

# INDEPENDENCE PLACE AT CHEYENNE MOUNTAIN FILING NO. 1A

AN AMENDED PLAT OF A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 14 SOUTH AND THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 15 SOUTH, ALL IN RANGE 66 WEST OF THE SIXTH PRINCIPLE MERIDIAN, EL PASO COUNTY, COLORADO

## KNOW ALL MEN BY THESE PRESENTS:

THAT ESH DEVELOPMENT LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT:

## LEGAL DESCRIPTION:

A TRACT OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 14 SOUTH, AND THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 15 SOUTH, ALL IN RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEGIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1, INDEPENDENCE PLACE AT CHEYENNE MOUNTAIN FILING NO. 1 (RECEPTION NO. 219714418, EL PASO COUNTY, COLORADO RECORDS), COUNTY OF EL PASO, STATE OF COLORADO;

CONTAINING A CALCULATED AREA OF 13.704 ACRES.

## OWNERS CERTIFICATE:

THE UNDERSIGNED, BEING ALL THE OWNER, IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO A LOT AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF INDEPENDENCE PLACE AT CHEYENNE MOUNTAIN FILING NO. 1A. 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.

## OWNER'S STATEMENT:

THE AFOREMENTIONED, ESH DEVELOPMENT LLC, A COLORADO LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021 A.D.

ESH DEVELOPMENT LLC, A COLORADO LIMITED LIABILITY COMPANY

\_\_\_\_\_, EMERY CHUKLY, MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

## NOTARIAL:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

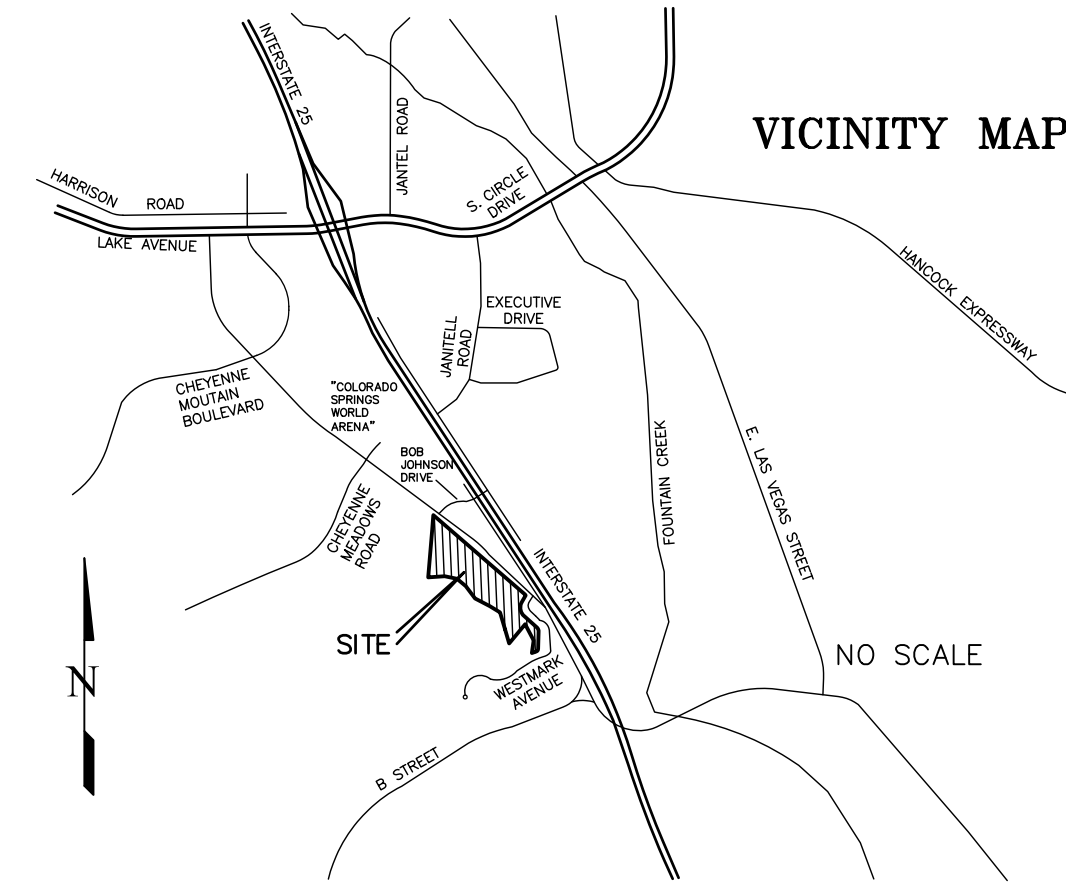
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020, A.D. BY EMERY CHUKLY, MANAGER OF ESH DEVELOPMENT LLC, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC \_\_\_\_\_

## GENERAL NOTES:

- DATE OF PLAT PREPARATION IS APRIL 19, 2021.
- ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY LICENSED IN THE STATE OF COLORADO.
- UNLESS SHOWN OTHERWISE, THE FOLLOWING EASEMENTS ARE HEREBY PLATTED:
  - 7.00 FOOT WIDE PUBLIC UTILITY AND PUBLIC DRAINAGE EASEMENT ALONG ALL LOT LINES, WITH THE SOLE RESPONSIBILITY FOR THE MAINTENANCE OF EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNER.
  - THE SOLE RESPONSIBILITY FOR THE MAINTENANCE OF EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNER.
- 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.
- THE FOLLOWING REPORTS HAVE BEEN SUBMITTED AND ARE ON FILE AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT, PCDD FILE NO. MS-11-001: SOILS AND GEOLOGICAL STUDY; WATER AVAILABILITY STUDY; DRAINAGE REPORTS; FIRE PROTECTION REPORT; NATURAL FEATURES REPORT; SUBDIVISION OR PROJECT PERCOLATION TESTRESULTS; EROSION CONTROL REPORT.
- 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, CRS.
- FLOODPLAIN STATEMENT: NO PORTION OF THIS SITE, INDEPENDENCE PLACE AT CHEYENNE MOUNTAIN FILING NO. 1A, IS WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAP, MAP NUMBERS 08041C0741G, DATED DECEMBER 7, 2018.
- A DRIVEWAY PERMIT IS REQUIRED TO BE APPLIED FOR AND APPROVED BY EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT PRIOR TO THE ESTABLISHMENT OF ANY DRIVEWAY.



## GENERAL NOTES (continued . . .):

- NO LOT OR INTEREST THEREIN, SHALL BE SOLD, CONVEYED, OR TRANSFERRED WHETHER BY DEED OR BY CONTRACT, NOR SHALL BUILDING PERMITS BE ISSUED, UNTIL AND UNLESS EITHER THE REQUIRED PUBLIC AND COMMON DEVELOPMENT IMPROVEMENTS HAVE BEEN CONSTRUCTED AND COMPLETED AND PRELIMINARILY ACCEPTED IN ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE APPLICANT/OWNER AND EL PASO COUNTY AS RECORDED UNDER RECEPTION NO. 219127387 IN THE OFFICE OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO OR, IN THE ALTERNATIVE, OTHER COLLATERAL IS PROVIDED TO MAKE PROVISION FOR THE COMPLETION OF SAID IMPROVEMENTS IN ACCORDANCE WITH THE EL PASO COUNTY LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL. ANY SUCH ALTERNATIVE COLLATERAL MUST BE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR AND MEET THE POLICY AND PROCEDURE REQUIREMENTS OF EL PASO COUNTY PRIOR TO THE RELEASE BY THE COUNTY OF ANY LOTS FOR SALE, CONVEYANCE OR TRANSFER. THIS PLAT RESTRICTION MAY BE REMOVED OR RESCINDED BY THE BOARD OF COUNTY COMMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR UPON EITHER APPROVAL OF AN ALTERNATIVE FORM OF COLLATERAL OR COMPLETION AND PRELIMINARY ACCEPTANCE BY THE EL PASO BOARD OF COUNTY COMMISSIONERS OF ALL IMPROVEMENTS REQUIRED TO BE CONSTRUCTED AND COMPLETED IN ACCORDANCE WITH SAID SUBDIVISION IMPROVEMENTS AGREEMENT. THE PARTIAL RELEASE OF LOTS FOR SALE, CONVEYANCE OR TRANSFER MAY ONLY BE GRANTED IN ACCORDANCE WITH ANY PLANNED PARTIAL RELEASE OF LOTS AUTHORIZED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT.
- WATER AND WASTEWATER SERVICES FOR THIS SUBDIVISION ARE TO BE PROVIDED BY THE STRATMOOR HILLS WATER AND SANITATION DISTRICT SUBJECT TO THE DISTRICTS RULES, REGULATIONS AND SPECIFICATIONS.
- FIRE PROTECTION IS SUPPLIED BY THE STRATMOOR HILLS FIRE PROTECTION DISTRICT.
- ELECTRIC AND GAS SERVICE SHALL BE PROVIDED BY COLORADO SPRINGS UTILITIES.
- THE PUBLIC UTILITY EASEMENT SHALL BE CONVEYED TO THE CITY OF COLORADO SPRINGS, A HOME RULE CITY AND COLORADO MUNICIPAL CORPORATION, ON BEHALF OF ITS ENTERPRISE, COLORADO SPRINGS UTILITIES BY SEPARATE DOCUMENT.
- THE ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
- TRACT A IS FOR DRAINAGE AND OPEN SPACE, TO BE OWNED AND MAINTAINED BY THE RECORD OWNER OF LOT 1. TRACT A SHALL BE CONVEYED WITH LOT 1 AT ALL FUTURE CONVEYANCES OF LOT 1.
- POND EASEMENTS, AS SHOWN HEREON, GRANTED TO EL PASO COUNTY ARE FOR ACCESS AND DRAINAGE IN ACCORDANCE WITH THE PRIVATE DETENTION BASIN MAINTENANCE AGREEMENT RECORDED UNDER RECEPTION NO. 219127388 OF THE RECORDS OF EL PASO COUNTY, COLORADO.
- PORTIONS OF THIS SITE HAVE EXCESSIVE SLOPE AS IDENTIFIED IN THE GEOLOGY AND SOILS REPORT. MITIGATION OF THESE AREAS SHALL BE COMPLETED IN ACCORDANCE WITH SAID REPORT.
- THIS PLAT DOES NOT CONSTITUTE A TITLE SEARCH TO DETERMINE OWNERSHIP OR EASEMENTS OR RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY AND TITLE OF RECORD, CLASSIC LDC, INC. AS AGENT FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY AND SURVEYORS AND THE SURVEYOR OF RECORD RELIED UPON THE TITLE COMMITMENT ORDER NUMBER SC55075040-13 ISSUED BY LAND TITLE GUARANTEE COMPANY DATED MARCH 09, 2021 AT 5:00 P.M..
- 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. 212112548 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 TRACT OF LAND HEREIN PLATTED LIES WITHIN SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 14 SOUTH AND THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 15 SOUTH ALL IN RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN.
- TOTAL NUMBER OF LOTS PLATTED WITH THIS AMENDMENT: 1
- 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 DEPARTMENT OF WILDLIFE, COLORADO DEPARTMENT OF TRANSPORTATION, U.S. ARMY CORP. OF ENGINEERS, THE U.S. FISH & WILDLIFE SERVICE AND/OR COLORADO DEPARTMENT OF WILDLIFE REGARDING THE ENDANGERED SPECIES ACT.
- MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT AND UNITED STATES POSTAL SERVICE REGULATIONS.

## GENERAL NOTES (continued . . .):

- THE SUBDIVIDER(S) AGREES ON BEHALF OF HIM/HERSELF AND ANY DEVELOPER OR 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 (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 DOCUMENTED ON ALL SALES DOCUMENTS AND ON PLAT NOTES TO INSURE THAT A TITLE SEARCH WOULD FIND THE FEE OBLIGATION BEFORE SALE OF THE PROPERTY.

## 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.

PRELIMINARY COPY  
SUBJECT TO FINAL  
COUNTY APPROVAL

DAVID V. HOSTETLER, PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_  
COLORADO PLS NO. 20681  
FOR AND ON BEHALF OF LAND DEVELOPMENT CONSULTANTS, INC.

## 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.

## APPROVAL:

THIS PLAT FOR INDEPENDENCE PLACE AT CHEYENNE MOUNTAIN FILING NO. 1A WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR ON THIS \_\_\_\_\_ 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 AS JUSTMENT 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 NO. 219714418.

\_\_\_\_\_, PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

## CLERK AND RECORDER:

STATE OF COLORADO  
COUNTY OF EL PASO  
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_M. THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019 A.D., AND DULY RECORDED UNDER RECEPTION NUMBER \_\_\_\_\_

RECORDER: CHUCK BROERMAN BY: \_\_\_\_\_ DEPUTY \_\_\_\_\_

FEE: \_\_\_\_\_  
SURCHARGE: \_\_\_\_\_  
SCHOOL FEE: \$24,480.00 PAID - DISTRICT 2  
BRIDGE FEE: \$2,053.70 PAID - STRATTON DRAINAGE BASIN  
PARK FEE: \$71,520.00 PAID - REGIONAL 3 \$45,120.00 PAID - URBAN 4  
DRAINAGE FEE: \$45,920.45 PAID - STRATTON DRAINAGE BASIN

these fees were previously paid other than the recording fee. leave the recording fee blank and it will be filled in by the Clerk & Recorder

PCDD FILE NO. VR-21-004

According to Colorado law, legal action based upon any defect in this survey must be commenced within three years after you first discover the 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.

CALL BEFORE YOU DIG . . .  
**811**  
DIAL **811**  
48 HOURS BEFORE YOU DIG. CALL UTILITY LOCATORS FOR LOCATING AND MARKING GAS, ELECTRIC, WATER AND WASTEWATER.

REVISIONS	No.	Description	By	Date
	1	COUNTY COMMENTS	DVH	04/19/21

H Scale: N/A  
V Scale: N/A  
Designed By: N/A  
Drawn By: BRH  
Checked By: DVH  
Date: 03/18/21

**Land Development Consultants, Inc.**  
PLANNING - SURVEYING  
www ldc inc com - TEL: (719) 528-6133 - FAX: (719) 528-8548  
3888 MAZELAND ROAD - COLORADO SPRINGS, CO 80909

INDEPENDENCE PLACE AT  
CHEYENNE MOUNTAIN  
FILING NO. 1A - FINAL PLAT

Project No.: 19031

Sheet: 1 of 2

# INDEPENDENCE PLACE AT CHEYENNE MOUNTAIN FILING NO. 1A

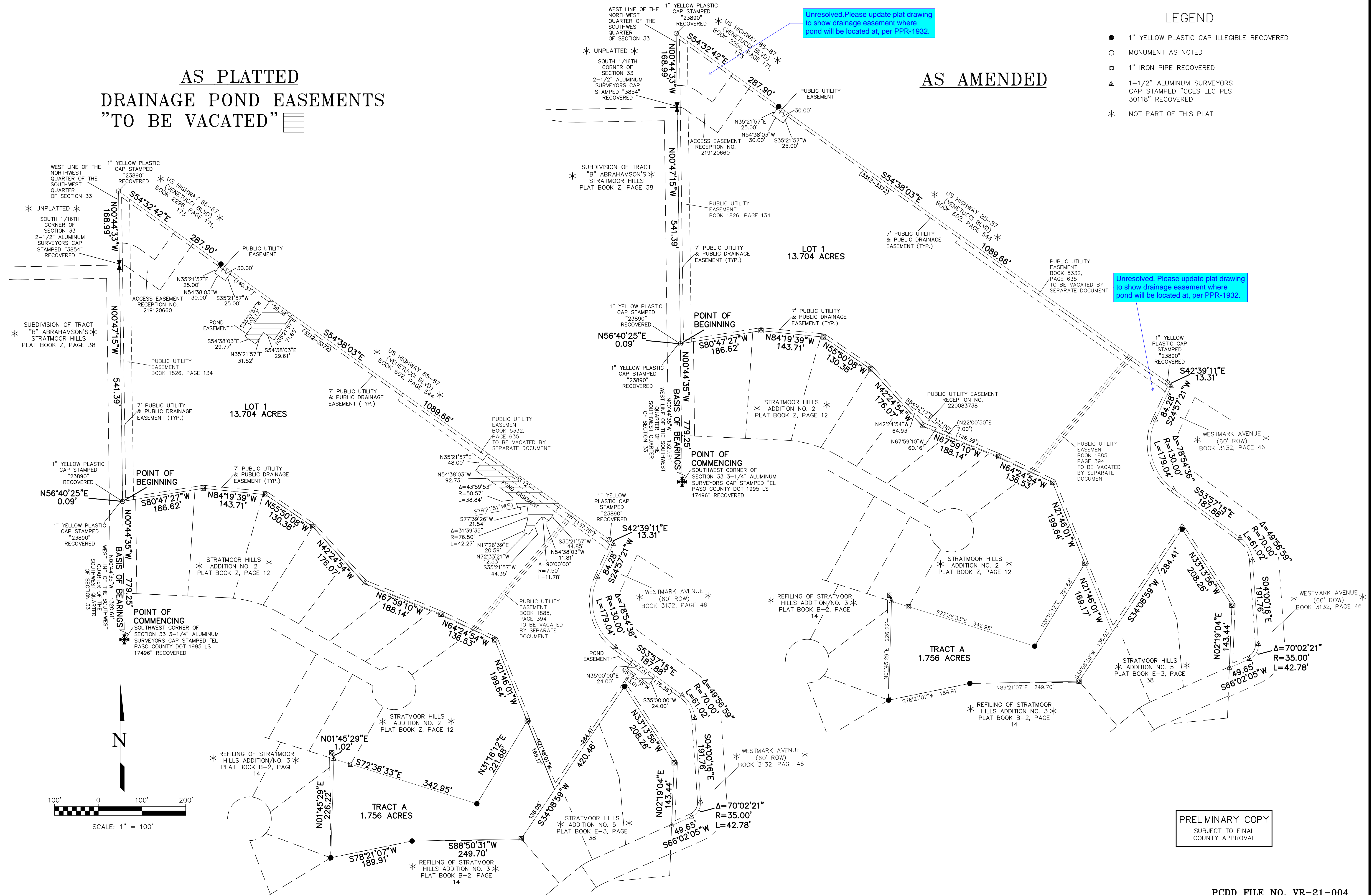
AN AMENDED PLAT OF A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 14 SOUTH AND THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 15 SOUTH, ALL IN RANGE 66 WEST OF THE SIXTH PRINCIPLE MERIDIAN, EL PASO COUNTY, COLORADO

## AS PLATTED DRAINAGE POND EASEMENTS "TO BE VACATED"

## AS AMENDED

### LEGEND

- 1" YELLOW PLASTIC CAP ILLEGIBLE RECOVERED
- MONUMENT AS NOTED
- 1" IRON PIPE RECOVERED
- △ 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118" RECOVERED
- \* NOT PART OF THIS PLAT



PRELIMINARY COPY  
SUBJECT TO FINAL  
COUNTY APPROVAL

According to Colorado law, any legal action based upon any defect in this survey must be commenced within one year after the date of the survey. In no event, may any action be based upon any defect in this survey more than ten years from the date of the certification shown hereon.

CALL BEFORE YOU DIG ...  
**811**  
DIAL 811  
48 HOURS BEFORE YOU DIG. CALL UTILITY LOCATORS FOR LOCATING AND MARKING GAS, ELECTRIC, WATER AND WASTE WATER.

No.	Date	By	Description
1	04/19/21	DVH	COUNTY COMMENTS

H Scale: 1" = 100'  
V Scale: N/A  
Designed By: N/A  
Drawn By: BRH  
Checked By: DVH  
Date: 03/18/21

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www ldc inc com · TEL: (719) 528-6133 · FAX: (719) 528-8548  
3888 MAZELAND ROAD · COLORADO SPRINGS, CO 80909

# INDEPENDENCE PLACE AT CHEYENNE MOUNTAIN FILING NO. 1A - FINAL PLAT

Project No.: 19031  
Sheet: 2 of 2