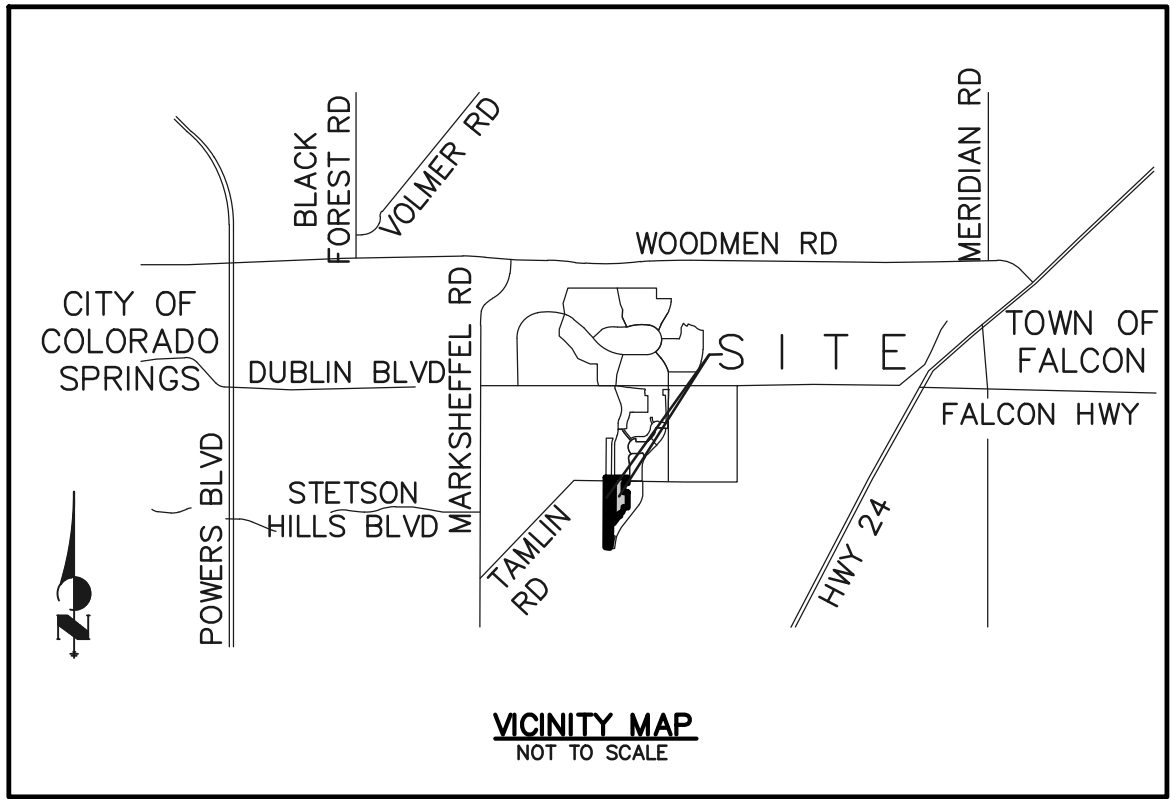


# BANNING LEWIS RANCH FILING NO. 38

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 15 AND THE  
NORTHWEST QUARTER OF SECTION 22, 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 CLAYTON PROPERTIES GROUP II, INC., A COLORADO CORPORATION, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT:

## LEGAL DESCRIPTION:

(2) TWO PARCELS OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 15 AND THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE NORTHWEST CORNER BY A 2-1/2" ALUMINUM CAP STAMPED "GMS INC. PLS 22095" AND AT THE WEST QUARTER BY A 2-1/2" ALUMINUM CAP STAMPED "DREXEL, BARRELL & CO LS 17664", AND IS ASSUMED TO BEAR N00°20'14"E, A DISTANCE OF 2646.40 FEET.

### PARCEL 1

COMMENCING AT THE SOUTHWESTERLY CORNER OF TRACT A, AS PLATTED IN BANNING LEWIS RANCH FILING NO. 26 RECORDED UNDER RECEPTION NO. 220714622, EL PASO COUNTY, COLORADO SAID POINT BEING THE POINT OF BEGINNING;

THENCE N90°00'00"E, ON THE SOUTHERLY BOUNDARY OF SAID TRACT A, A DISTANCE OF 185.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID TRACT A SAID POINT BEING ON THE WESTERLY BOUNDARY OF TRACT E AS PLATTED IN BANNING LEWIS RANCH FILING NO. 2 UNDER RECEPTION NO. 205087778;

THENCE ON THE WESTERLY BOUNDARY OF SAID TRACT E THE FOLLOWING TWO (2) COURSES:

1. S00°20'14"W, A DISTANCE OF 2063.07 FEET;
2. S10°50'29"W, A DISTANCE OF 229.80 FEET;

THENCE N83°08'28"W, A DISTANCE OF 143.94 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER SECTION 22, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN; THENCE N00°14'02"E, ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22, A DISTANCE OF 56.51 FEET TO THE SOUTHWEST CORNER OF SECTION 15, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

THENCE N00°20'14"E, ON THE WEST LINE OF SAID SECTION 15, A DISTANCE OF 1989.00 TO THE SOUTHEASTERLY CORNER OF TOY RANCHES ESTATES NO. 2 RECORDED IN PLAT BOOK O-2 AT PAGE 47; CONTINUING N00°20'14"E ON THE WEST LINE OF SAID SECTION 15 AND THE EASTERLY BOUNDARY OF SAID TOY RANCHES ESTATES NO. 2, A DISTANCE OF 226.07 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 9.584 ACRES.

### PARCEL 2

COMMENCING AT THE SOUTHWEST CORNER OF TRACT A, AS PLATTED IN BANNING LEWIS RANCH FILING NO. 26 RECORDED UNDER RECEPTION NO. 220714622, EL PASO COUNTY, COLORADO SAID POINT BEING THE POINT OF BEGINNING;

THENCE N90°00'00"E, ON THE SOUTHERLY BOUNDARY OF SAID TRACT A, A DISTANCE OF 185.00 FEET TO A POINT ON THE WESTERLY BOUNDARY OF TRACT E AS PLATTED IN BANNING LEWIS RANCH FILING NO. 2 UNDER RECEPTION NO. 205087778;

CONTINUING N90°00'00"E, A DISTANCE OF 105.01 FEET TO THE SOUTHWESTERLY CORNER OF SAID BANNING LEWIS RANCH FILING NO. 26, SAID POINT BEING ALSO ON THE EASTERLY BOUNDARY OF SAID TRACT E, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON THE SOUTHERLY AND EASTERLY BOUNDARY OF SAID BANNING LEWIS RANCH FILING NO. 26 THE FOLLOWING TWO (2) COURSES:

1. N90°00'00"E, A DISTANCE OF 456.32 FEET;
2. S00°00'00"E, A DISTANCE OF 55.58 FEET TO THE NORTHWESTERLY CORNER OF BERRIEDALE VIEW AS PLATTED IN BANNING LEWIS RANCH FILING NO. 29 RECORDED UNDER RECEPTION NO. 220714625;

CONTINUING S00°00'00"E, ON THE WESTERLY RIGHT OF WAY LINE OF SAID BERRIEDALE VIEW, A DISTANCE OF 60.00 FEET TO THE NORTHWEST CORNER OF BANNING LEWIS RANCH FILING NO. 37 RECORDED UNDER RECEPTION NO. \_\_\_\_\_;

THENCE ON THE WESTERLY BOUNDARY OF SAID BANNING LEWIS RANCH FILING NO. 37 THE FOLLOWING THIRTEEN (13) COURSES:

1. S00°00'00"E, A DISTANCE OF 75.00 FEET;
2. N90°00'00"W, A DISTANCE OF 135.00 FEET;
3. S00°00'00"E, A DISTANCE OF 285.00 FEET;
4. N90°00'00"E, A DISTANCE OF 135.00 FEET;
5. S00°00'00"E, A DISTANCE OF 497.90 FEET;
6. N82°04'04"W, A DISTANCE OF 107.51 FEET;
7. N90°00'00"W, A DISTANCE OF 30.89 FEET;
8. S00°00'00"E, A DISTANCE OF 69.55 FEET;
9. S21°10'25"W, A DISTANCE OF 118.96 FEET;
10. S72°27'45"W, A DISTANCE OF 94.03 FEET TO A POINT ON CURVE;
11. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N90°00'00"E, HAVING A DELTA OF 29°11'35", A RADIUS OF 170.00 FEET AND A DISTANCE OF 86.62 FEET TO A POINT ON CURVE;
12. S60°48'25"W, A DISTANCE OF 60.00 FEET;
13. S37°32'00"W, A DISTANCE OF 269.72 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID TRACT E;

THENCE N00°20'14"E, ON THE EASTERLY BOUNDARY OF SAID TRACT E, A DISTANCE OF 1493.56 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 11.595 ACRES.

CONTAINING A TOTAL CALCULATED AREA OF 21.179 ACRES.

## 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.

## DEDICATION:

THE UNDERSIGNED OWNER HAS CAUSED SAID TRACT OF LAND TO BE PLATTED INTO LOTS, PRIVATE 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 EASEMENTS, 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 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. 38", IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO.

## OWNER:

THE AFOREMENTIONED, CLAYTON PROPERTIES GROUP II, INC., A COLORADO CORPORATION, HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D.

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

AS: \_\_\_\_\_ OF CLAYTON PROPERTIES GROUP II, INC.,

A COLORADO CORPORATION.

STATE OF COLORADO }  
COUNTY OF EL PASO } ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D. BY \_\_\_\_\_ AS \_\_\_\_\_ OF CLAYTON PROPERTIES GROUP II, INC., A COLORADO CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL.

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

## GENERAL NOTES:

1. THE DATE OF PREPARATION IS AUGUST 20, 2021.
2. FLOODPLAIN STATEMENT:  
NO PORTION OF THIS SITE, BANNING LEWIS RANCH FILING NO. 38 IS WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 08041C0545G, EFFECTIVE DECEMBER 7, 2018. (ZONE X)
3. 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.
4. THE ADDRESSES ( ) EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
5. 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.
6. 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.
7. 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 21000310836 ISSUED BY STEWART TITLE GUARANTY COMPANY DATED AUGUST 14, 2021 AT 5:30 P.M.
8. BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 5 IS RECORDED IN THE EL PASO COUNTY RECORDS UNDER RECEPTION NO. 205199131 AND AS AMENDED.
9. 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.
10. 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.
11. PRIVATE STREETS, STRATH POINT AND WIRELAND VIEW ARE PRIVATELY OWNED AND MAINTAINED BY THE BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 5, TO BE CONVEYED BY SEPARATE INSTRUMENT.
12. TRACTS A, B AND C ARE FOR PEDESTRIAN ACCESS, LANDSCAPING PURPOSES AND PUBLIC UTILITIES. TRACTS A, B AND C WILL BE OWNED AND MAINTAINED BY BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 5, TO BE CONVEYED BY SEPARATE INSTRUMENT.
13. 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: GPC 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:

AS SHOWN WITH THE SOLE RESPONSIBILITY FOR SURFACE MAINTENANCE BEING VESTED WITH THE INDIVIDUAL PROPERTY OWNERS. STRATH POINT AND WIRELAND VIEW ARE EASEMENTS FOR PUBLIC UTILITIES, WITH THE SOLE RESPONSIBILITY FOR SURFACE MAINTENANCE BEING VESTED WITH THE BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 5.

## 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. 38".

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

FEE: \_\_\_\_\_

SURCHARGE: \_\_\_\_\_

SCHOOL FEE: \_\_\_\_\_

BRIDGE FEE: \_\_\_\_\_

PARK FEE: \_\_\_\_\_

DRAINAGE FEE: \_\_\_\_\_

FIRE PROTECTION FEE: \_\_\_\_\_ PER BUILDING PERMIT\*

POLICE SERVICE FEE: \_\_\_\_\_ PER BUILDING PERMIT\*

\* 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.

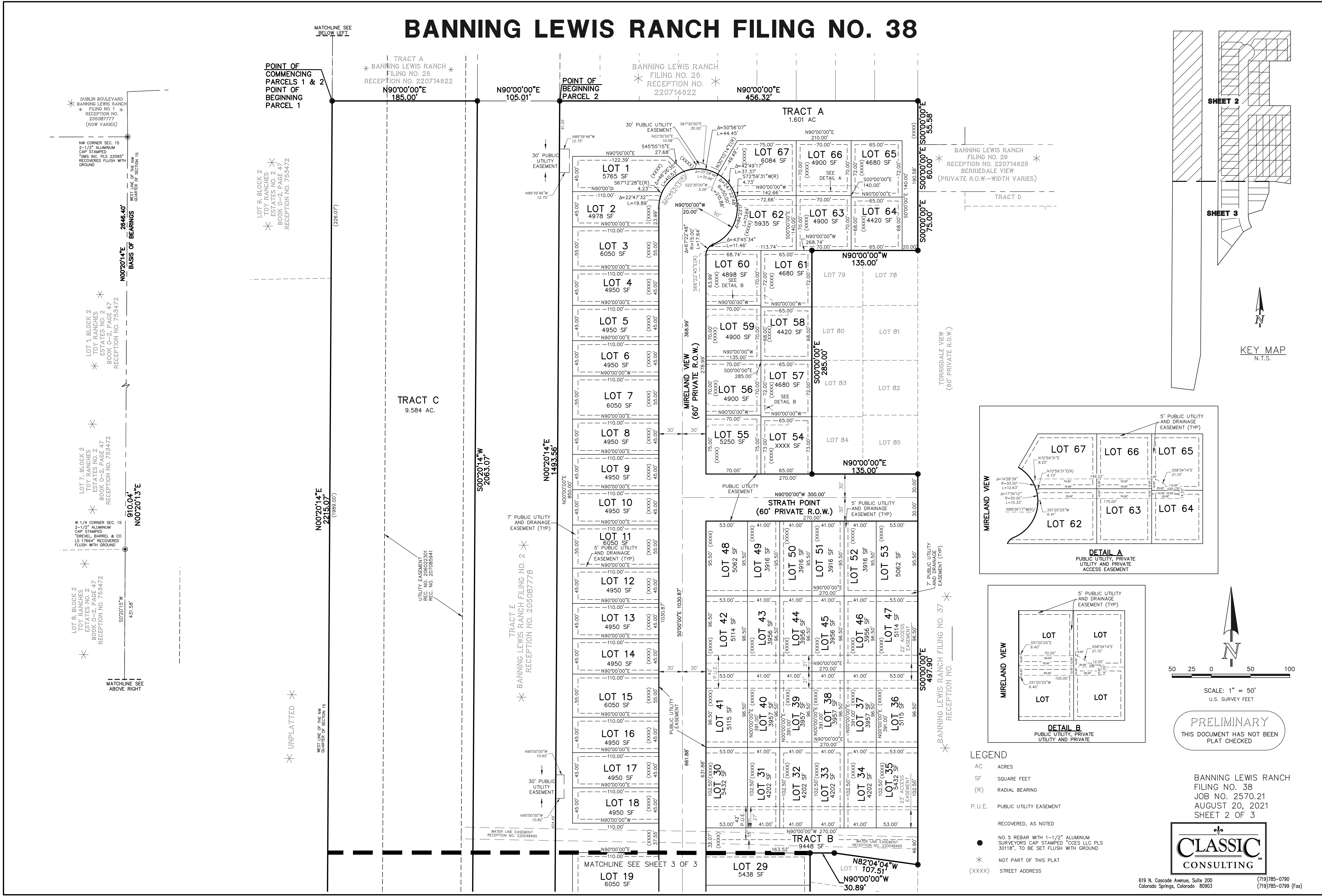
PRELIMINARY

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PLAT CHECKED

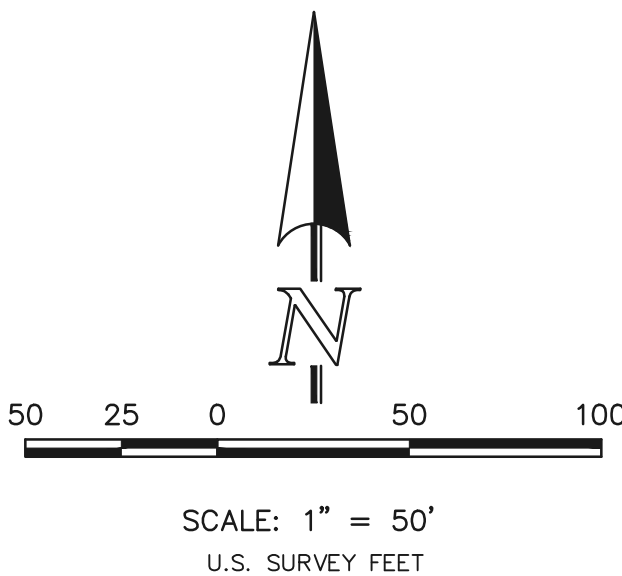
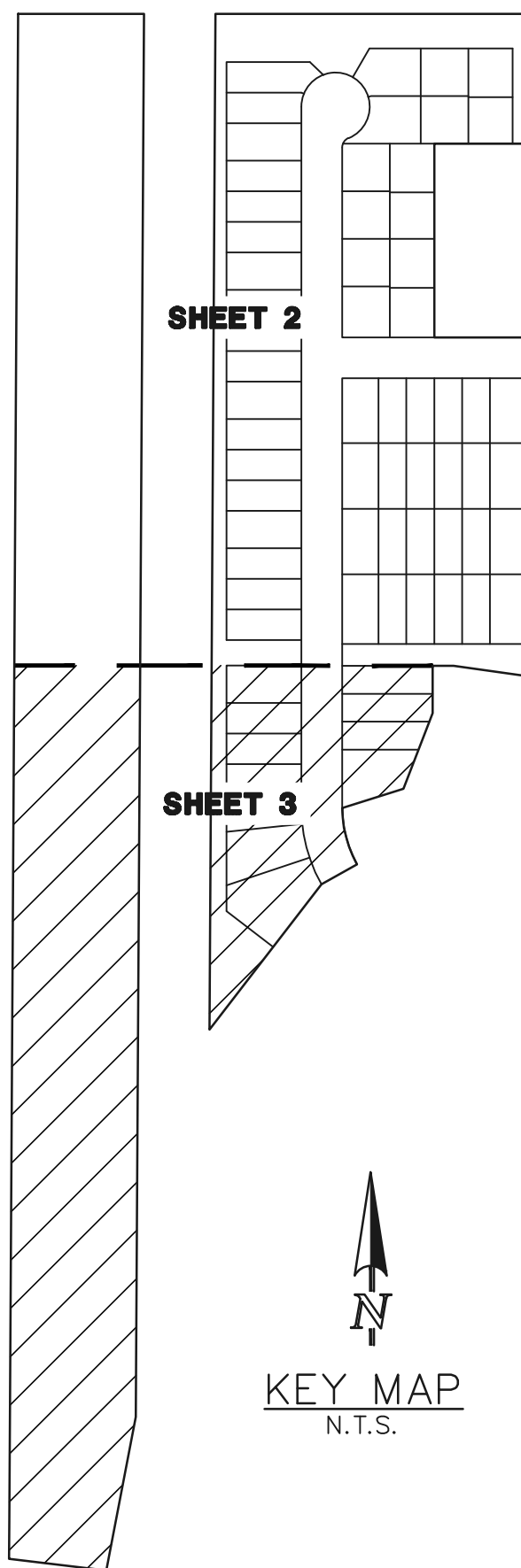
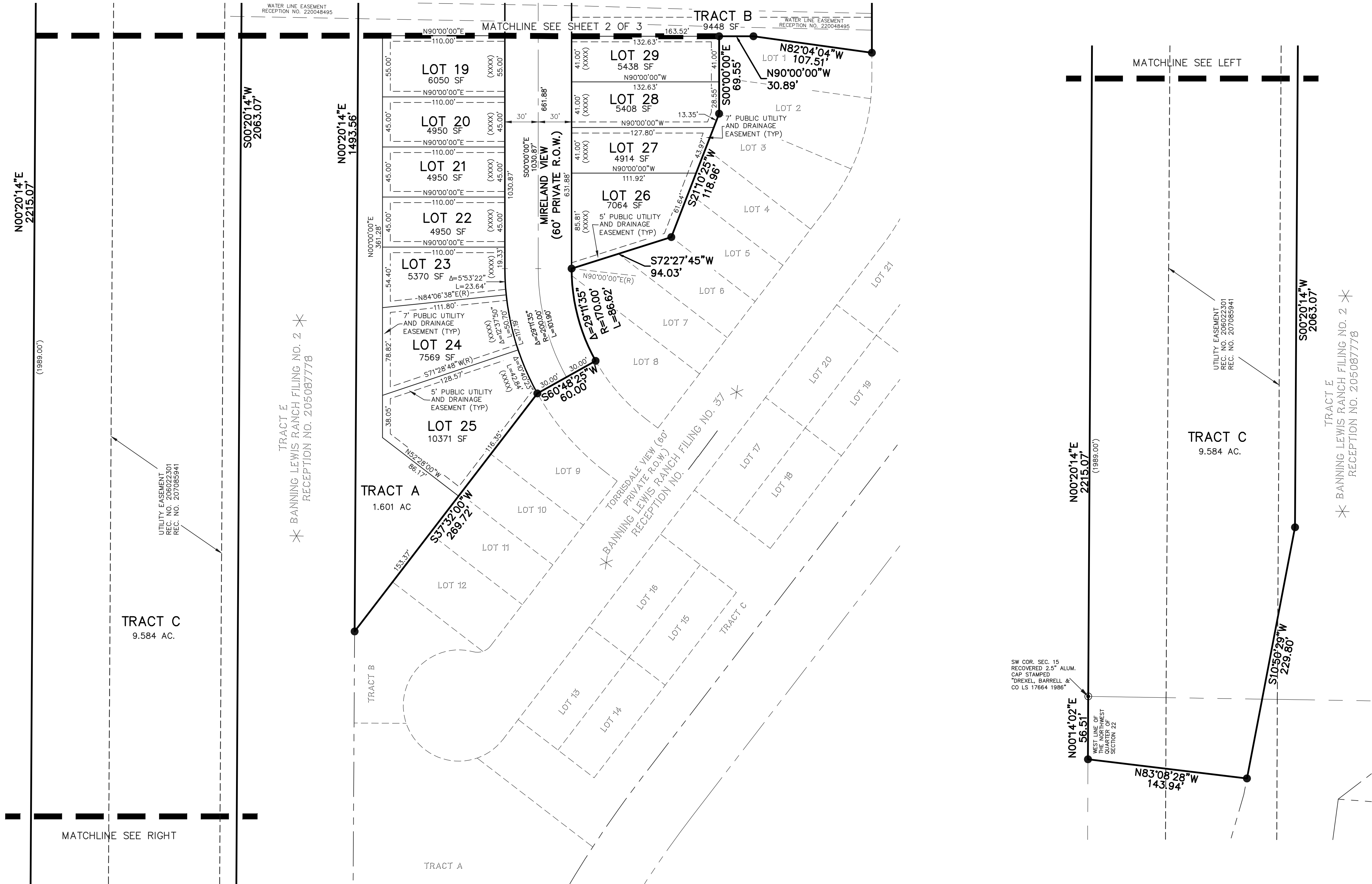
BANNING LEWIS RANCH  
FILING NO. 38  
JOB NO. 2570.21  
AUGUST 20, 2021  
SHEET 1 OF 3



# BANNING LEWIS RANCH FILING NO. 38



BANNING LEWIS RANCH FILING NO. 38



PRELIMINARY  
THIS DOCUMENT HAS NOT BEEN  
PLAT CHECKED

- LEGEND
- AC ACRES
  - SF SQUARE FEET
  - (R) RADIAL BEARING
  - 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

BANNING LEWIS RANCH  
FILING NO. 38  
JOB NO. 2570.21  
AUGUST 20, 2021  
SHEET 3 OF 3

**CLASSIC**  
CONSULTING

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