

# FOUNDATION LUTHERAN CHURCH SUBDIVISION FILING NO. 1

## A REPLAT OF TRACT C in PAINT BRUSH HILLS FILING NO. 13A, El Paso County, Colorado

### being a portion of the West One-Half of Section 25, Township 12 South, Range 65 West of the 6th P.M.

#### BE IT KNOWN BY THESE PRESENTS:

That FOUNDATION LUTHERAN CHURCH, a Colorado nonprofit Corporation, being the owner of the following described tract of land to wit: Situate in the West One-Half of Section 25, Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado, described as follows:

Tract C in Paint Brush Hills Filing No. 13A, County of El Paso, State of Colorado.  
Containing a computed area of 259,869 square feet or 5.968 acres of Land within this description.

#### Owners Certificate:

Delete the template text

The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have sold out, subdivided, and platted said lands into lots, tracts, streets, and easements of FOUNDATION LUTHERAN CHURCH SUBDIVISION FILING NO. 1 and the public improvements so platted are hereby dedicated to public use and the owner does hereby covenant and agree that the public improvements will be constructed to El Paso County standards and that proper drainage and erosion control for same will be provided at said owner's expense, all to the satisfaction of the Board of County Commissioners of El Paso County, Colorado. Upon acceptance by resolution, all public improvements so dedicated will become matters of maintenance by El Paso County, Colorado. The utility easements shown hereon are hereby dedicated for public utilities and communication systems and other purposes as shown hereon, and the establishment of such systems and other facilities shall be subject to the easements established and 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.

Foundation Lutheran Church, a Colorado nonprofit Corporation

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
STATE OF COLORADO } ss  
COUNTY OF EL PASO }

Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
by \_\_\_\_\_ as

My commission expires \_\_\_\_\_  
Witness my hand and official seal \_\_\_\_\_  
Notary Public \_\_\_\_\_

#### SURVEYOR'S CERTIFICATION:

I, JAMES P. BRINKMAN, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made on date of survey, by me or under my direct supervision and that all monuments exist as shown hereon; that the same are in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivision, or surveying of land and all applicable provisions of the El Paso County Land Development Code.

I attest the above on this \_\_\_\_ day of \_\_\_\_\_ 2023.

James P. Brinkman  
Colorado Professional Land Surveyor No. 37631

#### Soil and Geology Conditions:

A Soil and Geology Study for the Foundation Lutheran Church Subdivision Filing No. 1, El Paso County, Colorado, was completed by RMG - Rocky Mountain Group, Job No. 191726, last dated September 26, 2023. The referenced RMG report, identified radon as a geologic hazard on-site. Additionally, the overall development area has been found to be impacted by the following geologic constraints: potentially expansive soils and bedrock, seeps, unconsolidated/undocumented fill placement, corrosive minerals, and radon. Mitigations for each constraint can be found in the RMG report located in PCD File #SF2321 available at the El Paso County Planning and Community Development Department.

#### Public and Common Subdivision Improvements:

No lot or interest therein, shall be sold, conveyed, or transferred whether by deed or by contract, nor shall building permits be issued, until and unless either the required public and common development improvements have been constructed and completed and preliminarily accepted in accordance with the Subdivision Improvements Agreement between the applicant/owner and El Paso County as recorded under Reception Number \_\_\_\_\_ in the Office of the Clerk and Recorder of El Paso County, Colorado or, in the alternative, other collateral is provided to make provision for the completion of said improvements in accordance with the El Paso County Land Development Code and Engineering Criteria Manual. Any such alternative collateral must be approved by the Board of County Commissioners or, if permitted by the Subdivision Improvements Agreement, by the Planning and Community Development Department Director and meet the policy and procedure requirements of El Paso County prior to the release by the County of any lots for sale, conveyance or transfer.

#### NOTES:

- o - Indicates a set #4 rebar with Surveyor's Cap, P.L.S. #37631, set flush to grade, unless otherwise noted.  
● - Indicates recovered survey monument as noted, flush to grade, unless otherwise noted.  
b-g - Indicates below grade.  
a-g - Indicates above grade.
- Crossed Paths Surveying Services relied on a commitment for title insurance, file NO. 80012121, Amendment No. 1, issued by Stewart Title Guaranty Company as an agent for Unified Title Company, LLC with an effective date of November 23, 2020 at 7:30 A.M. as provided by the client. Additional real estate record research was not conducted by Crossed Paths Surveying Services.

- Item 9 - Inclusion of property within FALCON FIRE PROTECTION DISTRICT (Book 3880 at Page 670, Book 3380 at Page 675).
- Item 10 - MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC Notice concerning underground utilities (Book 3718 at Page 812)...blanket condition
- Item 11 - Terms, agreements, provisions, conditions, obligations and easements as contained in Potable Water Supply and Sanitary Sewer Service Agreement (Book 5421 at Page 132)
- Item 12 - Inclusion of property within PAINT BRUSH HILLS METROPOLITAN DISTRICT (Book 5423 at Page 2).
- Item 14 - The effect Resolution No. 04-490, by and before the Board of County Commissioners, County of El Paso County, State of Colorado (Reception no. 205011637)...blanket condition
- Item 15 - The effect Resolution No. 04-491, by and before the Board of County Commissioners, County of El Paso County, State of Colorado (Reception no. 205015059)...blanket condition
- Item 16 - The effect Resolution No. 04-489, by and before the Board of County Commissioners, County of El Paso County, State of Colorado (Reception no. 205017889)...blanket condition
- Item 17 - The effect Resolution No. 04-547, by and before the Board of County Commissioners, County of El Paso County, State of Colorado (Reception no. 205035555)...blanket condition
- Item 18 - The effect of the Colorado Ground Water Commission Findings and Order, regarding the Paint Brush Hills Metropolitan District (Reception no. 205157500)...blanket condition
- Item 20 - The effect Resolution No. 13-296, by and before the Board of County Commissioners, County of El Paso County, State of Colorado (Reception no. 213083051)...blanket condition
- Item 21 - The effect of the MASTER PLAT OF PAINT BRUSH HILLS FILING NO. 13 (Reception no. 213145991)...blanket condition
- Item 22 - Terms, agreements, provisions, conditions and obligations as contained in Subdivision Improvements Agreement (Reception no. 213145992)...blanket condition
- Item 23 - Easements, notes and notices as set forth on the Plat of Paint Brush Hills Filing No. 13A (Reception no. 2137134132)...as shown hereon
- Item 24 - The effect Resolution No. 2015-06-01, by and before the Board of County Commissioners, County of El Paso County, State of Colorado (Reception no. 215130828)...blanket condition
- Item 26 - MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC, a Colorado Corporation RIGHT OF WAY (Reception no. 217103176)...as shown hereon

3. Federal Emergency Management Agency, flood insurance rate map number 08041C 0551G, 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 minimal flood hazard).
4. The approval of this replat vacates all prior plats for the area described by this replat.
5. Basis of Bearings: All bearings shown are relative to the Line from the Northeastly Corner of Lot 1 in said PAINT BRUSH HILLS FILING NO. 14A, to the Southwest corner of the intersection of Londonberry Street and Beckhorn Street, and a common corner of Tract B in said PAINT BRUSH HILLS FILING NO. 13A, monumented as shown and assumed to bear N89°53'30"W, a distance of 817.23 feet.
6. NOTICE: According to Colorado Law you must commence any legal action based upon any defect in this survey within three years after you first discover 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 shown hereon.
7. All lined units of measure shown hereon are in U.S. Survey Feet.
8. For informational purposes: 9960 Tower Avenue, El Paso County, CO 80831; shown hereon as (9960).
9. Apparent wetlands shown hereon reflect field conditions. The method of creation is unknown for the apparent wetlands identified in the AS PLATTED drawing.
10. ALTA Survey performed by M&S Civil Consultants (Vernon P. Toyler P.L.S. 25966) prepared on 12/18/2020 is not known to be recorded. ALTA survey notes multiple assumed easements that do not appear on Paint Brush Hills Filing No. 13A, or any other known filings.
11. Reference is made to Subdivision Plat PAINT BRUSH HILLS FILING NO. 13A, recording No. 213145992, El Paso County records, El Paso County, Colorado.
12. Date of Survey: March 23, 2023
13. ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. NO IMPROVEMENTS SHALL BE CONSTRUCTED WITHIN DRAINAGE WAYS THAT WOULD IMPED THE FLOW OF SURFACE DRAINAGE.
14. Unless otherwise indicated, all side, front, and rear lot lines are hereby platted on either side with a 10 foot public utility and drainage easement unless otherwise indicated. All exterior subdivision boundaries are hereby platted with a 20 foot public utility and drainage easement. The sole responsibility for maintenance of these easements is hereby vested with the individual property owners.
15. No driveway shall be established unless an access permit has been granted by El Paso County.
16. THE FOLLOWING REPORTS HAVE BEEN SUBMITTED AND ARE ON FILE AT THE COUNTY DEVELOPMENT SERVICES DEPARTMENT: SOLS AND GEOLOGICAL STUDY; WATER AVAILABILITY STUDY; DRAINAGE REPORTS; FIRE PROTECTION REPORT; SEWER NETWORK; TRAFFIC IMPACT STUDY.
17. FIRE PROTECTION BY FALCON FIRE PROTECTION DISTRICT.
18. The subdivision(s) agree on behalf of him/herself and any developer of builder successors and assignees that subdivider and/or said successors and assignees shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program (Resolution No. 19-477) or any amendments thereto, or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documents on all sales documents and in plat notes to ensure that a title search would find the fee obligation before sale of the property.
19. THIS PLAT IS SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE COVENANTS, CONDITIONS, AND RESTRICTIONS AS RECORDED UNDER RECEPTION NO. \_\_\_\_\_ OF THE RECORDS EL PASO COUNTY, COLORADO
20. RECORDATION OF THIS PLAT HEREBY VACATES ALL EASEMENTS NOT SHOWN HEREON
21. TOTAL NUMBER OF LOTS PLATTED WITHIN THIS SUBDIVISION: 1
22. ALL PROPERTY WITHIN THIS SUBDIVISION IS INCLUDED IN THE PAINT BRUSH HILLS METROPOLITAN DISTRICT. ALL FUTURE OWNERS OF LOTS WITHIN THIS FILING SHALL BE ADVISED OF, AND COMPLY WITH, THE CONDITIONS, RULES, REGULATIONS, AND SPECIFICATIONS SET BY THE DISTRICT.
23. WATER AND WASTEWATER SERVICES TO BE SUPPLIED BY PAINT BRUSH HILLS METROPOLITAN DISTRICT. ALL FUTURE OWNERS OF LOTS WITHIN THIS FILING SHALL BE ADVISED OF, AND COMPLY WITH, THE CONDITIONS, RULES, REGULATIONS, AND SPECIFICATIONS SET BY THE DISTRICT.
24. M/Regulate Note 24: Notices shall be installed in accordance with all El Paso County and United States Postal Service regulations. TITANION AND THE UNITED STATES POSTAL SERVICE REGULATIONS AND THE IMPROVEMENTS.
25. NO 1 Delete this note as it is provided under the note near the top. TRANSFERRED WHETHER BY DEED OR BY CONTRACT, NOR SHALL BUILDING PERMITS BE ISSUED, UNTIL AND UNLESS EITHER THE REQUIRED PUBLIC AND COMMON DEVELOPMENT IMPROVEMENTS HAVE BEEN CONSTRUCTED AND COMPLETED AND PRELIMINARILY ACCEPTED IN ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE APPLICANT AND THE PLATTER OF THIS PLAT, OR IN THE ALTERNATIVE, OTHER COLLATERAL IS PROVIDED TO MAKE PROVISION FOR THE COMPLETION OF SAID IMPROVEMENTS IN ACCORDANCE WITH THE EL PASO COUNTY LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL. ANY SUCH ALTERNATIVE COLLATERAL MUST BE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR AND MEET THE POLICY AND PROCEDURE REQUIREMENTS OF EL PASO COUNTY PRIOR TO THE RELEASE BY THE COUNTY OF ANY LOTS FOR SALE, CONVEYANCE OR TRANSFER.
26. ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER CURRENTLY LICENSED IN THE STATE OF COLORADO.
27. PURSUANT TO RESOLUTION 13-29 APPROVED BY THE BOARD OF DIRECTORS, EL PASO COUNTY PUBLIC IMPROVEMENT DISTRICT 2 AND RECORDER IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER AT RECEPTION NUMBER 213083051 THE PARCELS WITHIN THE PLATTED BOUNDARIES OF FOUNDATION LUTHERAN CHURCH SUBDIVISION FILING NO. 1 ARE INCLUDED WITHIN THE BOUNDARIES OF THE EL PASO COUNTY PUBLIC IMPROVEMENT DISTRICT 2 AND AS SUCH IS SUBJECT TO APPLICABLE ROAD IMPACT FEES AND MILL LEVY.
28. ALL STORM SEWER FACILITIES LYING OUTSIDE THE PUBLIC RIGHT OF WAY SHALL BE MAINTAINED BY THE PAINT BRUSH HILLS METROPOLITAN DISTRICT

#### LEGAL DESCRIPTION:

Situate in the West One-Half of Section 25, Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado, described as follows:  
El Paso County records, El Paso County, Colorado (Reception No. 213145992)  
El Paso County records, El Paso County, Colorado (Reception No. 213145992)

Containing a computed area of 259,869 square feet or 5.968 acres.

Please delete the template text (highlighted) and list the applicable (should just be easements)

#### COUNTY APPROVAL:

This plat for "FOUNDATION LUTHERAN CHURCH SUBDIVISION FILING NO. 1" was approved for filing by the El Paso County, Colorado Board of County Commissioners on the \_\_\_\_ day of \_\_\_\_\_ 2023, subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of land to the public (streets, tracts, easements, ~~list these applicable~~) are approved, but the public improvements thereon will not become the maintenance responsibility of El Paso County until preliminary acceptance of the public improvements in accordance with the requirements of the Land Development Code and Engineering Criteria Manual, and the Subdivision Improvements Agreement. The applicant and the Subdivision Improvements Department Director shall be subject to all covenants, conditions and restrictions recorded against and appurtenant to the original plat recorded in the Office of the El Paso County Clerk and Recorder, Reception # \_\_\_\_\_

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

This plat ~~Delete this part and just~~ **PAINT BRUSH HILLS SUBDIVISION FILING NO. 1** was approved for filing by the El Paso County, Colorado Board of County Commissioners on the \_\_\_\_ day of \_\_\_\_\_ 2023, subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of land to the public (streets, tracts, easements, ~~list these applicable~~) are approved, but the public improvements thereon will not become the maintenance responsibility of El Paso County until preliminary acceptance of the public improvements in accordance with the requirements of the Land Development Code and Engineering Criteria Manual, and the Subdivision Improvements Agreement. The applicant and the Subdivision Improvements Department Director shall be subject to all covenants, conditions and restrictions recorded against and appurtenant to the original plat recorded in the Office of the El Paso County Clerk and Recorder, Reception # \_\_\_\_\_

Planning and Community Development Director \_\_\_\_\_

#### CLERK AND RECORDER:

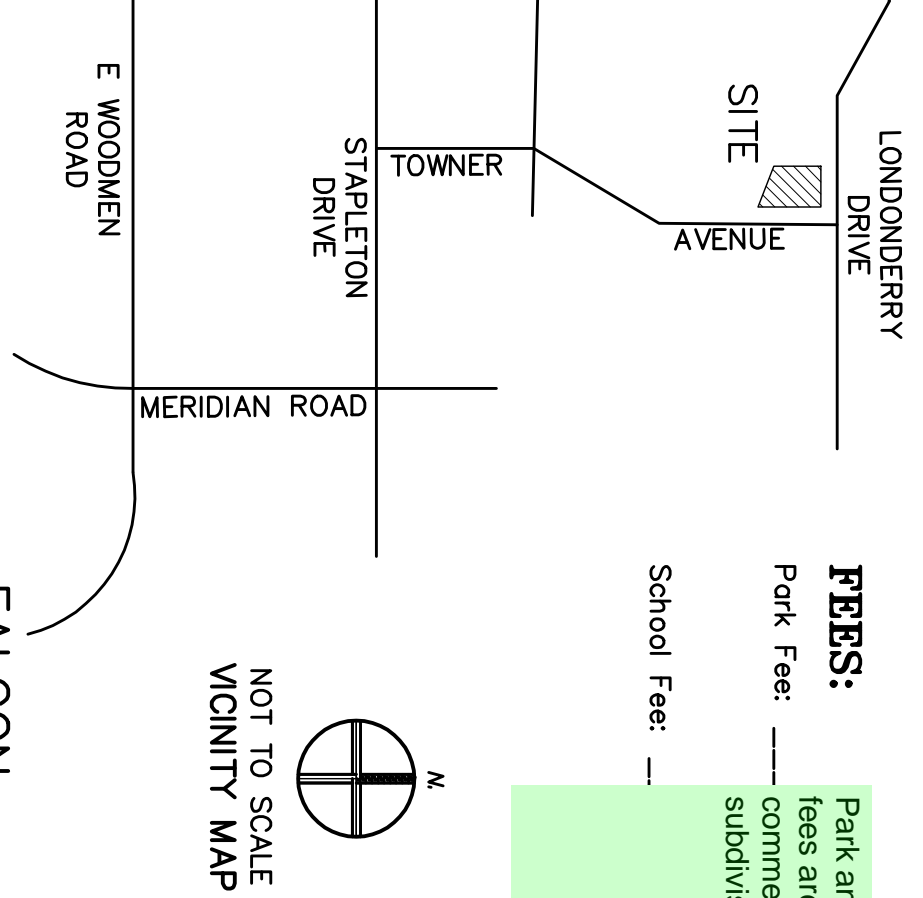
STATE OF COLORADO } SS  
COUNTY OF EL PASO }

I hereby certify that this instrument was filed for record in my office on this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ A.D., and was recorded at Reception No. \_\_\_\_\_ of the records of El Paso County, Colorado.

SURCHARGE: \_\_\_\_\_  
FEE: \_\_\_\_\_  
BY: \_\_\_\_\_ Deputy  
STEVE SCHLEKER, El Paso County Clerk and Recorder

Set this up the same way as the BOCC signature line - it should look like this:  
El Paso County Clerk and Recorder

**FEES:**  
Park and school fees are n/a for commercial subdivision  
Drainage Fee: \_\_\_\_\_  
Bridge Fee: \_\_\_\_\_  
School Fee: \_\_\_\_\_  
Park Fee: \_\_\_\_\_



PCD File #SF2321

	10/24	County	Comments	JPB
1	08/22	County	Comments	JPB
2	07/18	Plat Name	Change	JAS
1	06/07	County	Comments, Title Notes	JPB
no.	date	revisions	scale: 1" = 60'	
drawing date:	March 31, 2023		drawn by: JAS	
ding. file:	1401308022.dwg		sheet: 1 of 2	
project no.:	140130806-02			

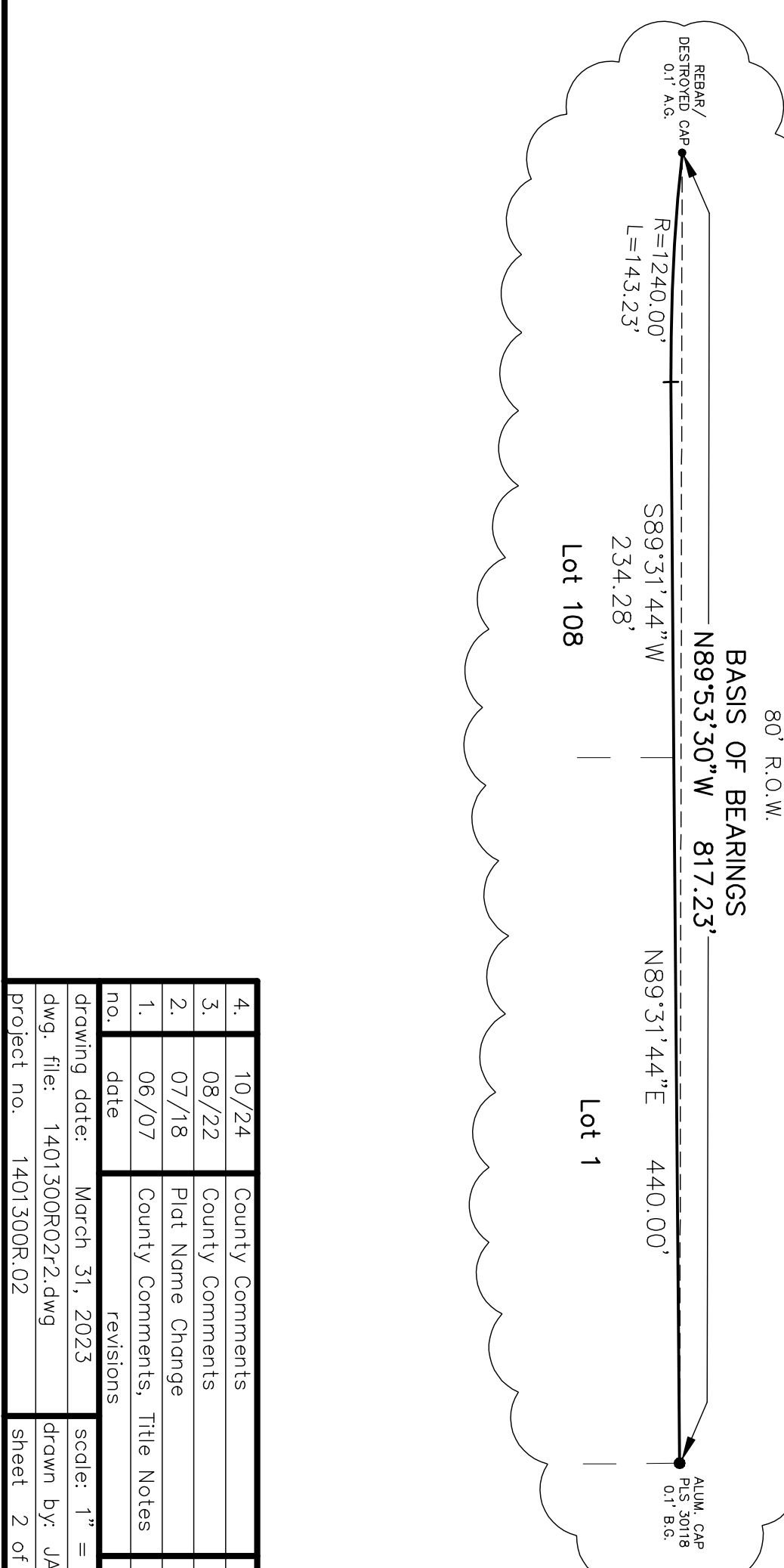
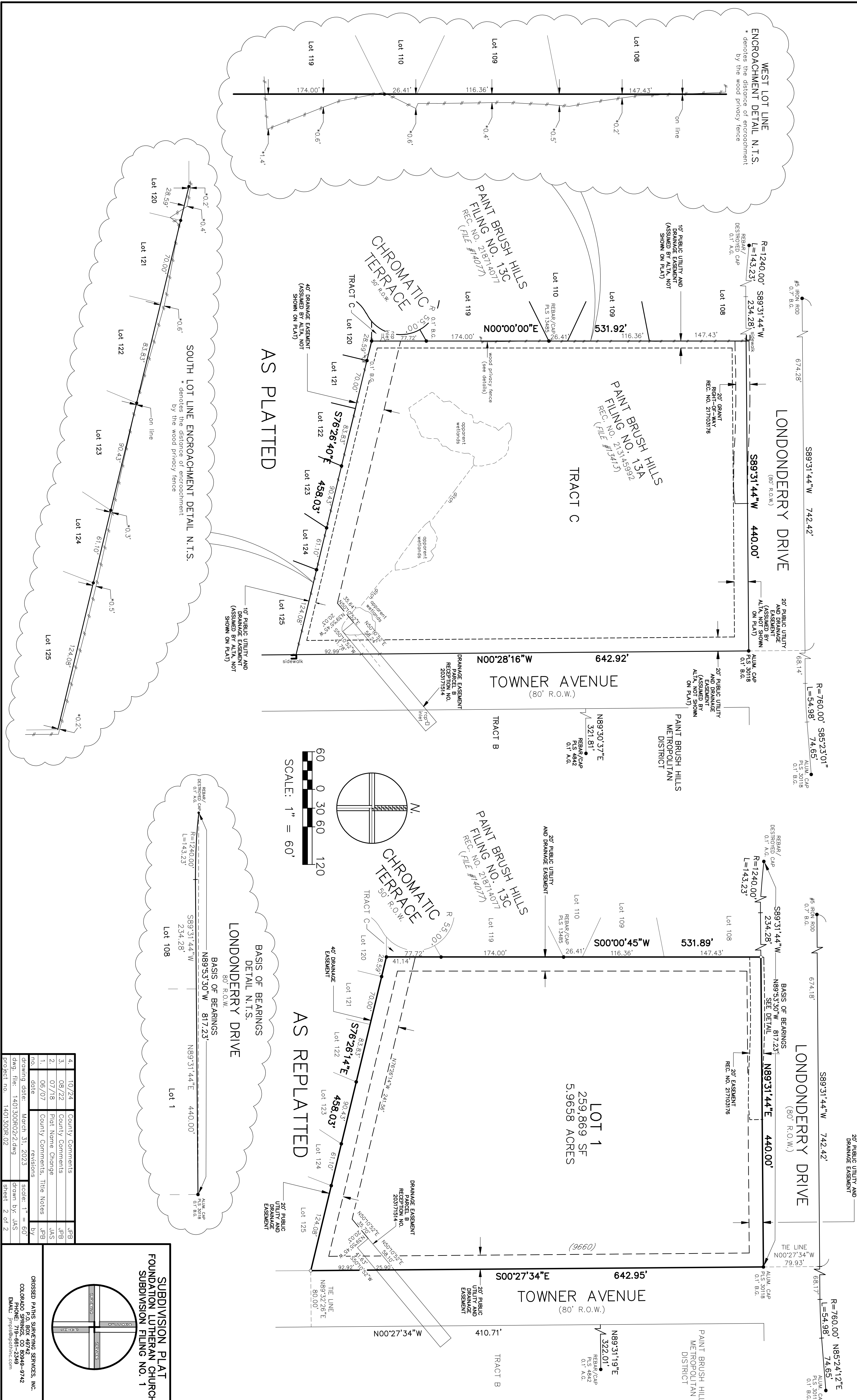
**SUBDIVISION PLAT**  
**FOUNDATION LUTHERAN CHURCH**  
**SUBDIVISION FILING NO. 1**

CROSSED PATHS SURVEYING SERVICES, INC.  
P.O. BOX 49742  
COLORADO SPRINGS, CO 80909  
PHONE: 719-691-2349  
EMAIL: info@cpsstc.com



# FOUNDATION LUTHERAN CHURCH SUBDIVISION FILING NO. 1

A REPLAT OF TRACT C in PAINT BRUSH HILLS FILING NO. 13A, El Paso County, Colorado  
being a portion of the West One-Half of Section 25, Township 12 South, Range 65 West of the 6th P.M.



no.	date	revisions	by
1.	06/07	County Comments, Title Notes	JPB
2.	07/18	Plot Name Change	JAS
3.	08/22	County Comments	JPB
4.	10/24	County Comments	JPB

drawing date: March 31, 2023  
scale: 1" = 60'  
drawing file: 1401300R022.dwg  
drawn by: JAS  
sheet: 2 of 2  
project no.: 1401300R.02

**SUBDIVISION PLAT**  
**FOUNDATION LUTHERAN CHURCH**  
**SUBDIVISION FILING NO. 1**

CROSSED PATHS SURVEYING SERVICES, INC.  
P.O. BOX 49742  
COLORADO SPRINGS, CO 80909  
PHONE: 719-691-2349  
EMAIL: info@cpssurvc.com