

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.

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:
Lot 1 in Foundation Lutheran Church Subdivision Filing No. 1 (Reception No. 213145992 of El Paso County records, El Paso County, Colorado).
Containing a computed area of 259,869 square feet or 5.968 acres.

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 5.9658 acres
of Land within this description.

Owners Certificate:

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, streets, and easements as shown hereon under the name and subdivision of FOUNDATION LUTHERAN CHURCH SUBDIVISION FILING NO. 1. All public improvements so platted are hereby dedicated to public use and said owner does hereby consent and agree that the public improvements and erosion control for the same will be provided at the public expense 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. 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 by installation, maintenance, and replacement of utility lines and related facilities.

Foundation Lutheran Church, a Colorado nonprofit Corporation

By: STEPHEN JOHN DUTKO
Title: Vice President Foundation Lutheran Church
STATE OF COLORADO } ss.
COUNTY OF EL PASO }

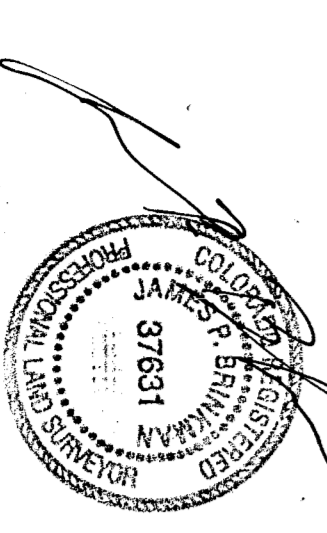
Acknowledged before me this 23rd day of February, 2024

by: Stephan John Dutko as
Vice President and Foundation Lutheran
My commission expires 11/12/27
Witness my hand and official seal
Notary Public Joseph J. [Signature]
TERRY GILL
NOTARY PUBLIC
STATE OF COLORADO
MY COMMISSION EXPIRES 08/28/27

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 no mathematical closure errors are less than 1:10,000, and that the plat has been prepared in accordance with the provisions 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 21 day of February, 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, Inc. on 7/24/2023. The referenced RMG report, identified radon as a geologic hazard on-site. Additionally, the overall development area has been found to be underlain by the following geologic conditions: potentially expansive soils and bedrock, seasonal surface water, uncontrolled/unrecorded fill placement, coarse 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 Provision Number 22402345 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:

- 1. 0 - Indicates a set #4 rebar with Surveyor's Cap, P.L.S. #37631, set flush to Grade, unless otherwise noted.
- 1. 1 - Indicates recovered survey monument as noted, Flush to Grade, unless otherwise noted.
- 1. 2 - Indicates above Grade.
- 2. Crossed Paths Surveying Services, relied on a commitment for title insurance, file NO. 80012121C, 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. Book 3904 at Page 582, Book 3404 at Page 587, blank condition.
- Item 9 - Inclusion of property within FALCON FIRE PROTECTION DISTRICT (Book 3880 at Page 670, Book 3380 at Page 675, Book 3904 at Page 582, Book 3404 at Page 587), blank condition.
- Item 10 - MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC Notice concerning underground utilities (Book 3718 at Page 812), blank 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, Reception no. 205011637), blank condition.
- Item 14 - The effect of Resolution No. 04-490, by and before the Board of County Commissioners, County of El Paso County, State of Colorado (Reception no. 205011637), blank condition.
- Item 15 - The effect of Resolution No. 04-491, by and before the Board of County Commissioners, County of El Paso County, State of Colorado (Reception no. 205015059), blank condition.
- Item 16 - The effect of Resolution No. 04-489, by and before the Board of County Commissioners, County of El Paso County, State of Colorado (Reception no. 205017889), blank condition.
- Item 17 - The effect of Resolution No. 04-547, by and before the Board of County Commissioners, County of El Paso County, State of Colorado (Reception no. 205033555), blank condition.
- Item 18 - The effect of the Colorado Ground Water Commission Findings and Order, regarding the Paint Brush Hills Metropolitan District (Reception no. 205157500), blank condition.
- Item 20 - The effect of Resolution No. 13-296, by and before the Board of County Commissioners, County of El Paso County, State of Colorado (Reception no. 213083051), blank condition.
- Item 21 - The effect of the MASTER PLAT OF PAINT BRUSH HILLS FILING NO. 13 (Reception no. 213145992), blank condition.
- Item 22 - Terms, agreements, provisions, conditions and obligations as contained in Subdivision Improvements Agreement (Reception no. 213145992), blank 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 of Resolution No. 2015-06-01, by and before the Board of County Commissioners, County of El Paso County, State of Colorado (Reception no. 215130828), blank 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 05516, 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 Londonderry 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: 9660 Towner Avenue, El Paso County, CO 80831; shown hereon as (9660).
- 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. Taylor PLS 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, 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 IMPAIR 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 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT: SOILS AND GEOLOGICAL STUDY; WATER AVAILABILITY STUDY; DRAINAGE REPORTS; FIRE PROTECTION REPORT; SEWER REPORT; TRAFFIC IMPACT STUDY.
- 17. FIRE PROTECTION BY FALCON FIRE PROTECTION DISTRICT.
- 18. ~~THE SUBDIVISION IS SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE COVENANTS, CONDITIONS AND RESTRICTIONS AS RECORDED IN RECORDS OF EL PASO COUNTY, COLORADO.~~
- 19. TOTAL NUMBER OF LOTS PLATTED WITHIN THIS SUBDIVISION: 1
- 20. ALL PROPERTY WITHIN THIS SUBDIVISION IS INCLUDED IN THE PAINT BRUSH HILLS METROPOLITAN DISTRICT BY INSTRUMENTS RECORDED UNDER RECEPTION NO. 205008854
- 21. 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.
- 22. MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICE REGULATIONS.
- 23. ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER CURRENTLY LICENSED IN THE STATE OF COLORADO.
- 24. PURSUANT TO RESOLUTION 13-298 APPROVED BY THE BOARD OF DIRECTORS, EL PASO COUNTY PUBLIC IMPROVEMENT DISTRICT 2 AND RECORDER IN THE RECORDS OF EL PASO COUNTY, COLORADO, 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.
- 25. ALL STORM SEWER FACILITIES LYING OUTSIDE THE PUBLIC RIGHT OF WAY SHALL BE MAINTAINED BY THE PAINT BRUSH HILLS METROPOLITAN DISTRICT
- 26. "Additional drainage basin and bridge fees that exceed fees paid at the time of plat recordation must be paid for any future site development plan submitted with new impervious coverage on the lot within undeveloped areas. Future drainage basin and bridge fees will be assessed based on current fees at the time of the future site development plan submitted."
- 27. The subdivider(s) agree on behalf of him/herself and any developer of builder successors and assigns that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submissions. The fee obligation, if not paid at final plat recordation, 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.

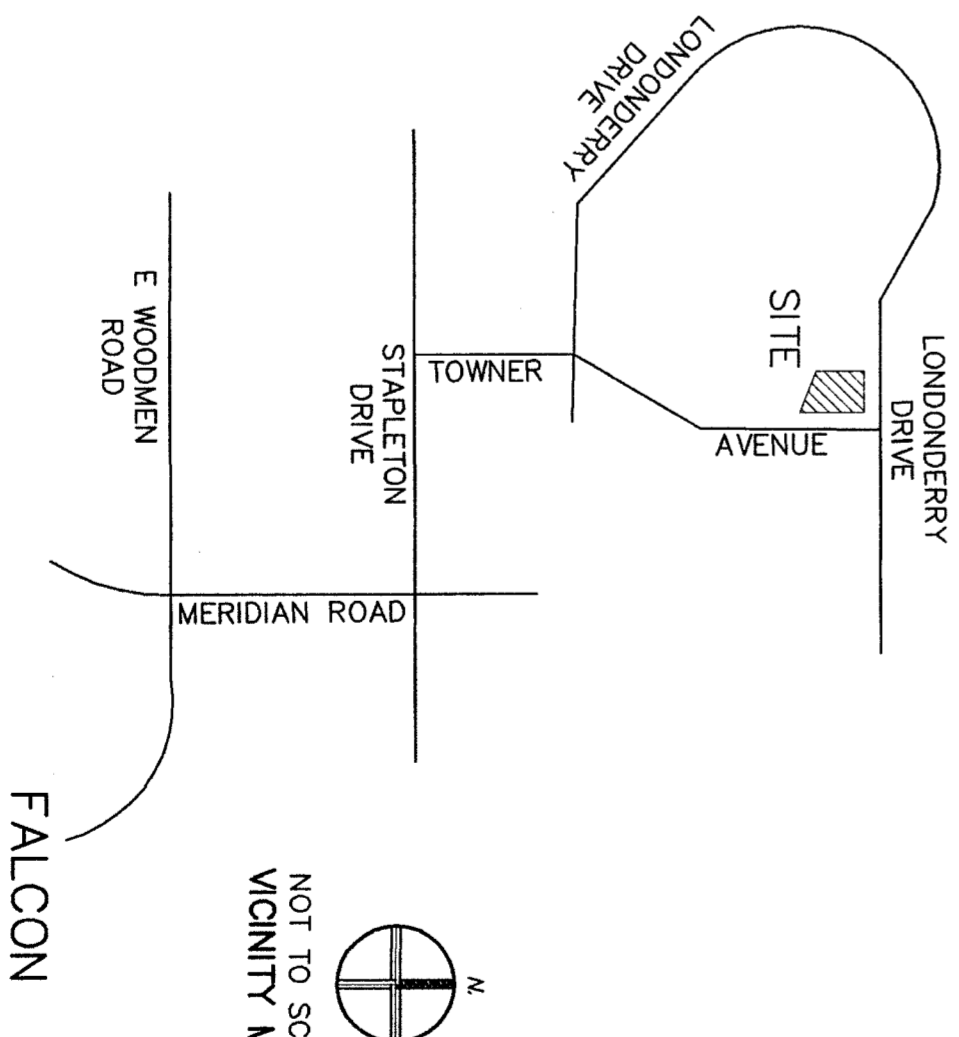
COUNTY APPROVAL:
This plat for "FOUNDATION LUTHERAN CHURCH SUBDIVISION FILING NO. 1" was approved for filing by the El Paso County, Colorado Board of County Commissioners on the 15th day of January, 2024, subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of land to the public easements are accepted, 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. The Subdivision Improvements Agreement shall be subject to the terms and conditions of the Subdivision Improvements Agreement. Previous plat names in entirety is vacated and amended for the areas described by this replat 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 # 15413
Date _____
Chair, Board of County Commissioners
Date _____
3/28/24
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 3rd day of April, 2024 A.D., and was recorded at Reception No. 224715285 of the records of El Paso County, Colorado.

BY: [Signature]
El Paso County Clerk and Recorder
Date _____

FEES:
Drainage Fee: \$41,290.64
Bridge Fee: \$5,672.21



PCD File #SF2321

NO.	DATE	COUNTY COMMENTS	BY
6	07/17/24	County Comments	JPB
5	12/18	County Comments	JPB
4	10/24	County Comments	JPB
3	08/22	County Comments	JPB
2	07/18	Plat Name Change	JAS
1	06/07	County Comments, Title Notes	JPB

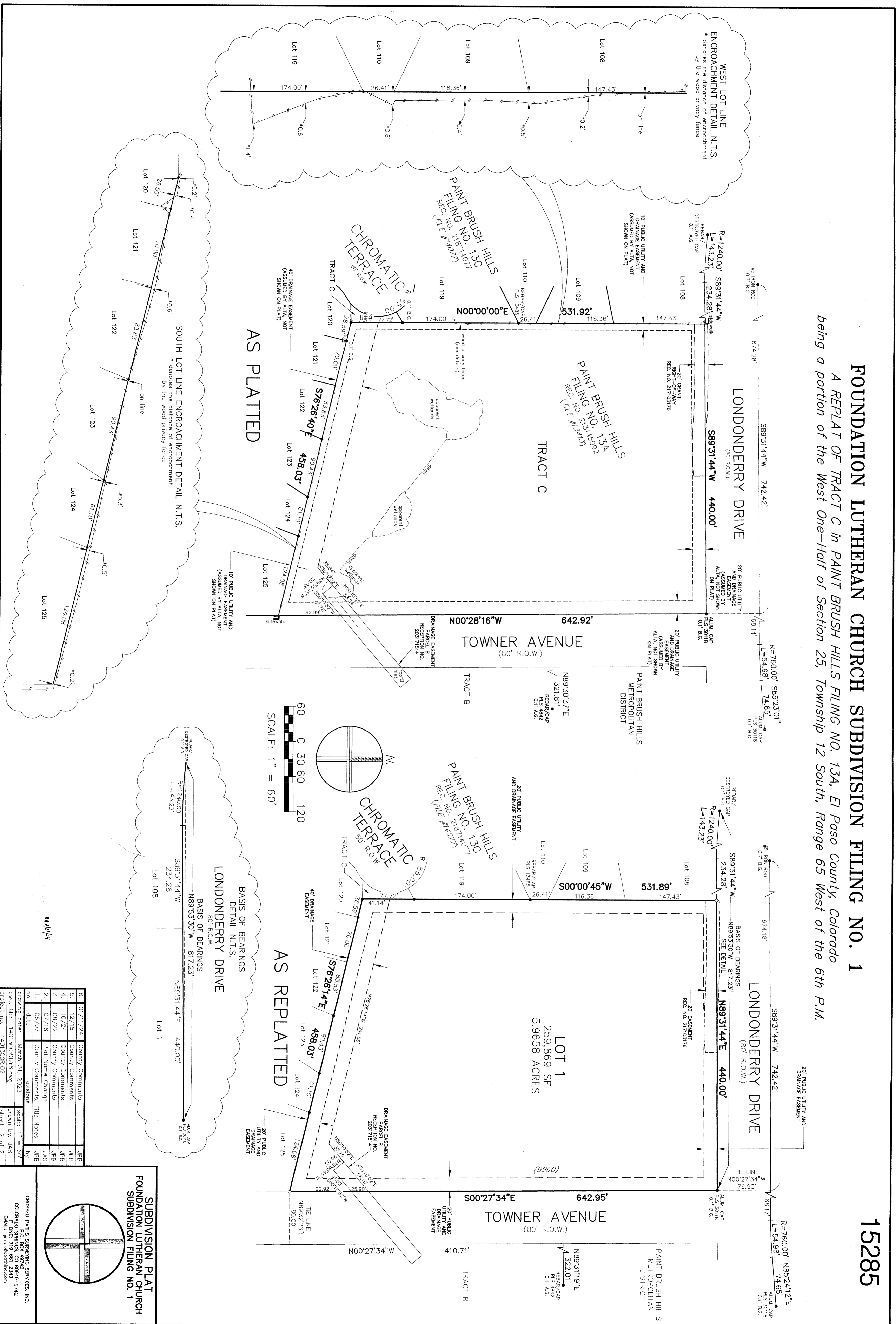
drawing date: March 31, 2023
drawing file: 1401300R0276.dwg
Project no. 1401300R.02
Scale: 1" = 60'
drawn by: JAS
sheet 1 of 2

CROSSED PATHS SURVEYING SERVICES, INC.
1212 BOX 4972
COLORADO SPRINGS, CO 80949-9142
PHONE: 719-881-2349
EMAIL: info@cpsurveying.com

SUBDIVISION PLAT
FOUNDATION LUTHERAN CHURCH
SUBDIVISION FILING NO. 1

FOUNDATION LUTHERAN CHURCH SUBDIVISION FILING NO. 1

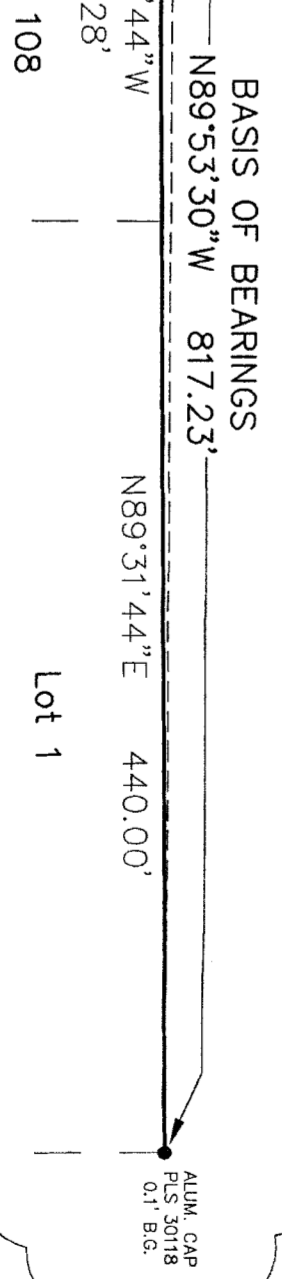
A REPLAT OF TRACT C in PAINT BRUSH HILLS FILING NO. 13A, El Paso County, Colorado being a portion of the West One-Half of Section 25, Township 12 South, Range 65 West of the 6th P.M.



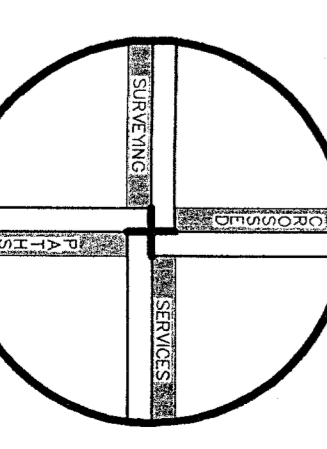
AS REPLATTED

AS PLATTED

LOT 1
259,869 SF
5.9658 ACRES



SUBDIVISION PLAT FOUNDATION LUTHERAN CHURCH SUBDIVISION FILING NO. 1



CROSSED PATHS SURVEYING SERVICES, INC.
 P.O. BOX 49742
 COLORADO SPRINGS, CO 80949-9742
 EMAIL: jps@cpssinc.com

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
5.	12/18	County Comments	JPB
6.	01/11/24	County Comments	JPB

drawing date: March 31, 2023
 scale: 1" = 60'
 drawn by: JAS
 project no.: 1401308026.dwg
 sheet: 2 of 2