

FINAL PLAT
RIVERBEND CROSSING COMMONS
A PORTION OF THE NORTHEAST QUARTER OF
SECTION 14, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
CITY OF FOUNTAIN, COUNTY OF EL PASO, STATE OF COLORADO

KNOW ALL MEN BY THESE PRESENTS:

That Avatar Fountain LP being the owner of the following described tract of land, to wit:

LEGAL DESCRIPTION:

A tract of land being a portion of the West Half (W 1/2) of the Northeast Quarter (NE 1/4) of Section 14, Township 15 South, Range 66 West of the 6th P.M., County of El Paso, State of Colorado, described as follows:
Bearings based on the West line of the Northeast Quarter (NE 1/4) of Section 14, Township 15 South, Range 66 West of the 6th P.M., monumented at the North Quarter (N 1/4) corner with a 3 1/4" aluminum cap, stamped "BARRON LAND 2018 PLS 38141" and at the Center Quarter (C 1/4) corner with a 3 1/4" aluminum cap, stamped "OLIVER E. WATTS 2000 PE-LS 9853" and bears S 00°24'11" E, 2640.42 feet.
COMMENCING at the said North Quarter (N 1/4) corner; thence N 89°52'04" E, along the North line of the said Northeast Quarter (NE 1/4), a distance of 549.67 feet to the POINT OF BEGINNING;
Thence, continuing along said North line, N 89°52'04" E, 251.30 feet to a point on the Southwest right of way line of U.S. Highway 85-87;
Thence S 36°04'05" E, along said Southwest right of way line, a distance of 837.25 feet to the Northeast corner of the land described in Book 1763 at Page 57, recorded at El Paso County Records, said point also being the Northwest corner of Southmoor Drive;
Thence S 00°15'57" E, along the East line of said land, also being the West line of said Southmoor Drive, a distance of 379.90 feet;
Thence continuing along the West line of said Southmoor Drive S 00°07'59" E, a distance of 338.75 feet to a point on the Southeast extension of the Southwest line of said land;
Thence along said Southeast extension, Southeast line and Westerly lines of said land the following three (3) courses:
1) N 36°04'35" W, a distance of 1115.06 feet;
2) N 15°48'38" W, a distance of 164.23;
3) N 15°42'45" W, a distance of 166.22 feet to the Northwest corner of said land;
Thence N 00°07'56" W, a distance of 175.58 feet to the POINT OF BEGINNING.
Excepting therefrom that parcel of land described at Reception No. 206104641 at the El Paso County Clerk and Recorder.
Containing a total calculated area of 465,661 square feet (10.690 acres), of land, more or less.

DEDICATION:

The undersigned has caused said tract of land to be platted into lots, easements, tracts and streets. The undersigned does hereby dedicate, grant and convey to the City of Fountain those public utility easements as shown on the plat; and further restricts the use of all public easement to the City of Fountain and/or its assigns; provided, however, that the sole right and authority to vacate, release or quitclaim all or any dedicated public easements shall remain exclusively vested in the City of Fountain. All public streets and right of way dedications are hereby dedicated to the City of Fountain for public use.
This tract of land as herein platted shall be known as "RIVERBEND CROSSING COMMONS", in the City of Fountain, El Paso County, Colorado.

OWNER:

The aforementioned, Avatar Fountain LP has executed this
Instrument this ____ day of _____, 20____
Name, Title, Company

NOTARIAL:

STATE OF COLORADO }
COUNTY OF EL PASO } SS
The above and aforementioned instrument was acknowledged before me this ____ day of _____, 20____ by _____
Witness my hand and seal:
My Commission expires _____
Notary Public _____

LIENHOLDER SUBORDINATION CERTIFICATE:

The undersigned are all the mortgagees and lien holders of certain lands known herein as "RIVERBEND CROSSING COMMONS" in the City of Colorado Springs, Colorado, and Hereby subordinate the subject lien to the terms, conditions and restrictions of this document

COMPANY:
ADDRESS:

Executed this ____ day of _____, 20____
Mortgagee(s) and lienholder(s):

NOTARIAL:

STATE OF COLORADO }
COUNTY OF EL PASO } SS
The above and aforementioned instrument was acknowledged before me this ____ day of _____, 20____ by _____
Witness my hand and seal:
My Commission expires _____
Notary Public _____

EASEMENT STATEMENT:

All existing external subdivision lines are hereby platted with a 15 foot public utility, drainage and improvements easement with the sole responsibility for maintenance of these easements vested with the individual property owner.

FLOOD PLAIN STATEMENT:

The Federal Emergency Management Agency, Letter of Map Revision Determination Document (LOMR) 17-08-0467P-0800059 and 17-08-0467P-0800061, both with an effective date January 15, 2019, indicates this parcel of land to be located in Zone X (0.2% Annual chance flood hazard area of 1% annual chance flood with average depths less than one foot or with drainage areas of less than one square mile).

NOTICE IS HEREBY GIVEN:

That the area included in the plat described herein is subject to the code of the City of Fountain, as amended.

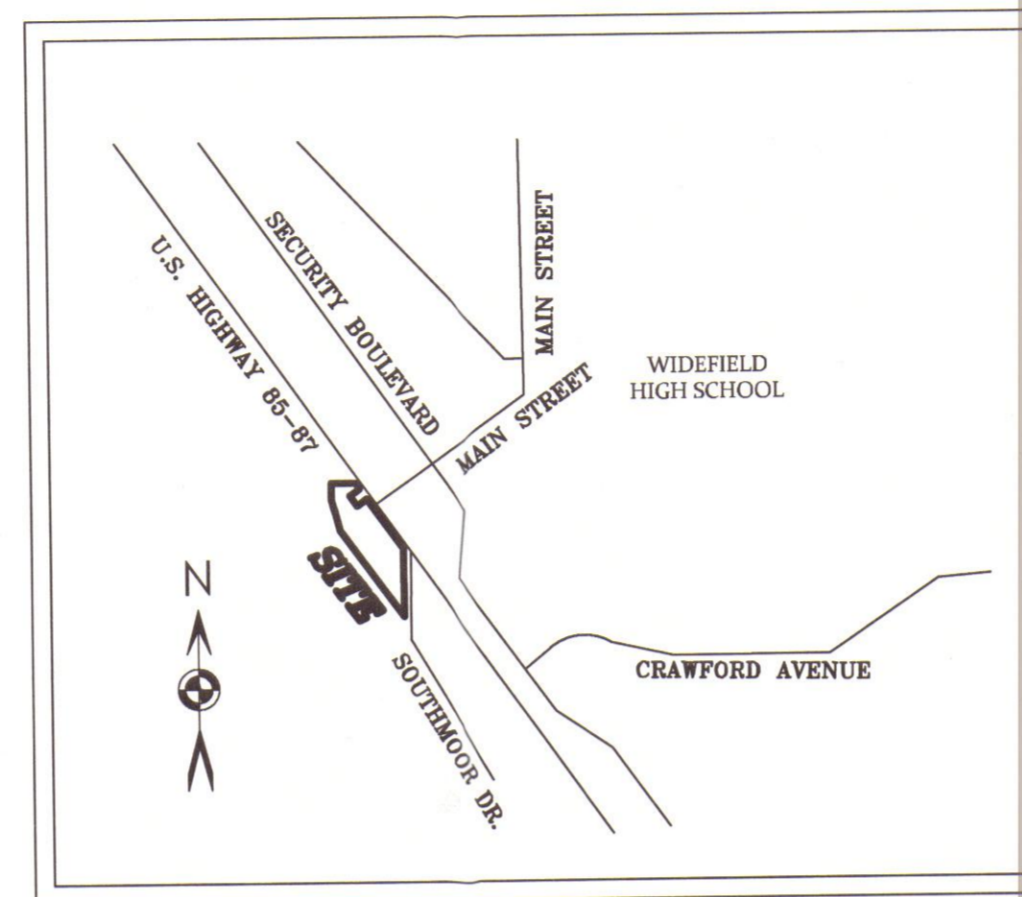
The City shall not be obligated to issue building permits for building sites within this plat until all required fees have been paid and all required public and private improvements have been installed as specified by the Subdivision Ordinances of the City of Fountain or any applicable Subdivision Improvement Agreement. The City shall not be obligated to authorize the issuance of any certificate of occupancy for any habitable structure within this plat until all required public improvements are completed and formally accepted for maintenance and ownership by the City of Fountain.

SURVEYOR'S CERTIFICATION:

The undersigned Professional Land Surveyor licensed in the State of Colorado, hereby states and declares that the accompanying plat was surveyed and drawn under his/her 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/her knowledge and belief.

This certification is neither a warranty nor guarantee, either expressed or implied.

Spencer J. Barron
Colorado Professional Land Surveyor No. 38141
For and on behalf of Barron Land, LLC



SURVEYOR'S NOTES

- Water service for this subdivision is provided by Security Water District subject to the District's rules, regulations and specifications.
- Wastewater services for this subdivision is provided by Security Sanitation District, subject to the district's rules, regulations and specifications.
- The approval of this plat vacates all prior plats for the areas described by this plat
- Access from Hwy 85-87 should only be allowed from Main Street, being dedicated by this plat. No individual lots shall have access to Highway 85.
- The property owner is responsible for maintaining proper storm water drainage in and through their property. Drainage easements as specifically noted on the plat shall be maintained by the individual lot owner(s) unless otherwise indicated. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.
- Field work was performed on June 27, 2018.
- The overall parcel contains a total calculated area of 465,661 square feet (10.690 acres) of land.
- The land included within this subdivision is subject to a 'Subdivision Improvements Agreement' executed by the owner of the land included in this plat and the City of Fountain, which agreement was recorded in the records of El Paso County on _____ at Reception No. _____
- A portion of this property is within the Boundary of the Fountain General Improvement District No. 1 and, as such, is subject to an assessment.
- The property is within the District Boundary of the Riverbend Crossing Business Improvement District and, as such, is subject to an assessment.
- Tracts A, B C and D are for future development lots and will be owned and maintained by the Riverbend Crossing Business Improvement District as organized in Ordinance No. 1728.
- Main street will be owned by the City of Fountain but maintained by the Riverbend Crossing Business Improvement District as organized in Ordinance No. 1728, including the landscaping.
- Unless otherwise indicated, all external property lines are hereby platted with a 15' public utility, improvements and drainage easement. The sole responsibility for maintenance of these easements is hereby vested with the individual property owner.
- The total acreage of the subdivision is 10.690 acres. An additional 10' right of way is being dedicated to the city for Southmoor Drive, 0.165 acres, and 0.818 acres of right of way is being dedicated for Main Street. This is 0.983 acres being dedicated for right of way, leaving a gross of 9.707 acres of land for lots and tracts.
- 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 herein.
- Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a class 2 misdemeanor pursuant to the Colorado Revised Statute 18-4-508.
- The lineal units used in this drawing are U.S. Survey Feet. A U.S. Survey Foot is defined as 1200/3937 meters.
- This property is subject to the easement agreement recorded at Reception No. 219060385, records of El Paso County, between Avatar Fountain, LP and Pester Marketing Company, lifting current restrictions preventing the development of curb and gutter and blocking access in certain areas around Pester Marketing Company. Each property owner grants Ingress, Egress and Access Easement of each other's properties along with nonexclusive easements to maintain and repair storm water drainage systems. It also allows for a temporary construction easement for the development of the business properties. This agreement is blanket in nature. For specific details, please refer to the recorded easement.
- All easements that are 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.
- Water quality and detention pond will be located off-site and is subject to the El Paso County Private Detention Pond Maintenance Agreement.
- Notice and warning: Compliance with the Americans with Disabilities Act ("ADA") and other Federal and State accessibility laws is the sole responsibility of the property owner. Therefore, compliance with City Codes does not assure compliance with the ADA or any other Federal or State accessibility laws or any regulations or guidelines enacted or promulgated under or with respect to such laws. The City of Fountain is not responsible for enforcement of the ADA or any other Federal or State accessibility laws.
- A Detention Pond Maintenance & Easement Agreement is recorded under Reception No. _____ of the records of El Paso County.
- All lots within this subdivision have cross lot vehicular and pedestrian access.

CITY APPROVAL:

On behalf of the City of Fountain, the undersigned hereby approves for filing the accompanying plat of _____, in the City of Fountain, El Paso County, State of Colorado

this ____ day of _____, A.D. 20____

SUBDIVISION ADMINISTRATOR DATE

CITY CLERK DATE

DEPOSITING CERTIFICATION

I HEREBY CERTIFY THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT ____ O'CLOCK __M., THIS ____ DAY OF _____, 20____ AND IS DULY RECORDED UNDER RECEPTION NUMBER _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO

RECORDER FEE: _____

By: Deputy SURCHARGE: _____

FEES:

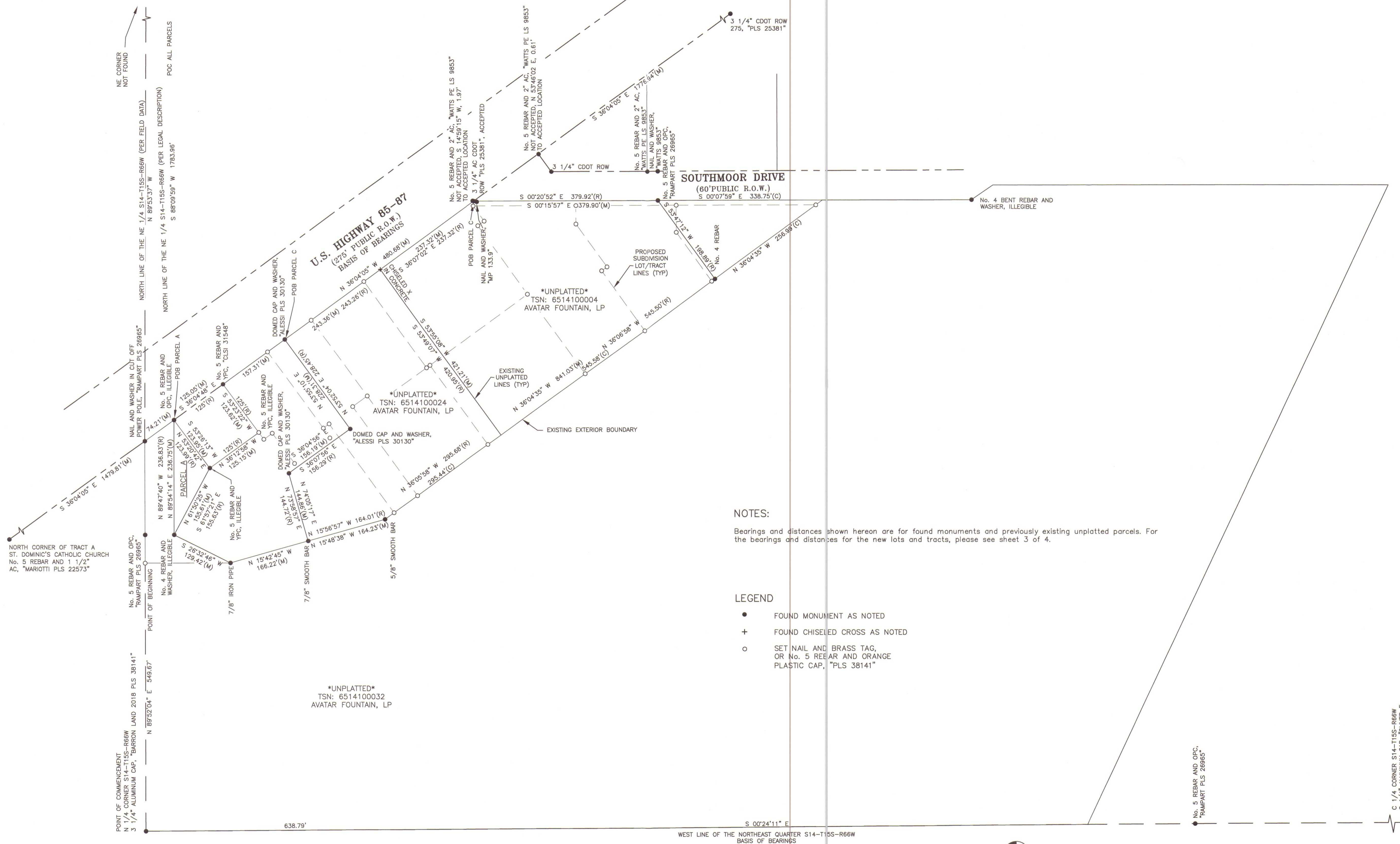
DRAINAGE: \$0.00 PARK: \$0.00
BRIDGE: \$0.00 SCHOOL: \$0.00

DATE: 05/06/2019		REVISIONS	
No.	Remarks	Date	By
1	Revisions to easement and lots	01/07/20	JLP

BARRON LAND
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www.BARRONLAND.com
PROJECT No.: 17-054 SHEET 1 OF 4

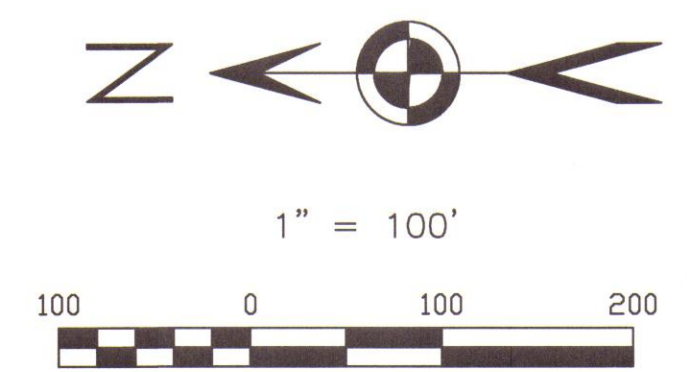
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MONUMENTATION DETAIL



NOTES:
 Bearings and distances shown hereon are for found monuments and previously existing unplatted parcels. For the bearings and distances for the new lots and tracts, please see sheet 3 of 4.

- LEGEND**
- FOUND MONUMENT AS NOTED
 - + FOUND CHISELED CROSS AS NOTED
 - SET NAIL AND BRASS TAG, OR No. 5 REBAR AND ORANGE PLASTIC CAP, "PLS 38141"



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PROJECT No.: 17-054 SHEET 2 OF 4

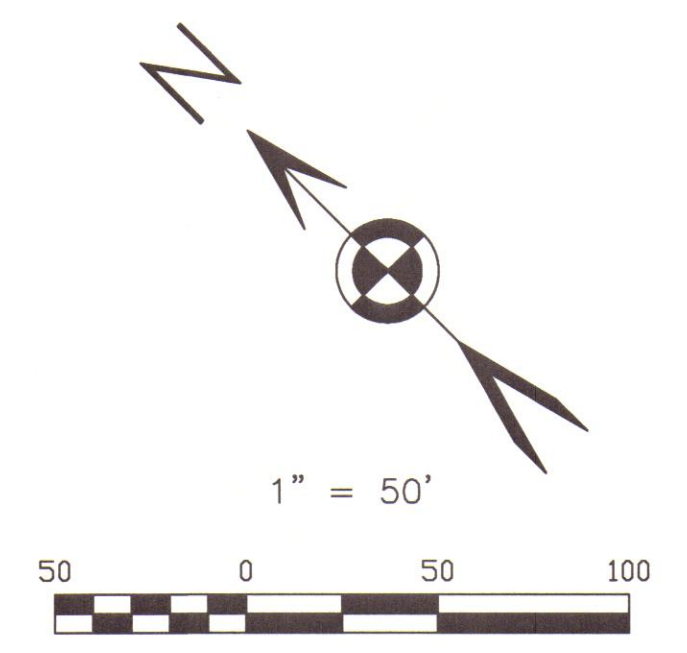
N 1/4 CORNER S14-T15S-R66W
 3 1/4" ALUMINUM CAP, "QUIVER" E
 WATTS PE-LS 9853*

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NOTES:
 For detail on the monumentation found, set and boundary establishment, please see sheet 2 of 4
 For more detail on the easements, please see sheet 4 of 4, the easement detail

LEGEND:
 ——— SUBDIVISION BOUNDARY/LOT LINE
 ——— ADJACENT PROPERTY LINE
 - - - RIGHT OF WAY LINE
 - - - EASEMENT LINE

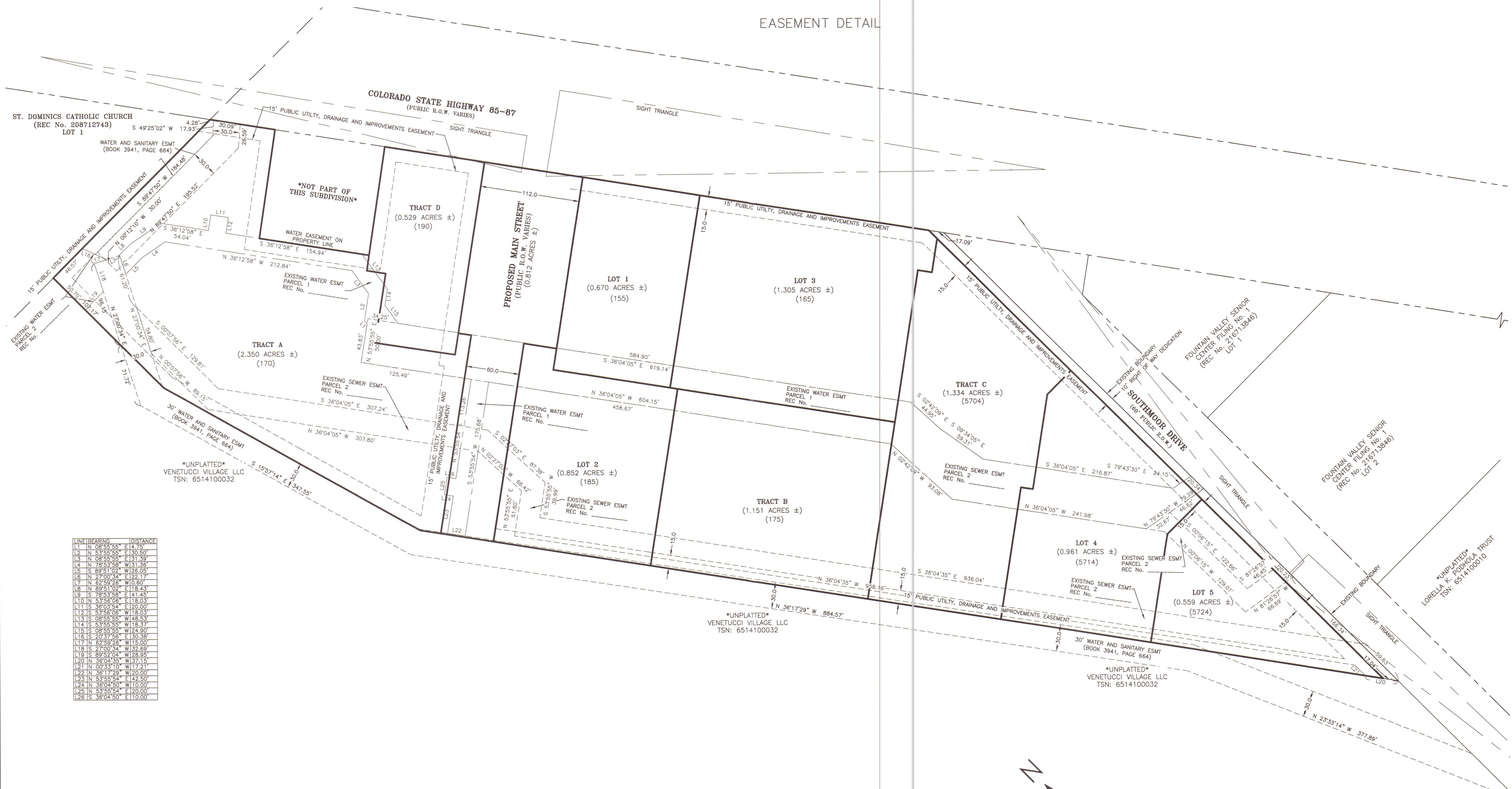


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FINAL PLAT
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EASEMENT DETAIL



LINE	BEARING	DISTANCE
L1	N 08°55'55" E	4.25'
L2	N 53°55'55" E	30.80'
L3	N 08°55'55" E	31.39'
L4	N 78°53'58" W	31.36'
L5	S 89°51'02" W	26.05'
L6	N 27°00'34" E	22.17'
L7	N 62°59'26" W	10.60'
L8	N 89°51'02" E	18.43'
L9	S 78°53'58" E	41.45'
L10	N 53°56'06" E	18.03'
L11	S 36°03'54" E	20.00'
L12	S 53°56'06" W	18.03'
L13	S 08°55'55" W	48.53'
L14	S 53°55'55" W	18.37'
L15	S 08°55'55" W	24.90'
L16	S 20°37'56" E	30.38'
L17	N 62°59'26" W	15.00'
L18	S 27°00'34" W	32.69'
L19	S 89°52'04" W	28.95'
L20	N 36°04'35" W	37.15'
L21	N 00°33'10" W	17.21'
L22	N 36°17'29" W	20.00'
L23	N 53°55'54" E	42.50'
L24	N 36°04'50" W	10.00'
L25	S 53°55'54" E	20.00'
L26	S 36°04'50" E	10.00'

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PROJECT No.: 17-054 SHEET 4 OF 4