# ASPEN MEADOWS SUBDIVISION FILING NO. 2

A PORTION OF LAND LYING WITHIN THE WEST HALF OF SECTION 4 AND THE EAST HALF OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS. COUNTY OF EL PASO. STATE OF COLORADO

#### BE IT KNOWN BY THESE PRESENTS:

THAT RAO INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND TO WIT:

BEGIN AT THE NORTHWEST CORNER OF SAID ASPEN MEADOWS FILING NO. 1;

THENCE ON THE EXTERIOR OF SAID ASPEN MEADOWS FILING NO. 1 THE FOLLOWING (6) SIX COURSES:

- 1. THENCE SOUTH 00°00'00" EAST A DISTANCE OF 738.17 FEET TO A TANGENT CURVE, HAVING A RADIUS OF 1,103.50 FEET, WHOSE CENTER BEARS EAST:
- 2. THENCE SOUTHERLY, ON SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°19'36", AN ARC DISTANCE OF 430.00 FEET;
- 3. THENCE SOUTH 59°01'58" WEST A DISTANCE OF 159.21 FEET TO A TANGENT CURVE, HAVING A RADIUS OF 667.00 FEET, WHOSE CENTER
- 4. THENCE WESTERLY, ON SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°19'53", AN ARC DISTANCE OF 353.10 FEET;
- THENCE SOUTH 89°21'51" WEST A DISTANCE OF 66.78 FEET;
  THENCE NORTH 00°38'09" WEST A DISTANCE OF 8.99 FEET TO A POINT ON THE EXTERIOR OF THAT SPECIAL WARRANTY DEED RECORDED ON

THENCE ON SAID EXTERIOR THE FOLLOWING (2) TWO COURSES:

1. THENCE NORTH 00°15'34" EAST A DISTANCE OF 1,320.37 FEET;

DECEMBER 23, 2004 IN SAID RECORDS UNDER RECEPTION NUMBER 204209417;

- 2. THENCE NORTH 89°16'24" EAST A DISTANCE OF 450.52 FEET TO THE **POINT OF BEGINNING**.
- THE ABOVE DESCRIPTION PRODUCES A CALCULATED AREA OF 600,753 SQUARE FEET (13.79140 ACRES), MORE OR LESS



THE UNDERSIGNED OWNER HAS CAUSED SAID TRACT OF LAND TO BE PLATTED INTO LOTS, TRACTS, PUBLIC STREETS AND PUBLIC EASEMENTS, AS SHOWN ON THE PLAT. THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT AND CONVEY TO THE CITY OF COLORADO SPRINGS THOSE PUBLIC STREETS AND PUBLIC EASEMENTS AS SHOWN ON THE PLAT; AND FURTHER RESTRICTS THE USE OF ALL PUBLIC EASEMENTS TO THE CITY OF COLORADO SPRINGS AND/OR ITS ASSIGNS, PROVIDED HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO VACATE, RELEASE OR QUITCLAIM ALL OR ANY SUCH PUBLIC STREETS AND PUBLIC EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN THE CITY OF COLORADO SPRINGS. THIS TRACT OF LAND AS PLATTED HEREIN SHALL BE KNOWN AS "ASPEN MEADOWS SUBDIVISION FILING NO. 2", IN CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO. ALL PUBLIC STREETS ARE HEREBY DEDICATED TO THE CITY OF COLORADO SPRINGS FOR PUBLIC USE.

## OWNE

THE AFOREMENTIONED, RAO INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY, BY RANDALL S. O'LEARY IT'S MANAGER, HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_\_ DAY OF \_\_\_\_\_\_\_, 2021 A.D.

RANDALL S. O'LEARY, MANAGER

STATE OF COLORADO)

COUNTY OF EL PASO )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF , 202

BY RANDALL S. O'LEARY, MANAGER OF RAO INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY.

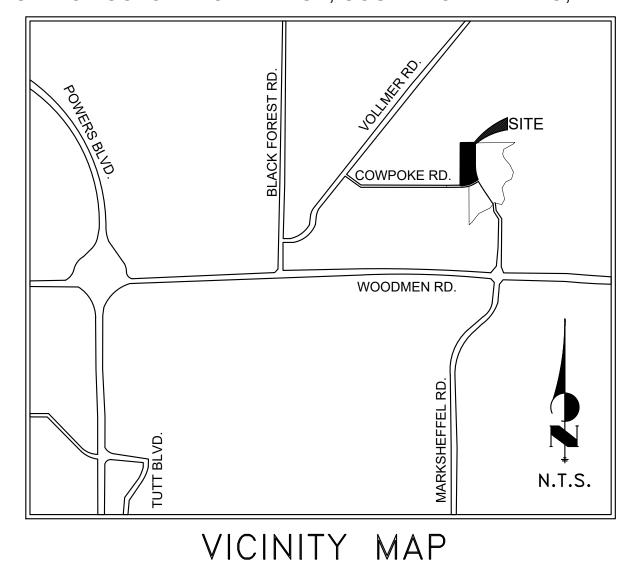
MY COMMISSION EXPIRES:

NOTARY PUBLIC

PREPARED BY:



2435 Research Parkway, Suite 300 Colorado Springs, CO. 80920 Phone 719-575-0100



# VICINIII MAF

#### PLAT NOTES:

- 2. ALL LINEAR UNITS SHOWN ON THIS PLAT ARE IN U.S. SURVEY FEET.
- 3. SET #5 REBAR WITH 1-1/2" ALUM. CAP STAMPED "MATRIX" PLS 34977", FLUSH WITH THE GROUND, AT ALL EXTERIOR CORNERS, UNLESS OTHERWISE NOTED.
- 4. 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.
- 5. THIS PROPERTY IS LOCATED WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS ESTABLISHED BY FEMA PER FIRM PANEL 08041C0533G, WITH AN EFFECTIVE DATE OF DECEMBER 7, 2018.
- TRACT "A", "B", "C", "D", "E" AND "F" ARE FOR LANDSCAPING, PEDESTRIAN ACCESS, UTILITIES, SIGNAGE, AND PUBLIC DRAINAGE PURPOSES AND WILL BE OWNED AND MAINTAINED BY THE WOODMEN HEIGHTS METRO DISTRICT NO. 2. ALL TRACTS WILL BE CONVEYED TO THE WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 2 BY SEPARATE INSTRUMENT.
- THE PIPELINE CORRIDOR AREA (TRACTS "C" AND "D") ARE TO BE CONVEYED FOR USE AS A PARK FOR HOMEOWNERS OF SHILOH RANCH SUBDIVISION AND ASPEN MEADOWS SUBDIVISION, AND AS A PIPELINE CORRIDOR FOR COLORADO INTERSTATE GAS COMPANY, L.L.C. ("CIG") AND MAGELLAN PIPELINE COMPANY, L.P. ("MAGELLAN"), AND THEIR RESPECTIVE SUCCESSORS, ASSIGNS AND GRANTEES. MAINTENANCE OF THE PIPELINE CORRIDOR, INCLUDING ACCESS GATES, FENCES, WARNING SIGNS, AND OVERALL TRAIL MAINTENANCE, BUT EXCLUSIVE OF THE PIPELINE AND APPURTENANCES WILL BE PROVIDED AT THE EXPENSE OF THE WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 2, ITS SUCCESSORS AND ASSIGNS, WILL NOT ALTER INGRESS OR EGRESS, OR ALTER THE PIPELINE CORRIDOR AT ANY TIME, OR OTHERWISE INTERFERE WITH CIG'S OR MAGELLAN'S FULL USE AND ENJOYMENT OF THE PIPELINE CORRIDOR. THE WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 2 AND ITS SUCCESSORS AND ASSIGNS WILL NOT PLANT TREES OR ADD ANY LANDSCAPING TO THE PIPELINE CORRIDOR.
- 8. CALL UTILITY NOTIFICATION CENTER OF COLORADO 811. CALL TWO (2) BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, EXCAVATE, FOR THE MARKING OF COLORADO INTERSTATE GAS AND MAGELLAN PIPELINES.
- 9. THE AVIGATION EASEMENT DEDICATED HEREIN FOR PUBLIC AVIGATION PURPOSES, SHALL BE CONSIDERED A PUBLIC EASEMENT SUBJECT TO THOSE TERMS AND CONDITIONS AS SPECIFIED ON THE INSTRUMENT RECORDED AT RECEPTION NO. 217069667 OF THE RECORDS OF EL PASO COUNTY, COLORADO. ALL OTHER 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.
- 10. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY MATRIX DESIGN GROUP, 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, RIGHTS-OF-WAY OR TITLE OF RECORD, MATRIX DESIGN GROUP INC., RELIED UPON TITLE COMMITMENT NO. RND55093979 PREPARED BY LAND TITLE GUARANTEE COMPANY WITH AN EFFECTIVE DATE OF MARCH 01, 2021 AT 5:00 P.M. THE SCHEDULE B-SECTION 2 ITEMS BELOW HAVE BEEN EXAMINED IN A LIMITED FASHION TO DETERMINE THE GEOGRAPHICAL IMPACT ON THE SUBJECT PROPERTY, AND IF POSSIBLE, THE LIMITS OF THE IMPACT SHALL BE PLOTTED HEREON.
- 10.1. RIGHT OF WAY EASEMENT AS GRANTED TO FORD, BACON & DAVIS, INC. IN INSTRUMENT RECORDED OCTOBER 15, 1927, IN BOOK 798 AT PAGE 162. (SURVEYOR'S NOTE: THE LEGAL DESCRIPTION CITED IN THIS DOCUMENT DESCRIBES A RIGHT-OF-WAY FOR GAS PIPELINE BEING LOCATED IN THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST AND CALLS FOR THE LOCATION OF THE RIGHT-OF-WAY TOP BE FURTHER REPRESENTED ON THE "GRANTEES PRESENT SURVEY" WHICH DOES NOT ACCOMPANY THE DOCUMENT AND IS UNKNOWN TO THIS SURVEYOR. WHILE THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4 LIES SOUTHERLY AND ADJACENT TO THE SUBJECT PROPERTY, THIS SURVEYOR BELIEVES THIS DOCUMENT IS REFERRING TO A KNOWN PIPELINE THAT RUNS NORTH-SOUTH THROUGH THE SUBJECT PROPERTY WHICH IS WITHIN THE GAS EASEMENTS IN TRACT D.)
- 10.2. CONVEYANCE OF MINERAL RIGHTS AS CONTAINED IN MINERAL DEED RECORDED OCTOBER 13, 1954 IN BOOK 1458 AT PAGE 218. (SURVEYOR'S NOTE: THE LEGAL DESCRIPTION CITED IN THIS DOCUMENT DESCRIBES A PARCEL OF LAND THAT ENCUMBERS AND COMPLETELY ENCOMPASSES THE SUBJECT PROPERTY).
- 10.3. A RIGHT OF WAY EASEMENT AS GRANTED TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC. IN INSTRUMENT RECORDED DECEMBER 04, 1958, IN BOOK 1714 AT PAGE 541. (SURVEYOR'S NOTE: THE LEGAL DESCRIPTION CITED IN THIS DOCUMENT DESCRIBES A PARCEL OF LAND THAT ENCUMBERS THAT PORTION OF THE SUBJECT PROPERTY LYING WITHIN SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST. THIS DOCUMENT DOES NOT SPECIFY AN EXACT LOCATION OF THE UTILITIES AND IS BLANKET IN NATURE.)
- 10.4. RIGHT OF WAY EASEMENT AS GRANTED TO WACO PIPE LINE COMPANY BY INSTRUMENT RECORDED MARCH 21, 1966 IN BOOK 2123 AT PAGE 166. ASSIGNMENT OF EASEMENTS AND LICENSES RECORDED OCTOBER 12, 2005 UNDER RECEPTION NO. 205161563. AND ASSIGNMENT RECORDED DECEMBER 2, 2013 UNDER RECEPTION NO. 213144183. (SURVEYOR'S NOTE: THE LEGAL DESCRIPTION CITED IN THIS DOCUMENT DESCRIBES A PARCEL OF LAND THAT ENCUMBERS THAT PORTION OF THE SUBJECT PROPERTY LYING WITHIN SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST.)
- 0.5. THE EFFECT OF THE INCLUSION OF SUBJECT PROPERTY IN THE BLACK SQUIRREL SOIL CONSERVATION DISTRICT, AS EVIDENCED BY INSTRUMENT RECORDED FEBRUARY 19, 1975, IN BOOK 2734 AT PAGE 180. (SURVEYOR'S NOTE: THE LEGAL DESCRIPTION CITED IN THIS DOCUMENT DESCRIBES A PARCEL OF LAND THAT ENCUMBERS AND COMPLETELY ENCOMPASSES THE SUBJECT PROPERTY).
- 10.6. EFFECT OF THE INCLUSION OF SUBJECT PROPERTY IN THE FALCON FIRE PROTECTION DISTRICT, AS EVIDENCED BY INSTRUMENTS RECORDED DECEMBER 02, 1980, IN BOOK 3380 AT PAGES 670 AND 675 AND FEBRUARY 17, 1981 IN BOOK 3404 AT PAGES 582 AND 587. (SURVEYOR'S NOTE: THE LEGAL DESCRIPTION CITED IN THIS DOCUMENT DESCRIBES A PARCEL OF LAND THAT ENCUMBERS THAT PORTION OF THE SUBJECT PROPERTY LYING WITHIN SECTION 4, TOWNSHIP 13 SOUTH, RANGE 65 WEST).
- 0.7. CONVEYANCE OF MINERAL RIGHTS AS CONTAINED IN MINERAL QUIT CLAIM DEED RECORDED FEBRUARY 12, 2003 UNDER RECEPTION NO. 203032039. (SURVEYOR'S NOTE: THE LEGAL DESCRIPTION CITED IN THIS DOCUMENT DESCRIBES A PARCEL OF LAND THAT ENCUMBERS AND COMPLETELY ENCOMPASSES THE SUBJECT PROPERTY).

#### PLAT NOTES (CONT.):

- 10.8 TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DECLARATION OF DEVELOPMENT COVENANTS AND COST RECOVERY AGREEMENT FOR WOODMEN HEIGHTS RECORDED JUNE 17, 2004 UNDER RECEPTION NO. 204100839, AND RECORDED JUNE 17, 2004 UNDER RECEPTION NO. 204100840. (SURVEYOR'S NOTE: THE LEGAL DESCRIPTION CITED IN THIS DOCUMENT DESCRIBES A PARCEL OF LAND THAT ENCUMBERS AND COMPLETELY ENCOMPASSES THE SUBJECT PROPERTY).
- 10.9 THE EFFECT OF INCLUSION OF SUBJECT PROPERTY IN WOODMEN ROAD METROPOLITAN DISTRICT, RECORDED DECEMBER 27, 2005, UNDER RECEPTION NO. 205202369. (SURVEYOR'S NOTE: THE DOCUMENTS CITED UNDER THIS ITEM AFFECT THE SUBJECT PROPERTY. THE LEGAL DESCRIPTIONS CITED WITHIN THESE DOCUMENTS DESCRIBE PARCELS OF LAND BEING WOODMEN HEIGHTS METROPOLITAN DISTRICTS TWO AND THREE WHICH ENCUMBER THE PROPERTY AND WHEN COMBINED, COMPLETELY ENCOMPASSES THE SUBJECT PROPERTY.)
- 10.10 TERMS, CONDITIONS AND PROVISIONS OF ORDER AND DECREE ORGANIZING WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 2 AND 3, AS EVIDENCED BY INSTRUMENTS RECORDED DECEMBER 28, 2004 UNDER RECEPTION NO. 204209871 AND 204209872, SEPTEMBER 8, 2005 UNDER RECEPTION NO. 205140999, NOVEMBER 28, 2005 UNDER RECEPTION NO. 205189163, JULY 13, 2006 UNDER RECEPTION NO. 206103276 AND JUNE 26, 2008 UNDER RECEPTION NO. 208073150. AMENDED AND RESTATED RESOLUTION RECORDED SEPTEMBER 29, 2008 UNDER RECEPTION NO. 208106389. SECOND AMENDED AND RESTATED RESOLUTION RECORDED NOVEMBER 19, 2013 UNDER RECEPTION NO. 213140364. (SURVEYOR'S NOTE: THE DOCUMENTS CITED UNDER THIS ITEM AFFECT THE SUBJECT PROPERTY. THE LEGAL DESCRIPTIONS CITED WITHIN THESE DOCUMENTS DESCRIBE PARCELS OF LAND BEING WOODMEN HEIGHTS METROPOLITAN DISTRICT TWO AND DISTRICT THREE, WHICH ENCUMBERS AND COMPLETELY ENCOMPASSES THE SUBJECT PROPERTY.)
- 10.11 TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT EASEMENT AGREEMENT RECORDED APRIL 19, 2016 UNDER RECEPTION NO. 216040890. (SURVEYOR'S NOTE: THE LEGAL DESCRIPTION CITED IN THIS DOCUMENT DESCRIBES A PARCEL OF LAND THAT DOES NOT ENCUMBER THE SUBJECT PROPERTY).

#### <u>EASEMENTS</u>

EASEMENTS ARE AS DEPICTED HEREON, WITH SURFACE MAINTENANCE VESTED IN THE OWNER OF RECORD.

ALL EASEMENTS SHOWN OR DEDICATED HEREON FOR PUBLIC UTILITY PURPOSES SHALL BE SUBJECT TO THOSE TERMS AND CONDITIONS AS SPECIFIED IN THE INSTRUMENT RECORDED AT RECEPTION NUMBER 212112548 OF THE RECORDS OF EL PASO COUNTY, COLORADO. ALL OTHER 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.

#### NOTICE IS HEREBY GIVEN:

THAT THE AREA INCLUDED IN THE PLAT DESCRIBED HEREIN IS SUBJECT TO THE CODE OF THE CITY OF COLORADO SPRINGS, 2001, AS AMENDED. NO BUILDING PERMITS SHALL BE ISSUED FOR BUILDING SITES WITHIN THIS PLAT UNTIL ALL REQUIRED FEES HAVE BEEN PAID AND ALL REQUIRED PUBLIC AND PRIVATE IMPROVEMENTS HAVE BEEN INSTALLED AS SPECIFIED BY THE CITY OF COLORADO SPRINGS, OR, ALTERNATIVELY, UNTIL ACCEPTABLE ASSURANCES, INCLUDING BUT NOT LIMITED TO LETTERS OF CREDIT, CASH, SUBDIVISION BONDS, OR COMBINATION THEREOF GUARANTEEING THE COMPLETION OF ALL REQUIRED PUBLIC IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO, DRAINAGE, STREET AND EROSION CONTROL HAVE BEEN PLACED ON FILE WITH THE CITY OF COLORADO SPRINGS.

## SURVEYOR'S CERTIFICATION:

ROBERT L. MEADOWS JR., PLS 34977

FOR AND ON BEHALF OF MATRIX DESIGN GROUP, INC.

THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, HEREBY STATES AND DECLARES THAT THE ACCOMPANYING PLAT WAS SURVEYED AND DRAWN UNDER HIS RESPONSIBLE CHARGE AND ACCURATELY SHOWS THE DESCRIBED TRACT OF LAND, AND SUBDIVISION THEREOF, AND THAT THE REQUIREMENTS OF TITLE 38 OF THE COLORADO REVISED STATUTES, 1973, AS AMENDED, HAVE BEEN MET TO THE BEST OF HIS KNOWLEDGE AND BELLEE

CITY APPROVALS:
ON BEHALF OF THE CITY OF COLORADO SPRINGS, THE UNDERSIGNED HEREBY APPROVE FOR FILING THE ACCOMPANYING PLAT OF: "ASPEN MEADOWS SUBDIVISION FILING NO. 2"
CITY ENGINEER
CITY PLANNING DIRECTOR

CITY CLERK	
FEES:	
SCHOOL FEE:	BRIDGE FEE:
PARK FEE:	DRAINAGE FEE:

CLERK AND RECO	RDER'S CERTIFICATE:

STATE OF COLORADO)

) SS		
DUNTY OF EL PASO )		
EREBY CERTIFY THAT THIS INSTRUMENT WA	AS FILED FOR RECORD IN MY OFFICE AT $\_$	O'CLOCKM.,
IIS DAY OF	, 2021, A.D., AND DULY RECORDED UND	ER RECEPTION NO

OF THE RECORDS OF EL PASO COUNTY, COLORADO.	

FEE:	CHUCK BROERMAN, RECOR	RDER
SURCHARGE:	BY:	
	DEPUTY	

AR FP 21-00XXX
ASPEN MEADOWS SUBDIVISION FILING NO. 2
DATE PREPARED: MAR 29, 2021
JOB NUMBER: 21.886.034

