

FINAL PLAT
APPALOOSA HWY 24 SUBDIVISION FILING NO. 2
A RE-PLAT OF LOT 2, APPALOOSA HWY 24 SUBDIVISION, BEING A PORTION OF
THE SW1/4 OF SECTION 7, T14S, R65W OF THE 6TH P.M.
CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

KNOW ALL MEN BY THESE PRESENTS:

That Platte Valley LLC, a Colorado Limited Liability Company, being the owner of the following described tract of land to wit:

Lot 2, Appaloosa Hwy 24 Subdivision, County of El Paso, State of Colorado.

Containing a calculated area of 203,245 square feet (4.666 acres), more or less.

DEDICATION:

The above owner has caused said tract of land to be surveyed and platted into lots and easements as shown on the accompanying plat, which plat is drawn to a fixed scale as indicated thereon and accurately sets forth the boundaries and dimensions of said tract and the location of said easements. This tract of land as platted shall be known as APPALOOSA HWY 24 SUBDIVISION FILING NO. 2, City of Colorado Springs, El Paso County, Colorado.

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 Easement to the City of Colorado Springs and/or its assigns, provided however, that the sole right and authority to release or quitclaim all or any Public Easements shall remain exclusively vested in the City of Colorado Springs.

If this site is not being annexed into the City of Colorado Springs, then please change the dedications to El Paso County.

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: Transportation Impact Study; Drainage Report; Water Resources Report; Wastewater Disposal Report; Geology and Soils Report; Fire Protection Report; Wildfire Hazard Report; Natural Features Report; (other; modify based upon specific reports)

Individual lot purchasers are responsible for constructing driveways, including necessary drainage culverts from _____ Road per Land Development Code Section 6.3.3.C.2 and 6.3.3.C.3. Due to their length, some of the driveways will need to be specifically approved by the (name of Fire District).

When a Section Line Road encumbers the property, which would be eliminated as part of the subdivision plat.

The 60 foot wide public highway contained within this plat as ordered by the Board of County Commissioners for El Paso County on (date) and recorded in Road Book (X) and Page (X) of the records of El Paso County, is hereby vacated upon _____ recordation of this plat.

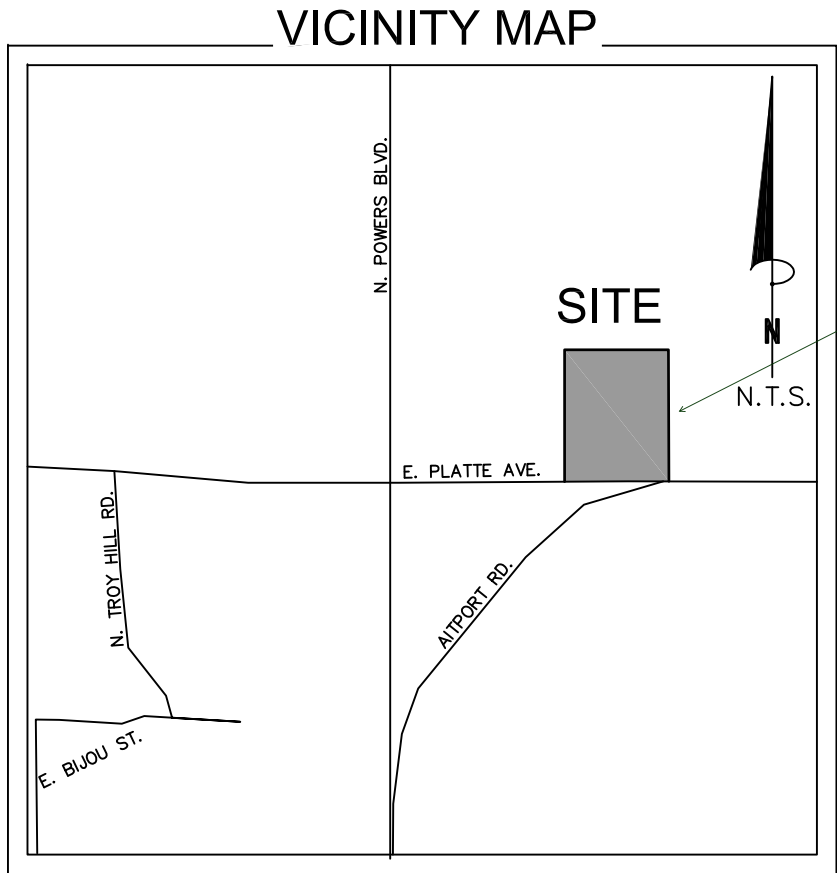
The individual lot purchaser(s) shall be responsible for final design, construction, and maintenance of private detention pond/water quality BMP(s) as described in the approved Preliminary/Final Drainage Report for this subdivision. Final design, construction drawings and drainage report updates for the detention pond/water quality BMP(s) serving each lot shall be provided with Site Development Plan submittals. The detention pond/water quality BMP(s) shall be constructed and completed prior to the issuance of any building permits for the subject lots. The subdivision developer is responsible for providing financial assurances as indicated in the Subdivision Improvements Agreement and Estimate of Guaranteed Funds for all detention ponds/water quality BMPs. All detention ponds/water quality BMPs shall be constructed prior to the release of said financial assurances. Individual lot purchasers shall enter into a Private Detention Basin / Stormwater Quality BMP Maintenance Agreement and Easement ("Agreement") prior to the issuance of any building permits for the subject lots. In the case that the developer constructs the detention pond(s), the developer shall enter into an Agreement for each pond constructed.

Cherokee Plat Note Re: Basin Transfer/Insufficiency:

Water and wastewater services for this subdivision are provided by the Cherokee Metropolitan District (Cherokee) subject to the District's rules, regulations and specifications. The Office of the State Engineer has issued an opinion of water inadequacy based on its analysis and interpretation of a stipulated agreement concerning the availability 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 differs from certain opinions issued by the Office 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 made this determination in reliance upon the testimony and expertise provided by Cherokee at the public hearing thereon. At the hearing, Cherokee asserted that its plans and continued financial investment in infrastructure are designed to allow Cherokee to continue to provide this subdivision and its existing customers with water and wastewater services for 300 years or more.

NOTICE: This property may be adversely impacted by noise, dust, fumes, and light pollution caused by adjacent industrial properties and activities. The buyer should research and be aware of this potentiality and the ramifications thereof. (Use when residential is adjacent to industrial)

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. (Use when this plat is to provide the notice) All property within this subdivision is subject to a Notice of Potential Aircraft Overflight and Noise Impact recorded at Reception No. _____, of the records of the El Paso County Clerk and Recorder. (Use when the Notice has previously been recorded) All property within this subdivision is subject to an Avigation Easement as recorded at Reception No. _____, of the records of the El Paso County Clerk and Recorder. (Use only when the property is subject to an existing avigation easement as reflected in the title policy)



Show shape of the subdivision.

Include a note stating No direct access will be allowed to state highway 24 from any lot.

NOTES:

- This survey does not constitute a title search by Clark Land Surveying, Inc. to determine ownership or easements of record. For all information regarding easements, rights of way and title of record, Clark Land Surveying, Inc. relied upon a Commitment for Title Insurance, prepared by Old Republic National Title Insurance Company, Commitment No. SC55068565-1, with an effective date of February 21, 2018 at 5:00 P.M.
- Basis of bearings is the south line of Lot 3, Appaloosa Hwy 24 Subdivision filing no. 2, recorded at Rec. No. 01440975 in the offices of the El Paso County Clerk and Recorder, monumented at its west end by a aluminum 3.5" cap stamped "PLS 91303" and at its east end by a 3.5" aluminum witness cap marking 25' online and assumed to bear N89°27'26"W, with a measured distance of 407.29 feet, as shown hereon.
- FEDERAL EMERGENCY MANAGEMENT AGENCY, Flood Insurance Rate Map, Map Number 08041C0754F effective date of March 17, 1997, with revised LOMR 05-08-0368P, effective date of May 23, 2007, indicates this parcel of land is located in Zone X (area determined to be out of the 500 year flood plain) and Zone AE (special flood hazard area inundated by a 100-year flood-Base flood elevation determined - contained to engineered channel).
- Easements and other record documents shown or noted on this survey were examined as to location and purpose and were not examined as to restrictions, exclusions, conditions, obligations, terms, or as to right to grant the same.
- The lineal units used in this drawing are U.S. Survey Feet.
- The Avigation easement dedicated herein for public avigation purposes, shall be considered a public easement subject to those terms and conditions as specified on the instrument recorded at Rec. No. 217069667 of the records of El Paso County, Colorado. All other easements or interests of recording affecting ay of the platted property depicted hereon shall not be affected and shall remain in full force and effect.
- Notice: This property may be impacted by noise caused by aircraft operating into and out of the Colorado Springs Municipal Airport. The buyer should familiarize himself/herself with this potentiality and the ramifications thereof.
- Approval of this replat vacates all prior plats for the area described by this replat.
- The property is subject to the Terms, Conditions, Provisions, Burdens, Obligations and Easements as set forth and granted in Avigation easements recorded april 18, 1973 in book 2578 at page 604, September 10, 1991 in Book 5880 at Page 209 and August 29, 2000 under Reception No. 200103169 and rerecorded September 5, 2000 under Reception No. 200106011.
- The property is subject to the effect of inclusion of subject property in the Cimarron Sanitation District (now known as the Cherokee Metropolitan District), as evidenced by instrument recorded March 29, 1977, in Book 2909 at Page 551.
- The property is subject to the effect of inclusion of subject property in the Cherokee Water District (now known as the Cherokee Metropolitan District), as evidenced by instrument recorded March 29, 1977, in Book 2909 at Page 552.
- The property is subject to the effect of Resolution No. 82-9, land use-5 regarding approval of special use, recorded February 11, 1982 in book 3531 at page 313.
- The property is subject to the effect of Resolution No. 91-116, land use-16 regarding approval of special use, recorded may 23, 1991 in Book 5840 at Page 1355.
- The property is subject to the Easements, Conditions, Covenants, Restrictions, Reservations and Notes on the plat of Appaloosa Hwy 24 Subdivision recorded December 05, 2000 under Reception No. 200146102, as amended by quitclaim deed recorded July 27, 2007 under Reception No. 207099518, Resolution No. 00-433 regarding plat approval in conjunction therewith recorded February 24, 2006, under Reception No. 206028173.
- The property is subject the effect of Resolution No. 00-432 regarding use subject to special review, recorded March 09, 2001, under Reception No. 201029146.
- The property is subject to the effect of Resolution No. 08-137 regarding zoning, recorded May 12, 2008, under Reception No. 208054704.
- The property is subject to the Easements, Conditions, Covenants, Restrictions, Reservations and Notes on the Plat of a replat of Lot 2, Appaloosa Hwy 24 Subdivision (to be recorded).

Include the following notes:

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

"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."

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

SURVEYOR'S CERTIFICATION:

The undersigned Colorado Registered Professional Land Surveyor does hereby certify that the accompanying plat was surveyed and drawn under his direct responsibility and supervision and to the normal standard of practice by surveyors in the State of Colorado and accurately shows the described tract of land thereof, and that the requirements of Title 38 of the Colorado Revised Statutes, 1973, as amended, have been met to the best of his professional knowledge, belief and opinion.

This statement is neither a warranty nor guaranty, either expressed or implied.

Stewart L. Mapes, Jr.
Colorado Professional Land Surveyor No. 38245
For and on behalf of Clark Land Surveying, Inc.

This survey plat is null and void without surveyor's original signature and seal.

Add File number here.

EASEMENTS:

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 Number 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.

Need a S.I.A. include note:

There are 5' Public Utility and Drainage Easements along all side lot lines, as shown hereon.

There are 7' Public Utility and Drainage Easements along all rear lot lines, as shown hereon.

is this site anticipated to be annexed into the City? if not, please revise signature blocks to the appropriate County signature blocks.

Include all the notes from previous plat that still apply.

CITY APPROVALS:

On behalf of the City of Colorado Springs, the undersigned hereby approve for filing the accompanying plat of APPALOOSA HWY 24 SUBDIVISION FILING NO. 2.

City Engineer _____ Date _____

City Planning Director _____ Date _____

City Clerk _____ Date _____

Change "City of Colorado Springs" to "El Paso County" where applicable

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 combination 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.

RECORDING:

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 _____, 2018, A.D., and is duly recorded under

Reception No. _____ of the records of El Paso County, Colorado.

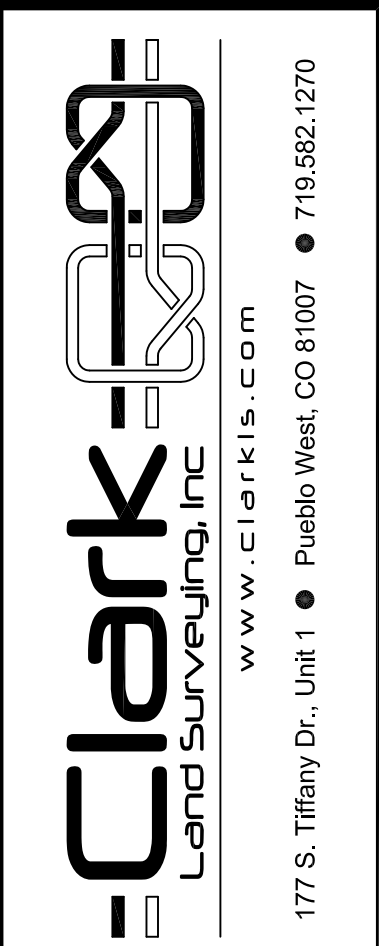
SURCHARGE: _____

Chuck Broerman, RECORDER

FEE: _____

BY: _____

Deputy



Revisions	Description	By	Date
	No.		

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.

APPALOOSA HWY 24 SUBDIVISION FILING NO. 2

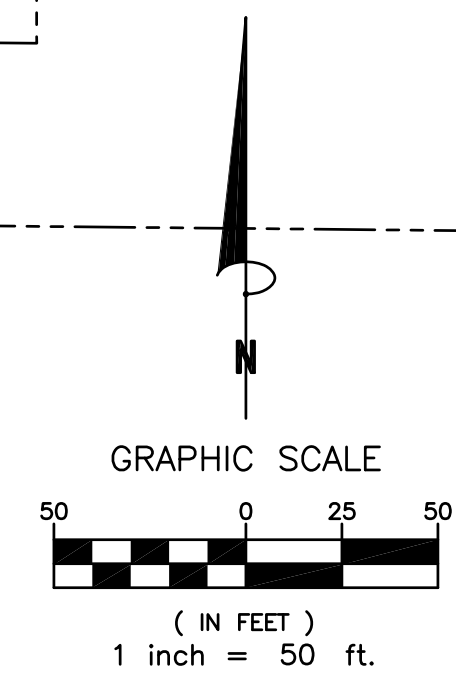
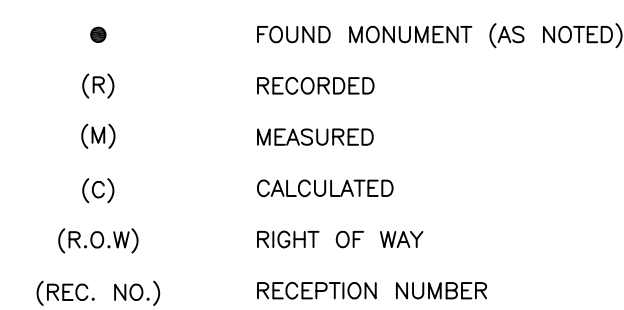
A PORTION OF THE SOUTHWEST 1/4 OF SECTION 7,
TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
COLORADO SPRINGS, EL PASO COUNTY, STATE OF COLORADO.

Project No.	180231	Drawn By: BCR	Date: 3/20/2018
		Checked By: SLW	Sheet: 1 of 2

"Appaloosa HWY 24
Subdivision Filing No.
1A"

A RE-PLAT OF LOT 2, APPALOOSA HWY 24 SUBDIVISION,
BEING A PORTION OF THE SW1/4 OF SECTION 7, T14S, R65W OF THE 6TH P.M.
CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

AS RE-PLATTED

[illegible]


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.

APPALOOSA HWY 24 SUBDIVISION FILING NO. 2

A PORTION OF THE SOUTHWEST 1/4 OF SECTION 7,
TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
COLORADO SPRINGS, EL PASO COUNTY, STATE OF COLORADO.

Project No.	180231
Drawn By:	BCR
Checked By:	SLM
Sheet	2 of 2
Date:	3/20/2018

Clark
Land Surveying, Inc.



www.Clark's.com

177 S. Tiffany Dr., Unit 1 • Pueblo West, CO 81007 • 719.582.1270

Markup Summary

dsdgrimm (5)

1 1/4" ORANGE PLASTIC CAP, 1" BELOW GRADE
1.5" ALUMINUM CAP, FLU
5" PUBLIC UTILITY AN

Show the site triangles

Subject: Engineer
Page Label: 2
Author: dsdgrimm
Date: 8/16/2018 2:56:42 PM
Color: ■

Show the site triangles

to the City of Colorado Springs those Public
he use of all Public Easement to the City of Colorado
ole right and authority to release or quitclaim all or
the City of Colorado Springs.

If this site is not being
annexed into the City
of Colorado Springs,
then please change
the dedications to El
Paso County.

Subject: Engineer
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Author: dsdgrimm
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If this site is not being annexed into the
City of Colorado Springs, then please
change the dedications to El Paso
County.

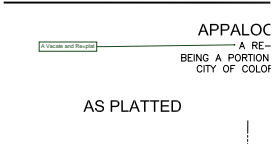
Change "City of
Colorado Springs" to
"El Paso County"
where applicable

Subject: Engineer
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Change "City of Colorado Springs" to "El
Paso County" where applicable

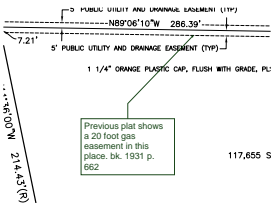
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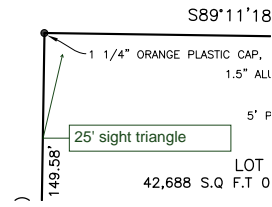
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Page Label: 2
Author: dsdkendall
Date: 8/16/2018 10:24:33 AM
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A Vacate and Re=plat



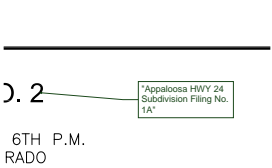
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Previous plat shows a 20 foot gas easement in this place. bk. 1931 p. 662



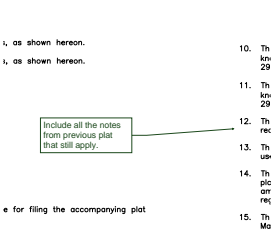
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25' sight triangle



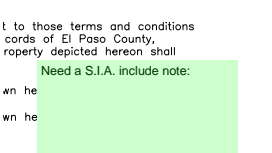
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"Appaloosa HWY 24 Subdivision Filing No. 1A"



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Author: dsdkendall
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Include all the notes from previous plat that still apply.



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Page Label: 1
Author: dsdkendall
Date: 8/16/2018 3:02:23 PM
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Need a S.I.A. include note:



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Author: dsdkendall
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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: Transportation Impact Study; Drainage Report; Water Resources Report; Wastewater Disposal Report; Geology and Soils Report; Fire Protection Report; Wildfire Hazard Report; Natural Features Report; (other; modify based upon specific reports)

Individual lot purchasers are responsible for constructing driveways, including necessary drainage culverts from _____ Road per Land Development Code Section 6.3.3.C.2 and 6.3.3.C.3. Due to their length, some of the driveways will need to be specifically approved by the (name of Fire District). When a Section Line Road encumbers the property, which would be eliminated as part of the subdivision plat. The 60 foot wide public highway contained within this plat as ordered by the Board of County Commissioners for El Paso County on (date) and recorded in Road Book (X) and Page (X) of the records of El Paso County, is hereby vacated upon recordation of this plat.

The individual lot purchaser(s) shall be responsible for final design, construction, and maintenance of private detention pond/water quality BMP(s) as described in the approved Preliminary/Final Drainage Report for this subdivision. Final design, construction drawings and drainage report updates for the detention pond/water quality BMP(s) serving each lot shall be provided with Site Development Plan submittals. The detention pond/water quality BMP(s) shall be constructed and completed prior to the issuance of any building permits for the subject lots. The subdivision developer is responsible for providing financial assurances as indicated in the Subdivision Improvements Agreement and Estimate of Guaranteed Funds for all detention ponds/water quality BMPs. All detention ponds/water quality BMPs shall be constructed prior to the release of said financial assurances.

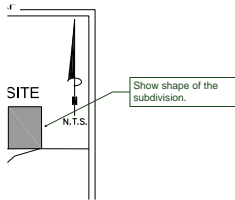
Individual lot purchasers shall enter into a Private Detention Basin / Stormwater Quality BMP Maintenance Agreement and Easement ("Agreement") prior to the issuance of any building permits for the subject lots. In the case that the developer constructs the detention pond(s), the developer shall enter into an Agreement for each pond constructed.

Cherokee Plat Note Re: Basin Transfer/Insufficiency:
Water and wastewater services for this subdivision are provided by the Cherokee Metropolitan District (Cherokee) subject to the District's rules, regulations and

Add File number here.

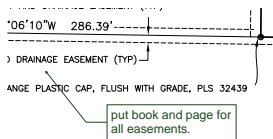
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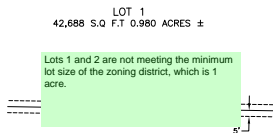
Show shape of the subdivision.



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Author: dsdkendall
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put book and page for all easements.

LOT 3



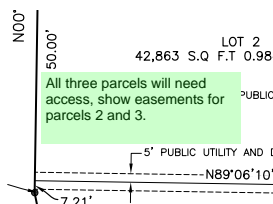
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Lots 1 and 2 are not meeting the minimum lot size of the zoning district, which is 1 acre.

Include a note stating No direct access will be allowed to state highway 24 from any lot.

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Author: dsdkendall
Date: 8/16/2018 9:03:18 AM
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Include a note stating No direct access will be allowed to state highway 24 from any lot.



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Author: dsdkendall
Date: 8/16/2018 9:06:20 AM
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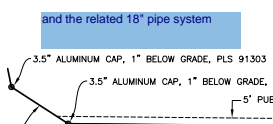
All three parcels will need access, show easements for parcels 2 and 3.

dsdnijkamp (2)

117

Subject: Engineer
Page Label: 2
Author: dsdnijkamp
Date: 8/16/2018 11:54:47 AM
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and the related 18" pipe system




There are 7' Public Utility and Drainage Easement:

is this site anticipated to be annexed into the City? if not, please revise signature blocks to the appropriate County signature blocks.

CITY APPROVALS:

On behalf of the City of Colorado Springs, the undersigned:

Subject: Engineer
Page Label: 1
Author: dsdnijkamp
Date: 8/16/2018 6:55:15 AM
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is this site anticipated to be annexed into the City? if not, please revise signature blocks to the appropriate County signature blocks.