# KNOW ALL MEN BY THESE PRESENTS:

THAT DL HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND:

## LEGAL DESCRIPTION

A PARCEL OF LAND IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 28, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 28. TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO. THE SECTION CORNER COMMON TO SECTIONS 28,29, 32, AND 33 BEING MONUMENTED WITH A 3" ALUMINUM CAP STAMPED "PLS 38256", FROM WHICH A YELLOW PLASTIC CAP STAMPED "PLS 37909", BEARS S89"58'59"E, A DISTANCE OF 861.03 FEET.

BEGINNING AT THE AFORESAID YELLOW PLASTIC CAP;

THENCE N09°06'45"E A DISTANCE OF 145.85 FEET: THENCE NO0°59'19"E A DISTANCE OF 325.07 FEET;

THENCE NO1°07'15"W A DISTANCE OF 804.53 FEET TO THE SOUTHERLY LINE OF THE FORMER CHICAGO, ROCK ISLAND, AND PACIFIC RAILROAD AS RECORDED UNDER RECEPTION NO. 215057836 IN THE RECORDS OF EL PASO COUNTY, COLORADO; THENCE 649.44 FEET ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT ON SAID SOUTHERLY LINE. SAID

CURVE HAVING A RADIUS OF 1795.32 FEET, AND A CENTRAL ANGLE OF 20°43'34" (THE CHORD OF WHICH BEARS N73°36'49"E, 645.91 FEET); THENCE SOO°13'52"W A DISTANCE OF 1455.11 FEET TO THE AFORESAID SOUTH LINE OF SECTION 28;

THENCE S89°57'07"W ALONG SAID SOUTH LINE A DISTANCE OF 626.77 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINS A CALCULATED AREA OF 843,414 S.F. (19.362 ACRES MORE OR LESS).

## **DEDICATION:**

THE UNDERSIGNED OWNER HAS CAUSED SAID TRACT OF LAND TO BE PLATTED INTO LOTS, TRACTS, AND EASEMENTS, AS SHOWN ON THE PLAT. THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT AND CONVEY TO EL PASO COUNTY 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 TRACT OF LAND AS PLATTED HEREIN SHALL BE KNOWN AS "DWIRE STORAGE YARD FILING NO. 1", IN EL PASO COUNTY, COLORADO.

### OWNER:

THE AFOREMENTIONED, DL HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY, BY JEFF DWIRE, AS MANAGER, HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, A.D.

JEFF DWIRE, MANAGER DL HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY

# NOTARIAL:

STATE OF COLORADO ) SS

COUNTY OF EL PASO

THE ABOVE AND AFOREMENTIONED INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF , 2020, A.D. BY JEFF DWIRE, MANAGER OF DL HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL: MY COMMISSION EXPIRES: NOTARY PUBLIC: \_

# GENERAL PLAT NOTES:

- 1. BASIS OF BEARINGS:
- 2. FLOODPLAIN STATEMENT: HEREON.
- 3. TITLE COMMITMENT 28, 2020.

- 90.
- 2127 AT PAGE 180.

- JULY 1M 1977 IN BOOK 2936 AT PAGE 973.
- 30, 1978, IN BOOK 3114 AT PAGE 312.
- 1979, IN BOOK 3212 AT PAGE 405.
- IN BOOK 3505 AT PAGE 9.
- 1981 IN BOOK 3505 AT PAGE 14.
- BOOK 3552 AT PAGE 190.
- BOOK 3552 AT PAGE 192.
- BOOK 3559 AT PAGE 817.
- IN BOOK 3505 AT PAGE 6.
- THE EXACT LOCATION OF WHICH IS NOT SPECIFICALLY DESCRIBED.
- UNDER RECEPTION NO. 98174726.
- RECEPTION NO. 99053846.

# DWIRE STORAGE YARD FILING NO. 1

A PARCEL OF LAND IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 28, TOWNSHIP 13 SOUTH, RANGE 65 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, STATE OF COLORADO

BEARINGS ARE BASED ON A PORTION OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 28, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO. THE SECTION CORNER COMMON TO SECTIONS 28, 29, 32, AND 33 BEING MONUMENTED WITH A 3" ALUMINUM CAP STAMPED "PLS 38256", FROM WHICH A YELLOW PLASTIC CAP STAMPED "PLS 37909", BEARS S89°58'59"E, A DISTANCE OF 861.03 FEET. THE UNITS OF MEASUREMENT IS U.S. SURVEY FEET.

THE FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 08041C0543G, EFFECTIVE DATE DECEMBER 7, 2018, HAS BEEN EXAMINED AS IT RELATES TO THE PROPERTY BEING PLATTED. A PORTION OF THE PROPERTY LIES WITHIN ZONE AE AND ZONE AE FLOODWAY (AREA OF BASE FLOOD ELEVATION DETERMINED) AS SHOWN

NO STRUCTURES ARE PERMITTED WITHIN THE DESIGNATED FLOODPLAIN AREAS.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY M&S CIVIL CONSULTANTS. INC. TO DETERMINE THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS OF LAND. OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY OR TITLE OF RECORD, M&S CIVIL CONSULTANTS, INC., RELIED UPON TITLE COMMITMENT FILE NO. RND55075005-4, PREPARED BY LAND TITLE GUARANTEE COMPANY. AS AGENT FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY. DATED MAY

i. (TC#9) THE PROPERTY MAY BE SUBJECT TO RESERVATIONS AS CONTAINED IN PATENT OF THE UNITED STATES RECORDED FEBRUARY 4. 1861 IN BOOK 35 AT PAGE 46.

ii. (TC#10) THE PROPERTY MAY BE SUBJECT TO RESERVATIONS AS CONTAINED IN PATENT OF THE UNITED STATES RECORDED MARCH 29, 1893 IN BOOK 143 AT PAGE 127.

iii. (TC#11) THE PROPERTY MAY BE SUBJECT TO RIGHT OF WAY EASEMENT AS GRANTED TO COLORADO INTERSTATE GAS COMPANY IN INSTRUMENT RECORDED SEPTEMBER 26, 1934, IN BOOK 908 AT PAGE

THE EXACT LOCATION OF WHICH IS NOT SPECIFICALLY DESCRIBED.

iv. (TC#12) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, DUTIES, AND OBLIGATIONS CONTAINED IN RIGHT OF WAY CONTRACT OPTION RECORDED APRIL 13, 1966 IN BOOK

v. (TC#13) THE PROPERTY MAY BE SUBJECT TO RESERVATION BY GRANTOR AND EXCEPTION FOR A RIGHT OF WAY FOR A RAILROAD SPUR RECORDED DECEMBER 9, 1974 IN BOOK 2722 AT PAGE 86.

vi. (TC#14) THE PROPERTY MAY BE SUBJECT TO EASEMENT AND RIGHT OF WAY DESCRIBED IN RIGHT OF WAY DEED RECORDED DECEMBER 9, 1974 IN BOOK 2722 AT PAGE 87.

vii. (TC#15) THE PROPERTY MAY BE SUBJECT TO EASEMENTS DESCRIBED IN WARRANTY DEED RECORDED

viii. (TC#16) THE PROPERTY MAY BE SUBJECT TO RIGHT OF WAY EASEMENT AS GRANTED TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC., A COOPERATIVE CORPORATION IN INSTRUMENT RECORDED NOVEMBER

THE EXACT LOCATION OF WHICH IS NOT SPECIFICALLY DESCRIBED.

ix. (TC#17) THE PROPERTY MAY BE SUBJECT TO RIGHT OF WAY EASEMENT AS GRANTED TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, INCORPORATED, A CORPORATION IN INSTRUMENT RECORDED AUGUST 09,

x. (TC#18) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, EASEMENTS,

AGREEMENTS, DUTIES, AND OBLIGATIONS CONTAINED IN EASEMENT DEED RECORDED NOVEMBER 20, 1981

xi. (TC#19) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, EASEMENTS, AGREEMENTS, DUTIES, AND OBLIGATIONS CONTAINED IN EASEMENT AGREEMENT RECORDED NOVEMBER 20,

xii. (TC#20) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, EASEMENTS, AGREEMENTS, DUTIES, AND OBLIGATIONS CONTAINED IN EASEMENT DEED RECORDED APRIL 12, 1982 IN

xiii. (TC#21) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, EASEMENTS, AGREEMENTS, DUTIES, AND OBLIGATIONS CONTAINED IN EASEMENT DEED RECORDED APRIL 12, 1982 IN

xiv. (TC#22) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, EASEMENTS, AGREEMENTS, DUTIES, AND OBLIGATIONS CONTAINED IN EASEMENT DEED RECORDED MAY 3, 1982 IN

xv. (TC#23) THE PROPERTY MAY BE SUBJECT TO AN AVIGATION EASEMENT TO THE CITY OF COLORADO SPRINGS RECORDED JULY 24, 1985 IN BOOK 5038 AT PAGE 1088.

xvi. (TC#24) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, EASEMENTS, AGREEMENTS, DUTIES, AND OBLIGATIONS CONTAINED IN EASEMENT DEED RECORDED NOVEMBER 20, 1991

xvii. (TC#25) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS, AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF RIGHT-OF-WAY TO MOUNTAIN VIEW ELECTRIC ASSOCIATION RECORDED FEBRUARY 13, 1995 IN BOOK 6603 AT PAGE 219.

xviii. (TC#26) THE PROPERTY MAY BE SUBJECT TO EFFECTS OF RESOLUTION NO. 96-406, LAND USE-148 RECORDED DECEMBER 5, 1996 UNDER RECEPTION NO. 96150933.

xix. (TC#27) THE PROPERTY MAY BE SUBJECT TO EASEMENT GRANTED TO CHEROKEE MERTOPOLITAN DISTRICT BY TRANSIT MIX CONCRETE CO. BY GRANT OF EASEMENT RECORDED NOVEMBER 30, 1998

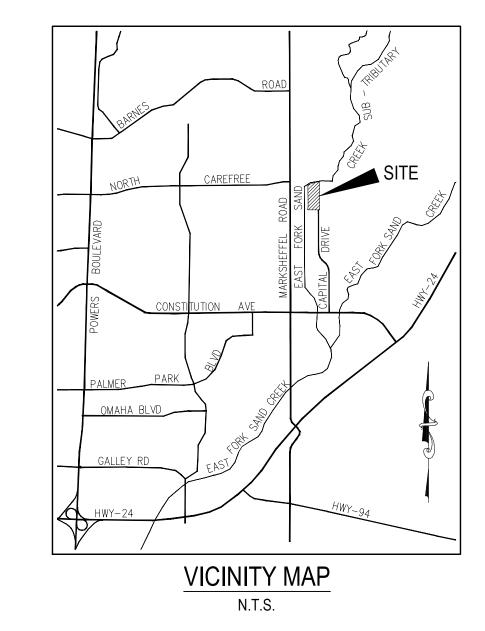
xx. (TC#28) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS, AND EASEMENTS AS SET FORTH AND GRANTED IN SANITARY SEWER EASEMENT AGREEMENT RECORDED APRIL 8, 1999 UNDER RECEPTION NO. 99053845.

xxi. (TC#29) THE PROPERTY MAY BE SUBJECT TO EASEMENT GRANTED TO CHEROKEE METROPOLITAN DISTRICT BY TRANSIT MIX CONCRETE CO. BY GRANT OF EASEMENT RECORDED APRIL 8, 1999 UNDER

xxii. (TC#30) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS, AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF EASEMENT AND AGREEMENT RECORDED JUNE 10, 2003 UNDER RECEPTION NO. 203128178.

be aware that no structures are permitted in a tract unless the plat specifically allows for it. please add corresponding plat notes for the purposes of the

tracts.



	TRACT TABLE				
TRACT	SIZE (ACRES)	USE	MAINTENANCE		
А	0.433	FLOODPLAIN (NO BUILD)	DL		
В	1.469	DETENTION POND/DRAINAGE	DL		
С	10.572	DRAINAGE/NO BUILD AREA	DL		
TOTAL	12.474	(TOTAL ACREAGE OF ALL TRACTS)	N/A		

# DL = DL HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY

# GENERAL PLAT NOTES (CONT.):

- xxiii. (TC#31) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDE OBLIGATIONS AS SET FORTH IN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPI JUNE 13, 2005 UNDER RECEPTION NO. 205087756 AND ANNEXATION AGREEMENT REC 2005 UNDER RECEPTION NO. 205087757.
- xxiv. (TC#32) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, AND OBLIGATIONS AS SET FORTH IN RESOLUTION NO 13-311 RECORDED SEPTEMBER 11, 2013 UNDER RECEPTION NO. 213115766.
- xxv. (TC#33) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, AND OBLIGATIONS AS SET FORTH IN PRIVATE DETENTION BASIN/ STORMWATER QUALITY BEST MANAGEMENT PRACTICE MAINTENANCE AGREEMENT AND EASEMENT RECORDED SEPTEMBER 11, 2013 UNDER RECEPTION NO. 213115767.
- xxvi. (TC#34) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF RIGHT-OF-WAY RECORDED SEPTEMBER 07, 2016 UNDER RECEPTION NO. 216101814. THE EXACT LOCATION OF WHICH IS NOT SPECIFICALLY DESCRIBED.
- xxvii. (TC#36) THE PROPERTY MAY BE SUBJECT TO TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN PERMANENT DRAINAGE, ACCESS AND MAINTENANCE AGREEMENT RECORDED NOVEMBER 14, 2019 UNDER RECEPTION NO. 219143275.

THE PROPERTY IS SUBJECT TO AN AVIGATION EASEMENT AS SPECIFIED ON THE INSTRUMENT RECORDED AT BOOK 5038 AND PAGE 1088 OF THE RECORDS OF EL PASO COUNTY, COLORADO. THIS EASEMENT IS SUBJECT TO THE TERMS AND CONDITIONS AS SPECIFIED IN THE INSTRUMENT RECORDED UNDER RECEPTION NO. 217069667 OF THE RECORDS OF EL PASO COUNTY, COLORADO.

- A. NO ELECTROMAGNETIC, LIGHT, ANY PHYSICAL EMISSIONS WHICH MAY INTERFERE WITH AIRCRAFT, AVIATION, COMMUNICATIONS OR NAVIGATIONAL AIDS ARE ALLOWED.
- B. NOTICE: THIS PROPERTY MAY BE IMPACTED BY NOISE CAUSED BY AIRCRAFT OPERATING INTO AND OUT OF THE COLORADO SPRINGS MUNICIPAL AIRPORT. THE BUYER SHOULD FAMILIARIZE HIMSELF/HERSELF WITH THE POTENTIALITY AND THE RAMIFICATIONS THEREOF.
- C. NO MAN-MADE OR NON-MAN MADE OBSTRUCTIONS ARE ALLOWED TO PENETRATE THE 40:1 APPROACH SURFACE.
- D. IF USE OF TEMPORARY CONSTRUCTION EQUIPMENT WILL EXCEED 200 FEET ABOVE GROUND LEVEL IN HEIGHT AT THIS SITE, THE APPLICANT MUST FILE FEDERAL AVIATION ADMINISTRATION (FAA) FORM 7460-1 "NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION" FOR THE EQUIPMENT AND PROVIDE FAA DOCUMENTATION TO THE AIRPORT BEFORE THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES.
- 4. ALL EASEMENTS OR INTERESTS OF RECORD AFFECTING ANY OF THE PLATTED PROPERTY DEPICTED HEREON SHALL NOT BE AFFECTED AND SHALL REMAIN IN FULL FORCE AND EFFECT.
- 5. A 50.00 FOOT RADIUS TURN-AROUND EASEMENT IN THE SOUTHEAST CORNER OF LOT 1 (AS SHOWN ON SHEET 2) IS HEREBY DEDICATED FOR PUBLIC ACCESS.

Include statement that gravel-surfaced storage yard only is allowed in Tract C in the Tract C note.

The majority of the standard plat notes are missing- there are too many to place on this plat as
comments. please review and add a note regarding reports on file, easements, environmental, address,
mailbox, SIA, driveway, drainage, water supply, floodplain, PID (if applicable), cherokee

## 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 FEBRUARY 5, 2015 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 COLORADO PLS NO. 25966, FOR AND ON BEHALF OF M&S CIVIL CONSULTANTS, INC 102 E. PIKES PEAK AVE., 5TH FLOOR 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.

#### BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

THIS PLAT FOR "DWIRE STORAGE YARD FILING NO. 1" WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS ON THE DAY OF \_\_\_\_, 2020, A.D., SUBJECT TO ANY NOTES SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RESOLUTION OF APPROVAL. THE DEDICATIONS OF LAND TO THE PUBLIC INCLUDING STREETS AND EASEMENTS ARE ACCEPTED, BUT 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.

CHAIR,	BOARD	OF	COUNTY	COMMISSIONERS	 DATE

# COUNTY APPROVAL:

APPROVAL IS GRANTED FOR THIS PLAT OF "DWIRE STORAGE YARD FILING NO. 1" ON THIS \_\_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, A.D.

EL PASO COUNTY DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

EL PASO COUNTY ASSESSOR	
RECORDING: STATE OF COLORADO )	please be aware that the assessor signature is only needed if you are
) SS COUNTY OF EL PASO )	entering into a PID
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT M	CORDED UNDER RECEPTION NUMBER

CHUCK BROERMAN, RECORDER

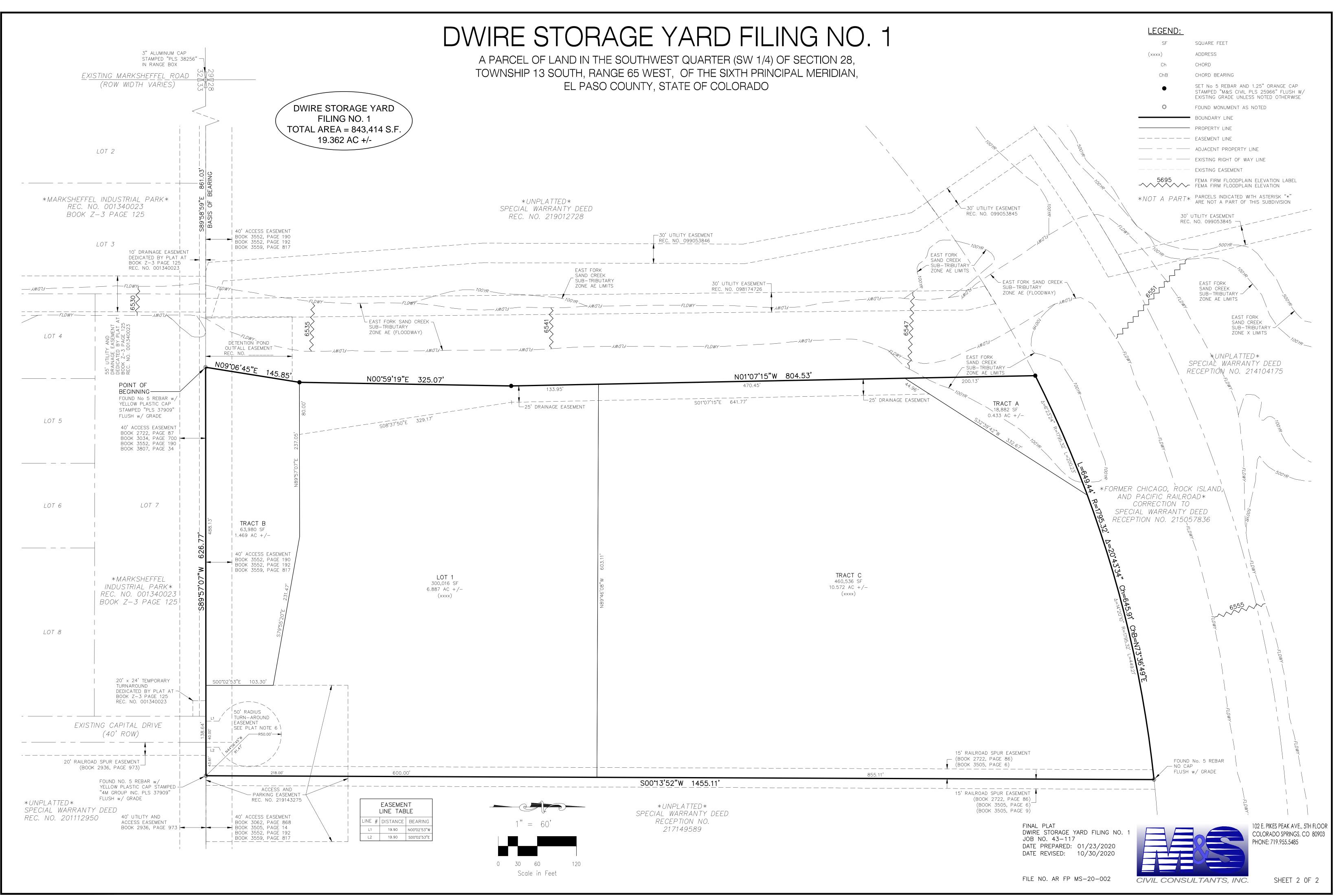
		BY:	DEPUTY	
FEES:				
DRAINAGE FEE:				
BRIDGE FEE:				
SCHOOL FEE:				
PARK FEE:				
SUMMARY:				
1 LOT <u>3 TRACTS</u>	6.887 ACRES± 12.474 ACRES±	35.57% 64.43%		
TOTAL	19.362 ACRES	100.00%		
FINAL PLAT DWIRE STOR JOB NO. 43	AGE YARD FILING N	0. 1		102 E. PIKES PEAK AV COLORADO SPRING PHONE: 719.955.5483

OWNERSHIP	
DL	
DL	
DL	
N/A	

ENS, AND
RINGS RECORDED
CORDED JUNE 13,

CIVIL CONSULTANTS, INC.

SHEET 1 OF 2



0: \43117A-Dwire Yard\Dwire Yard\dwg\Survey\Plat\43-117 Dwire Final Plat.dwg Plotstamp: 10/30/2020 3:43 |