

# WINETHIRTY PROPERTIES FILING NO. 1

Title needs to be consistent with Section 7.2.5(A)(6) of the LDC. Replat names shall be consistent with the name of the original filing unless the land includes more than one plat name, and characterized by an alphabetic descriptor after the filing number, and shall reflect consistency with the order of the original filing. e.g. Clemons Subdivision NO. 2 A

Vacation and Replat

## A REPLAT OF CLEMONS SUBDIVISION NO. 2 BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH P.M. COUNTY OF EL PASO, STATE OF COLORADO

### KNOW ALL MEN BY THESE PRESENTS:

That David J. and Kimberly D. Neil, being the owner of the following described tract of land to wit:

Lots 1, 2, 3, and 4, Clemons Subdivision No. 2, filed for record on June 24, 1982 at Reception No. 879452 in the Office of Clerk and Recorder, County of El Paso, State of Colorado.

### DEDICATION

The above owner has caused said parcel of land to be platted into one lot as shown hereon. The undersigned does hereby grant and convey to the County of El Paso all streets and easements for public use. The tract of land herein platted shall be known as WINETHIRTY PROPERTIES FILING NO. 1 in the County of El Paso, State of Colorado.

### OWNERS CERTIFICATE

The undersigned, being all the owners and mortgagees in the land described herein, have laid out, subdivided, and platted said lands one lot as shown hereon under the name and subdivision of WINETHIRTY PROPERTIES 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.

\_\_\_\_\_  
David J. Neil, (Owner Signature)      Date

\_\_\_\_\_  
Kimberly D. Neil, (Owner Signature)      Date

STATE OF COLORADO }  
                                  } ss.  
COUNTY OF \_\_\_\_\_ }

Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2018 by

\_\_\_\_\_ as \_\_\_\_\_

My commission expires \_\_\_\_\_

Witness my hand and official seal \_\_\_\_\_  
Notary Public

### BOARD OF COUNTY COMMISSIONERS CERTIFICATE

This plat for WINETHIRTY PROPERTIES FILING No. 1 was approved for filing by the El Paso County, Colorado Board of County Commissioners on the \_\_\_\_ day of \_\_\_\_\_, 2018, subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of land to the public (roads 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.

\_\_\_\_\_  
President, Board of County Commissioners      Date

### COUNTY APPROVAL

Approved is granted this \_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
Planning and Community Development Director      Date

### SURVEYOR'S STATEMENT

I, Kenneth Gould Jr., 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 date of survey, 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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
Kenneth Gould Jr.  
State of Colorado Professional Land Surveyor No. 38556  
For and on behalf of Gould Land Surveying, LLC.

incorrect signature block, this does not go to the BoCC for approval, this needs to be the following:

#### 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 Department Director on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, subject to any notes or conditions specified hereon.

Previous plat name in entirety is amended for the areas described by this Plat Amendment/Lot Line Adjustment subject to all covenants, conditions, and restrictions recorded against and appurtenant to the original plat recorded in the Office of the El Paso County Clerk and Recorder, Reception # \_\_\_\_\_.

\_\_\_\_\_  
Executive Director, Planning and Community Development      Date

#### Add the following notes to the plat:

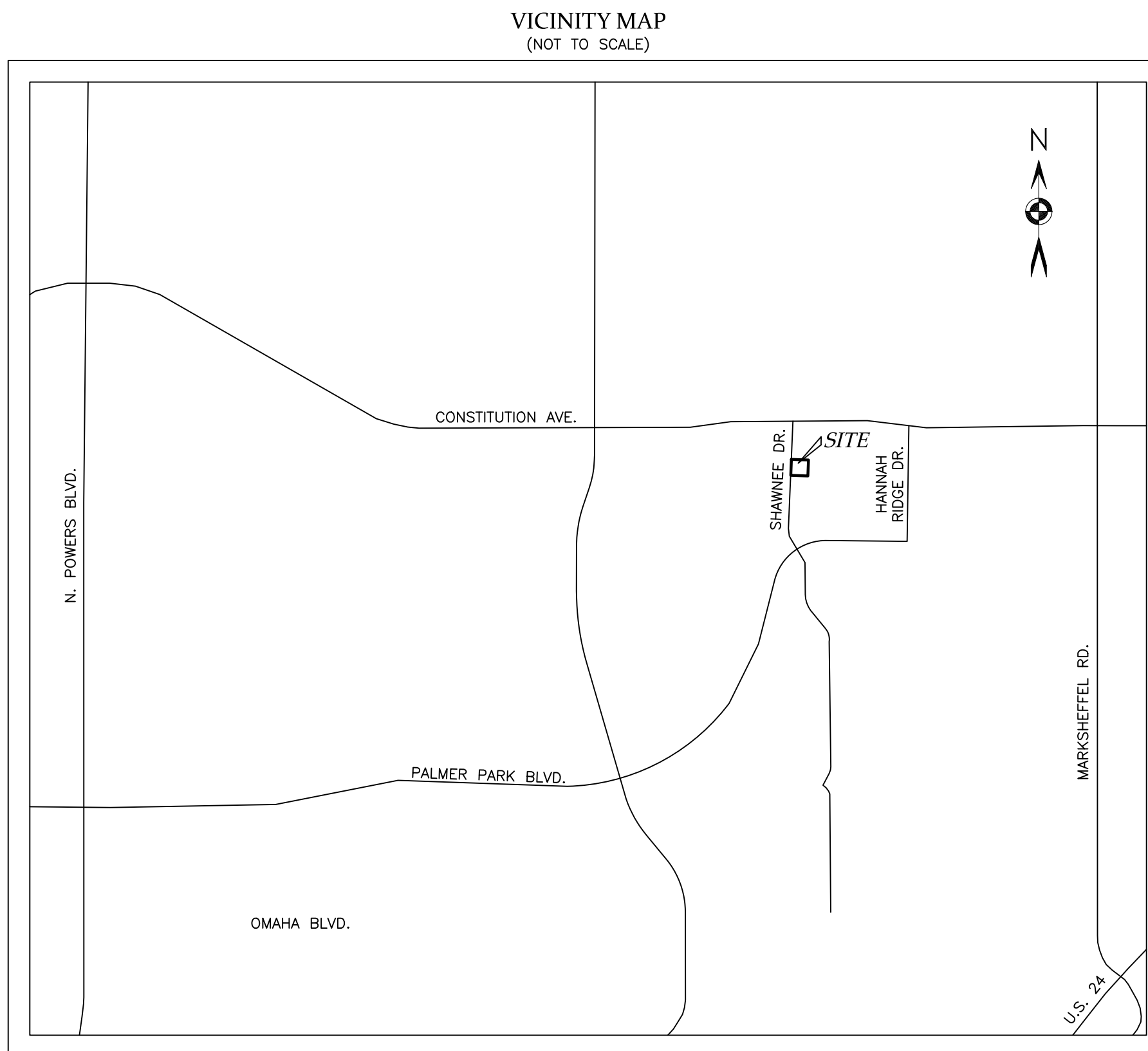
"No driveway shall be established unless an access permit has been granted by El Paso County."

"Mailboxes shall be installed in accordance with all El Paso County and United States Postal Service regulations."

"Tract A" is hereby designated as "COMMON AREA" and non-buildable and the sole responsibility for maintenance is hereby vested with the property owner."

"The following reports, as prepared for "CIMARRON-EASTRIDGE FILING NO. 3", have been submitted and are on file at the County Land Use Department: Soils and Geological Study; Water Availability Study; Drainage Report; Wildfire Hazard Report; Natural Features Report; Percolation Test Results; Erosion Control Report."

First note needs to be the reason for the Vacation Replat: The purpose of the vacation and replat is to combine the existing 1-4 lots into one lot.



### SURVEYOR'S NOTES

- 1) ● - Recovered monument, marked as noted.  
○ - Set no. 5 rebar and pink plastic cap marked "PLS 38556".  
(M) - Measured bearing & distance.  
(R) - Record bearing & distance.  
A.G. - Above Grade  
B.G. - Below Grade
- 2) The basis of bearings is the west line of Clemons Subdivision No. 2, County of El Paso, State of Colorado, monumented at the northwest corner with a No. 4 rebar and yellow plastic cap and at the southwest corner with a No. 4 rebar and is assumed to bear North 4 degrees 04 minutes 52 seconds West.
- 3) This survey does not constitute a title search by Gould Land Surveying, LLC to determine ownership or easements of record. For all information regarding easements, rights of way and title of record, Gould Land Surveying, LLC relied upon a Commitment For Title Insurance prepared by Stewart Title Guaranty Company, File No. 24196LTG, Version No. 1, with an effective date of October 24, 2018 7:30 am.
- 4) The purpose of this survey is to combine the existing Lots 1-4 into one lot.
- 5) Unless noted otherwise, all monuments were found or set flush with grade.
- 6) The lineal units used in this survey are U.S. Survey Feet. A U.S. Survey Foot is defined exactly as 1200/3937 meters.
- 7) Any utilities shown have been located from field survey information. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the utilities shown are in the exact location indicated although he does state that they are located as accurately as possible from the information available. This surveyor has not physically located the underground utilities.
- 8) Easements and other public documents shown or noted on this survey were examined as to location and purpose and were not examined as to restrictions, exclusions, conditions, obligations, terms, or as to the right to grant the same.
- 9) 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 be commenced more than ten years from the date of the certification shown hereon.
- 10) 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.
- 11) The property owner is responsible for maintaining proper storm water drainage in and through the property. Public drainage easements as specifically noted on the plat shall be maintained by the individual lot owner unless otherwise indicated. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.
- 12) The lot is hereby platted with the easements as shown. The sole responsibility for maintenance of these easements is hereby vested with the individual property owner.
- 13) Access to Lot 1 shall be limited to Tract A, the "Common Area".
- 14) All property within this subdivision is subject to an avigation easement as recorded in Book 3579 at Page 545, of the records of El Paso County Clerk and Recorder.
- 15) No structures, fences or storage of materials are permitted within designated "Floodplain" or "No Build and No Storage Materials" areas. The Federal Emergency Management Agency, Flood Insurance Rate Map No. 08041C0752F, effective date March 17, 1997 shows the subject property is located in Zone X (an area determined to be outside the 500-year floodplain).
- 16) Water and sanitary sewer services will be furnished by the Cherokee Water and Sanitation District.

### RECORDING:

STATE OF COLORADO }  
COUNTY OF EL PASO } SS

I hereby certify that this instrument was filed for record in my office at \_\_\_\_\_ o'clock \_\_\_\_M., this \_\_\_\_ day of \_\_\_\_\_, 2018, A.D., and is

duly recorded under Reception No. \_\_\_\_\_ of the records of El Paso County, Colorado.

SURCHARGE: \_\_\_\_\_ CHUCK BROERMAN, RECORDER

FEE: \_\_\_\_\_

BY: \_\_\_\_\_  
Deputy

### FEES:

Drainage Fee: \_\_\_\_\_

School Fee: \_\_\_\_\_

Bridge Fee: \_\_\_\_\_

Park Fee: \_\_\_\_\_

Add PCD File  
No. VR18016

