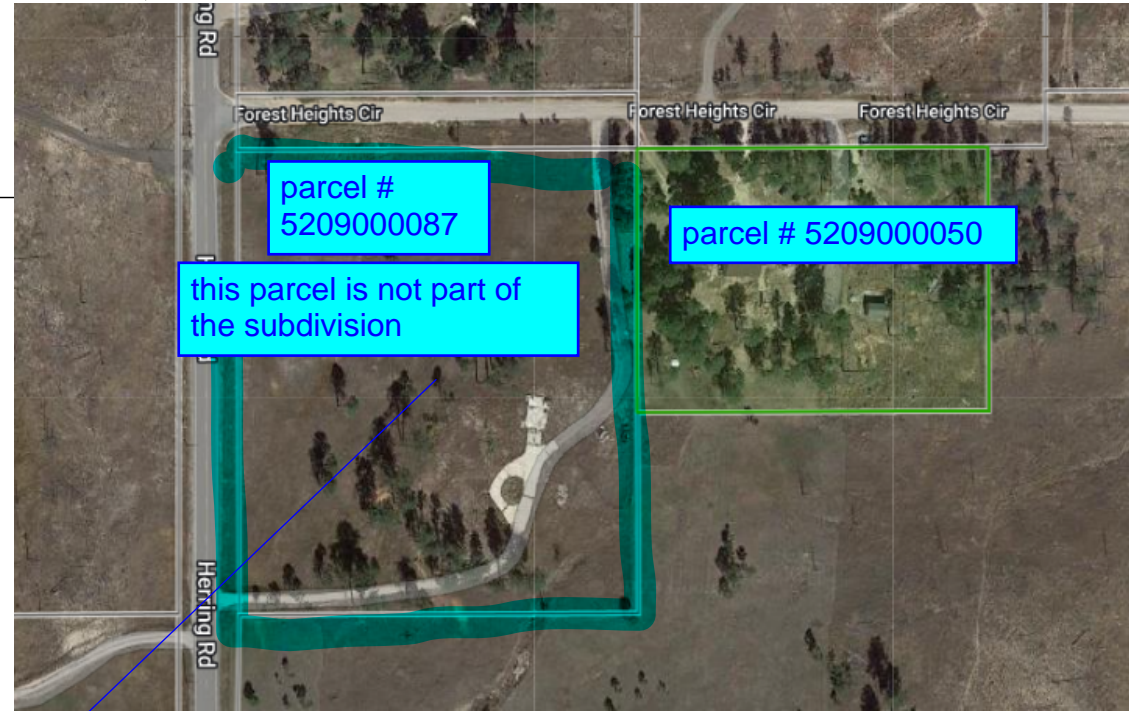
Project No.: 18070  
Sheet:

# FOREST HEIGHTS ESTATES

FINAL PLAT  
PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M.  
COUNTY OF EL PASO, STATE OF COLORADO



TRACT AREAS TABLE	
Tract A	0.598 ACRES 26,070 SQ. FT.
Tract B	2.093 ACRES 91,186 SQ. FT.



Appears to be missing lot lines  
Please clarify and correct linework

Is parcel # 5209000050 being incorporated into lot #4 or becoming its own lot? Application said this parcel would be part of lot #4. Correct linework and acreage

correct if including the above parcel into lot 4

review #2: Please provide a copy of the recorded easement or shift the cul-de-sac such that it is entirely within the proposed subdivision.  
Review 3: Unresolved. Please provide a copy and/or reception# for this easement that encompasses a portion of the cul-de-sac.

Unresolved - dotschoenheit  
10/30/2023 3:18:31 PM

NOTICE: According to Colorado law you must commence any legal action based upon any error in this survey within three years after the first discovery of such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification.

CALL BEFORE YOU DIG ...  
811  
DIAL 811  
48 HOURS BEFORE CALLING CAL UTILITY LOCATORS FOR LOCATING AND MARKING GAS, ELECTRIC, WATER AND FIBER OPTIC

REVISIONS			
No.	Description	By	Date
1	LOT REVISIONS	DAS	02/23/22
2	ROAD REVISIONS	DAS	04/12/22
3	EPC REVIEW COMMENTS	MVE	9/28/2023

H Scale: 1"=100'  
V Scale: N/A  
Designed By: N/A  
Drawn By: JLG  
Checked By: DLK  
Date: 5/01/2020

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FOREST HEIGHTS ESTATES  
FINAL PLAT  
PART OF SW 1/4, SEC. 9, T12S, R65W, 6TH P.M.  
COUNTY OF EL PASO, STATE OF COLORADO

Project No.: 18070  
Sheet: 2 of 2  
PCD File No. MS206