

POWERS CENTRE FILING NO. 3A

A VACATION AND REPLAT OF LOT 1, POWERS CENTRE FILING NO. 3 EL PASO COUNTY, COLORADO

Know all men by these presents

That, 5922 Ellenview, LLC, a California limited liability company, as to an undivided 50% interest, and 11317 McCormick Street, LLC, a California limited liability company, as to an undivided 50% interest being the owner of the following described tract of land, to wit:

Lot 1 Powers Centre Filing No 3, County of El Paso, State of Colorado, and containing 5.551 acres.

Owners Certificate

The undersigned, 5922 Ellenview, LLC, a California limited liability company, as to an undivided 50% interest, and 11317 McCormick Street, LLC, a California limited liability company, as to an undivided 50% interest being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided, and platted said lands into lots, tracts, streets, and easements (use which are applicable) as shown hereon under the name and subdivision of Powers Centre Filing 3A. 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.

5922 Ellenview, LLC, a California limited liability company, as to an undivided 50% interest, and 11317 McCormick Street, LLC, a California limited liability company, as to an undivided 50% interest
By: Michael J. Nisenbaum
Title: Manager/Member

STATE OF COLORADO)
) SS
COUNTY OF _____)

Acknowledged before me this _____ day of _____, 20____ by Michael J. Nisenbaum as owner, Ellenview, LLC, a California limited liability company, as to an undivided 50% interest, and 11317 McCormick Street, LLC, a California limited liability company, as to an undivided 50% interest.

My commission expires _____

Witness my hand and official seal

Notary Public

Surveyors Certificate

I, Oliver E. Watts, 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 11-18-22, 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 _____, 202__.

Oliver E. Watts, Colorado PE-LS No. 9853
For and On Behalf of: Oliver E. Watts, Consulting Engineer, Inc.

This plat for Powers Centre Filing No 3A 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. Powers Centre Filing No 3 in entirety is amended for the areas described by this Plat Amendment 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 # 207712703

Meggan Herrington Planning and Community Development Director

NOTES:

1. Bearings are based on the record bearing of N00°28'24"E, for the westerly line of Lot 1 monumented in the south by an illegible 2 inch aluminum washer on a PK nail (zap-it) and in the north by a 1 inch illegible aluminum cap on a #5 rebar, as shown on the plat. Said monuments are at ground level

2. Survey monuments found or set are at ground level unless otherwise noted on the plat.

3. Title information was provided by the client as follows:
Title Company: WFG National Title Insurance Company
File Number: 22-447242
Effective date: December 21, 2022 at 8:00 a.m.
This survey does not constitute a title search or opinion.

4. Notice: according to 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 the certification shown hereon.

5. Units of measurement: US Survey Feet

6. The approval of the replat vacates all prior plats for the area described by this replat.

7. Flood plain: According to the current effective Federal Emergency Management Agency Flood Insurance Rate Map, the subject property is located outside the boundary of the 100 Year Floodplain, as identified on FEMA Mapping Panels No. 08041C0751 G, and FEMA Mapping Panels No. 08041C0752 G, both dated December 7, 2018. The site is in Zone X on said panels

8. The following reports have been submitted in association with the Preliminary Plan or Final Plat for this subdivision and are on file at the County Planning and Community Development Department: Drainage Letter; Water Resources Report; Wastewater Disposal Report; Geology and Soils Report; Fire Protection Report

9. All property owners are responsible for maintaining proper storm water drainage in and through their property. Public drainage easements as specifically noted on the plat shall be maintained by the individual lot owners unless otherwise indicated. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.

10. Easements: Unless otherwise indicated, all side, front, and rear lot lines are hereby platted on either side with 5 feet public utility and drainage easement unless otherwise indicated. All exterior subdivision boundaries are hereby platted with a 7 foot public utility and drainage easement. The sole responsibility for maintenance of these easements is hereby vested with the individual property owners.

11. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the listed species (e.g., Preble's Meadow Jumping Mouse).

Please add the following notes:

The following note shall be placed on the plat: "Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a Class Two (2) misdemeanor pursuant to C.R.S. § 18-4-508", and

The final total gross acreage, the total number of lots, gross density, net density and net acreage of the subdivision.

Note about the geologic items:

- . pg. 4
- . pg. 5
- . pg. 6

STATE OF COLORADO
COUNTY OF EL PASO
I hereby certify that this instrument was filed in my office on this ____ day of _____, 202__, and was recorded at
Reception Number _____ of the records of El Paso County

El Paso County Clerk and Recorder

Fee: _____
Surcharge: _____

School fees: _____ Park fees: _____
Drainage fees: _____ Bridge fees: _____

12. The addresses exhibited on this plat are for informational purposes only. They are not the legal description and are subject to change.

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

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

15. There shall be no direct lot access to Powers Boulevard.

16. According to the Soils report prepared by GeoQuest LLC on April 3, 2019, the only major geological hazard that affects the site is poor soil quality as it relates to drainage during construction. There is no construction as a result of this minor replat.

17. Water and wastewater services for this subdivision are provided by the Cherokee Metropolitan District (Cherokee) subject to the District's rules, regulations and specifications.

18. **NOTICE OF POTENTIAL AIRCRAFT OVERFLIGHT AND NOISE IMPACT ASSOCIATED WITH AIRPORT:** This serves as notice of potential aircraft overflight and noise impacts on this property due to its close proximity to an airport, which is being disclosed to all prospective purchasers considering the use of this property for residential and other purposes. This property is subject to the overflight and associated noise of arriving and departing aircraft during the course of normal airport operations. All property within this subdivision is subject to an Aviation Easement as recorded at Book 2465, Pages 481 and 759 of the records of the El Paso County Clerk and Recorder.

19. All property within this subdivision is subject to a Declaration of Covenants as recorded in instrument recorded October 13, 1982 in Book 3621 at Page 592. Amendment recorded December 3, 1985 in Book 5095 at Page 982 of the records of the El Paso County Clerk and Recorder.

20. Reciprocal Access/Parking Agreement: All property within this subdivision is subject to a Reciprocal Access/Parking Agreement as described in the Covenants recorded October 13, 1982 in Book 3621 at Page 592. Amendment recorded December 3, 1985 in Book 5095 at Page 982 of the records of the El Paso County Clerk and Recorder.

Please remove "drainage letter" this was not submitted with the application.

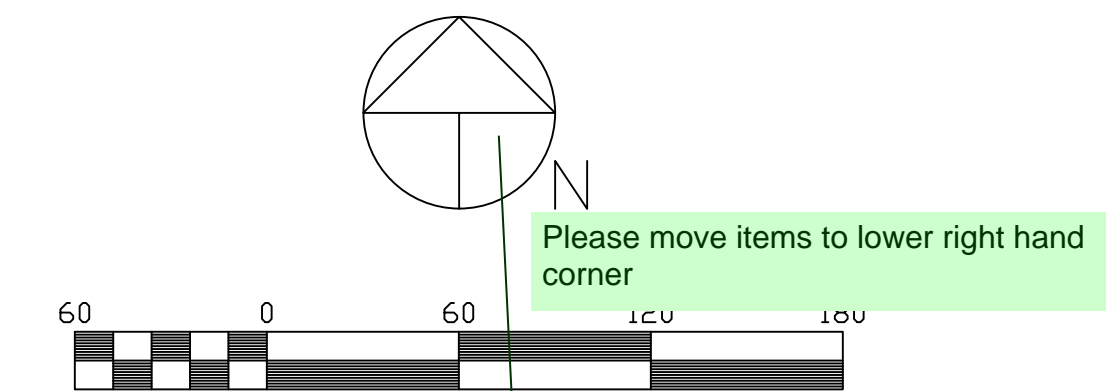
The subdivider(s) agree on behalf of him/herself and any developer of builder successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documents on all sales documents and in plat notes to ensure that a title search would find the fee obligation before sale of the property.

Please add this note

Add *VR236*

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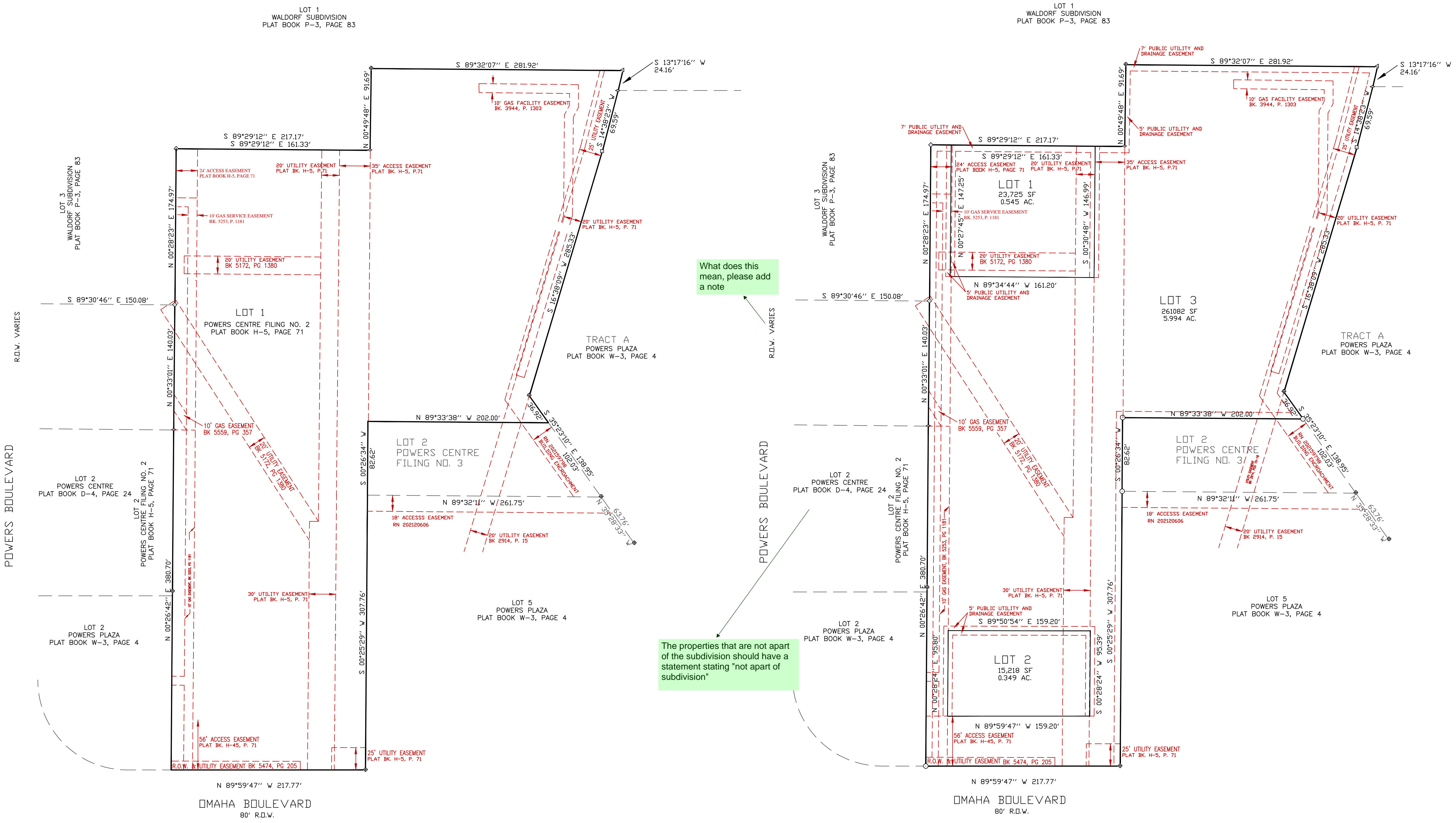
A VACATION AND REPLAT OF LOT 1, POWERS CENTRE FILING NO. 3 EL PASO COUNTY, COLORADO



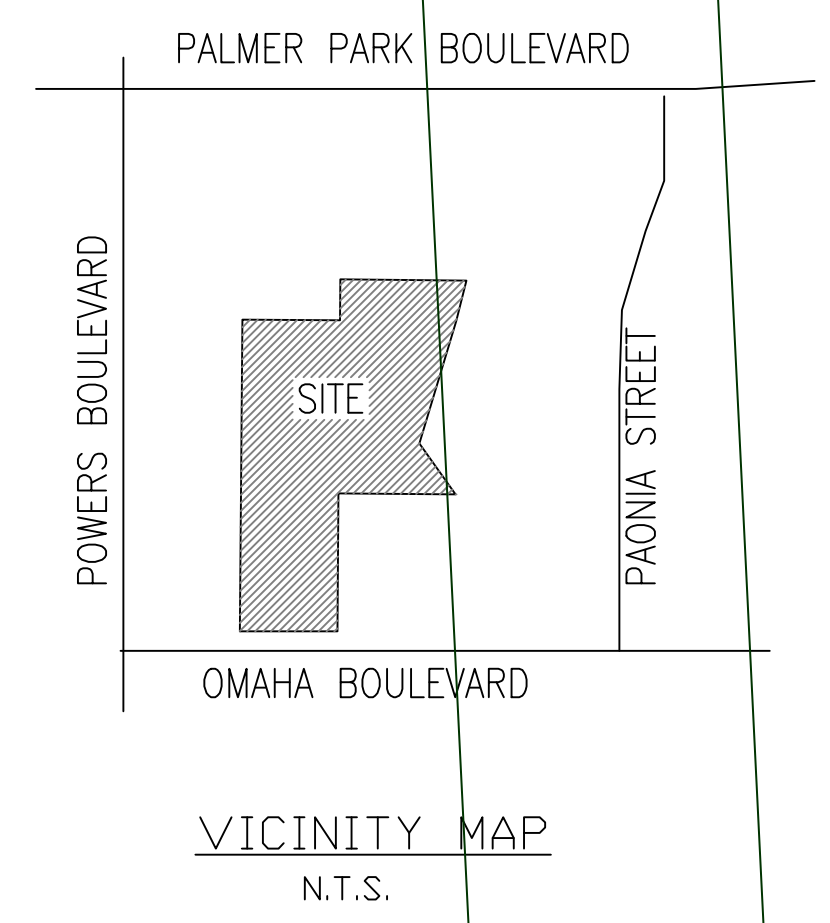
Scale 1" = 60'

LEGEND:

- SET 2" AL. CAP. #9853 DN #5 REBAR
- FOUND 1" AL. CAP. #10377 DN #5 REBAR
- ◁ FOUND 1-1/4" YELLOW ILLEG CAP DN #5 REBAR
- ◇ FOUND #4 REBAR
- ◆ FOUND #4 REBAR
- ⊕ FOUND 60D NAIL
- ⊕ FOUND ILLEG. ZAPPIT ON CONC. NAIL
- ◇ FOUND 1" ILLEG. AL. CAP ON #5 REBAR



The properties that are not apart of the subdivision should have a statement stating "not apart of subdivision"



AS PLATTED

AS REPLATTED