

SUBDIVISION/CONDOMINIUM PLAT

Reception Number Date Time

Reception Fee Number of Pages File Number

Powers Centre Filing No 3A
Name of Plat

5922 Ellenview LLC
Owner's Name

11317 McCormick St^{LLC}
Subdivision Condominium

Steve Schleiker
10/25/2023 10:02:36 AM
Doc \$0.00 2
Rec \$23.00 Pages

El Paso County, CO

223715210

POWERS CENTRE FILING NO. 3A

A VACATION AND REPLAT OF LOT 1, POWERS CENTRE FILING NO. 3
in the SW 1/4, Section 6, Township 14 South, Range 65 West, 6th P.M.
EL PASO COUNTY, COLORADO

15210

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.

Emeris 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 of the above described tract of land, do hereby certify that the following improvements have been erected, subdivided, replatted and replatted said 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 to the utility companies and the utility companies are hereby authorized hereon to install, maintain, and replace their utility lines and related facilities. The utility easements shown hereon are hereby dedicated to the utility companies and the utility companies are hereby authorized hereon to install, maintain, and replace their 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)
COUNTY OF EL PASO)

23 of Softenax 23
Acknowledged before me this day of September 23 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 24.24.2025
Witness my hand and official seal

[Signature]
Notary Public

Surveyors Certificate
I, 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 and that the same complies 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 10th day of October, 2023.

[Signature]
Oliver E. Watts, Colorado P.E. No. 3953
For and On Behalf of Oliver E. Watts, Consulting Engineer, Inc.
Date: 10/12/23

[Signature]
Cami Brown
Chair, Board of County Commissioners
Date: 10/24/23

This plat for Powers Centre Filing No 3A was approved for filing by the El Paso County, Colorado Board of County Commissioners on the 23rd day of September 23, 2023.
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 20th day of October, 2023, subject to any notes or conditions specified herein.
[Signature]
Planning and Community Development Director
Date: 10/20/23

- 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 (z-pit) 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. The information was provided by the client as follows:
Title Company: WFC 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: 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. 0804100751 G, and FEMA Mapping Panels No. 0804100752 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:
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: Easements otherwise indicated all side, front, and rear lot lines are hereby platted on either side with 5 feet setbacks unless otherwise indicated. 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., Fowler's Meadow Jumping Mouse).

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. The following lots have been found to be impacted by a geologic hazard. Mitigation measures and a map of the hazard area can be found in the report Soils Report for Lot #1, Filing #1, Powers Centre Subdivision by Geologist dated April 30, 2019, (see pages 4, 5, 6 for direction if/when attempting any future construction) in file VR236 available at the El Paso County Planning and Community Development Department.
- Other Hazard: Poor Soils Quality as it relates to Drainage during construction.
Any future construction or changes to buildings should be accompanied by a site-specific soil and foundation investigation to determine the engineering properties of the soils. A geologic hazard report that includes the identification of any hazards or constraints imposed by geologic conditions should accompany any report submitted in support of new construction.
There is no construction as a result of this minor replat.

17. Basis: Inadequate/Inefficiency: Water and wastewater services for this subdivision are provided by the Cherokee Metropolitan Water and Sewerage District. The existing water and sewer lines are in poor condition. The State Engineer has issued an opinion of water inadequacy based on its analysis of the existing water lines. The State Engineer has issued an opinion of certain water rights for use outside of the Upper Black-Squirrel Creek Designated Basin, and thus found insufficiency of water resources for this subdivision based on that agreement. This interpretation offers from certain opinions issued by the DPE in the past. Based on its own review of the stipulated agreement and its history (and not the amount of water actually available), the Board of County Commissioners in an open and public hearing did not accept the interpretation of the State Engineer's Office. The Board of County Commissioners found that Cherokee has committed to provide water service to the subdivision and asserted that its long term water service capabilities are sufficient. The Board of County Commissioners has approved the plans and specifications provided by Cherokee for the public hearing. Therefore, the hearing Cherokee asserted that its plans and continued financing through its existing customers with water and wastewater services for 300 years or more.

18. NOTICE OF POTENTIAL AIRCRAFT OVERFLIGHT AND NOISE IMPACT ASSOCIATED WITH AIRPORT: This serves as notice of potential aircraft overflight and noise impacts on the 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 all applicable laws, regulations, ordinances, and other agency requirements, if any, of applicable agencies including, but not limited to, all property within this subdivision is subject to an Avigation 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.
21. The Subdividers, on behalf of himself/herself and any developer or builder successor and assigns that Subdivider and/or said successor and assigns shall be required to pay traffic impact fees in accordance with the El Paso Building Department's Traffic Impact Resolution No. 19-1471, or any amendments thereto, at or prior to the time of building. The Subdividers shall be responsible for ensuring that the fee obligation be over sale of the property, on plot notes to ensure that a title search would find the fee obligation before sale of the property.

Clerk and Recorder
STATE OF COLORADO
COUNTY OF EL PASO
I hereby certify that this instrument was filed in my office on this 25th day of October, 2023, and was recorded at Reception Number 225715210 of the records of El Paso County
Shera Schneider
Cami Brown
El Paso County Clerk and Recorder

Fee: 20
Surcharge: 3
School fees: 0
Drainage fees: 0
Park fees: 0
Bridge fees: 0

SUBDIVISION SUMMARY:
TOTAL LOTS IN SUBDIVISION: 3
TOTAL ACRES: 5.551 Acres

Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory monuments a Class 1 no (2) misdemeanor pursuant to C.R.S. 18-4-4-508
PREPARED BY THE OFFICE OF OLIVER E. WATTS P.E.-L.S. CONSULTING ENGINEER 614 ELKTON DRIVE COLORADO SPRINGS, CO 80907 (719) 593-0173 oliver@ttsolutions.com oliverwattsolutions.com 44 years in business

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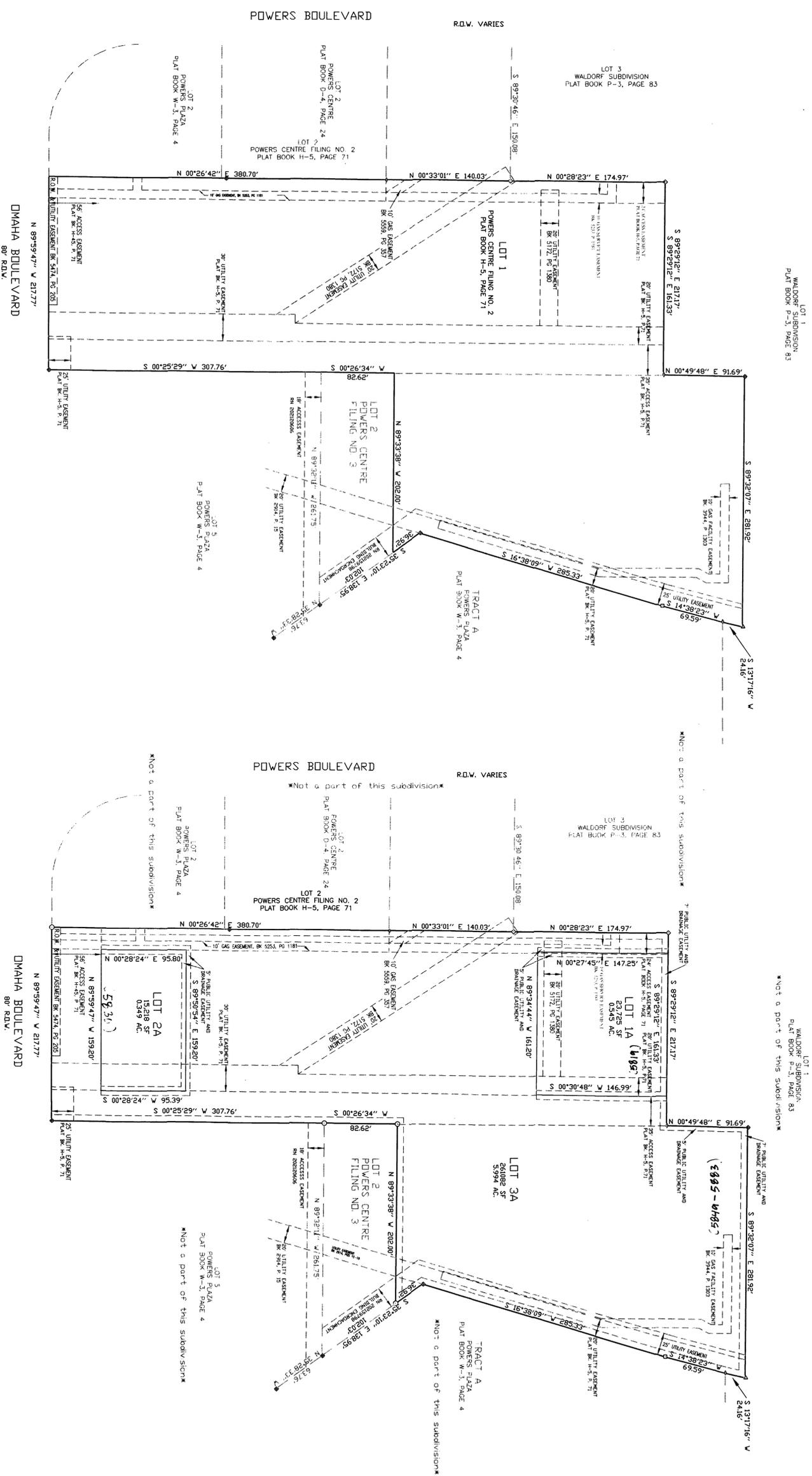
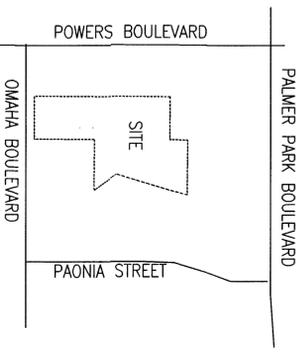


Scale 1" = 60'

LEGEND:

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

Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory marks a Class Two (2) misdemeanor pursuant to CRS § 18-4-508



AS PLATTED

AS REPLATED

PA 9/10/23