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SURVEYOR'S AFFIDAVIT OF MODIFICATION

I, ERIC SIMONSON, SURVEYOR OF RECORD OF "MAYBERRY, COLORADO SPRINGS FILING NO. 1", SITUATED IN SECTION 14 AND SECTIO 15, ALL IN TOWNSHIP 14 SOUTH, RANGE 63 WEST OF THE 6th P.M., AS RECORDED UNDER RECEPTIO NO. 220714655 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, EL PASO COUNTY, COLORADO HA VE BEEN DIRECTED TO MODIFY THE FINAL PLAT AS FOLLOWS:

- a) COUNTY NOTE 25.) ON PAGE I OF 4, THE NOTE WILL READ AS FOLLOWS:

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 and Amendment between the applicant/owner and El Paso County as recorded under Reception Number 220211232 (original SIA) _____ (Amended SIA) 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.

This plat restriction may be removed or rescinded by the Board of County Commissioners or, if permitted by the Subdivision Improvements Agreement, by the Planning and Community Development Department Director upon either approval of an alternative form of collateral or completion and preliminary acceptance by the El Paso Board of County Commissioners of all improvements required to be constructed and completed in accordance with said Subdivision Improvements Agreement. The partial release of lots for sale, conveyance or transfer may only be granted in accordance with any planned partial release of lots authorized by the Subdivision Improvements Agreement.

