-Not to Scale-

reconsideration to approve an extension of time to record a final plat recorded Decembe

14, 2017 under Reception No. 217151050. (Described land encompasses a portion of the

Reception No. 21985337, recorded July 31, 2019 under Reception No. 21987971, August

13, 2017 under Reception No. 217150656 and Amended Resolution recorded December

51. The effect of Resolution No. 19-284 of the Board of County Commissioners, approving

9, 2019 under Reception No. 21992656, August 19, 2019, under Reception No.

the Service Plan for the Mayberry Metropolitan District recorded July 25, 2019 under

21997309. (Land subject to the districts established by these resolutions encompasses

shall be utilized as drainage tract. Ownership and

nintenance of Tract(s) shall be vested to (name the entity:

so County, Special District, Homeowners Association, etc.) (Where

ultiple tracts are included in a single PUD plan or plat, the use of a

act table is encouraged.) Tract(s) _____ of this property is subject t

cords of El Paso County. The _____ HOA (or Owner or District) is

rivate Detention Basin/Stormwater Quality BMP Maintenance

eement and Easement as recorded at Reception No.

ponsible for maintenance of the subject drainage facilities."

MAYBERRY, COLORADO SPRINGS FILING NO. 3

A Replat of part of Tract M and all of Tract P, MAYBERRY, COLORADO SPRINGS FILING NO. 1, and all of Tracts A, B, C and D, MAYBERRY, COLORADO SPRINGS FILING NO And that part of Springs Road Right-of-Way lying South of said Tract A and that part of Village Main Street Right-of-Way lying East of Atchison Way,

SUBDIVISION BOUNDARY DESCRIPTION

A tract of land being part of Tract M and all of Tract P, MAYBERRY, COLORADO SPRINGS FILING NO. 1, a subdivision of land in the North Half of Section 14, Township 14 South, Range 63 West of the 6th Principal Meridian, in the County of El Paso, State of Colorado, the plat of said subdivision recorded December 23, 2020 as Reception Number 220714655 in the Office of the El Paso Clerk and Recorder,

All of Tracts A. B. C and D. MAYBERRY, COLORADO SPRINGS FILING NO. 2, a subdivision of land in the North Half of said Section 14, the plat of said subdivision recorded March 10, 2021 as Reception Number 221714698 in said Clerk and Recorder's Office,

Commencing at the North Quarter-corner of said Section 14 monumented by a found rebar with a 2 inch aluminum cap marked "U.P. & E. PLS 11624 1999" in a

That part of Springs Road Right-of-Way lying South of the most southerly South line of said Tract A extended westerly and that part of Village Main Street Right-of-Way lying South of said Tract B, East of the East line of said Atchison Way extended northerly,

All together more particularly described as follows:

monument box, from whence the Northeast corner of said Section 14, monumented by a found 3/4 inch square bar in a monument box, bears South 89° 44' 50" East as shown on said plats, a distance of 2606.58 feet, being the North line of the Northeast Quarter of said Section 14, and all bearings herein are relative thereto; thence South 89° 44' 50" East 1303.29 on said North line; thence South 00° 21' 12" East 39.54 feet to a 5/8 inch rebar with a yellow, broken, illegible cap found on the Northeast corner of said Tract D and the POINT OF BEGINNING of the tract of land herein described; Thence continuing South 00° 21' 12" East 2594.09 feet on the East line of said Tract D, being coterminous with the East line of the West Half of said Northeast Quarter, to a 3/4 inch rebar with a 2-1/2 inch aluminum cap marked "RAMPART PLS 38560 2019" found on the Southeast corner of said Tract D, also being the Southeast corner of said West Half; Thence North 89° 36' 00" West 1308.58 feet on the South line of said Tract D and the South line of said Tract C, being coterminous with the South line of said West Half, to a 3/4 inch rebar with a 2-1/2 inch aluminum cap marked "RAMPART PLS 38560 2019" found on the Southwest corner of said Tract C, also being the Center corner of said Section 14; Thence North 00° 14' 20" West 836.81 feet on the West line of said Tract C, being coterminous with the West line of said Northeast Quarter, to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the intersection of said West line with the Southeast line of said Tract M; Thence South 47° 51' 33" West 344.76 feet on said Southeast line to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the beginning of a tangent curve concave southeasterly; Thence southwesterly on said curve continuing on said Southeast line an arc length of 97.30 feet, said curve having a radius of 580.00 feet, a chord bearing of South 43° 03' 13" West, a chord distance of 97.19 feet and an interior angle of 09° 36' 43", to a 5/8 inch rebar with an orange plastic cap marked "PLS 38560" found on the most southerly corner of said Tract M; Thence North 44° 17' 33" West 418.36 feet on the westerly line of said Tract M to a 5/8 inch rebar with an orange plastic cap marked "PLS 38560" found on the beginning of a tangent curve concave northeasterly; Thence northwesterly and northerly on said curve continuing on said westerly line an arc length of 559.57 feet, said curve having a radius of 750.00 feet, a chord bearing of North 22° 55' 07" West, a chord distance of 546.68 feet and an interior angle of 42° 44' 52", to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the point of tangency; Thence North 01° 32' 41" West 153.70 feet continuing on said westerly line of said Tract M to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the intersection of said westerly line with the South Right-of-Way line of Mayberry Drive established by the plat of said MAYBERRY, COLORADO SPRINGS FILING NO. 1; Thence South 89° 28' 59" East 31.78 feet on said South Right-of-Way line, being coterminous with said westerly line, to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Southeast corner of said Mayberry Drive; Thence North 00° 20' 22" East 100.00 feet continuing on said westerly line of Tract M to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the South Right-ok-Way line of Atchison Way established by the plat of MAYBERRY, COLORADO SPRINGS FILING NO. 1A, said plat recorded as Reception Number East Right-of-Way line of said Atchison way and its northerly extension, being 2.97 feet West of (as measured perpendicular to) the most northerly East line of said

__ in said Clerk and Recorder's office; Thence South 89° 28' 59" East 62.00 feet on said South Right-of-Way line to a 5/8 inch rebar with a yellow plastic can marked "PLS 38567" set on the Southeast corner of said Atchison Way Right-of-Way; Thence North 00° 20' 22" East 310.00 feet on the Tract M, to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the intersection of said northerly extension with the South line of said Tract B; Thence North 89° 28' 59" West 172.00 feet on said South line of Tract B to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Southwest corner of said Tract B; Thence on the line segments of the westerly line of said Tract B the following 4 courses and distances: 1) North 00° 20' 22" East 401.73 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on a corner of said westerly line of Tract B; 2) Thence South 89° 28' 59" East 110.00 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on a corner of said westerly line of Tract B; 3) Thence North 00° 20' 22" East 196.27 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on a corner of said Westerly line of Tract B; 4) Thence North 10° 04' 50" West 66.13 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Northwest corner of said Tract B; Thence South 89° 28' 59" East 507.84 feet on the North line of said Tract B to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the most northerly Northeast corner of said Tract B; Thence on the northerly and easterly line segments of said Tract B the following 5 courses and distances: 1) South 00° 14' 20" East 107.84 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on a corner of said Tract B; 2) Thence South 89° 44' 49" East 230.82 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on a corner of the westerly line of Lot 1, said MAYBERRY, COLORADO SPRINGS FILING NO. 2; 3) Thence South 00° 00' 00" East 154.51 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set at a point on the North line of Lot 2, said MAYBERRY, COLORADO SPRINGS FILING NO. 2; 4) Thence North 89° 28' 59" West 23.35 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Northwest corner of said Lot 2; 5) Thence South 00° 00' 00" East 173.74 feet to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Southwest corner of said Lot 2; Thence South 89° 28' 59" East 445.91 feet on the most easterly segment of the North line of said Tract B, being coterminous with the South lines of said Lot 1 and Lot 3, said MAYBERRY, COLORADO SPRINGS FILING NO. 1, and its easterly extension, to a 5/8 inch rebar with a vellow plastic cap marked "PLS 38567" set on the Southwest corner of said Tract A, also being a point on the East Right-of-Way line of Springs Road established by the plat of said MAYBERRY, COLORADO SPRINGS FILING NO. 1; Thence North 00° 00' 00" East 435.02 feet on the West line of said Tract A, being coterminous with said East Right-of-Way line, to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Northwest corner of said Tract A; Thence South 89° 28' 55" East 521.29 feet on the North line of said Tract A to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Northeast corner of said Tract A, being a point on the West line of said Tract D; Thence North 00° 00' 00" East 40.00 feet on said West line to a 5/8 inch rebar with a yellow plastic cap marked "PLS 38567" set on the Northwest corner of said Tract D; Thence South 89° 28' 49" East 418.15 feet on the North line of said Tract D to the POINT OF BEGINNING, said tract containing 4,610,804 square feet or 105.849 acres.

OWNER'S CERTIFICATE

This will need to be

filled in prior to

recording this plat

submitted in the

EDARP file

and also included on

the legal description

The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided, and platted said lands into lots, streets and easements as shown hereon under the name and subdivision of "MAYBERRY, COLORADO SPRINGS FILING NO. 3". 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

| Mayberry Communities, LLC, a Colorado limited liability company | ACKNOWLEDGEMENT Move note from other pages to |
|---|---|
| | State of) State of) State of) State of) State of) |
| | County of) This instrument was acknowledged before me this are not the legal description ar subject to change. |
| By: | , 20 by R. Randy Goodson, as President of Mayberry Communities, LLC, a Colorado limited liability company. |
| | Witness my hand and official seal |
| | My commission expires Notary Public |
| | ACKNOWLEDGEMENT |
| | State of))SS |
| | County of) This instrument was acknowledged before me this day of |
| | , 20 by Justin Leveille, as Vice President of Corundu Partners, Inc., a Minnesota corporation, Managing Member of Corundum Partners |
| Justin Leveille, Vice President | Investments, LLC, a Delaware limited liability company. |
| | Witness my hand and official seal |
| | My commission expires |
| <u>APPROVALS</u> | Notary Public |
| PCD DIRECTOR CERTIFICATE | |

"This plat for (name of subdivision or plat) was approved for filing by the El Paso County, Colorado Planning and Community Development Director Department Director on the _____ day of ____, 20__, subject to any notes or conditions specified hereon. Previous plat name in streets, entirety is amended for the areas described by this Plat Amendment/Lot Line Adjustment subject to all covenants, conditions, and MAYBER restrictions recorded against and appurtenant to the original plat recorded in the Office of the El Paso County Clerk and Recorder, Reception boundari 2031395 #

County of El Paso (Unincorporated), State of Colorado

All located in the North Half of Section 14, Township 14 South, Range 63 West of the 6th Principal Meridian,

VACATION OF PRIOR TRACT LINES

The Tract lines of Tracts M and P, MAYBERRY, COLORADO SPRINGS FILING NO. 1, and Tracts A, B, C and D, MAYBERRY, COLORADO SPRINGS FILING NO. 2, as previously established by the plats thereof, all of which lie wholly within the boundaries of this replat, are hereby vacated.

VACATION OF PRIOR DEDICATED PUBLIC ROAD RIGHT-OF-WAYS

Those portions of the public road Right-of-Ways of Springs Road and Village Main Street, originally dedicated and established by the plat of MAYBERRY, COLORADO SPRINGS FILING NO. 1 and lying within the boundaries of this replat, are hereby vacated.

RELEASE AND VACATION OF CERTAIN PRIOR PUBLIC EASEMENTS ORIGINALLY DEDICATED BY PLAT

The Temporary Turnaround Easements A, B, and C, dedicated and established by MAYBERRY, COLORADO SPRINGS FILING NO. 1, and Tracts B and P, MAYBERRY, COLORADO SPRINGS FILING NO. 2, are hereby released and vacated. The public utility and drainage easements within Tracts A, B, C and D along the interior perimeters thereof and within MAYBERRY, COLORADO SPRINGS FILING NO. 2, dedicated and established thereby, are hereby released and vacated. The 30 feet wide Drainage easement established and dedicated by MAYBERRY, COLORADO SPRINGS FILING NO. 1, and now lying within Tracts C and D, MAYBERRY, COLORADO SPRINGS FILING NO. 2, is hereby released and

RELEASE AND VACATION OF CERTAIN EASEMENTS GRANTED BY SEPARATE DOCUMENTS

The following easements previously granted to El Paso County by separate documents are hereby released, vacated, terminated and quit claimed by this plat: -Roadway and Public Utility Easement by Reception No. 203139552; Landscape, Drainage and Public Utility Easement by Reception No. 203139553; 15.00 Foot Public Utility Easement by Reception No. 203139554; Landscape, Drainage and Public Utility Easement by Reception No. 204061415; Roadway Easement by Reception No. 205012856; Temporary Detention Pond Easement by Reception No. 220211231.

- The Permanent Access and Utility Easement granted to Sunset Metropolitan District by Reception No. 204006308 has been released/vacated by Reception No.

25 FEET TRAIL EASEMENT TO REMAIN

The 25 feet wide Trail Easement granted to El Paso County and lying within original Tracts A, B and D, MAYBERRY, COLORADO SPRINGS FILING NO. 2, remains in full effect as originally dedicated and established by said MAYBERRY, COLORADO SPRINGS FILING NO. 2.

PLAT AND SUBDIVISION NOTES

- 1. DIRECT VEHICULAR ACCESS RESTRICTION TO VILLAGE MAIN STREET, MAYBERRY DRIVE, SPRINGS ROAD AND BESSEYI WAY DEDICATION: Direct vehicular access to Village Main Street, Mayberry Drive, Springs Road and Besseyi Way, from the Lots adjoining said streets, roads, drives and ways, is hereby restricted.
- 2. <u>EASEN</u> This note needs to identify the specific widths of the easements, same as on the PUDSP. Please revise this note accordingly:

Unless otherwise indicated, all side, front, and rear lot lines are hereby platted on either side with a ____ public utility and drainage easement unless otherwise indicated. All exterior Easen subdivision boundaries are hereby platted with a ___ public utility and drainage easement. The sole responsibility for maintenance of these easements is hereby vested with the deline individual property owners.

- 3. Ellicott Utilities Company, LLC will have overall maintenance and operation responsibility to provide water and wastewater services.
- 4. All proposed road and drainage construction within this subdivision will be performed to El Paso County Standards. Roads and drainage facilities within the public street Right-of-Ways will be maintained by El Paso County upon final acceptance of these facilities after the two-year warranty period.
- 5. The following reports, and as amended, have been submitted in association with the Preliminary Plan or Final Plat for this subdivision and are on file at the County Planning and Community Development Department: Natural Features; Wildlife Hazard and Vegetation; Geology and Soils; Water Supply; Wastewater Treatment; Final Drainage Report; Erosion Control Plan; Noise Study.
- 6. Mailboxes shall be installed in accordance with all El Paso County and United States Postal Service regulations.
- Add structures 7. No driveway shall be established unless an access permit has been granted by El Paso County.
- 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. Fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.
- 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 (e.g., Preble's Meadow Jumping Mouse).
- 10. Property within this subdivision is subject to the terms and provisions of the El Paso County Road Impact Fee Program (Resolution No. 19-471) and any subsequent amendments. Fees for each Lot within this subdivision shall be paid in full at the time of building permit issuance.
- All development within this subdivision replat shall comply with the Ellicott Town Center Overall PUD Development Plan recorded under Reception No. 206146051, the Ellicott Town Center Phase One PUD Development Plan recorded under Reception No. 206149055, and the Mayberry Phase 1 an Amendment to Ellicott Town Center Phase 1 PUD / Preliminary Plan, recorded _ all of the records of the El Paso County Clerk and Recorder or otherwise amended following appropriate hearings.
- 12. No lots shall be sold, conveyed or transferred, whether by deed or by contract, and no construction permits for the subdivision or building permits shall be issued, unless and until either the required public and common development improvements have been constructed and completed and preliminarily accepted in accordance with the Subdivision Improvements Agreement (original SIA) recorded under Reception No. 220211232, the Amendment between the applicant/owner and El Paso County (Amended SIA) recorded under Reception No. 221086550, and the 2nd Amendment between the applicant/owner and El Paso County 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 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.

13. **EXISTING ENCUMBRANCES PER TITLE REPORT:**

This plat does not constitute a title search by R&R Engineers-Surveyors to determine ownership and/or easements of record. Easement research and ownership information were provided by client in the title commitment prepared by Old Republic National Title Insurance Company for Land Title Guarantee Company as order number SCB55104353-2 with an effective date of April 23, 2022 at 5:00 P.M. The following matters are as listed in the Schedule B, Part II (Exceptions) of the above referenced title commitment. If any other easements and/or encumbrances affect this property, their existence is unknown to this surveyor and are not shown hereon or listed below.

Items 1 through 9 are standard exceptions, do not cite any document for surveyor to review and are not addressed and listed below. The existing plottable easements listed within said Schedule B II list are shown on the map sheets of this plat. $/_{\#}$ Indicates a plottable matter shown on the map sheets.

You do not need to list all of the encumbrances from the title commitment on 9. Any interest which the plat face. Existing easements shall be depicted but these do not need to be igned by instruments recorded November 12, 1998 under

property by reason listed in this manner. recorded October 3 60 feet in width being 30 feet on either side of section lines on the public domain. (The subject property of this plat does not lie on or across any section lines. The existing Right-of-Way of Hwy. 94 along the North line of the subject property already encompasses and lies beyond this Right-of-Way dedication.)

- 10. Reservations as contained in patents of the United States recorded September 28, 1905 in Book 350 at Page 274. (The right reserved by this document is Right-of-Way for ditches and canals constructed by the authority of the United States within the NE 1/4 of Sec. 14-T14S-R63W. There are no known ditches or canals within said NE 1/4.)
- 11. Reservations as contained in patents of the United States recorded January 13, 1909 in Book 526 at Page 436. (The rights reserved by this document is Right-of-Way for ditches and canals constructed by the authority of the United States and rights to all coal within the W 1/2 of Sec. 14-T14S-R63W. There are no known ditches or canals within said W 1/2.)
- 12. Any tax, lien, fee or assessment by reason 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. (Described land encompasses entire subject property of this plat.)
- 13. The effect of Notice Concerning Underground Facilities of The El Paso County Felephone Company recorded January 29, 1982 in Book 3527 at Page 176. (Described land encompasses entire subject property of this plat.)
- Right of Way Easement granted to Mountain View Electric Association, for electricity, and incidental purposes, by instrument recorded December 15, 1982, in Book 3647 at Page 674. (Blanket easement across NE 1/4, Sec. 14) Right of Way Easement granted to Mountain View Electric Association, for electricity,
- Page 449. (Blanket easement across NW 1/4 and S 1/2, Sec. 14) 5. The effect of notice concerning underground facilities of the Mountain View Electric Association, Inc. recorded May 9, 1983 in Book 3718 at Page 812. (Described land encompasses entire subject property of this plat.)

and incidental purposes, by instrument recorded December 20, 1982, in Book 3649 at

17. The effect of inclusion of the subject property in the Ellicott Metropolitan District, as evidenced by instrument recorded February 11, 1997, under Reception No. 97015577. (Described land encompasses entire subject property of this plat.)

os. 204053279 and 204053279, September 9, 2008 under Reception No.'s 208100005 and 208100007, March 22, 2013 under Reception No. 213038017, and March 25, 2013 under Reception no. 213038197. Permits to use existing wells, No.'s 61972-F and 61973-F, filed in connection therewith recorded November 17, 2004 under Reception Nos. 204190085 and 204190086. (The totality of the lands described in the above listed documents encompasses the entire subject property of this plat except that portion lying in the E 1/2, W 1/2, NE 1/4, Sec. 14.)

ry 12, 2004 under Reception Nos. 204006312 and 204006313,

- 19. The effect of Resolution 00-205 of the Board of County Commissioners recorded February 15, 2001, under Reception No. 201019028. (Described land encompasses that portion of the subject property of this plat lying within the W 1/2, NE 1/4, Sec. 14)
- 20. Effect of Resolution No. 00-364 of the Board of County Commissioners recorded February 23, 2001 under Reception No. 201021723. (Described land encompasses that portion of the subject property of this plat lying within the NW 1/4, Sec. 14.)
- 21. The effect of Resolution No. 01-17 of the Board of County Commissioners, recorded March 21, 2001, under Reception No. 201034352. (Described land encompasses that portion of the subject property of this plat lying in the W 1/2, NE 1/4, Sec. 14.) 22. The effect of PUD Map and Development Plan recorded November 28, 2001, under Reception
- lying in the W 1/2, NE 1/4, Sec. 14.) 23. Effect of Resolution No. 02-97 of the Board of County Commissioners recorded April 1, 2002 under Reception No. 202050995. (Described land encompasses that portion of the subject

No. 201173795. (Described land encompasses that portion of the subject property of this plat

24. Effect of Resolution No. 02-98 of the Board of County Commissioners recorded April 1, 2002 under Reception No. 202050996. (Described land encompasses that portion of the subject property of this plat lying in the W 1/2, Sec. 14.)

property of this plat lying in the W 1/2, Sec. 14.)

- 25. The effect of Resolution No. 02-42 of the Board of County Commissioners recorded June 07, 2002, under Reception No. 202092688. (Described land encompasses that portion of the subject property of this plat lying in the W 1/2, NE 1/4, Sec. 14.)
- Easement granted to El Paso County, for roadway and public utility easement, and incidental purposes, by instrument recorded June 20, 2003, under Reception No. 203139552. (This easement released/vacated by this plat.)
- Easement granted to El Paso County, for roadway, landscape, drainage, public utility, and incidental purposes, by instrument recorded June 20, 2003, under Reception no. 203139553. (This easement released/vacated by this plat.)

SHEET INDEX

..Dedications, Notes, Approvals, etc. ...External Plat Boundary Detail, As Originally Platte ...Overall Layout Map Sheet 3. Sheets 4 through 10......New Lot, Tract and Right-of-Way Boundary Detai

13. **EXISTING ENCUMBRANCES PER TITLE REPORT** (continued)

PLAT AND SUBDIVISION NOTES (continued)

Indicates a plottable matter shown on the map sheets. 50. The effect of Resolution 17-354 of the Board of County Commissioners for

- Easement granted to El Paso County, for roadway, public utility, and incidental purposes, by instrument recorded June 20, 2003, under Reception No. 203139554. (This easement released/vacated by this plat.)
- Easements granted to Sunset Metropolitan District, for permanent access and utility easement, and incidental purposes, by instrument recorded January 12, 2004, under Reception No. 204006308. (This easement released/vacated by Rec.
- 30. Certificate of Non-compliance filed by Pikes Peak Regional Building Department recorded January 27, 2004 under Reception No. 204015159. (Described land encompasses that portion of the subject property of this plat lying in the W 1/2, W1/2, NE 1/4, Sec. 14.)
- 31. The effect of Resolution No. 03-487F of the Board of County Commissioners, recorded March 18, 2004 under Reception No. 204043959. (Described land encompasses that portion of the subject property of this plat lying in the W 1/2, NE
- 32. The effect of Resolution No. 03-499 of the Board of County Commissioners recorded March 22, 2004, under Reception No. 204045661. (Described land encompasses that portion of the subject property of this plat lying in the W 1/2, NE 1/4, Sec. 14.)
- Easement granted to El Paso County, for landscape, drainage, public utility, and incidental purposes, by instrument recorded April 16, 2004, under Reception No. 204061415. (This easement released/vacated by this plat.) 34. The effect of Colorado Ground Water Commission Findings and Order, Determination
- No. 598-BD recorded November 16, 2004, under Reception No. 204189404. (Described land encompasses entire subject property of this plat.) 35. The effect of Colorado Ground Water Commission Findings and Order, Determination No. 599-BD recorded November 16, 2004, under Reception No. 204189405. (Described land encompasses entire subject property of this plat.)
- Easement granted to El Paso County, for roadway, and incidental purposes, by instrument recorded January 26, 2005, under Reception No. 205012856. (This easement released/vacated by this plat.)
- 37. Effect of Resolution No. 06-18 of the Board of County Commissioners regarding Sketch Plan for Ellicott Town Center recorded February 28, 2006 under Reception No. 206029706. (Described land encompasses entire subject property of this plat.)
- 38. Any tax, lien, fee, assessment or other effect by reason of inclusion of subject property in the Ellicott Town Center Metropolitan District, as evidenced by Resolution No. 06-228 of the Board of County Commissioners recorded July 05, 2006, under Reception No. 206098620 and District Court Order from Case No. 06CV3948 recorded January 4, 2007 under Reception No. 207001700. (Described land encompasses entire subject property of this plat.)
- 39. The effects of the Ellicott Town Center Overall PUD Development Plans, recorded October 06, 2006 under Reception Nos. 206149054 and 206149055. (Land boundaries of these plans encompass entire subject property of this plat.)

40. The effect of Resolution No. 06-161 of the Board of County Commissioners approving

- rezone from PUD Zone District to an Overall PUD Zone District, recorded November 08, 2006 under Reception No. 206165180. (Described land encompasses entire subject property of this plat.) 41. The effect of Resolution No. 06-162 of the Board of County Commissioners approving
- rezone from PUD Zone District to a more specific district with a site specific (Described land encompasses all the residential lots newly established by this plat.)
- 42. The effect of Resolution No. 06-163 of the Board of County Commissioners approving Preliminary Plan for Ellicott Town Center Phase I, recorded November 08, 2006 under Reception No. 206165182. (Described land encompasses all the residential lots newly established by this plat.)
- Easement granted to Mountain View Electric Association, Inc., for electricity, and $^{\prime\prime}$ incidental purposes, by instrument recorded April 27, 2009, under Reception No. 209043451. (Easement lies within Highway 94 Right-of-Way)
- 44. The effect of Resolution No. 14-12 of the Board of County Commissioners, approving the Service Plan Amendment for the Ellicott Town Center Metropolitan District. recorded January 15, 2014, under Reception No. 214003507. (Described land encompasses entire subject property of this plat.)
- 45. The effect of Resolution No. 09-160 of the Board of County Commissioners, for reconsideration of expired final plat of Ellicott Town Center, recorded March 06, 2014, under Reception No. 214018538. (Described land encompasses a portion of the subject property of this plat.)
- 46. The effect of Resolution No. 10-139 of the Board of County Commissioners to approve a two-year time extension to record the final plat for ELLICOTT TOWN CENTER FILING NO. 1 subdivision recorded April 15, 2014, under Reception no. 214030731 (Described land encompasses a portion of the subject property of this plat.)
- 47. The effect of Resolution No. 07-132 of the Board of County Commissioners approving final plat for ELLICOTT TOWN CENTER PHASE I recorded May 07, 2014, under Reception No. 214038069. (Described land encompasses a portion of the subject
- property of this plat.) 48. The effect of Special District Disclosure Document-Ellicott Town Center Metropolitan District, recorded December 22, 2014, under Reception No. 214117420. (Mapped land encompasses the entire subject property of this plat.)
- 49. The effect of Resolution No. 16-345 of the Board of County Commissioners, approving the service plan for the Meadowbrook Crossing Metropolitan District recorded October 05, 2016 under Reception No. 216114888. (Described land encompasses entire subject property of this plat.)

GENERAL NOTES

- 1. NOTICE: Pursuant to Colorado Revised Statutes Title 13, Article 80, Section 105 (C.R.S. § 13-80-105) 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.
- 2. Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a Class Two (2)
- 3. This survive does not constitute a title coarch by PS.D. Engineers-Surveyors to determine ownership or easements of record. Easement research and ownership informa Duplicate from note 13 ent or title report referenced hereon.
- No. 221140101 (Parcel H) recorded July 22, 2021.

5. See Please include all general notes on the front page on the plat. SURVEYOR'S CERTIFICATE

in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made on August 31, 2021, 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, Mark A. Gabert, a duly registered Professional Land Surveyor

I attest the above this ____ day of _____

Mark A. Gabert, P.L.S. Colorado Registered PLS# 38567 For and on behalf of R&R Engineers-Surveyors, Inc.

entire subject property of this plat.) 52. The effect of Resolution No. 19-419 of the Board of County Commissioners reconsideration of a final plat to approve a one year time extension to record the final plat for MAYBERRY, COLORADO SPRINGS FLG#1 final plat (SF-19-020), recorded November 12, 2019, under Reception No. 219142179. (Described land encompasses a

subject property of this plat.)

portion of the subject property of this plat. 53. Any tax, lien, fee, or assessment by reason of inclusion of subject property in the Mayberry Colorado Springs Metro Dist 2, as evidenced by instrument recorded November 20, 2019, under Reception No. 219146540. (Described land encompasses a portion of

- the subject property of this plat.) 54. The effect of Order for Exclusion from the Ellicott Town Center Metropolitan District, recorded December 09, 2019, under Reception No. 219154809. (Described land encompasses a portion of the subject property of this plat.)
- 55. Terms, conditions, provisions, burdens and obligations as set forth in Resolution recorde June 24, 2020 under Reception No. 22088380, recorded September 9, 2020, under Reception No. 220139219, September 10, 2020, under Reception No. 220140324. (Lanc subject to the districts established by this resolution encompasses portions of the subject
- Easements, conditions, covenants, restrictions, reservations and notes on the plat of MAYBERRY, COLORADO SPRINGS FILING NO. 1 recorded December 28, 2020 under Reception No. 220714655. (Land boundary of the referenced plat encompasses a portion
- Terms, conditions, provisions, burdens and obligations as set forth in Easement recorded December 23, 2020 under Reception No. 220211231. (Described easements lie within
- the subject property of this plat.) 58. Terms, conditions, provisions, burdens and obligations as set forth in Subdivision Improvement Agreement recorded December 23, 2020 under Reception No. 220211232 (Described land encompasses a portion of the subject property of this plat.)
- 59. Terms, conditions, provisions, burdens and obligations as set forth in Decree to establish Mayberry Colorado Springs Metropolitan District No. 8 recorded December 28, 2020 under Reception No. 220212002. (Described land encompasses a portion of the subject property of this plat.)
- 60. Terms, conditions, provisions, burdens and obligations as set forth in Resolution No. 20-475 approve final plat for MAYBERRY COLORADO SPRINGS FILING NO. 2 recorded December 29, 2020 under Reception No. 220213263. (Described land encompasses a portion of the subject property of this plat.)
- 61. Easements, conditions, covenants, restrictions, reservations and notes on the plat of MAYBERRY COLORADO SPRINGS FILING NO. 1 recorded December 23, 2020 at Book 120, Page 254. (This item is a duplicate of item 56.)

62. Terms, conditions, provisions, burdens and obligations as set forth in Notice to

- Purchasers recorded February 22, 2021 under Reception No. 22134250, (Mapped land encompasses entire subject property of this plat.) 63. Terms, conditions, provisions, burdens and obligations as set forth in Agreement
- recorded March 10, 2021 under Reception No. 22147142. (Described land encompasses a portion of the subject property of this plat.) Easements, conditions, covenants, restrictions, reservations and notes on the plat of MAYBERRY COLORADO SPRINGS FILING NO. 2 recorded March 10, 2021 under Reception No. 221714698. (Land boundary of the referenced plat encompasses a portion of the subject property of this plat. The easements, Right-of-Ways, Lot and Tract lines
- plat are vacated by this Filing No. 3 plat.) 65. Terms, conditions, provisions, burdens and obligations as set forth in Disclosure Notice to Purchaser by Mayberry Springs Metro Districts recorded march 26, 2021 under Reception No. 22160199. (Mapped land encompasses entire subject property of this plat.) 66. Terms, conditions, provisions, burdens and obligations as set forth in Notice of Metro

established and dedicated by this item that lie within the boundary of this Filing No. 3

- District No. recorded April 29, 2021 under Reception No. 221085482, 221085463, 221085476, 221084578, 221084568, 221084919. (Land subject to the revised boundaries of these districts encompasses portions of the subject property of this plat.) 67. Terms, conditions, provisions, burdens and obligations as set forth in Amendment
- Subdivision Improvement Agreement recorded April 30, 2021 under Reception No. 22186550. (Described land encompasses entire subject property of this plat.) 68. Terms, conditions, provisions, burdens and obligations as set forth in Plat Map Correction for MAYBERRY SPRINGS FILING NO. 1 AND NO. 2 recorded April 30, 2021 under Reception No. 221086552, and 221086553. (The referenced plats encompass the entire
- 69. Terms, conditions, provisions, burdens and obligations as set forth in order of inclusion recorded August 05, 2021 under Reception No. 221149080. (Mapped land encompasses
- a portion of the subject property of this plat)

misdemeanor pursuant to C.R.S. § 18-4-508.

4. Existing ownership and deed of record for this property: Mayberry Communities, LLC (P.O. Box 675725, Rancho Santa Fe, CA 92067 | Ph: 719-426-7810) by Reception

I hereby certify that this instrument was filed in my office on this ____

R&R ENGINEERS-SURVEYORS. INC. 1635 W. 13TH AVENUE, SUITE 310

____, 2022 A.D. and recorded as Reception No

_ of the records of El Paso County, Colorado.

DENVER, COLORADO 80204 303-753-6730 WWW.RRENGINEERS.COM REVISIONS File No. MC21194-FP_ Date Drawn5/ Add PCD File # Drawn By Checked By

Sheet 1 of 10 Include Name, address and telephone number of the owner of record located in the lower right hand corner, Names, address, and telephone number of person(s) responsible for preparing the plat (e.g., licensed surveyor, licensed engineer or designer of the plat) ocated in the lower right hand corner (if applicable)

include a name for -PCD Director

You don't need to sey, Planning and Community Development Director

Final Plat of

MAYBERRY, COLORADO SPRINGS FILING NO. 3

A Replat of part of Tract M and all of Tract P, MAYBERRY, COLORADO SPRINGS FILING NO. 1, and all of Tracts A, B, C and D, MAYBERRY, COLORADO SPRINGS FILING NO. 2, And that part of Springs Road Right-of-Way lying South of said Tract A and that part of Village Main Street Right-of-Way lying East of Atchison Way,

All located in the North Half of Section 14, Township 14 South, Range 63 West of the 6th Principal Meridian,

County of El Paso (Unincorporated), State of Colorado

BOUNDARY CALLS AND VACATIONS OF PREVIOUSLY PLATTED TRACTS, RoWs AND EASEMENTS IN MAYBERRY, COLORADO SPRINGS FILING NOs. 1 AND 2

















