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El Paso County, CO



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RESOLUTION NO. 22-443

BOARD OF COUNTY COMMISSIONERS

COUNTY OF EL PASO

STATE OF COLORADO

APPROVAL OF A REQUEST TO VACATE
DONALD A. WATKINS SR. SUBDIVISION EXEMPTION (V-22-004)

WHEREAS, the City of Colorado Springs, is the current property owner of Parcel No. 53000-00-513, El Paso County, Colorado; and

WHEREAS, the property was previously exempted by the Board of County Commissioners from the definition of the term "subdivision" due to its use by a public entity for public utility purposes; and

WHEREAS, the public entity has determined that the public utility purpose is no longer required for the property; and

WHEREAS, the subdivision exemption is no longer needed; and

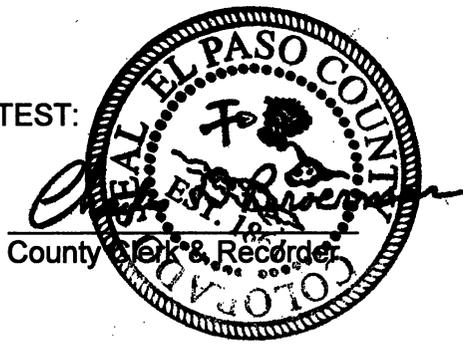
NOW, THEREFORE, BE IT RESOLVED that the Donald A. Watkins Sr. Subdivision Exemption is hereby vacated as depicted on Exhibit A;

AND BE IT FURTHER RESOLVED that all other terms, limitations and conditions of the Donald A. Watkins Sr. Subdivision Exemption, a re hereby vacated.

DONE THIS 6th day of December, 2022, at Colorado Springs, Colorado.

ATTEST:

By:



BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By:

Stan VanderWey
Chair

DONALD A. WATKINS EXEMPTION PLAT
THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 65 WEST,
6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO

OWNERS' CERTIFICATE

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF INTERESTS IN THE LANDS HEREIN DESCRIBED, HEREBY CERTIFY THAT THE LANDS HEREIN SUBDIVIDED AND PLATTED SAID LANDS INTO A LOT, AS SHOWN HEREON, ARE THE RESULT OF THE PLANNING AND SUBDIVISION OF DONALD A. WATKINS EXEMPTION PLAT, ALL PUBLIC IMPROVEMENTS SO PLANNED AND HEREBY DEDICATED TO PUBLIC USE AND SAID OWNER DOES HEREBY CONVEY AND AGREE THAT THE PUBLIC IMPROVEMENTS WILL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS AND EXPENSES TO THE SATISFACTION OF DONALD A. WATKINS, AS SHOWN HEREON, AND SAID OWNER'S EXPENSES TO THE SAID EXEMPTION PLAT, WHICH WILL BE PROVIDED BY SAID OWNERS OF THE LANDS HEREIN DESCRIBED, UPON ACCEPTANCE BY RESOLUTION, ALL PUBLIC IMPROVEMENTS SO DEDICATED WILL BECOME MATTERS OF MAINTENANCE BY EL PASO COUNTY, COLORADO. THE UTILITY EXISTENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTIRE RESPONSIBILITY FOR THE DESIGN, CONSTRUCTION, INSTALLATION, MAINTENANCE AND REPAIR OF THE UTILITY LINES AND RELATED FACILITIES, INCLUDING THE PERPETUAL RENT OF WIRELESS AND CABLE TELEVISION LINES AND TO BE GRANTED FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

OWNER: THE ESTATE OF DONALD A. WATKINS
C/O DONALD WATKINS JR, AS PERSONAL REPRESENTATIVE
PERSONAL REPRESENTATIVE

NOTARY
STATE OF COLORADO)
COUNTY OF) SS.

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____ BY _____ AS _____

MY COMMISSION EXPIRES _____
WITNESS MY HAND AND OFFICIAL SEAL _____

NOTARY PUBLIC _____

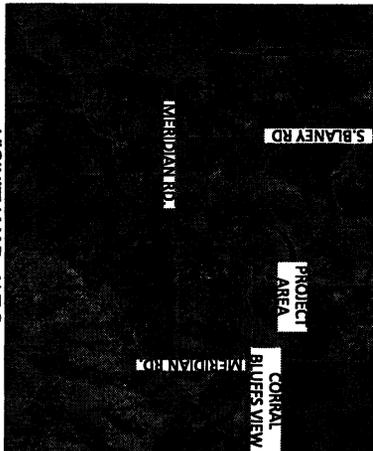
OWNER: CITY OF COLORADO SPRINGS
JESSICA DAVIS
COLORADO SPRINGS UTILITIES
LAND RESOURCES MANAGER

NOTARY
STATE OF COLORADO)
COUNTY OF) SS.

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____ BY _____ AS _____

MY COMMISSION EXPIRES _____
WITNESS MY HAND AND OFFICIAL SEAL _____

NOTARY PUBLIC _____



VICINITY MAP - N.T.S.

BERBERYT DESCRIPTION

TRACT A

LEGAL DESCRIPTION PER WARRANT DEED AS RECORDED IN THE REAL BERBERYT RECORDS OF EL PASO COUNTY, COLORADO AT BOOK 5668 PAGE 1170.

THE WEST ONE-HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, IN TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, MORE FULLY DESCRIBED AS FOLLOWS:
COMMENCING AT A 3/4" REBAR WITH A 3" ALUMINUM CAP U.S. NUMBER 36082 REPRESENTING THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 36;

TRACT B

LEGAL DESCRIPTION PER WARRANT DEED AS RECORDED IN THE REAL BERBERYT RECORDS OF EL PASO COUNTY, COLORADO AT RECEPTION NO. 202011487.

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, IN TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, MORE FULLY DESCRIBED AS FOLLOWS:
COMMENCING AT A 3/4" REBAR WITH A 3" ALUMINUM CAP U.S. NUMBER 36082 REPRESENTING THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 36;

THENCE SOUTH 00 DEGREES 13 MINUTES 55 SECONDS EAST A DISTANCE OF 660.45 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 00 DEGREES 13 MINUTES 55 SECONDS EAST A DISTANCE OF 660.45 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 00 DEGREES 55 SECONDS EAST A DISTANCE OF 660.45 FEET ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 36 TO THE SOUTHWEST CORNER THEREOF;

THENCE NORTH 89 DEGREES 34 MINUTES 08 SECONDS EAST A DISTANCE OF 664.58 FEET ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER TO A 5/8" REBAR WITH ALUMINUM CAP U.S. 36081 REPRESENTING THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 36;

THENCE NORTH 00 DEGREES 18 MINUTES 30 SECONDS WEST A DISTANCE OF 660.82 FEET ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 36;
THENCE SOUTH 89 DEGREES 32 MINUTES 13 SECONDS WEST A DISTANCE OF 663.70 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE

I, RAFAEL BOMBACINI, A DUTY 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 MARCH 2022, UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON THAT MATHEMATICAL CLOSEURE ERRORS HAVE BEEN ADJUSTED TO THE CENTER OF GRAVITY AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL COLORADO AND FEDERAL LAWS, RULES AND REGULATIONS, INCLUDING THE 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 _____ 20____

RAFAEL BOMBACINI,
COLORADO PROFESSIONAL LAND SURVEYOR NO. 38794
FOR AND ON BEHALF OF COLORADO SPRINGS UTILITIES
THIS PLAT IS NULL AND VOID WITHOUT SURVEYOR'S ORIGINAL SEAL AND SIGNATURE.

APPROVALS:

THIS EXEMPTION PLAT FOR DONALD A. WATKINS 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.

PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR _____

BOARD OF COUNTY COMMISSIONERS' CERTIFICATE:

THIS EXEMPTION PLAT OF DONALD A. WATKINS WAS APPROVED FOR FILING BY THE EL PASO COUNTY COMMISSIONERS ON THE _____ DAY OF _____ 20____ SUBJECT TO ANY NOTES SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THIS RESOLUTION OF APPROVAL.

CHAIR, BOARD OF COUNTY COMMISSIONERS _____ DATE _____

CLERK AND RECORDER: _____

STATE OF COLORADO)
COUNTY OF EL PASO) SS.

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORDING IN MY OFFICE AT COLORADO SPRINGS, COLORADO, ON THIS _____ DAY OF _____ 20____ AND IS DUELY RECORDED UNDER RECEPTION NUMBER _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CHUCK BROGEMAN, RECORDER

BY: _____ DEPUTY

SURCHARGE _____

OWNER INFORMATION
ESTATE OF DONALD A. WATKINS SR.
C/O DONALD WATKINS JR, AS PERSONAL REPRESENTATIVE
2980 NORTH MERIDIAN ROAD
FREDON, CO 80831
PHONE: 719-332-2350
POD FILE # V224

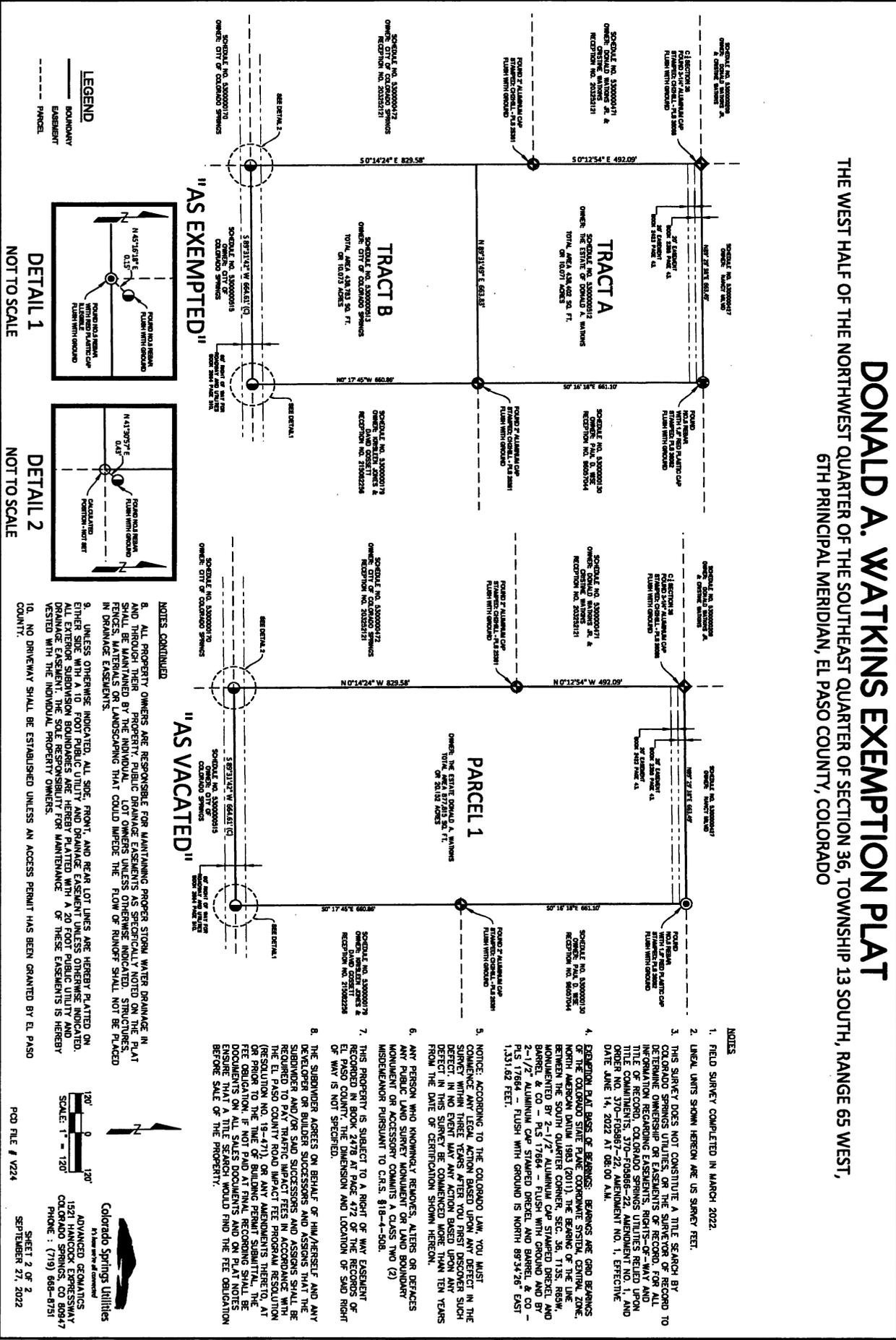
ADVANCED REGISTRARS
1521 HANCOCK EXPRESSWAY
COLORADO SPRINGS, CO 80947
PHONE : (719) 868-8751
SHEET 1 OF 2
SEPTEMBER 27, 2022



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DONALD A. WATKINS EXEMPTION PLAT

THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 13 SOUTH, RANGE 65 WEST, 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO



LEGEND
 ——— BOUNDARY
 - - - - - EASEMENT
 - - - - - FENCE

DETAIL 1
NOT TO SCALE

DETAIL 2
NOT TO SCALE

NOTES CONTINUED

8. ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. BUILDING AND DRIVEWAY EASEMENTS 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.

9. UNLESS OTHERWISE INDICATED, ALL SIDE, FRONT AND REAR LOT LINES ARE HEREBY PLATTED ON EITHER SIDE WITH A 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.

10. NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.

NOTES

1. FIELD SURVEY COMPLETED IN MARCH 2022.
2. LINEAL UNITS SHOWN HEREON ARE US SURVEY FEET.
3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY COLORADO SPRINGS UTILITIES OR THE SURVEYOR OF RECORD TO DETERMINE OWNERSHIP OR EASEMENTS, RIGHTS-OF-WAY OR INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD. COLORADO SPRINGS UTILITIES RELY UPON THE COMMITMENTS IN 370-1766B-22, AMENDMENT NO. 1, AND DATE JUNE 14, 2022 AT 08:00 A.M.
4. EXEMPTION PLAT BASE OF BEHAVIORS: BEHAVIORS ARE GRID BEHAVIORS OF THE COLORADO STATE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983 (2011). THE BEARING OF THE LINE BETWEEN THE SOUTH QUARTER CORNER, SEC. 36, T13S, R65W, BARREL # CO 01 PLS 1766A, FLUSH WITH GROUND AND BY PLS 1766A & CO 01 PLS 1766A, FLUSH WITH GROUND AND BY PLS 1766A & CO - FLUSH WITH GROUND DRENDEL AND BARREL # CO - 1,331.62 FEET.
5. NOTICE: ACCORDING TO THE COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THE 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.
6. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS MONUMENT OR ACCESSORY COMMAITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO C.R.S. §18-4-508.
7. THIS PROPERTY IS SUBJECT TO A RIGHT OF WAY EASEMENT FOR RECORDING BO. SITES AT PARCELS 72 OF THE RECORD OF EL PASO COUNTY. THE DIMENSION AND LOCATION OF SAID RIGHT OF WAY IS NOT SPECIFIED.
8. THE SUBDIVIDER AGREES ON BEHALF OF HIM/HERSELF AND ANY DEVELOPER OR BUILDER SUCCESSORS AND ASSIGNS THAT THE RECORDING OF THIS SURVEY AND ASSIGNS SHALL BE REQUIRED TO PAY FOR THE SURVEY AND RECORDING FEES TO 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 SUBMITTAL, THE FEE OBLIGATION, IF NOT PAID AT FINAL RECORDING SHALL BE DOCUMENTED ON ALL SITES DOCUMENTS AND ON PLAT NOTES BEFORE THE SALE OF THE PROPERTY.



 120' 0 120'
 SCALE: 1" = 120'
 Colorado Springs Utilities
 1521 HANCOCK EXPRESSWAY
 COLORADO SPRINGS, CO 80947
 PHONE: (719) 866-8731
 SHEET 2 OF 2
 SEPTEMBER 21, 2022
 PCD FILE # W224