

CLAREMONT BUSINESS PARK 2 FILING NO. 1

A REPLAT OF TRACT A "CLAREMONT BUSINESS PARK FILING NO. 1C", AND A PORTION OF TRACT C "CLAREMONT BUSINESS PARK FILING NO. 2", BEING A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4, SE 1/4) OF SECTION 5 AND NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4, NE 1/4) OF SECTION 8, T14S, R65W, OF THE 6TH P.M., EL PASO COUNTY , COLORADO

BE IT KNOWN BY THESE PRESENTS:

THAT L. G. CASE (A.K.A. LENA GAIL CASE), NANCY BARBER STARR AND JON STARR, AND HAMMERS CONSTRUCTION INC., A COLORADO COMPANY, BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND:

LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 5 AND THE NORTHEAST QUARTER OF SECTION 8, T14S, R65W OF THE 6th P.M., EL PASO COUNTY, COLORADO CONSISTING OF TRACT A "CLAREMONT BUSINESS PARK FILING NO. 1C" AS RECORDED UNDER RECEPTION NO. 220714531 AND THAT PORTION OF TRACT C "CLAREMONT BUSINESS PARK FILING NO. 2" AS RECORDED UNDER RECEPTION NO. 207712506, AMENDED BY SPECIAL WARRANTY DEED RECORDED UNDER RECEPTION NO. 218046726, SPECIAL WARRANTY DEED RECORDED UNDER RECEPTION NO. 219078479, AND SPECIAL WARRANTY DEED RECORDED UNDER RECEPTION NO. 219160747, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF AFORESAID TRACT A "CLAREMONT BUSINESS PARK FILING NO. 1C";
THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF 80 FOOT MEADOWBROOK PARKWAY THE FOLLOWING FOUR (4) COURSES;

- 1) THENCE 207.94 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 605.00 FEET, A CENTRAL ANGLE OF 19°41'35", AND A CHORD OF 206.92 FEET WHICH BEARS N02°19'03"W TO A POINT OF TANGENT;
- 2) THENCE N12°09'05"W ALONG SAID TANGENT 118.69 FEET TO A POINT OF CURVE;
- 3) THENCE 932.82 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 525.00 FEET, A CENTRAL ANGLE OF 101°48'12", AND A CHORD OF 814.87 FEET WHICH BEARS N38°45'53"E TO A POINT OF TANGENT;
- 4) THENCE N89°40'01"E ALONG SAID TANGENT 58.32 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF MARKSHEFFEL ROAD/U.S. HIGHWAY 24, CDOT PROJECT NO. NH 0243-058 UNIT 2;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES;

- 1) THENCE S00°10'49"W A DISTANCE OF 550.15 FEET TO A POINT OF CURVE;
- 2) THENCE 264.51 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 605.00 FEET, A CENTRAL ANGLE OF 25°02'59", AND A CHORD OF 262.40 FEET WHICH BEARS S12°21'26"E;
- 3) THENCE S06°46'53"E NON-TANGENT TO THE PREVIOUS COURSE 142.31 FEET;
- 4) THENCE S14°56'24"W A DISTANCE OF 164.34 FEET;
- 5) THENCE S33°35'01"W A DISTANCE OF 192.22 FEET TO THE NORTHEAST CORNER OF LOT 2 "CLAREMONT BUSINESS PARK FILING NO. 1C";

THENCE N56°02'38"W ALONG THE NORTH LINES OF LOT 1 AND LOT 2, A DISTANCE OF 551.81 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS A CALCULATED AREA OF 595,013 S.F. (13.660 ACRES MORE OR LESS).

DEDICATION:

THE UNDERSIGNED OWNER HAS CAUSED SAID PARCEL TO BE PLATTED INTO LOTS, A TRACT, AND EASEMENTS, AS SHOWN ON THE PLAT. THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT AND CONVEY TO EL PASO COUNTY COLORADO THOSE PUBLIC EASEMENTS AS SHOWN ON THE PLAT; AND FURTHER RESTRICTS THE USE OF ALL PUBLIC EASEMENTS TO EL PASO COUNTY AND/OR ITS ASSIGNS, PROVIDED HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO RELEASE OR QUITCLAIM ALL OR ANY SUCH PUBLIC EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN EL PASO COUNTY. THIS PARCEL OF LAND AS PLATTED HEREIN SHALL BE KNOWN AS "CLAREMONT BUSINESS PARK 2 FILING NO. 1", IN EL PASO COUNTY, COLORADO.

OWNER:

HAMMERS CONSTRUCTION INC.
1411 WOOLSEY HEIGHTS
COLORADO SPRINGS, COLORADO 80915

BY:

STEVE HAMMERS, PRESIDENT

NOTARIAL:

STATE OF COLORADO }
COUNTY OF EL PASO } SS

THE ABOVE AND AFOREGMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2020, A.D. BY STEVE HAMMERS, PRESIDENT, HAMMERS CONSTRUCTION, INC.

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC: _____

OWNER:

L. G. CASE
2432 PARKVIEW LANE
COLORADO SPRINGS, COLORADO 80906

BY:

L. G. CASE, A.K.A. LENA GAIL CASE

NOTARIAL:

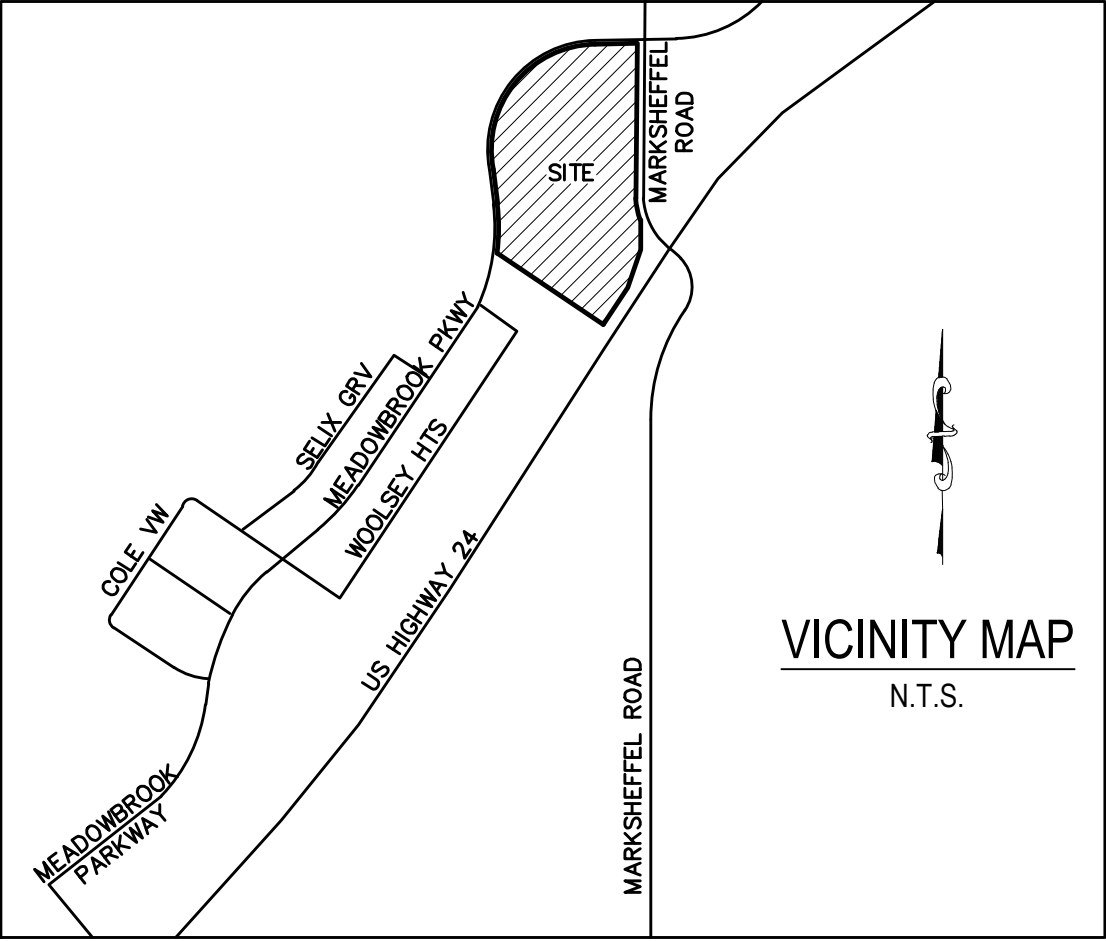
STATE OF COLORADO }
COUNTY OF EL PASO } SS

THE ABOVE AND AFOREGMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2020, A.D. BY L. G. CASE, A.K.A. LENA GAIL CASE

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC: _____



OWNER:

NANCY BARBER STARR
JON STARR
5001 S. CLINTON STREET
GREENWOOD VILLAGE, COLORADO 80111

BY:

NANCY BARBER STARR

BY:

JON STARR

NOTARIAL:

STATE OF COLORADO }
COUNTY OF EL PASO } SS

THE ABOVE AND AFOREGMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2020, A.D. BY NANCY BARBER STARR AND JON STARR

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC: _____

EASEMENTS:

UNLESS OTHERWISE INDICATED, ALL SIDE, FRONT, AND REAR LOT LINES ARE HEREBY PLATTED ON EITHER SIDE WITH A 5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT UNLESS OTHERWISE INDICATED. ALL EXTERIOR SUBDIVISION BOUNDARIES ARE HEREBY PLATTED WITH A 7 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNERS.

EASEMENTS ARE AS SHOWN ON SHEET 4 OF THIS PLAT.

SURVEYORS CERTIFICATE

I VERNON P. TAYLOR, 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 MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:10,000 ; AND THAT SAID PLAT HAS BEEN PREPARED 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 _____, 2020.

VERNON P. TAYLOR DATE
COLORADO PLS NO. 25966, FOR AND
ON BEHALF OF M&S CIVIL CONSULTANTS, INC
20 BOULDER CRESCENT, SUITE 110
COLORADO SPRINGS, COLORADO 80903

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.

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT EXECUTIVE DIRECTOR CERTIFICATE:

THIS PLAT FOR "CLAREMONT BUSINESS PARK 2 FILING NO. 1" WAS APPROVED FOR FILING BY THE EXECUTIVE DIRECTOR OF THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR ON THIS _____ DAY OF _____, 2020, SUBJECT TO ANY NOTES SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RECORD OF ADMINISTRATIVE ACTION. THE DEDICATIONS OF LAND TO THE PUBLIC (STREETS AND EASEMENTS) ARE ACCEPTED, BUT PUBLIC IMPROVEMENTS THEREON WILL NOT BECOME 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.

EXECUTIVE DIRECTOR, PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

DATE

CLERK AND RECORDER:

STATE OF COLORADO }
COUNTY OF EL PASO } SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT _____ O'CLOCK ___, THIS _____ DAY OF _____, 2020, A.D., AND DULY RECORDED UNDER RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

FEE: _____

CHUCK BROERMAN, RECORDER

SURCHARGE: _____

BY: _____
DEPUTY

FEES:

DRAINAGE FEE: _____

BRIDGE FEE: _____

SCHOOL FEE: _____

PARK FEE: _____

SUMMARY:

| | | |
|--------------|--------------|--------|
| 10 LOTS | 12.404 ACRES | 90.81% |
| 3 TRACTS | 1.116 ACRES | 8.17% |
| RIGHT-OF-WAY | 0.140 ACRES | 1.02% |

| | | |
|-------|--------------|---------|
| TOTAL | 13.660 ACRES | 100.00% |
|-------|--------------|---------|

FINAL PLAT
CLAREMONT BUSINESS PARK 2
FILING NO. 1
JOB NO. 44-037
DATE PREPARED: 04/28/2020
DATE REVISED: 10/21/2020



102 E. PIKES PEAK AVE., 5TH FLOOR
COLORADO SPRINGS, CO 80903
PHONE: 719.955.5485

CLAREMONT BUSINESS PARK 2 FILING NO. 1

A REPLAT OF TRACT A "CLAREMONT BUSINESS PARK FILING NO. 1C", AND A PORTION OF TRACT C "CLAREMONT BUSINESS PARK FILING NO. 2", BEING A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4, SE 1/4) OF SECTION 5 AND NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4, NE 1/4) OF SECTION 8, T14S, R65W, OF THE 6TH P.M., EL PASO COUNTY , COLORADO

GENERAL PLAT NOTES:

1. BASIS OF BEARINGS: THE CHORD OF THE WESTERLY LINE OF LOT 2 "CLAREMONT BUSINESS PARK FILING NO. 1A" UNDER RECEPTION NO. 206712398, BEING MONUMENTED AT THE SOUTHERLY END WITH A NAIL AND WASHER, PLS NO. ILLEGIBLE, AND AT THE NORTHERLY END WITH A REBAR AND ALUMINUM CAP PLS NO. 27605 IS ASSUMED TO BEAR N22°18'18"E A DISTANCE OF 218.26 U.S. SURVEY FEET.
2. THE FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 08041C0756 G, WITH AN EFFECTIVE DATE OF DECEMBER 7, 2018 SHOWS THE SUBJECT PROPERTY LIES WITHIN ZONE X (AREA OF MINIMAL FLOOD HAZARD).
3. A COMMITMENT FOR TITLE INSURANCE ISSUED BY LAND TITLE GUARANTEE COMPANY, AS AGENT FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. SCB55084634-3, WITH AN EFFECTIVE DATE OF JULY 17, 2020, HAS BEEN EXAMINED AS IT RELATES TO THE SUBJECT PROPERTY. THE FOLLOWING EXCEPTIONS AS NUMBERED THEREIN ARE HEREBY NOTED.
 - i. (TC#9) THE PROPERTY MAY BE SUBJECT TO RESERVATION IN DEED RECORDED APRIL 10, 1919 IN BOOK 565 AT PAGE 117 OF ALL COAL UNDER SAID LANDS TOGETHER WITH THE RIGHT OF SURFACE ENTRY.
 - ii. (TC#10) THE PROPERTY MAY BE SUBJECT TO RESERVATION IN DEED RECORDED DECEMBER 9, 1920 IN BOOK 565 AT PAGE 229 OF ALL COAL UNDER SAID LANDS TOGETHER WITH THE RIGHT OF SURFACE ENTRY.
 - iii. (TC#11) THE PROPERTY MAY BE SUBJECT TO RESERVATION, IN DEED RECORDED AUGUST 9, 1939 IN BOOK 976 AT PAGE 231, AS FOLLOWS: UNDIVIDED 1/2 INTEREST IN ALL OIL, GAS AND OTHER MINERAL RIGHTS, TOGETHER WITH RIGHT OF SURFACE ENTRY.
 - iv. (TC#12) THE PROPERTY MAY BE SUBJECT TO RIGHT OF WAY AND/OR EASEMENT, GIVEN TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, INCORPORATION, FOR ELECTRIC PURPOSES, THE EXACT LOCATION OF WHICH IS NOT SPECIFIED, RECORDED FEBRUARY 16, 1972 IN BOOK 2468 AT PAGE 53. RELEASE OF RIGHT OF WAY RECORDED OCTOBER 02, 2018 UNDER RECEPTION NO. 218115279.
 - v. (TC#13) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS AND PROVISIONS OF AGREEMENT EVIDENCED BY MEMORANDUM OF AGREEMENT RECORDED OCTOBER 25, 2002 AT RECEPTION NO. 202185171.
 - vi. (TC#14) THE PROPERTY MAY BE SUBJECT TO THE EFFECT OF INCLUSION OF THE SUBJECT PROPERTY IN THE CENTRAL MARKSHEFFEL METROPOLITAN DISTRICT, AS EVIDENCED BY INSTRUMENTS RECORDED OCTOBER 3, 2002 UNDER RECEPTION NO. 202169647 AND RERECORDED MAY 11, 2004 UNDER RECEPTION NO. 204077221, DECEMBER 12, 2002, UNDER RECEPTION NO. 202221165 AND MAY 11, 2004 UNDER RECEPTION NO. 204077224, AND AS AMENDED BY INSTRUMENT RECORDED NOVEMBER 14, 2017 UNDER RECEPTION NO. 217138355.
 - vii. (TC#15) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENTS AGREEMENT RECORDED OCTOBER 01, 2004 AT RECEPTION NO. 204166012.
 - viii. (TC#16) THE PROPERTY MAY BE SUBJECT TO THE EFFECT OF RESOLUTION 04-178, REGARDING SKETCH PLAN RECORDED FEBRUARY 3, 2005 UNDER RECEPTION NO. 205016957.
 - ix. (TC#17) THE PROPERTY MAY BE SUBJECT TO THE EFFECT OF RESOLUTION NO. 05-15, REGARDING ZONING RECORDED APRIL 4, 2005 UNDER RECEPTION NO. 205047387.
 - x. (TC#18) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN AVIGATION EASEMENT RECORDED JUNE 29, 2006 UNDER RECEPTION NO. 206095824.
 - xi. (TC#19) THE PROPERTY MAY BE SUBJECT TO RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED MARCH 02, 2006, UNDER RECEPTION NO. 206031585, AND AS AMENDED IN INSTRUMENT RECORDED DECEMBER 26, 2006, UNDER RECEPTION NO. 206185249, AND AS AMENDED IN FIRST AMENDMENT TO DECLARATION IN INSTRUMENT RECORDED ON JANUARY 3, 2007 UNDER RECEPTION NO. 207001307.
 - xii. (TC#20) THE PROPERTY MAY BE SUBJECT TO EASEMENT GRANTED TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, FOR UTILITIES, AND INCIDENTAL PURPOSES, BY INSTRUMENT RECORDED AUGUST 07, 2006, UNDER RECEPTION NO. 206116483.
 - xiii. (TC#21) THE PROPERTY MAY BE SUBJECT TO EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF CLAREMONT BUSINESS PARK FILING NO. 2 RECORDED JANUARY 4, 2007 UNDER RECEPTION NO. 207712506.
 - xiv. (TC#22) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN SUBDIVISION IMPROVEMENTS AGREEMENT RECORDED JANUARY 04, 2007 AT RECEPTION NO. 207001840 AND FEBRUARY 13, 2007 UNDER RECEPTION NO. 207021069.
 - xv. (TC#23) THE PROPERTY MAY BE SUBJECT TO THE EFFECT OF RESOLUTION NO. 06-362, REGARDING FINAL PLAT, RECORDED JUNE 25, 2007, UNDER RECEPTION NO. 207084816.

GENERAL PLAT NOTES: (CONT.)

- xvi. (TC#24) THE PROPERTY MAY BE SUBJECT TO THE EFFECT OF RESOLUTION NO. 19-11, APPROVE PRELIMINARY PLAN REQUEST FOR CLAREMONT COMMERCIAL FILING NO. 2 RECORDED JANUARY 10, 2019 UNDER RECEPTION NO. 219003040.
- xvii. (TC#25) THE PROPERTY MAY BE SUBJECT TO RIGHT OF WAY EASEMENT AS GRANTED TO COLORADO TELEPHONE COMPANY, FOR COMMUNICATIONS LINES AND INCIDENTAL PURPOSES, IN INSTRUMENT RECORDED MARCH 03, 1905, IN BOOK 358 AT PAGE 565.
- xviii. (TC#26) THE PROPERTY MAY BE SUBJECT TO EACH AND EVERY RIGHT OF ACCESS TO STATE HIGHWAY 24 AS CONVEYED IN WARRANTY DEED TO DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO RECORDED FEBRUARY 20, 2002 UNDER RECEPTION NO. 202028680.
- xix. (TC#27) THE PROPERTY MAY BE SUBJECT TO EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF CLAREMONT BUSINESS PARK FILING NO. 1 RECORDED AUGUST 16, 2005 UNDER RECEPTION NO. 205127124. EL PASO COUNTY RESOLUTION NO. 05-110 IN CONNECTION THEREWITH RECORDED SEPTEMBER 23, 2005 UNDER RECEPTION NO. 205149817.
- xx. (TC#28) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS SET FORTH IN SUBDIVISION IMPROVEMENTS AGREEMENT RECORDED AUGUST 18, 2005 AT RECEPTION NO. 205127123.
- xxi. (TC#29) THE PROPERTY MAY BE SUBJECT TO EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF AMENDED PLAT CLAREMONT BUSINESS PARK FILING NO. 1 RECORDED SEPTEMBER 21, 2005 UNDER RECEPTION NO. 205198301. EL PASO COUNTY RESOLUTION NO. 05-314 IN CONNECTION THEREWITH RECORDED NOVEMBER 05, 2008 UNDER RECEPTION NO. 208120446.
- xxii. (TC#30) THE PROPERTY MAY BE SUBJECT TO EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF CLAREMONT BUSINESS PARK FILING NO. 1A RECORDED AUGUST 18, 2006 UNDER RECEPTION NO. 206712398. EL PASO COUNTY RESOLUTION NO. 06-286 IN CONNECTION THEREWITH RECORDED OCTOBER 13, 2006 UNDER RECEPTION NO. 206151738.
- xxiii. (TC#31) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS OF WATER AND SEWER SERVICE AGREEMENT RECORDED OCTOBER 20, 2006 AT RECEPTION NO. 206155229.
- xxiv. (TC#32) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS AND PROVISIONS OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENTS RECORDED JANUARY 09, 2020 AT RECEPTION NO. 220003868.
- xxv. (TC#33) THE PROPERTY MAY BE SUBJECT TO THE EFFECT OF RESOLUTION REGARDING CENTRAL MARKSHEFFEL METROPOLITAN DISTRICT RECORDED JANUARY 28, 2020, UNDER RECEPTION NO. 22012433 AND JANUARY 28, 2020, UNDER RECEPTION NO. 22012432.
- xxvi. (TC#34) THE PROPERTY MAY BE SUBJECT TO THE EFFECT OF RESOLUTION NO. 20-213, RECORDED JUNE 09, 2020, UNDER RECEPTION NO. 220079970.
- xxvii. (TC#35) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN EASEMENT AND RIGHT OF WAY AGREEMENT RECORDED JUNE 24, 2020 UNDER RECEPTION NO. 22088464.
- xxviii. (TC#36) THE PROPERTY MAY BE SUBJECT TO EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF CLAREMONT BUSINESS PARK FILING NO. 1C, RECORDED JUNE 24, 2020 UNDER RECEPTION NO. 220714531.
4. WATER AND WASTEWATER SERVICES FOR THIS SUBDIVISION ARE PROVIDED BY THE CHEROKEE METROPOLITAN DISTRICT SUBJECT TO THE DISTRICTS RULES REGULATIONS AND SPECIFICATIONS. THE OFFICE OF THE STATE ENGINEER HAS ISSUED AN OPINION OF WATER INADEQUACY BASED ON ITS ANALYSIS AND INTERPRETATION OF A STIPULATED AGREEMENT CONCERNING THE AVAILABILITY OF CERTAIN WATER RIGHTS FOR USE OUTSIDE OF THE UPPER BLACK SQUIRREL CREEK DESIGNATED BASIN, AND THUS FOUND INSUFFICIENCY OF WATER RESOURCES FOR THIS SUBDIVISION BASED ON THAT AGREEMENT. THIS INTERPRETATION DIFFERS FROM CERTAIN OPINIONS ISSUED BY THE OFFICE IN THE PAST. BASED ON ITS OWN REVIEW OF THE STIPULATED AGREEMENT AND ITS HISTORY (AND NOT ON THE AMOUNT OF WATER ACTUALLY AVAILABLE) THE BOARD OF COUNTY COMMISSIONERS IN AN OPEN AND PUBLIC HEARING DID NOT ACCEPT THE INTERPRETATION OF THE STATE ENGINEERS OFFICE. THE BOARD OF COUNTY COMMISSIONERS FOUND THAT CHEROKEE HAS COMMITTED TO PROVIDE WATER SERVICE TO THE SUBDIVISION AND ASSERTED THAT ITS LONG TERM WATER SERVICE CAPABILITIES ARE SUFFICIENT. THE BOARD OF COUNTY COMMISSIONERS MADE THIS DETERMINATION IN RELIANCE UPON THE TESTIMONY AND EXPERTISE PROVIDED BY CHEROKEE AT THE PUBLIC HEARING THEREON. AT THE HEARING, CHEROKEE ASSERTED THAT ITS PLANS AND CONTINUED FINANCIAL INVESTMENT IN INFRASTRUCTURE ARE DESIGNED TO ALLOW CHEROKEE TO CONTINUE TO PROVIDE THIS SUBDIVISION AND ITS EXISTING CUSTOMERS WITH WATER AND WASTEWATER SERVICES FOR 300 YEARS OR MORE.
5. ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY REGISTERED IN THE STATE OF COLORADO.
6. THE ADDRESSES EXHIBED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.

GENERAL PLAT NOTES: (CONT.)

7. ACCESS TO MEADOWBROOK PARKWAY SHALL BE VIA EL JEFE HEIGHTS AND GARY WATSON POINT (PRIVATE ROADS). THERE SHALL BE NO DIRECT ACCESS TO MEADOWBROOK PARKWAY, MARKSHEFFEL ROAD, OR U.S. HIGHWAY 24 ALLOWED.
8. NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
9. MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICES REGULATIONS.
10. NOTICE OF POTENTIAL AIRCRAFT OVERFLIGHT AND NOISE IMPACT ASSOCIATED WITH AIRPORT: THIS SERVES AS NOTICE OF POTENTIAL AIRCRAFT OVERFLIGHT AND NOISE IMPACTS ON THIS PROPERTY DUE TO ITS CLOSE PROXIMITY TO AN AIRPORT, WHICH IS BEING DISCLOSED TO ALL PROSPECTIVE PURCHASERS CONSIDERING THE USE OF THIS PROPERTY FOR RESIDENTIAL AND OTHER PURPOSES. THIS PROPERTY IS SUBJECT TO THE OVERFLIGHT AND ASSOCIATED NOISE OF ARRIVING AND DEPARTING AIRCRAFT DURING THE COURSE OF NORMAL AIRPORT OPERATIONS.ALL PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO AVIGATION EASEMENTS AS RECORDED AT RECEPTION NO. 203019547 AND RECEPTION NO. 206095824 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER,AS SUCH, FUTURE OWNERS SHOULD MAKE THEMSELVES FAMILIAR WITH THE FOLLOWING STIPULATIONS AND FACTS.
 - NO MAN-MADE OR NON MAN-MADE OBSTRUCTIONS SHALL BE ALLOWED TO PENETRATE THE 40:1 APPROACH SURFACE.
 - ALL EXTERIOR LIGHTING PLANS SHALL BE APPROVED BY THE DIRECTOR OF AVIATION TO PREVENT A HAZARD TO AIRCRAFT.
 - NO ELECTROMAGNETIC LIGHT, NOR ANY PHYSICAL EMISSIONS WHICH MAY INTERFERE WITH AIRCRAFT, AVIGATION, COMMUNICATIONS OR NAVIGATIONAL AIDS SHALL BE ALLOWED.
 - WHILE NOT A REQUIREMENT, A RECOMMENDATION IS MADE THAT A 25 DB REDUCTION IN INTERIOR NOISE (IN THE OFFICES OR ANY INHABITED WORK AREAS SUSCEPTIBLE TO AIRCRAFT NOISE) BE OBTAINED BY SOUNDPROOFING USING FAA RECOMMENDED CONSTRUCTION TECHNIQUES AND PERFORMED BY A CERTIFIED ACOUSTICAL ENGINEER.
 - IF A CRANE IS USED DURING CONSTRUCTION, AN FAA FORM 7460-1 WILL NEED TO BE FILED THROUGH THE AIRPORT OPERATIONS OFFICE AND APPROVED BY THE FEDERAL AVIATION ADMINISTRATION BEFORE ANY BUILDING PERMIT IS ISSUED BY THE CITY OR COUNTY. NORMAL TIME REQUIRED FOR APPROVAL IS 30 TO 60 WORKING DAYS.
11. 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 INDICTED. STRUCTURES, FENCES, MATERIALS, OR LANDSCAPING THAT COULD IMPEDE THE FLOW OF RUNOFF SHALL NOT BE PLACED IN DRAINAGE EASEMENT.
12. THE PROPERTY IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AND GRANT OF EASEMENTS AS RECORDED AT RECEPTION NO. 206031585 OF THE RECORDS OF EL PASO COUNTY.
13. THE PRIVATE ROADS AS SHOWN ON THIS PLAT WILL NOT BE MAINTAINED BY EL PASO COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN CONFORMANCE WITH EL PASO COUNTY STANDARDS IN EFFECT AT THE DATE OF THE REQUEST FOR DEDICATION AND MAINTENANCE. PRIVATE ROADS ARE TO BE MAINTAINED BY THE CLAREMONT OWNER'S ASSOCIATION.
14. THE PROPERTY IS WITHIN THE SERVICE AREA OF THE CENTRAL MARKSHEFFEL METROPOLITAN DISTRICT AND, AS SUCH, IS SUBJECT TO AN ASSESSMENT FOR THE CONSTRUCTION OF MARKSHEFFEL ROAD.
15. THE FOLLOWING REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH THE FINAL PLAT FOR THIS SUBDIVISION AND ARE ON FILE AT THE COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT: TRANSPORTATION IMPACT STUDY; DRAINAGE REPORT.
16. 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 PRELIMINARLY ACCEPTED IN ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE APPLICANT/OWNER AND EL PASO COUNTY AS RECORDED UNDER RECEPTION NO. _____ 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.

GENERAL PLAT NOTES: (CONT.)

17. IF IT BECOMES NECESSARY AT ANY POINT IN THE FUTURE FOR THE COUNTY TO CONSTRUCT THE ACCESS DRIVE DUE TO CLOSURE OF THE ACCESS TO MEADOWBROOK PARKWAY, THE PROPERTY OWNER SHALL GRANT TO THE COUNTY, AT NO COST TO THE COUNTY, ALL EASEMENTS NECESSARY TO CONSTRUCT SUCH IMPROVEMENTS.
18. THE INDIVIDUAL LOT PURCHASER(S) SHALL BE RESPONSIBLE FOR FINAL DESIGN, CONSTRUCTION, AND MAINTENANCE OF PRIVATE DETENTION POND/WATER QUALITY BMP(S) AS DESCRIBED IN THE APPROVED PRELIMINARY/FINAL DRAINAGE REPORT FOR THIS SUBDIVISION. FINAL DESIGN, CONSTRUCTION DRAWINGS AND DRAINAGE REPORT UPDATES FOR THE DETENTION POND/WATER QUALITY BMP(S) SERVING EACH LOT SHALL BE PROVIDED WITH SITE DEVELOPMENT PLAN SUBMITTALS. THE DETENTION POND/WATER QUALITY BMP(S) SHALL BE CONSTRUCTED AND COMPLETED PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS FOR THE SUBJECT LOTS. THE SUBDIVISION DEVELOPER IS RESPONSIBLE FOR PROVIDING FINANCIAL ASSURANCES AS INDICATED IN THE SUBDIVISION IMPROVEMENTS AGREEMENT AND ESTIMATE OF GUARANTEED FUNDS FOR ALL DETENTION PONDS/WATER QUALITY BMPS. ALL DETENTION PONDS/WATER QUALITY BMPS SHALL BE CONSTRUCTED PRIOR TO THE RELEASE OF SAID FINANCIAL ASSURANCES. INDIVIDUAL LOT PURCHASERS SHALL ENTER INTO A PRIVATE DETENTION BASIN / STORMWATER QUALITY BMP MAINTENANCE AGREEMENT AND EASEMENT (AGREEMENT:) PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS FOR THE SUBJECT LOTS. IN THE CASE THAT THE DEVELOPER CONSTRUCTS THE DETENTION POND(S), THE DEVELOPER SHALL ENTER INTO AN AGREEMENT FOR EACH POND CONSTRUCTED.

APPROVED WITH SP-19-007

DEVIATION TABLE

| | LDC/ECM Section | Category | Standard | Modification | Justification |
|---|--------------------------------------------------------------|-------------------------|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | LDC 8.4.4.E.3, LDC 8.4.4.E.2 ECM Section 2.2.4.B.6/SD 4-1 | Private Road Allowances | Allowance for a Private Road | ECM Section 2.2.4.B.6/SD 4-1, The private roadway section shall meet all details of the Local Urban Road Section except requests to exclude the 5' wide sidewalk (each side) as defined in the detail and provide a 4' wide sidewalk on the one side only. (Request Gary Watson Point only). | This deviation request would provide alignment to the current characteristic design and appearance of the Claremont Business Park commercial development. Road to be maintained by Claremont Business Park HOA |

WAIVER REQUESTS

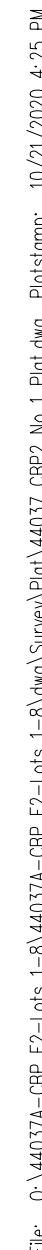
1. **Private road:** Requesting a waiver to have Gary Watson Point to be a private road and owned by the property owners. The Claremont Business Park HOA has accepted this road to be maintained with in the association. This request is consistent with Claremont Business Park Filings 1 & 2.
2. **Private road:** In addition, we are requesting a waiver to deviate from ECM standards for Gary Watson Pt. The standards we are not meeting is not to have a public sidewalk on both sides of the road and to reduce the sidewalk we are installing to 4'-0" wide as defined in our deviation request.
3. **Drainage Easements:** The Preliminary Plan for this site is submitting a Waiver of the El Paso County Land Development Code to request 2' foot side lot easements for drainage. Therefore, the drainage easement being 4' foot in total width. (It is likely that some lots will have a building on each lot, 4 feet apart). A calculation sheet is included in the appendix to show the maximum capacity of a concrete drainage channel with varying slopes. The final drainage report for these lots will show the slope and total amount of drainage to be conveyed in the drainage channel. The channel is proposed to be a 6" inch tall x 3 foot wide trickle channel. The final drainage report will ensure that the maximum capacity is not exceeded.

FINAL PLAT
CLAREMONT BUSINESS PARK 2
FILING NO. 1
JOB NO. 44-037
DATE PREPARED: 04/28/2020
DATE REVISED: 10/21/2020



102 E. PIKES PEAK AVE., 5TH FLOOR
COLORADO SPRINGS, CO 80903
PHONE: 719.955.5485

A REPLAT OF TRACT A "CLAREMONT BUSINESS PARK FILING NO. 1C", AND A PORTION OF TRACT C "CLAREMONT BUSINESS PARK FILING NO. 2", BEING A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4, SE 1/4) OF SECTION 5 AND NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4, NE 1/4) OF SECTION 8, T14S, R65W, OF THE 6TH P.M., EL PASO COUNTY , COLORADO



CLAREMONT BUSINESS PARK 2 FILING NO. 1

A REPLAT OF TRACT A "CLAREMONT BUSINESS PARK FILING NO. 1C", AND A PORTION OF TRACT C "CLAREMONT BUSINESS PARK FILING NO. 2", BEING A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4, SE 1/4) OF SECTION 5 AND NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4, NE 1/4) OF SECTION 8, T14S, R65W, OF THE 6TH P.M., EL PASO COUNTY, COLORADO

