

# DISTRICT 49 ELEMENTARY EXEMPTION PLAT

A PORTION OF THE WEST HALF (W 1/2) OF SECTION 25, TOWNSHIP 12 SOUTH,  
RANGE 65 WEST, OF THE 6TH P.M., EL PASO COUNTY, COLORADO

## LEGAL DESCRIPTION:

TRACT B, AS PLATTED IN PAINT BRUSH HILLS FILING NO. 13A, AS RECORDED UNDER RECEPTION NO. 213713413 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER AND THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED, AS RECORDED IN BOOK 2732 AT PAGE 860 OF SAID COUNTY RECORDS, EXCEPT THAT PORTION THEREOF CONVEYED TO EL PASO COUNTY, COLORADO BY QUIT-CLAIM DEED RECORDED UNDER RECEPTION NO. 202022197 AND CORRECTION DEED AS RECORDED UNDER RECEPTION NO. 203160367 OF SAID COUNTY RECORDS LOCATED IN A PORTION OF THE WEST HALF (W1/2) OF SECTION 25, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A LINE BETWEEN THE NORTHWEST CORNER OF TRACT B, AS PLATTED IN PAINT BRUSH HILLS FILING NO. 13A, AS RECORDED UNDER RECEPTION NO. 213713413 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER AND THE POINT OF CURVE ON THE EASTERLY RIGHT-OF-WAY LINE OF TOWNER AVENUE, SAID LINE BEARS N00°28'20"W, A DISTANCE OF 835.87 FEET, SAID LINE BEING MONUMENTED AT THE NORTHERLY END WITH AN 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118" AND AT THE SOUTHERLY END WITH AN 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118".

BEGINNING AT THE NORTHWESTERLY CORNER TRACT B, AS PLATTED IN PAINT BRUSH HILLS FILING NO. 13A, AS RECORDED UNDER RECEPTION NO. 213713413 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE ALONG THE NORTHERLY AND EASTERLY LINES OF SAID TRACT B THE FOLLOWING THREE (3) COURSES:

1. N89°29'44"E, A DISTANCE OF 321.82 FEET;
2. N00°31'29"W, A DISTANCE OF 243.33 FEET;
3. S89°35'30"E, A DISTANCE OF 300.27 FEET TO THE NORTHWESTERLY CORNER OF LOT 1, AS PLATTED IN SAID PAINT BRUSH HILLS FILING NO. 13A;

THENCE ALONG THE EASTERLY LINES OF SAID TRACT B SAID LINES ALSO BEING THE WESTERLY LINES OF LOTS 1 THROUGH 8 OF SAID PAINT BRUSH HILLS FILING NO. 13A THE FOLLOWING THREE (3) COURSES:

1. S00°23'54"W, A DISTANCE OF 523.07 FEET;
2. S10°40'19"W, A DISTANCE OF 225.46 FEET;
3. S18°42'18"E, A DISTANCE OF 224.83 FEET TO A POINT ON THE NORTHERLY LINE OF THAT TRACT OF LAND DESCRIBED IN THE WARRANTY DEED, AS RECORDED IN BOOK 2732 AT PAGE 860 OF SAID COUNTY RECORDS;

THENCE ALONG THE NORTHERLY, EASTERLY AND SOUTHERLY LINES OF SAID WARRANTY DEED THE FOLLOWING THREE (3) COURSES:

1. S89°59'38"E SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID PAINT BRUSH HILLS FILING NO. 13A, A DISTANCE OF 603.72 FEET TO A POINT ON THE WESTERLY LINE OF PAINT BRUSH HILLS FILING NO. 4, AS RECORDED IN PLAT BOOK C-4 AT PAGE 172 OF SAID COUNTY RECORDS;
2. S00°00'19"W SAID LINE ALSO BEING THE WESTERLY LINE OF SAID PAINT BRUSH HILLS FILING NO. 4, A DISTANCE OF 1,314.46 FEET TO THE NORTHEASTERLY CORNER OF SCENIC VIEW AT PAINT BRUSH HILLS, AS RECORDED UNDER RECEPTION NO. 215713680 OF SAID COUNTY RECORDS;
3. S89°59'54"W SAID LINE ALSO BEING THE NORTHERLY LINE OF SAID SCENIC VIEW AT PAINT BRUSH HILLS, A DISTANCE OF 942.68 FEET TO A POINT OF CURVE SAID POINT ALSO BEING THE MOST EASTERLY CORNER OF THE EXCEPTION CONVEYED TO EL PASO COUNTY, COLORADO BY QUIT-CLAIM DEED RECORDED UNDER RECEPTION NO. 202022197 AND CORRECTION DEED AS RECORDED UNDER RECEPTION NO. 203160367 OF SAID COUNTY RECORDS;

THENCE ALONG THE NORTHERLY AND EASTERLY LINES OF SAID QUIT-CLAIM DEEDS THE FOLLOWING FOUR (4) COURSES:

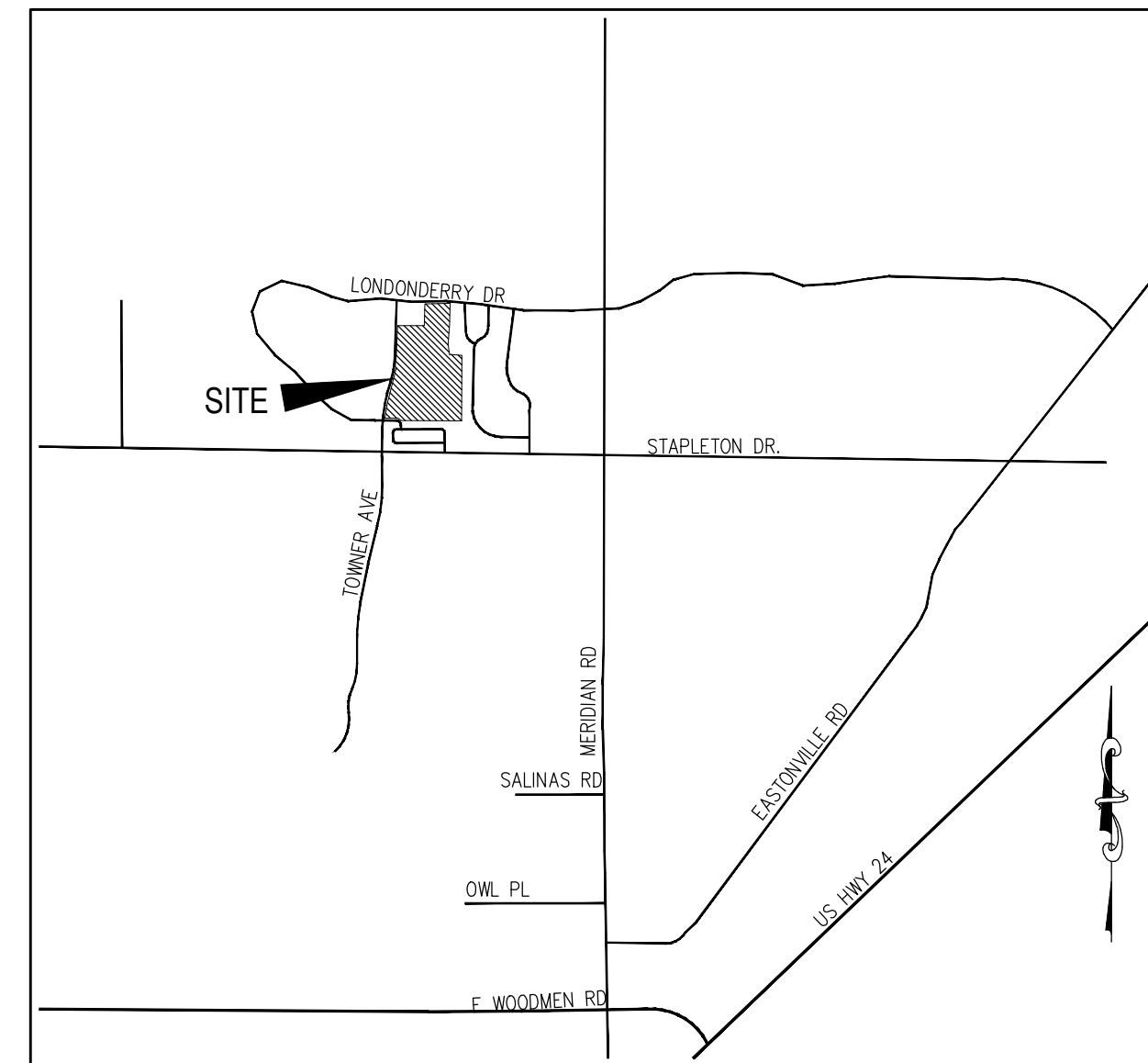
1. ALONG THE ARC OF A 300.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 25°50'32", AN ARC LENGTH OF 135.31 FEET, (THE LONG CHORD OF WHICH BEARS N77°06'06"W, A LONG CHORD DISTANCE OF 134.64 FEET);
2. S89°58'38"W, A DISTANCE OF 381.52 FEET TO A POINT OF CURVE;
3. ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 88°29'36", AN ARC LENGTH OF 30.89 FEET, (THE LONG CHORD OF WHICH BEARS N45°46'31"W, A LONG CHORD DISTANCE OF 27.91 FEET) TO A POINT OF COMPOUND CURVE;
4. ALONG THE ARC OF A 960.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 21°26'49", AN ARC LENGTH OF 359.35 FEET, (THE LONG CHORD OF WHICH BEARS N09°11'41"E, A LONG CHORD DISTANCE OF 357.25 FEET) TO A POINT ON THE WESTERLY LINE OF SAID WARRANTY DEED;

THENCE N19°56'44"E ALONG THE WESTERLY OF SAID WARRANTY DEED, A DISTANCE OF 346.16 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT B;

THENCE ALONG THE SOUTHERLY AND WESTERLY LINES OF SAID TRACT B THE FOLLOWING FOUR (4) COURSES:

1. N75°17'54"W, A DISTANCE OF 9.27 FEET;
2. N14°26'18"E, A DISTANCE OF 67.02 FEET TO A POINT OF CURVE;
3. ALONG THE ARC OF A 1540.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 14°56'57", AN ARC LENGTH OF 401.81 FEET, (THE LONG CHORD OF WHICH BEARS N06°59'52"E, A LONG CHORD DISTANCE OF 400.67 FEET);
4. N00°28'20"W, A DISTANCE OF 835.87 FEET TO THE POINT OF BEGINNING;

SAID TRACT OF LAND CONTAINS 51.8835 ACRES OF LAND, MORE OR LESS.



VICINITY MAP  
N.T.S.

## SURVEYOR'S CERTIFICATION:

THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, HEREBY CERTIFIES THAT THE PROPERTY WAS SURVEYED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE COLORADO REVISED STATUTE 12-25, JULY 1988, AS REVISED, FOR A LAND TITLE SURVEY PLAT AND WITH NORMAL STANDARDS OF CARE FOR PROFESSIONAL LAND SURVEYING IN COLORADO. THE DIMENSIONS ACCURATELY REPRESENT THE PROPERTY SURVEYED TO THE BEST OF MY KNOWLEDGE AND BELIEF. THE PROPERTY IS SUBJECT TO EASEMENTS OF RECORD AND WAS MONUMENTED AS SHOWN.

VERNON P. TAYLOR, COLORADO P.L.S. NO. 25966 \_\_\_\_\_ DATE \_\_\_\_\_  
FOR AND ON BEHALF OF:  
M&S CIVIL CONSULTANTS, INC.  
20 BOULDER CRESCENT, SUITE 110  
COLORADO SPRINGS, CO 80901  
(719) 955-5485

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.

## LIMITATION OF ACTIONS AGAINST LAND SURVEYORS:

ALL ACTIONS AGAINST ANY LAND SURVEYOR BROUGHT TO RECOVER DAMAGES RESULTING FROM ANY ALLEGED NEGLIGENT OR DEFECTIVE LAND SURVEY SHALL BE BROUGHT WITHIN THREE YEARS AFTER THE PERSON BRINGING THE ACTION DISCOVERS OR IN THE EXERCISE OF REASONABLE DILIGENCE AND CONCERN SHOULD HAVE DISCOVERED THE NEGLIGENCE OR DEFECT WHICH GAVE RISE TO SUCH ACTION, AND NOT THEREAFTER, BUT IN NO CASE SHALL SUCH ACTION BE BROUGHT MORE THAN TEN YEARS AFTER COMPLETION OF THE SURVEY UPON WHICH SUCH ACTION IS BASED.

## FLOOD PLAIN CERTIFICATION:

ACCORDING TO NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP PANEL 08041C0 575 F (EFFECTIVE DATE OF MARCH 17, 1997), THE SUBJECT PROPERTY IS LOCATED IN ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

## SURVEY NOTES:

- 1.) ALL DISTANCES AND BEARINGS SHOWN BETWEEN EXISTING MONUMENTS REFLECT ACTUAL DIMENSIONS AS MEASURED.
- 2.) BASIS OF BEARINGS: A LINE BETWEEN THE NORTHWEST CORNER OF TRACT B, AS PLATTED IN PAINT BRUSH HILLS FILING NO. 13A, AS RECORDED UNDER RECEPTION NO. 213713413 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER AND THE POINT OF CURVE ON THE EASTERLY RIGHT-OF-WAY LINE OF TOWNER AVENUE, SAID LINE BEARS N00°28'20"W, A DISTANCE OF 835.87 FEET, SAID LINE BEING MONUMENTED AT THE NORTHERLY END WITH AN 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118" AND AT THE SOUTHERLY END WITH AN 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118".
- 3.) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTES ANY PUBLIC LAND SURVEY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUE 18-4-508, C.R.S.
4. A COMMITMENT FOR TITLE INSURANCE ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, ORDER NUMBER RND55062797, DATED 4-12-2017 HAS BEEN REVIEWED AS IT RELATES TO THE PROPERTY DESCRIBED IN BOOK 2732 AT PAGE 860 AS RECORDED IN THE EL PASO COUNTY, COLORADO CLERK'S OFFICE. THE FOLLOWING EXCEPTIONS, AS NUMBERED THEREIN, ARE HEREBY NOTED.  
  
ITEMS 1 THROUGH 6 M&S CIVIL CONSULTANTS, INC. DID NOT ADDRESS THESE ITEMS.
7. THE PROPERTY IS SUBJECT TO: (A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER.
8. THE PROPERTY IS SUBJECT TO: RESERVATIONS, EXCEPTIONS AND PROVISIONS CONTAINED IN THE PATENTS FROM THE UNITED STATES OF AMERICA RECORDED MAY 3, 1886 IN BOOK 72 AT PAGE 57 AND NOVEMBER 16, 1886 IN BOOK 72 AT PAGE 82, AS FOLLOWS:  
SUBJECT TO ANY VESTED AND ACCRUED WATER RIGHTS FOR MINING, AGRICULTURAL, MANUFACTURING, OR OTHER PURPOSES, AND RIGHTS TO DITCHES AND RESERVOIRS USED IN CONNECTION WITH SUCH WATER RIGHTS AS MAY BE RECOGNIZED AND ACKNOWLEDGED BY THE LOCAL CUSTOMS, LAWS AND DECISIONS OF COURTS; AND ALSO SUBJECT TO THE RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AS PROVIDED BY LAW.
9. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF RIGHT OF WAY RECORDED SEPTEMBER 22, 1975 IN BOOK 2778 AT PAGE 662.
10. THE PROPERTY IS SUBJECT TO THE EFFECT OF INCLUSION OF THE SUBJECT PROPERTY IN THE UPPER BLACK SQUIRREL CREEK GROUND WATER MANAGEMENT DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED DECEMBER 11, 1979, IN BOOK 3260 AT PAGE 701.
11. THE PROPERTY IS SUBJECT TO THE EFFECT OF INCLUSION OF THE SUBJECT PROPERTY IN THE FALCON FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENTS RECORDED DECEMBER 02, 1980, IN BOOK 3380 AT PAGE 670 AND DECEMBER 02, 1980 IN BOOK 3380 AT PAGE 675 AND FEBRUARY 17 1981 IN BOOK 3404 AT PAGE 582 AND FEBRUARY 17 1981 IN BOOK 3404 AT PAGE 587.
12. THE PROPERTY IS SUBJECT TO THE EFFECT OF NOTICE CONCERNING UNDERGROUND FACILITIES OF THE MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC. RECORDED MAY 9, 1983 IN BOOK 3718 AT PAGE 812.
13. THE PROPERTY IS SUBJECT TO THE EFFECT OF COLORADO GROUND WATER COMMISSION FINDINGS AND ORDER DETERMINATION NO. 307-BD, RECORDED AUGUST 30, 2002, UNDER RECEPTION NO. 202146361.
14. THE PROPERTY IS SUBJECT TO THE EFFECT OF COLORADO GROUND WATER COMMISSION FINDINGS AND ORDER DETERMINATION NO. 306-BD, RECORDED AUGUST 30, 2002, UNDER RECEPTION NO. 202146362.
15. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF RIGHT OF WAY RECORDED OCTOBER 16, 2002 UNDER RECEPTION NO. 202178353. (20' EASEMENT 10 FOOT EITHER SIDE OF POWER LINE, NO OVERHEAD POWER LINES WERE OBSERVED)
16. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF RIGHT OF WAY RECORDED AUGUST 13, 2003 UNDER RECEPTION NO. 203186825. (20 FOOT WIDE, NO SPECIFIC LOCATION)
17. THE PROPERTY IS SUBJECT TO LEASE BETWEEN FALCON SCHOOL DISTRICT NO. 49, EL PASO COUNTY, COLORADO, LESSOR, AND SPRINT SPECTRUM L.P., A DELAWARE A LIMITED PARTNERSHIP, LESSEE, AS SHOWN BY MEMORANDUM OF AGREEMENT RECORDED OCTOBER 31, 2005, UNDER RECEPTION NO. 205173303.
18. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF RIGHT OF WAY RECORDED MARCH 02, 2006 UNDER RECEPTION NO. 206031552. (20' EASEMENT 10 FOOT EITHER SIDE OF POWER LINE, NO OVERHEAD POWER LINES WERE OBSERVED)
19. THE PROPERTY IS SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF UTILITY EASEMENT RECORDED JULY 23, 2008 UNDER RECEPTION NO. 208083136. (AS SHOWN HEREON)
20. THE PROPERTY IS SUBJECT TO LEASE BETWEEN FALCON SCHOOL DISTRICT NO. 49, EL PASO COUNTY, COLORADO, LESSOR, AND ZIONS FIRST NATIONAL BANK, SOLELY IN ITS CAPACITY AS TRUSTEE UNDER THE INDENTURE, LESSEE, AS SHOWN BY SITE AND IMPROVEMENT LEASE RECORDED FEBRUARY 25, 2015, UNDER RECEPTION NO. 215017452. FIRST AMENDMENT TO SITE AND IMPROVEMENT LEASE RECORDED FEBRUARY 22, 2017 UNDER RECEPTION NO. 217020948.
21. THE PROPERTY IS SUBJECT TO LEASE BETWEEN ZIONS FIRST NATIONAL BANK, SOLELY IN ITS CAPACITY AS TRUSTEE UNDER THE INDENTURE, LESSOR, AND FALCON SCHOOL DISTRICT NO. 49, EL PASO COUNTY, COLORADO, LESSEE, AS SHOWN BY LEASE PURCHASE AGREEMENT RECORDED FEBRUARY 25, 2015, UNDER RECEPTION NO. 215017453. FIRST AMENDMENT TO LEASE PURCHASE AGREEMENT RECORDED FEBRUARY 22, 2017 UNDER RECEPTION NO. 217020949.

## LAND SURVEY PLAT DEPOSITING CERTIFICATE:

DEPOSITED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017, A.D. AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_, IN BOOK \_\_\_\_\_ OF LAND SURVEY PLATS AT PAGE \_\_\_\_\_, DEPOSIT NUMBER \_\_\_\_\_ OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, EL PASO COUNTY, COLORADO.

BY: \_\_\_\_\_  
DEPUTY COUNTY CLERK AND RECORDER

LAND SURVEY PLAT  
JOB NO. 70-034A  
DATE PREPARED: 21 APRIL 2017  
DATE REVISED: 08 JUNE 2017  
PCD FILE NO. EX-17-001

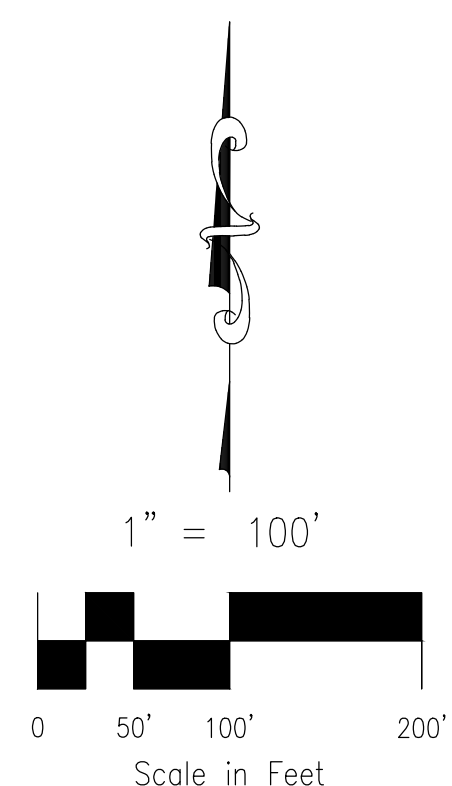
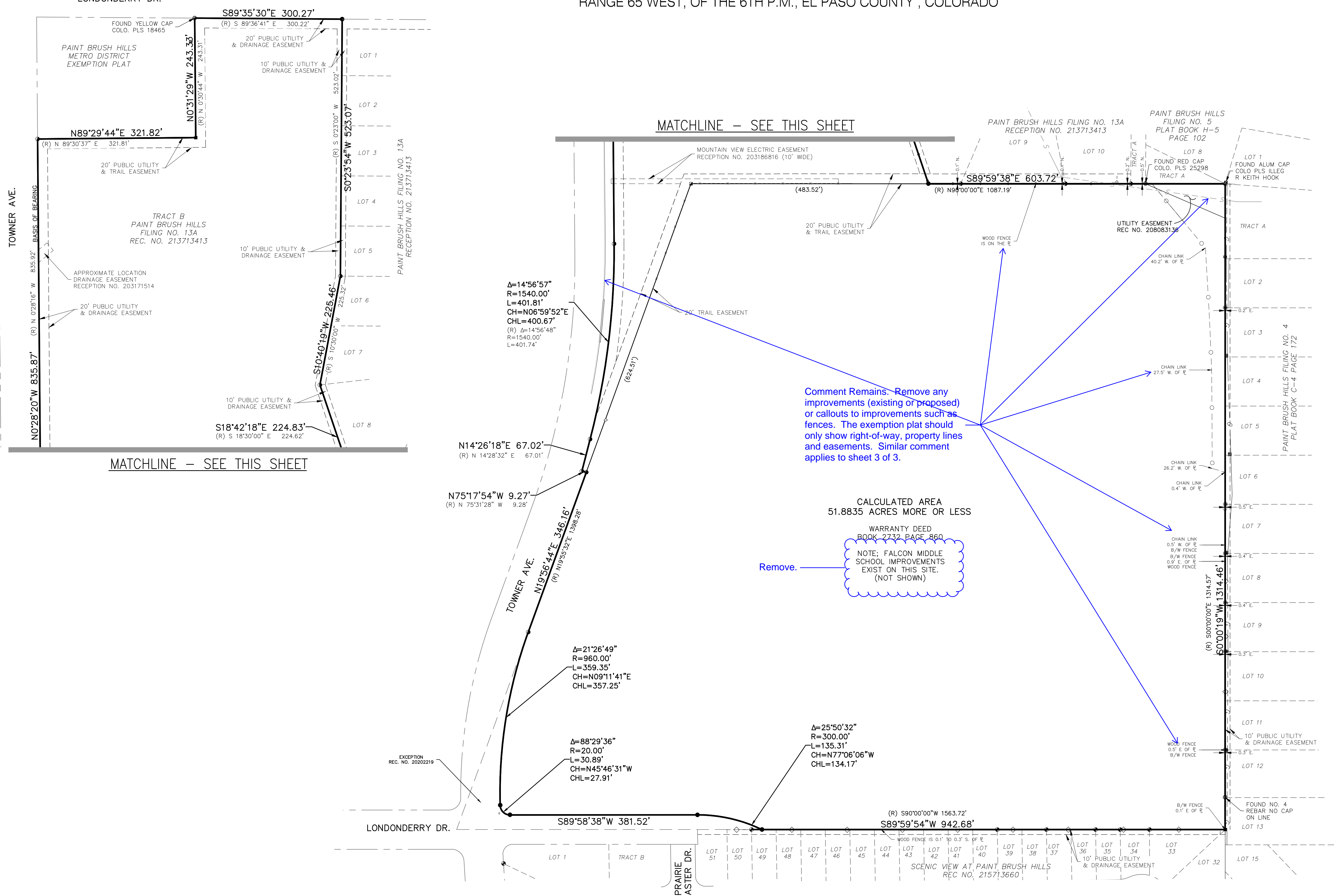


20 BOULDER CRESCENT, SUITE 110  
COLORADO SPRINGS, CO 80903  
PHONE: 719.955.5485



# DISTRICT 49 ELEMENTARY EXEMPTION PLAT

A PORTION OF THE WEST HALF (W 1/2) OF SECTION 25, TOWNSHIP 12 SOUTH, RANGE 65 WEST, OF THE 6TH P.M., EL PASO COUNTY, COLORADO



- LEGEND**
- (M) MEASURED DIMENSION
  - (R) RECORD DIMENSION
  - (C) CALCULATED DIMENSION
  - SET #5 REBAR W/ ORANGE PLASTIC CAP STAMPED "M&S CIVIL PLS 32820"
  - FOUND #5 REBAR WITH ALUMINUM CAP STAMPED "CCES PLS 30118"
  - FOUND WHITE CAP COLO. PLS 9646
  - FOUND ORANGE PC COLO. PLS 38141
  - FOUND YELLOW CAP COLO. PLS 4842
  - FOUND MONUMENT AS LABELED

EXISTING CONDITIONS

LAND SURVEY PLAT  
JOB NO. 70-034A  
DATE PREPARED: 21 APRIL 2017  
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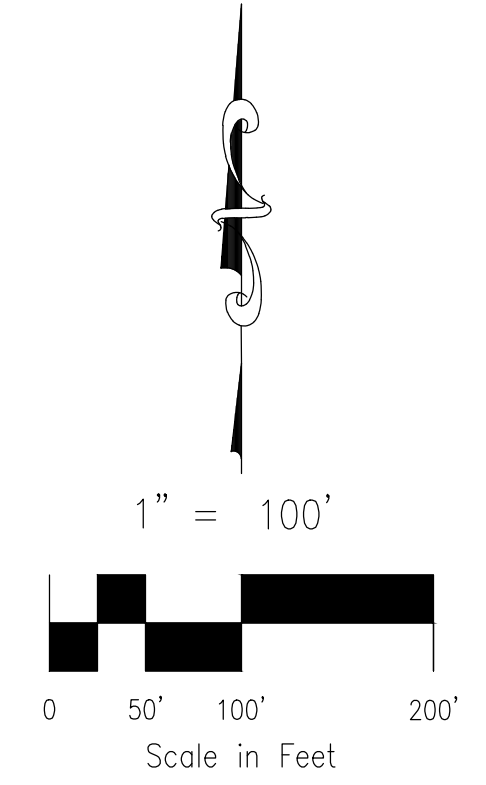
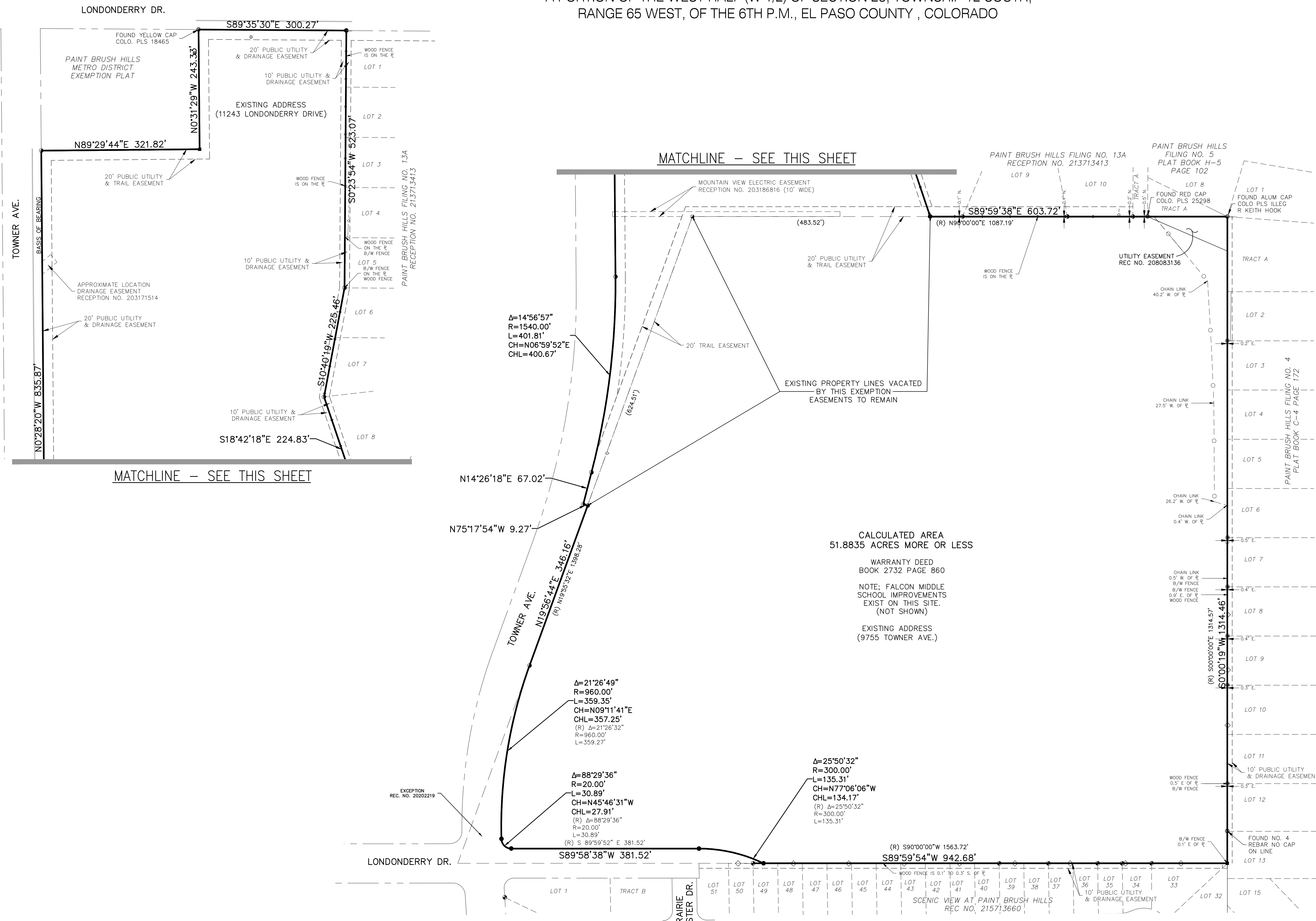


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# DISTRICT 49 ELEMENTARY EXEMPTION PLAT

A PORTION OF THE WEST HALF (W 1/2) OF SECTION 25, TOWNSHIP 12 SOUTH, RANGE 65 WEST, OF THE 6TH P.M., EL PASO COUNTY, COLORADO



- LEGEND**
- (M) MEASURED DIMENSION
  - (R) RECORD DIMENSION
  - (C) CALCULATED DIMENSION
  - SET #5 REBAR W/ ORANGE PLASTIC CAP STAMPED "M&S CIVIL PLS 32820"
  - FOUND #5 REBAR WITH ALUMINUM CAP STAMPED "CCES PLS 30118"
  - FOUND WHITE CAP COLO. PLS 9646
  - FOUND ORANGE PC COLO. PLS 38141
  - FOUND YELLOW CAP COLO. PLS 4842
  - FOUND MONUMENT AS LABELED

**CALCULATED AREA**  
 51.8835 ACRES MORE OR LESS

WARRANTY DEED  
 BOOK 2732 PAGE 860

NOTE: FALCON MIDDLE SCHOOL IMPROVEMENTS EXIST ON THIS SITE. (NOT SHOWN)

EXISTING ADDRESS (9755 TOWNER AVE.)

## EXEMPTION CONDITIONS

LAND SURVEY PLAT  
 JOB NO. 70-034A  
 DATE PREPARED: 21 APRIL 2017  
 DATE REVISED: 08 JUNE 2017  
 PCD FILE NO. EX-17-001



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 COLORADO SPRINGS, CO 80903  
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