

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. 1A, El Paso County, Colorado.

The undersigned does hereby dedicate, grant and convey to the County of El Paso those Public Easements as shown on the plat; and further restricts the use of all Public Easement to the County of El Paso 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 County of El Paso.

IN WITNESS WHEREOF:

The aforementioned, Platte Valley LLC, a Colorado Limited Liability Company, has executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Platte Valley LLC, a Colorado Limited Liability Company

By: \_\_\_\_\_

Name: Ronald Waldhausen

Title: Manager

NOTARIAL:

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF \_\_\_\_\_ } SS  
COUNTY OF \_\_\_\_\_ }

Subscribed and sworn to (or affirmed) before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2018,

by Ronald Waldhausen, as Manager of Platte Valley LLC, a Colorado Limited Liability Company, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

SIGNATURE

BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

This plat for (name of subdivision or plat) was approved for filing by the El Paso County, Colorado Board of County Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of land to the public (streets, tracts, easements: list those applicable) are accepted, but public improvements thereon will not become the maintenance responsibility of El Paso County until preliminary acceptance of the public improvements in accordance with the requirements of the Land Development Code and Engineering Criteria Manual, and the Subdivision Improvements Agreement.

This plat for (name of subdivision or plat) was approved for filing by the El Paso County, Colorado Board of County Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of land to the public (streets, tracts, easements: list those applicable) are accepted, but the public improvements thereon will not become the maintenance responsibility of El Paso County until preliminary acceptance of the public improvements in accordance with the requirements of the Land Development Code and Engineering Criteria Manual, and the Subdivision Improvements Agreement.

Previous plat name in entirety is vacated and amended for the areas described by this replat 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 # \_\_\_\_\_.

\_\_\_\_\_  
President, Board of County Commissioners Date

OWNERS CERTIFICATE:

The undersigned, 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 \_\_\_\_\_. 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.

Owners/Mortgagee (Signature)

By: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST: \_\_\_\_\_ (if corporation)

Secretary/Treasurer

STATE OF COLORADO

COUNTY OF \_\_\_\_\_ } SS

Acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_ by \_\_\_\_\_ as \_\_\_\_\_.

My commission expires \_\_\_\_\_

Witness my hand and official seal \_\_\_\_\_

Notary Public

Signatures of officers signing for a corporation shall be acknowledged as follows:  
(print name) as President/Vice President and print name as Secretary/Treasurer, name of corporation, a state corporation.

Signatures of managers/members for a LLC shall be acknowledged as follows:  
(print name) as Manager/Member of company, a state limited liability company.  
(Note: Required when separate ratification statements for deed of trust holders, mortgagees are not utilized)

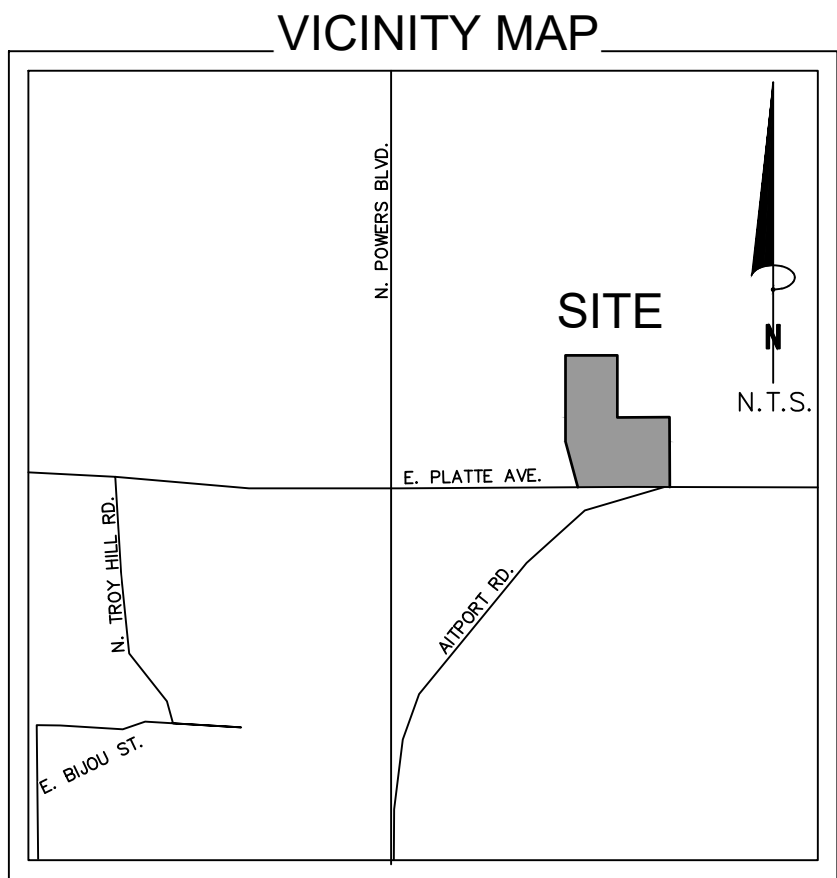
NOTICE IS HEREBY GIVEN:

That the area included in the plat described herein is subject to the code of the El Paso County 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 El Paso County, 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 El Paso County.

FINAL PLAT  
APPALOOSA HWY 24 SUBDIVISION FILING NO. 1A

A VACATE AND 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



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.

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.

COUNTY APPROVALS:

On behalf of the County of El Paso, the undersigned hereby approve for filing the accompanying plat of APPALOOSA HWY 24 SUBDIVISION FILING NO. 1A.

County Engineer \_\_\_\_\_ Date \_\_\_\_\_ County Planning Director \_\_\_\_\_ Date \_\_\_\_\_

County Clerk \_\_\_\_\_ Date \_\_\_\_\_

COUNTY REQUIRED NOTES:

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 (\_\_\_\_\_) and recorded in Road Book \_\_\_\_\_ and Page \_\_\_\_\_ 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)

1. 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)

FEES:

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

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

NOTES:

1. 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. RND55070989-3, with an effective date of November 3, 2018 at 5:00 P.M.

2. 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.

3. FEDERAL EMERGENCY MANAGEMENT AGENCY, Flood Insurance Rate Map, Map Number 08041C0754F effective date of March 17, 1997, with revised LOWR 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).

4. 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.

5. The lineal units used in this drawing are U.S. Survey Feet.

6. 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 any of the platted property depicted hereon shall not be affected and shall remain in full force and effect.

7. 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.

8. Approval of this replat vacates all prior plats for the area described by this replat.

9. The El Paso County Department of Transportation shall be contacted prior to the establishment of any driveway. Access to lots may be via common access easements.

10. All structural foundations shall be located and designed by a professional engineer, currently registered in the state of Colorado.

11. Access on Amelia Street will be limited to no closer than 135 feet from the intersection of Amelia Street and Highway 24.

12. Lot 1 is encumbered by a Twenty Five (25') foot Sight Visibility triangle at the intersection of Amelia Street and Terminal Avenue, per Reception No. 200146102.

13. No obstructions greater than 18 inches (18") in height shall be permitted in the sight triangles.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. The property is subject to the effect of Resolution No. 08-137 regarding zoning, recorded May 12, 2008, under Reception No. 208054704.

22. 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).

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

24. 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.

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

26. Property is subject to the Subdivision improvements agreement recorded \_\_\_\_\_ under reception No. \_\_\_\_\_.

27. The property is subject to limitations on access to and from State Highway No. 24 (Platte Avenue) as contained in Deeds recorded October 15, 1959 in Book 1770 at Page 639, August 11, 2000 at Reception No. 200095157 and October 19, 2000 at Reception No. 200127397.

RECORDING:

STATE OF COLORADO } SS  
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

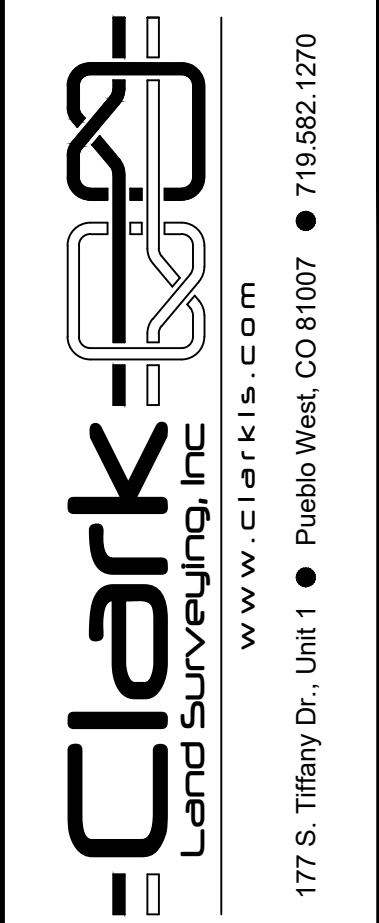
SURVEYOR'S CERTIFICATION:

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.



Revisions	Description	By	Date	Comments from various entities.	1st Review
No.					
2			CME 11/9/2018		
1			SLM 9/28/2018		

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. 1A

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.

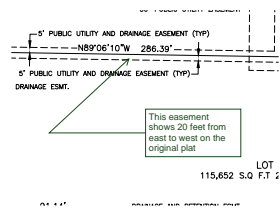
Project No. 180231 Drawn By: BCR Checked By: SLW Date: 3/20/2018 Sheet 1 of 2



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

# Markup Summary

dskkendall (6)

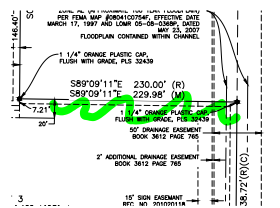


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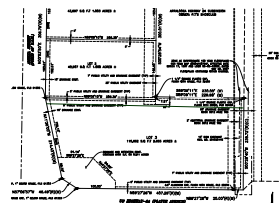
This easement shows 20 feet from east to west on the original plat



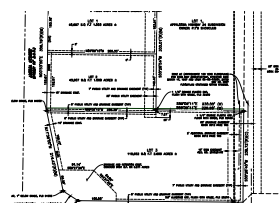
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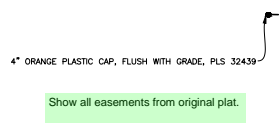
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Show all easements from original plat.