

BANNING LEWIS RANCH FILING NO. 40

A PORTION OF BANNING LEWIS PARKWAY DESCRIBED IN ORDINANCE NO. _____
RECORDED UNDER RECEPTION NO. _____ RECORDS OF EL PASO COUNTY, COLORADO,

A PORTION OF TRACT B AS PLATTED IN BANNING LEWIS RANCH FILING NO.4
RECORDED UNDER RECEPTION NO. 205009006 AND A PORTION OF SECTION 10,
TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

KNOW ALL MEN BY THESE PRESENTS:

THAT WALTON COLORADO, LLC, A COLORADO LIMITED LIABILITY COMPANY AND THE CITY OF COLORADO SPRINGS BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT:

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING PORTIONS OF BANNING LEWIS PARKWAY AS PLATTED IN BANNING LEWIS RANCH FILING NO. 3 RECORDED UNDER RECEPTION NO. 205064513 RECORDS OF EL PASO COUNTY, COLORADO, AS VACATED BY ORDINANCE NO. _____ RECORDED UNDER RECEPTION NO. _____ TRACT B AS PLATTED IN BANNING LEWIS RANCH FILING NO. 4 RECORDED UNDER RECEPTION NO. 205090006 AND A PORTION OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN EL PASO COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BASIS OF BEARINGS: THE NORTHERLY BOUNDARY OF BANNING LEWIS RANCH FILING NO. 16B RECORDED UNDER RECEPTION NO. 218714161 RECORDS OF EL PASO COUNTY, COLORADO BEING MONUMENTED AT BOTH ENDS BY A NO. 5 REBAR AND 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118" IS ASSUMED TO BEAR N89°51'27"E, A DISTANCE OF 446.21 FEET.

COMMENCING AT THE NORTHEASTERLY CORNER OF BANNING LEWIS RANCH FILING NO. 16B RECORDED UNDER RECEPTION NO. 218714161 RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF BANNING LEWIS PARKWAY AS PLATTED IN BANNING LEWIS RANCH FILING NO. 3 RECORDED UNDER RECEPTION NO. 205064513;

THENCE N89°51'27"E, ON THE NORTHERLY RIGHT OF WAY LINE OF SAID BANNING LEWIS PARKWAY, A DISTANCE OF 142.00 FEET TO THE NORTHEASTERLY CORNER OF SAID BANNING LEWIS PARKWAY AS VACATED BY ORDINANCE NO. _____ RECORDED UNDER RECEPTION NO. _____
THENCE S00°09'21"W, ON THE WESTERLY LINE OF SAID VACATED BANNING LEWIS PARKWAY, A DISTANCE OF 420.74 FEET SAID POINT BEING THE POINT OF BEGINNING;

THENCE S89°50'39"E, A DISTANCE OF 200.00 FEET;
THENCE S00°09'21"W, A DISTANCE OF 170.00 FEET;
THENCE S89°50'39"E, A DISTANCE OF 281.98 FEET;
THENCE S84°19'06"E, A DISTANCE OF 133.31 FEET;
THENCE S44°12'34"E, A DISTANCE OF 137.90 FEET;
THENCE S32°25'57"E, A DISTANCE OF 90.00 FEET;
THENCE S21°37'45"E, A DISTANCE OF 171.09 FEET;
THENCE S54°18'58"E, A DISTANCE OF 142.09 FEET TO A POINT ON CURVE SAID POINT BEING ON THE NORTHWESTERLY RIGHT OF WAY LINE OF VISTA DEL ORO BOULEVARD AS PLATTED IN SAID BANNING LEWIS RANCH FILING NO. 3;

THENCE ON SAID NORTHWESTERLY RIGHT OF WAY LINE OF VISTA DEL ORO BOULEVARD THE FOLLOWING (2) TWO COURSES:

- ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S47°04'35"E, HAVING A DELTA OF 20°24'04", A RADIUS OF 826.00 FEET AND A DISTANCE OF 294.11 FEET TO A POINT ON CURVE;
- ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S66°45'40"E, HAVING A DELTA OF 05°42'31", A RADIUS OF 861.06 FEET AND A DISTANCE OF 85.79 FEET TO A POINT ON CURVE;

THENCE S35°41'02"W, A DISTANCE OF 428.17 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 54°18'58", A RADIUS OF 368.50 FEET AND A DISTANCE OF 349.34 FEET TO A POINT OF TANGENT;

THENCE N90°00'00"W, A DISTANCE OF 104.20 FEET TO A POINT ON THE WESTERLY LINE OF SAID VACATED BANNING LEWIS PARKWAY;

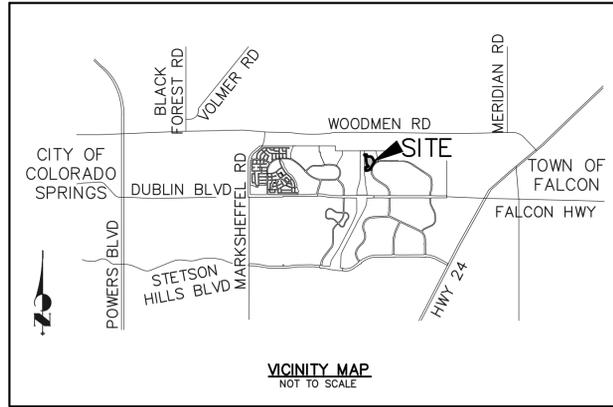
THENCE ON THE WESTERLY LINE OF SAID VACATED BANNING LEWIS PARKWAY THE FOLLOWING (3) THREE COURSES:

- N00°26'27"E, A DISTANCE OF 67.00 FEET;
- N00°09'21"E, A DISTANCE OF 116.44 FEET TO A POINT OF CURVE;
- ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 02°44'19", A RADIUS OF 2071.00 FEET AND A DISTANCE OF 98.99 FEET TO A POINT ON CURVE;

THENCE N87°25'01"E, A DISTANCE OF 32.93 FEET TO A POINT ON CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N90°00'00"E, HAVING A DELTA OF 131°03'23", A RADIUS OF 50.00 FEET AND A DISTANCE OF 114.37 FEET TO A POINT OF REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 70°31'44", A RADIUS OF 50.00 FEET AND A DISTANCE OF 61.55 FEET TO A POINT OF COMPOUND CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 24°50'38", A RADIUS OF 170.00 FEET AND A DISTANCE OF 73.71 FEET TO A POINT OF TANGENT;
THENCE N35°41'02"E, A DISTANCE OF 48.32 FEET;
THENCE N54°18'58"W, A DISTANCE OF 68.04 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 46°38'19", A RADIUS OF 230.00 FEET AND A DISTANCE OF 187.22 FEET TO A POINT OF TANGENT;
THENCE N07°40'39"W, A DISTANCE OF 275.19 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 07°50'00", A RADIUS OF 2789.00 FEET AND A DISTANCE OF 381.30 FEET TO A POINT OF TANGENT;
THENCE N00°09'21"E, A DISTANCE OF 116.18 FEET;
THENCE N89°50'39"W, A DISTANCE OF 140.00 FEET TO A POINT ON THE WESTERLY LINE OF SAID VACATED BANNING LEWIS PARKWAY;
THENCE N00°09'21"E, ON THE WESTERLY LINE OF SAID VACATED BANNING LEWIS PARKWAY, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 15.639 ACRES



DEDICATION:

THE UNDERSIGNED OWNERS HAVE CAUSED SAID TRACT OF LAND TO BE PLATTED INTO LOTS, PUBLIC STREETS, TRACTS, AND EASEMENTS, AS SHOWN ON THE PLAT. THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT, AND CONVEY TO THE CITY OF COLORADO SPRINGS THOSE PUBLIC STREETS, PUBLIC EASEMENTS AND TRACT D 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 "BANNING LEWIS RANCH FILING NO. 40", IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO. ALL PUBLIC STREETS AND TRACT D ARE HEREBY DEDICATED TO THE CITY OF COLORADO SPRINGS FOR PUBLIC USE.

OWNER:

THE AFOREMENTIONED, WALTON COLORADO, LLC, A COLORADO LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 20____, A.D.

BY: _____
NAME: _____

AS: _____ OF WALTON COLORADO, LLC, A COLORADO LIMITED LIABILITY COMPANY.

STATE OF COLORADO }
COUNTY OF EL PASO } ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, A.D. BY _____ AS _____ OF WALTON COLORADO, LLC, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

OWNER:

THE AFOREMENTIONED, CITY OF COLORADO SPRINGS HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 20____, A.D.

BY: _____
NAME: _____

AS: MAYOR OF COLORADO SPRINGS

STATE OF COLORADO }
COUNTY OF EL PASO } ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, A.D.

BY _____ AS MAYOR OF COLORADO SPRINGS

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

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 COMBINATIONS 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.

GENERAL NOTES:

- THE DATE OF PREPARATION IS APRIL 21, 2020.
- FLOODPLAIN STATEMENT: NO PORTION OF THIS SITE, BANNING LEWIS RANCH FILING NO. 40 IS WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 08041C05456, EFFECTIVE DECEMBER 7, 2018. (ZONE X)
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- THE ADDRESSES () EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
- 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 NO. 212125458 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.
- THE PROPERTY BEING PLATTED HEREIN IN ITS ENTIRETY IS SUBJECT TO AN AVIGATION EASEMENT FOR PUBLIC AVIGATION PURPOSES. SAID EASEMENT SHALL BE CONSIDERED A PUBLIC EASEMENT AND SUBJECT TO THOSE TERMS AND CONDITIONS AS SPECIFIED IN 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.
- THIS PLAT DOES NOT CONSTITUTE A TITLE SEARCH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD, FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY AND TITLE OF RECORD, CLASSIC CONSULTING ENGINEERS AND SURVEYORS AND THE SURVEYOR OF RECORD RELIED UPON THE TITLE COMMITMENT FILE NUMBER 20000310382 ISSUED BY STEWART TITLE GUARANTY COMPANY DATED APRIL 2, 2020 AT 5:30 P.M.
- BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 4 IS RECORDED IN THE EL PASO COUNTY RECORDS UNDER RECEPTION NO. 205199130 AND AS AMENDED.
- BANNING LEWIS RANCH REGIONAL METROPOLITAN DISTRICT (FORMALLY BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 6) IS RECORDED IN EL PASO COUNTY RECORDS UNDER RECEPTION NUMBER 205199132 AND AS AMENDED.
- THE AREA INCLUDED IN THIS PLAT SHALL BE SUBJECT TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS FOR THE BANNING LEWIS RANCH RECORDED UNDER RECEPTION NO. 207030103 AND THE SUPPLEMENTAL DECLARATIONS OF COVENANTS, CONDITIONS, AND AGE RESTRICTIONS FOR BRAEMORE AT BANNING LEWIS RANCH RECORDED UNDER RECEPTION NO. 219040951 AND AS AMENDED.
- TRACTS A, B AND C ARE FOR PUBLIC TRAIL ACCESS, PUBLIC IMPROVEMENTS, PEDESTRIAN ACCESS AND LANDSCAPING PURPOSES AND WILL BE OWNED AND MAINTAINED BY BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 4, TO BE CONVEYED BY SEPARATE INSTRUMENT.
- TRACT D IS TO BE OWNED AND MAINTAINED BY THE CITY OF COLORADO SPRINGS AND IS FOR PUBLIC DRAINAGE PURPOSES AND ANY OTHER USE THE CITY DEEMS APPROPRIATE.
- THIS PROPERTY IS SUBJECT TO THE FINDINGS, SUMMARY, AND CONCLUSIONS OF A GEOLOGIC HAZARD REPORT PREPARED BY TERRACON, DATED JUNE 4, 2003. A COPY OF SAID REPORT HAS BEEN PLACED WITHIN FILE: CPC PUP 05-142 OF THE CITY OF COLORADO SPRINGS - PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT. CONTACT THE PLANNING AND DEVELOPMENT TEAM, 30 SOUTH NEVADA AVENUE, SUITE 105, COLORADO SPRINGS, COLORADO, IF YOU WOULD LIKE TO REVIEW SAID REPORT.

EASEMENTS:

UNLESS SHOWN GREATER IN WIDTH BOTH SIDES OF ALL SIDE LOT LINES ARE HEREBY PLATTED WITH A FIVE (5) FOOT EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE. ALL REAR LOT LINES ARE HEREBY PLATTED WITH A SEVEN (7) FOOT EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE AS SHOWN WITH THE SOLE RESPONSIBILITY FOR SURFACE MAINTENANCE BEING VESTED WITH THE INDIVIDUAL PROPERTY OWNERS.

SURVEYOR'S STATEMENT:

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 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 BELIEF.

DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR DATE _____
COLORADO P.L.S. NO. 30118
FOR AND ON BEHALF OF CLASSIC CONSULTING
ENGINEERS AND SURVEYORS, LLC

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.

CITY APPROVAL:

ON BEHALF OF THE CITY OF COLORADO SPRINGS, THE UNDERSIGNED HEREBY APPROVE FOR FILING THE ACCOMPANYING PLAT OF "BANNING LEWIS RANCH FILING NO. 40".

CITY PLANNING DIRECTOR _____ DATE _____

CITY ENGINEER _____ DATE _____

CITY CLERK _____ DATE _____

CLERK AND RECORDER:

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 _____, 20____, A.D., AND IS DULY RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CHUCK BROERMAN, RECORDER

BY: _____
DEPUTY

FEES: _____

SURCHARGE: _____

SCHOOL FEE: _____

BRIDGE FEE: _____

PARK FEE: _____

DRAINAGE FEE: _____

FIRE PROTECTION FEE: _____ PER BUILDING PERMIT*

POLICE SERVICE FEE: _____ PER BUILDING PERMIT*

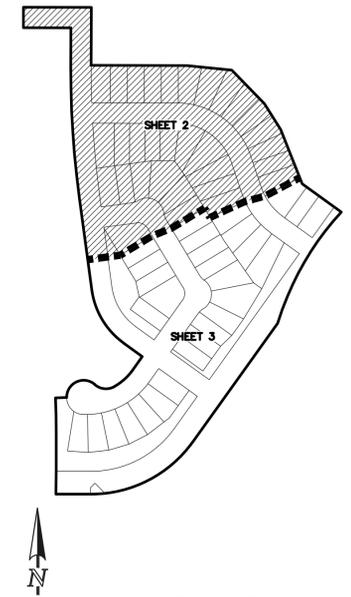
PRELIMINARY
THIS DOCUMENT HAS NOT BEEN
PLAT CHECKED

* PURSUANT TO THE AMENDED AND RESTATED BANNING LEWIS RANCH ANNEXATION AGREEMENT APPROVED BY CITY COUNCIL RESOLUTION 36-18-ON APRIL 24, 2018, UNLESS OTHERWISE PROVIDED BY CITY CODE, THE FIRE PROTECTION FEE AND THE POLICE SERVICE FEES AS STATED HEREIN ARE SUBJECT TO A YEARLY ESCALATION FACTOR EQUAL TO THE INCREASE IN THE COLORADO SPRINGS CONSTRUCTION INDEX, ADOPTED ANNUALLY BY THE COLORADO SPRINGS CITY COUNCIL. FEES TO BE COLLECTED AT THE ISSUANCE OF A BUILDING PERMIT UNLESS OTHERWISE PROVIDED BY CITY CODE.

BANNING LEWIS RANCH
FILING NO. 40
JOB NO. 2570.03
APRIL 21, 2020
SHEET 1 OF 3

CLASSIC
CONSULTING

BANNING LEWIS RANCH FILING NO. 40



KEY MAP
N.T.S.

BASIS OF BEARINGS
N89°51'27"E 446.21'

POINT OF COMMENCING

BANNING LEWIS RANCH
FILING NO. 18B
RECEPTION NO. 218714181

BANNING LEWIS PARKWAY
BANNING LEWIS RANCH FILING
NO. 3
RECEPTION NO. 205084513

POINT OF BEGINNING

S89°50'39"E
200.00'

WATER MEADOW DRIVE
(60' PUBLIC ROW)
S89°50'39"E
170.00'

N89°50'39"W
140.00'

N00°09'21"E
116.18'

BANNING LEWIS PARKWAY
BANNING LEWIS RANCH FILING NO. 3
RECEPTION NO. 205084513

A=7°50'00"
R=27°89'00"
L=381.30'

A=7°50'00"
R=27°59'00"
L=371.20'

UNPLATTED

SILVERGRASS DRIVE
(60' PUBLIC ROW)

N07°40'39"W 275.19'

TRACT C

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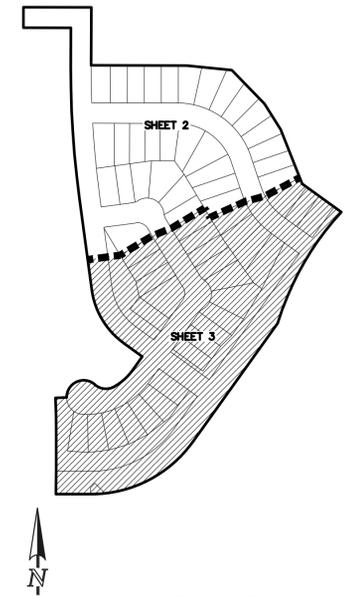
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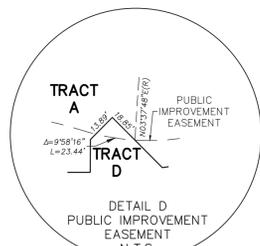
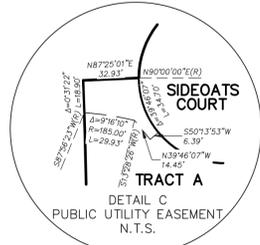
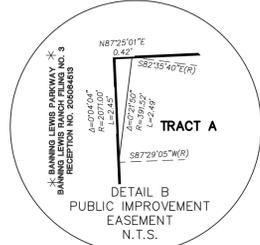
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BANNING LEWIS RANCH FILING NO. 40

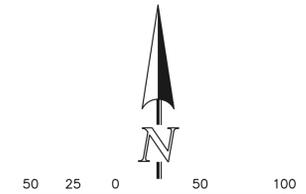
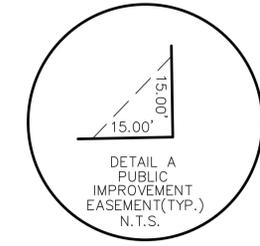


KEY MAP
N.T.S.



LEGEND

- AC ACRES
- SF SQUARE FEET
- (R) RADIAL BEARING
- NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118", FLUSH WITH GROUND, RECOVERED
- NO. 5 REBAR WITH 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118" TO BE SET FLUSH WITH GROUND
- * NOT PART OF THIS PLAT
- (XXXX) STREET ADDRESS



PRELIMINARY
THIS DOCUMENT HAS NOT BEEN
PLAT CHECKED

BANNING LEWIS RANCH
FILING NO. 40
JOB NO. 2570.03
APRIL 21, 2020
SHEET 3 OF 3



PL 2570.03 (DRAWINGS) SURVEY PLAN FILED 257003-FILED 02-23-2020 11:02:39 AM, 1:1