

MARIAH TRAIL FILING NO. 1

A PORTION OF THE NORTHWEST QUARTER OF SECTION 7,
TOWNSHIP 11 SOUTH, RANGE 65 WEST, OF THE 6th PRINCIPAL MERIDIAN,
EL PASO COUNTY, COLORADO.

KNOW ALL MEN BY THESE PRESENTS:

THAT THOMAS D KIRK JR, BEING THE OWNER OF THE FOLLOWING DESCRIBED PROPERTY TO WIT:

A TRACT OF LAND BEING IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 11 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPLE MERIDIAN, EL PASO COUNTY, COLORADO, DESCRIBE AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 7,
THENCE N89°57'46"E, 1488.30 FEET ALONG THE NORTH LINE OF SAID NORTHWEST 1/4;
THENCE S15°11'17"W, 501.97 FEET;
THENCE S40°55'52"W, 1114.98 FEET;
THENCE S89°53'43"W, 627.21 FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST 1/4;
THENCE N00°02'20"E, 1326.98 FEET ALONG THE WEST LINE OF SAID NORTHWEST 1/4 TO THE NORTHWEST CORNER THEREOF, AND THE POINT OF BEGINNING.

AREA = 35 ACRES, MORE OR LESS.

OWNERS CERTIFICATE:

THE UNDERSIGNED OWNER THE UNDERSIGNED BEING THE OWNER IN THE LAND DESCRIBED HEREIN, HAS LAID OUT, SUBDIVIDED AND PLATTED SAID LAND INTO LOTS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF "MARIAH TRAIL FILING NO. 1". ALL PUBLIC IMPROVEMENTS SO PLATTED ARE HEREBY DEDICATED TO PUBLIC USE AND SAID OWNER DOES HEREBY COVENANT AND AGREE THAT THE PUBLIC IMPROVEMENTS WILL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS AND THAT PROPER DRAINAGE AND EROSION CONTROL FOR SAME WILL BE PROVIDED AT SAID OWNER'S EXPENSE. ALL TO THE SATISFACTION 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 FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

BY: THOMAS D KIRK, JR

THOMAS D KIRK, JR

STATE OF COLORADO

COUNTY OF EL PASO

THE ABOVE AND AFORESAIDMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2024 A.D., BY THOMAS D KIRK, JR, AS OWNER

WITNESS MY HAND AND SEAL

MY COMMISSION EXPIRES _____

ACCESS EASEMENT VACATION

THAT PORTION OF THE 16' ACCESS EASEMENT LYING WITHIN MARIAH TRAIL IS HEREBY VACATED.

BY: ARVINA LEE DONAHUE, OWNER

STATE OF COLORADO } SS

COUNTY OF EL PASO } SS

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2024 BY ARVINA LEE DONAHUE AS OWNER.

MY COMMISSION EXPIRES _____

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I Randall D. Hency, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat correctly represents the results of a survey made on date of survey, by me or under my direct supervision and accurately shows subdivision thereof, 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 provisions of the El Paso County Land Development Code, and that the requirements of Title 38 of the Colorado Revised Statutes, 1973, as amended, have been met to the best of my professional knowledge, belief and opinion and that it is in accordance with applicable standards of practice and this is not a warranty or opinion, either expressed or implied.

Randall D. Hency
Colorado Professional Land Surveyor No. 27605

APPROVALS:

This plat for Mariah Trail Filing No. 1 was approved by the El Paso County Planning and Community Development Department Director on the _____ day of _____, 2024, subject to any notes or conditions specified hereon.

Planning and Community Development Director

Board of County Commissioners' Certificate

This plat for Mariah Trail Filing No. 1 was approved for filing by the El Paso County, Colorado Board of County Commissioners on the _____ day of _____, 2024, subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of land to the public (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

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO

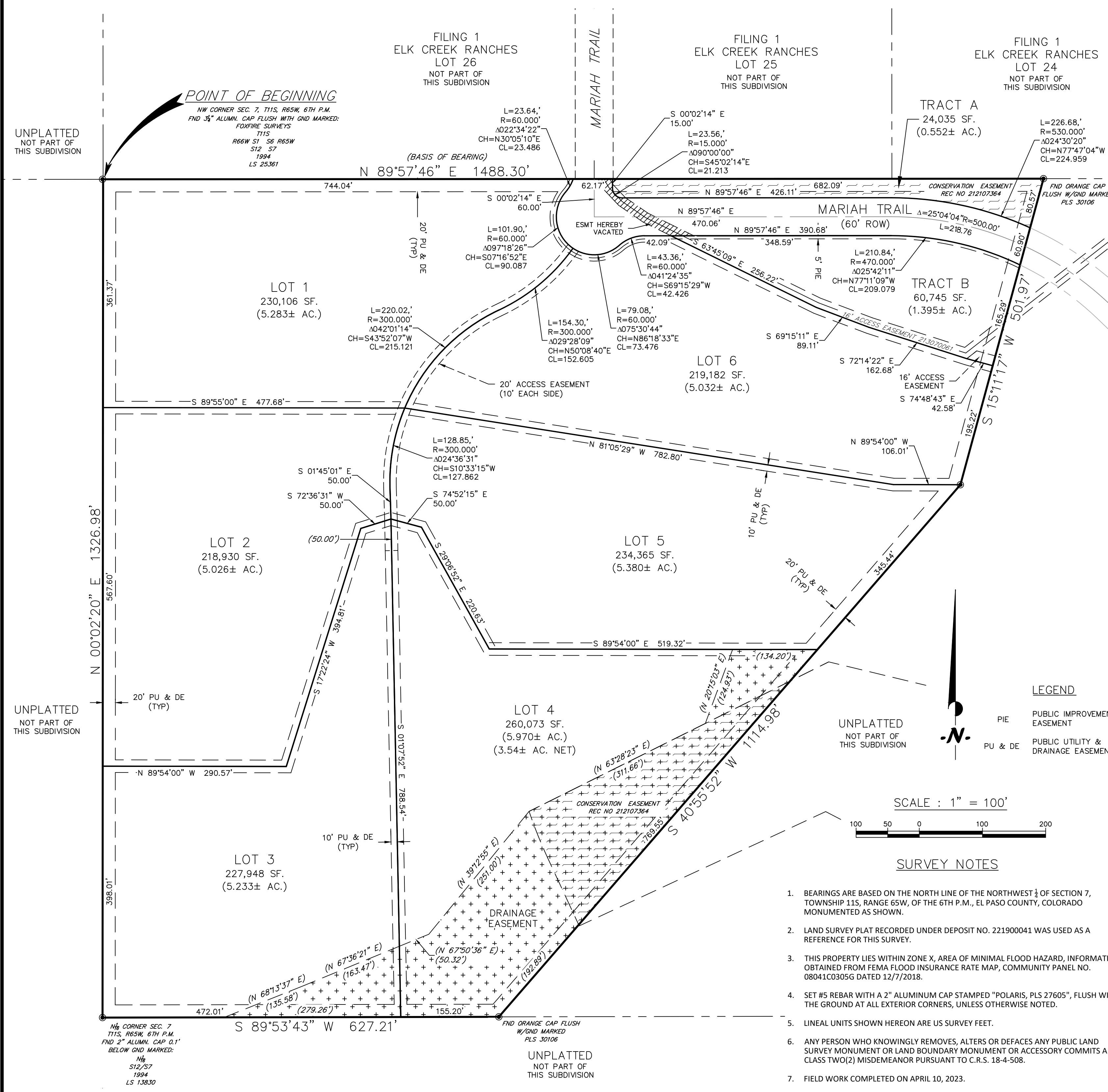
COUNTY OF EL PASO

I HEREBY CERTIFY THIS INSTRUMENT WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 2024 A.D., AND WAS RECORDED AT RECEPTION NUMBER _____ OF THE RECORDS OF EL PASO COUNTY.

EL PASO COUNTY CLERK AND RECORDER

DATE OF PREPARATION: 02/21/23

PCD FILE NO. SF2315

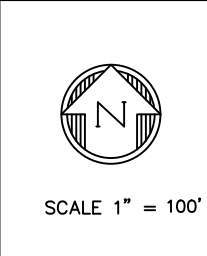


- THE FOLLOWING REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH THE PRELIMINARY PLAN OR FINAL PLAN FOR THIS SUBDIVISION AND ARE ON FILE AT THE COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT: DRAINAGE REPORT; WATER RESOURCES REPORT; WASTEWATER DISPOSAL REPORT; GEOLOGY AND SOILS REPORT; FIRE PROTECTION REPORT; NATURAL FEATURES REPORT.
- 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 INDICATED. STRUCTURES, FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPED THE FLOW OF RUNOFF SHALL NOT BE PLACED IN DRAINAGE EASEMENTS.
- 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.
- DEVELOPER SHALL COMPLY WITH FEDERAL AND STATE LAWS, REGULATIONS, ORDINANCES, REVIEW AND PERMIT REQUIREMENTS, AND OTHER AGENCY REQUIREMENTS, IF ANY, OF APPLICABLE AGENCIES INCLUDING, BUT NOT LIMITED TO, THE COLORADO DIVISION OF WILDLIFE, COLORADO DEPARTMENT OF TRANSPORTATION, U.S. ARMY CORPS OF ENGINEERS AND THE U.S. FISH AND WILDLIFE SERVICE REGARDING THE ENDANGERED SPECIES ACT, PARTICULARLY AS IT RELATES TO THE LISTED SPECIES.
- THE ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
- NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
- MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICE REGULATIONS.
- 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 RECEPTION NUMBER _____ 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.
- INDIVIDUAL LOT PURCHASERS ARE RESPONSIBLE FOR CONSTRUCTING DRIVEWAYS, INCLUDING NECESSARY DRAINAGE CULVERTS FROM MARIAH TRAIL PER LAND DEVELOPMENT CODE SECTION 6.3.3.C AND 6.3.3.E. DUE TO THEIR LENGTH, SOME OF THE DRIVEWAYS WILL NEED TO BE SPECIFICALLY APPROVED BY THE TRI-LAKES FIRE PROTECTION DISTRICT.
- INDIVIDUAL WELLS ARE THE RESPONSIBILITY OF EACH PROPERTY OWNER. PERMITS FOR INDIVIDUAL WELLS MUST BE OBTAINED FROM THE STATE ENGINEER WHO BY LAW HAS THE AUTHORITY TO SET CONDITIONS FOR THE ISSUANCE OF THESE PERMITS.
- WATER IN THE DENVER BASIN AQUIFERS IS ALLOCATED BASED ON A 100-YEAR AQUIFER LIFE; HOWEVER, FOR EL PASO COUNTY PLANNING PURPOSES, WATER IN THE DENVER BASIN AQUIFERS IS EVALUATED BASED ON A 300-YEAR AQUIFER LIFE. APPLICANTS AND ALL FUTURE OWNERS IN THE SUBDIVISION SHOULD BE AWARE THAT THE ECONOMIC LIFE OF A WATER SUPPLY BASED ON WELLS IN A GIVEN DENVER BASIN AQUIFER MAY BE LESS THAN EITHER THE 100 YEARS OR 300 YEARS INDICATED DUE TO ANTICIPATED WATER LEVEL DECLINES. FURTHERMORE, THE WATER SUPPLY PLAN SHOULD NOT RELY SOLELY UPON RENEWABLE AQUIFERS. ALTERNATIVE RENEWABLE WATER RESOURCES SHOULD BE ACQUIRED AND INCORPORATED IN A PERMANENT WATER SUPPLY PLAN THAT PROVIDES FUTURE GENERATIONS WITH A WATER SUPPLY.
- WATER WITHDRAWAL AND WELLS ARE SUBJECT TO LIMITATIONS, RESTRICTIONS AND AUGMENTATION REQUIREMENTS AND RESPONSIBILITIES AS FOUND WITHIN THE COVENANTS FOR THIS SUBDIVISION RECORDED IN RECEPTION NO. _____ OF THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER AND THE TERMS OF THE WATER COURT APPROVED WATER AUGMENTATION PLAN.
- SEWAGE TREATMENT IS THE RESPONSIBILITY OF EACH INDIVIDUAL PROPERTY OWNER. THE EL PASO COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT MUST APPROVE EACH SYSTEM AND, IN SOME CASES THE DEPARTMENT MAY REQUIRE AN ENGINEER DESIGNED SYSTEM PRIOR TO PERMIT APPROVAL. THESE SYSTEMS MAY COST MORE TO DESIGN, INSTALL, AND MAINTAIN.
- "THE SUBDIVIDER AGREES ON BEHALF OF HIM/HERSELF AND ANY DEVELOPER OR BUILDER SUCCESSORS AND ASSIGNEES 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 (RESOLUTION NO. 19-471), OR ANY AMENDMENTS THERETO, AT OR PRIOR TO THE TIME OF BUILDING PERMIT SUBMITTALS. THE FEE OBLIGATION, IF NOT PAID AT FINAL PLAT RECORDING, SHALL BE DOCUMENTED ON ALL SALES DOCUMENTS AND ON PLAT NOTES TO ENSURE THAT A TITLE SEARCH WOULD FIND THE FEE OBLIGATION BEFORE SALE OF THE PROPERTY.
- THE SUBDIVIDER AGREES FOR ITSELF AND ITS SUCCESSORS AND ASSIGNS THAT SUBDIVIDER AND/OR SAID SUCCESSOR AND ASSIGNS SHALL BE REQUIRED TO MAINTAIN DRAINAGE CHANNEL THAT FLOWS THROUGH THE SITE. THE COUNTY IS NOT RESPONSIBLE FOR MAINTENANCE OF THE DRAINAGE EASEMENT.
- "THE SUBDIVIDER(S) AGREE ON BEHALF OF HIM/HERSELF AND ANY DEVELOPER OR BUILDER SUCCESSORS AND ASSIGNEES 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 (RESOLUTION NO. 19-471), OR ANY AMENDMENTS THERETO, AT OR PRIOR TO THE TIME OF BUILDING PERMIT SUBMITTALS. THE FEE OBLIGATION, IF NOT PAID AT FINAL PLAT RECORDING, SHALL BE DOCUMENTED ON ALL SALES DOCUMENTS AND IN PLAT NOTES TO ENSURE THAT A TITLE SEARCH WOULD FIND THE FEE OBLIGATION BEFORE SALE OF THE PROPERTY.
- FOR HOA-OWNER, ITS SUCCESSORS AND ASSIGNS SHALL ADVISE THE PROPERTY OWNERS ASSOCIATION (OR HOMEOWNERS ASSOCIATION) AND ALL FUTURE OWNERS OF THESE LOTS OF ALL APPLICABLE REQUIREMENTS OF THE DECREE ENTERED IN CASE NO. _____ (DIVISION _____) AND THEIR COSTS OF OPERATING THE PLAN FOR AUGMENTATION AND RESPONSIBILITY FOR METERING AND COLLECTING DATA REGARDING WATER WITHDRAWALS FROM WELLS.
- FOR COVENANTS: WATER WITHDRAWAL AND WELLS ARE SUBJECT TO LIMITATIONS, RESTRICTIONS AND AUGMENTATION REQUIREMENTS AND RESPONSIBILITIES AS FOUND WITHIN THE COVENANTS FOR THIS SUBDIVISION RECORDED IN RECEPTION NO. _____ OF THE OFFICE OF THE EL PASO COUNTY CLERK AND RECORDER AND THE TERMS OF THE WATER COURT APPROVED WATER AUGMENTATION PLAN.

REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, NO. 27605 FOR AND ON BEHALF OF POLARIS SURVEYING, INC. 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 CERTIFICATION SHOWN HEREON.

MARIAH TRAIL FILING NO. 1

A PORTION OF THE NORTHWEST QUARTER OF SECTION 7,
TOWNSHIP 11 SOUTH, RANGE 65 WEST, OF THE 6th PRINCIPAL MERIDIAN,
EL PASO COUNTY, COLORADO.



REVISIONS				
ZONE	REV	DESCRIPTION	DATE	APPROVED
	1	COUNTY REVIEW COMMENTS	08/10/23	
	2	COUNTY REVIEW COMMENTS	09/22/23	
	3	MARIAH TRAIL CHANGES	04/29/24	

DATE:	02/21/2023
DRAWING NO.:	N/A
SHEET:	1 of 1

FINAL PLAT
OWNER: THOMAS D KIRK JR
1903 Lelary Street, Suite 102
COLORADO SPRINGS, CO 80909
(719)448-0844 FAX (719)448-9225