

FINAL PLAT SOLACE APARTMENTS FILING NO. 2

A REPLAT OF TRACT A, SOLACE APARTMENTS FILING No. 1
A PORTION OF THE SOUTHWEST QUARTER OF THE
NORTHWEST QUARTER OF SECTION 7,
TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF EL PASO, STATE OF COLORADO

KNOW ALL BY THESE PRESENTS:

That CS Powers & Galley, LLC, a Delaware limited liability company, being the owners of the following described tract of land to wit:

LEGAL DESCRIPTION:

TRACT A, SOLACE APARTMENTS FILING No. 1, COUNTY OF EL PASO, STATE OF COLORADO.

DEDICATION

The above owner has caused said tract of land to be platted into lots as shown hereon. The undersigned does hereby grant and convey to the County of El Paso all right-of-way dedications and easements for public use. The tract of land herein platted shall be known as "SOLACE APARTMENTS FILING NO. 2" in the County of El Paso, State of Colorado.

OWNERSHIP AND ACKNOWLEDGMENT STATEMENT:

The aforementioned, CS Powers & Galley, LLC, a Delaware limited liability company, has executed this instrument this ____ day of _____, 20____, A.D.

Ryan Tobias, Managing Member
CS Powers & Galley, LLC, a Delaware limited liability company

OWNERS CERTIFICATE

The undersigned, being all the owners, mortgagees, beneficiaries of deeds, trusts and holders of other interests in the land described herein, have laid out, subdivided, and platted said lands into lots, tracts, a street and easements, as shown hereon under the name and subdivision of SOLACE APARTMENTS FILING NO. 2. 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 within the public right-of-way will become matters of maintenance by El Paso County, Colorado. However, El Paso County shall NOT maintain the easements, private access into Lot 1 or any improvements within Tracts A and B. 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.

By: _____
Ryan Tobias, Managing Member, CS Powers & Galley, LLC, a Delaware limited liability company, its successors and assigns.

By: _____

Title: _____

ATTEST: (if corporation)

Secretary/Treasurer } SS

STATE OF _____ } SS

COUNTY OF _____ } SS

The above and aforementioned instrument was acknowledged before me this ____ day of _____, 20____, A.D.

By: Ryan Tobias, Managing Member

Witness my hand and seal:

My Commission expires _____

Notary Public _____

EASEMENT STATEMENT:

All public drainage, utility and improvement easements are as shown hereon. All easements shown or dedicated herein 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.

FLOOD PLAIN CERTIFICATION:

According to the National Flood Insurance Program, Flood Insurance Rate Map Panel 08041C0752G with an effective date of December 7, 2018, the subject property is located in Zone X (an area determined to be outside the 0.2% annual chance floodplain).

SURVEYOR'S NOTES

1. 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.
2. Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a class 2 misdemeanor pursuant to the Colorado Revised Statute 18-4-508.
3. The lineal units used in this drawing are U.S. Survey feet. A U.S. Survey Foot is defined as 1200/3937 meters.

4. This survey does not constitute a title search by Barron Land, LLC to determine ownership, rights-of-way, or easements of record. For information regarding ownership, rights-of-way, and easements of record, Barron Land, LLC relied upon Title Commitment Order No. SC55107784, with an effective date of September 13, 2022 as provided by Old Republic National Title Insurance Company and Land Title Guarantee Company.

5. This survey was performed in the field on September 9, 2022.

6. The overall subject parcel contains a calculated area of 334,741 square feet (7.68 acres) of land, more or less.

7. BASIS OF BEARINGS: Bearings are based upon Northerly lines of Tract A & Tract B, monumented at the Northwest corner of Tract A with a #5 rebar and 1.5" aluminum cap stamped "JR ENG PLS 38252", and monumented at the Northeast corner of Tract B with a #5 rebar, and is assumed to bear N 89°58'24" E, a field measured distance of 1311.73 feet.

8. Unless stated otherwise, all found or set monuments are flush with grade.

9. The approval of this Replat vacates all prior plats for the area described by this plat.

10. There shall be no direct lot access to North Powers Boulevard.

11. Geologic hazard note:

Per the geotechnical investigation report prepared by CTL Thompson, Inc., dated March 2, 2021, (CTL Thompson Project No. CS19163-105) the subject Lot was not identified as having geologic hazards at the time of the report. The report (PCD File No. _____) is on file at the El Paso County Planning and Community Development Department.

12. The parties responsible for this plan have familiarized themselves with all current accessibility criteria and specifications and the proposed plan reflects all site elements required by the applicable ADA design standards and guidelines as published by the United States Department of Justice, approval of this plan by El Paso County does not assure compliance with the ADA or any regulations or guideline enacted or promulgated under or with respect to such laws.

13. Any person who knowingly removes or knowingly causes to be removed any Public land survey monument, as defined by Section 38-53-103 (18), C.R.S., or control corner, as defined in Section 38-53-103 (6), C.R.S., or a restoration of any such monument or who knowingly removes or knowingly causes to be removed any bearing tree knowing such is a bearing tree or other accessory, as defined by Section 38-53-103(1), C.R.S., even if said person has Title to the land on which said monument or accessory is located, commits a class 2 misdemeanor unless, prior to such removal, said person has caused a Colorado professional land surveyor to establish at least two witness corners or reference marks for each such monument or accessory removed and has filed a monument record pursuant to Article 33 of Title 38, C.R.S.

14. All property within this subdivision is subject to an Avigation Easement as recorded at Reception No. 221101914 of the records of the El Paso County Clerk and Recorder.

20. 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 submittal. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on Plat notes to ensure that a title search would find the fee obligation before sale of the Property.

Revise to El Paso County

21. 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.

22. All property owners are responsible for maintaining proper storm water drainage in and through the 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.

23. No driveway shall be established unless an access permit has been granted by the City of Colorado Springs.

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

25. 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; noise report.

26. 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 Parks and 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., Preble's Meadow jumping mouse).

27. The addresses exhibited on this Plat are for informational purposes only. They are not the legal description and are subject to change.

28. Fikes Peak Regional Building Enumerations approval provided by email dated _____ and recorded in the El Paso County Clerk and Recorder records at Reception No. _____

29. An existing blanket access easement exists over Tract A, Solace Apartments Filing No. 1 for emergency services and will remain in effect over Lot 1, Solace Apartments Filing No. 2.

30. No Lots shall be sold, conveyed, or transferred to a Party other than one that purchases the entire Subdivision, whether by Deed or by Contract, unless and until the required Public and Common development improvements for the Subdivision have been constructed and completed in accordance with the Subdivision Improvements Agreement recorded at Reception No. _____. The approved construction plans and preliminary acceptance of said improvements has been received from El Paso county. Should a Party purchase the entire Subdivision, Lots within the Subdivision may be sold, conveyed, or transferred and have building permits issued upon receipt of collateral acceptable to the County which is sufficient to guarantee construction of the improvements in the approved financial assurance estimate. If subdivider or a purchaser posts collateral more than ninety (90) days following plat recording, an updated financial assurance estimate may be required. 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 partial release of Lots authorized by the Subdivision Improvements Agreement.

31. Utility Providers:

Sanitary Sewer: Cherokee Metropolitan District

Water: Cherokee Metropolitan District

Electric: Colorado Springs Utilities

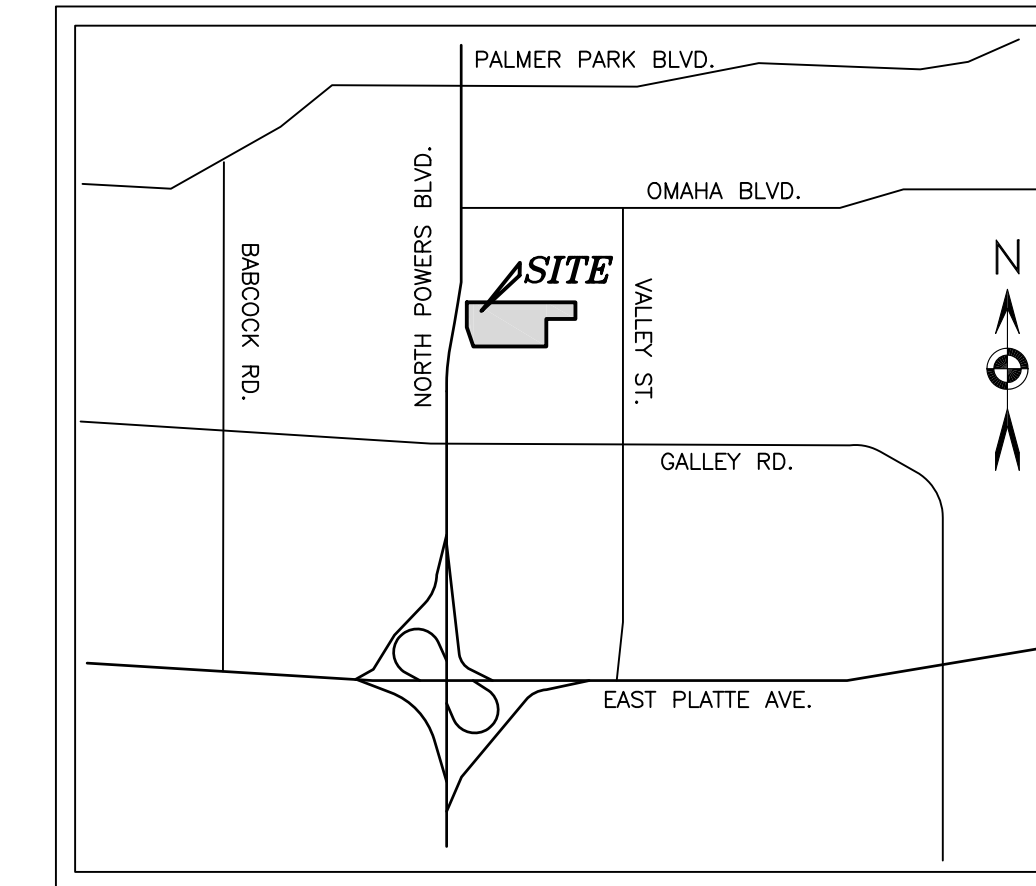
Gas: Colorado Springs Utilities

Include a summary note: The final total gross acreage, the total number of lots, gross density, net density and net acreage of the subdivision.

Add these two notes (from preliminary plan)

14. A 30 DB(A) INDOOR NOISE REDUCTION SHALL BE ACHIEVED BY APPROVED CONSTRUCTION TECHNIQUES AS EVIDENCED BY A NOISE REDUCTION CERTIFICATE PRIOR TO SITE DEVELOPMENT PLAN APPROVAL.
15. ALL PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO A RECIPROCAL ACCESS/PARKING AGREEMENT AS RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.

These appear to be duplicate notes. The note should read "Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a Class Two (2) misdemeanor pursuant to C.R.S. § 18-4-508"



VICINITY MAP
(NOT TO SCALE)

SURVEYOR'S CERTIFICATE:

I Spencer J. Barron, 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 September 9, 2022, by me or under my direct supervision and that the monuments exist as shown hereon; that mathematical closure errors are less than 1:10,000; and that said plat has been prepared in compliance with the applicable laws of the State of Colorado dealing with monuments, subdivision, or surveying of land and the applicable provisions of the El Paso County Land Development Code.

This certification is neither a warranty nor guarantee, either expressed or implied.

Please add the following note(s):
-An effective LOMR for the floodplain identified in Solace Apartments Filing No. 1 shall be approved by FEMA prior to issuance of any building permits within this filing.

Spencer J. Barron
Colorado Professional Land Surveyor No. 38141
For and on behalf of Barron Land, LLC

Remove the signature block for PCD Director and move PCD Director signature line to underneath BoCC Chair signature line.

COUNTY APPROVAL

This plat for SOLACE APARTMENTS FILING NO. 2 was approved for filing by the El Paso County, Colorado Planning

and Community Development Department this ____ day of _____, 20____

Planning and Community Development Director Date

This plat for SOLACE APARTMENTS FILING NO. 2 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 (right-of-way, street, tracts and easements) 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.

Chair, Board of County Commissioners Date

No SIA was submitted with this plat and it is not clear what right-of-way/ street is being dedicated to the City?

RECORDING

STATE OF COLORADO } SS
COUNTY OF EL PASO }

I hereby certify that this instrument was filed for record at my office at ____ O'clock __M., this

day of _____, 2022 A.D., and is duly recorded under Reception Number _____

of the records of El Paso County, Colorado.

Fee: _____

Surcharge: _____

Chuck Broerman, Recorder

By: _____
Deputy

FEES:

School Fee (School District ____): _____

Bridge Fee (Sand Creek Drainage Basin): \$ _____

Urban Park Fee: _____

Regional Park Fee: _____

Drainage Fee (Sand Creek Drainage Basin): \$ _____

Fill this in

PCD FILE No. XXXXX

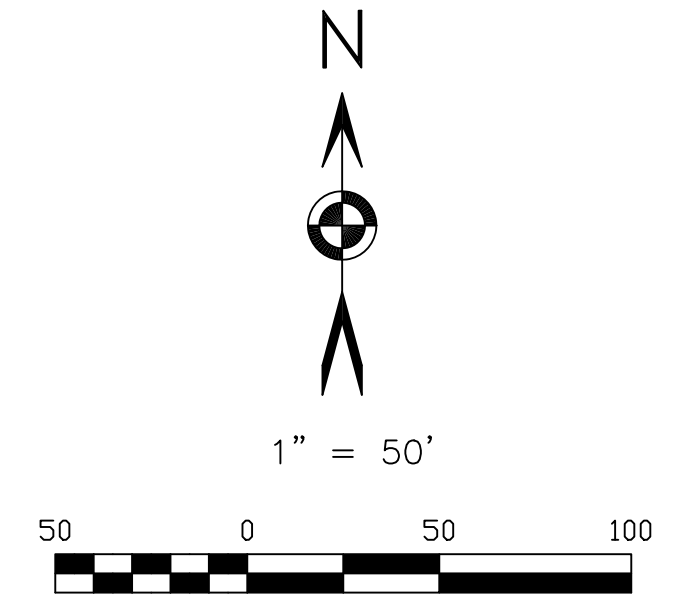
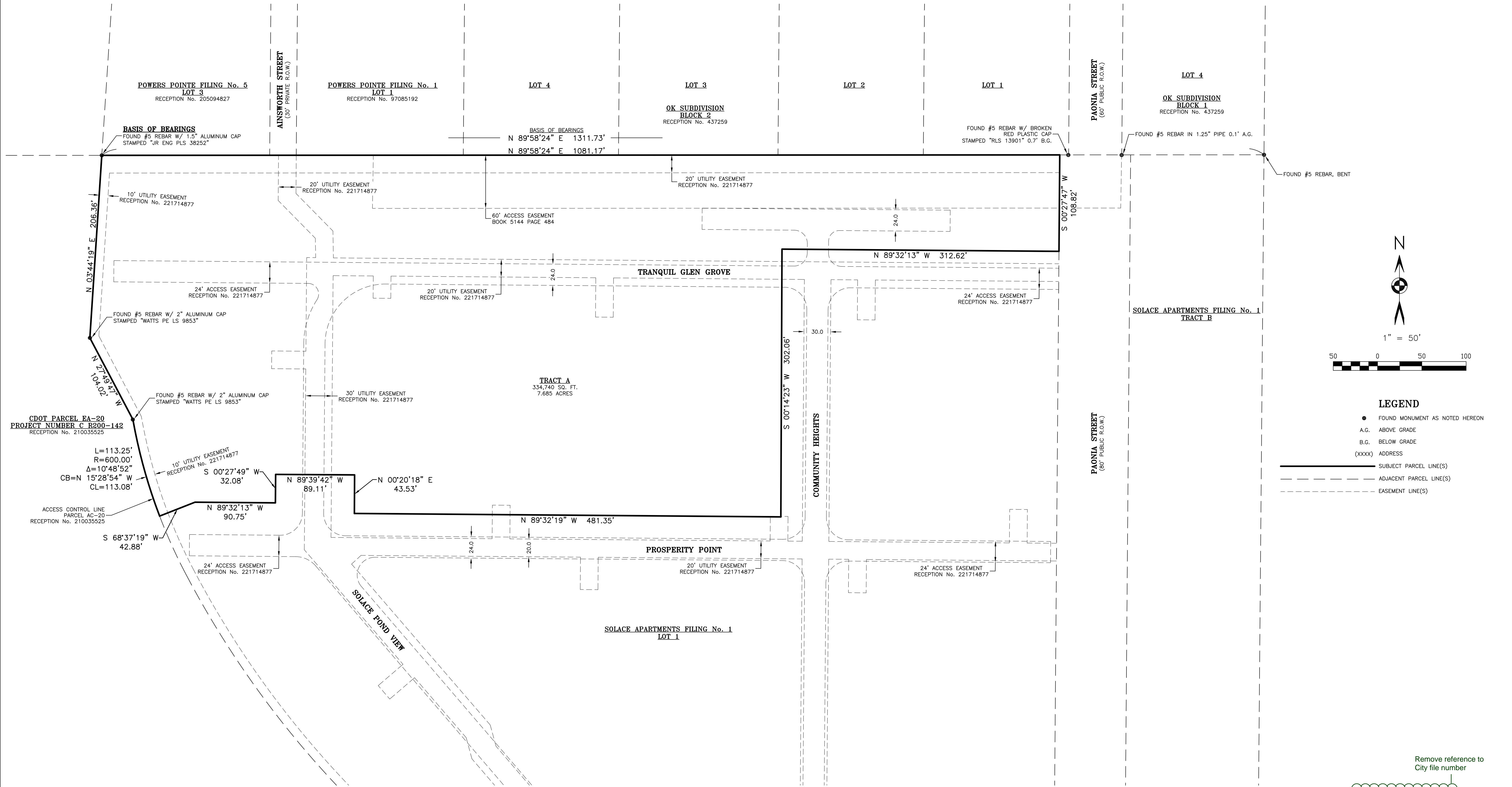
DATE: 09/23/2022		REVISIONS	
No.	Remarks	Date	By

BARRON LAND
BOUNDARY & MAPPING & SURVEYING & CONSTRUCTION
2790 N. Academy Blvd., Suite 311 P: 719.360.6827
Colorado Springs, CO 80917 F: 719.466.6527
www.BARRONLAND.com
PROJECT No.: 22-031 SHEET 1 OF 3

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TOWNSHIP 14 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,
COUNTY OF EL PASO, STATE OF COLORADO

AS PLATTED



- LEGEND**
- FOUND MONUMENT AS NOTED HEREON
 - A.G. ABOVE GRADE
 - B.G. BELOW GRADE
 - (XXXX) ADDRESS
 - SUBJECT PARCEL LINE(S)
 - - - ADJACENT PARCEL LINE(S)
 - - - EASEMENT LINE(S)

Remove reference to City file number

CITY No. AR FP XX-XXXX

DATE: 09/23/2022		REVISIONS	
No.	Remarks	Date	By

BARRON & LAND

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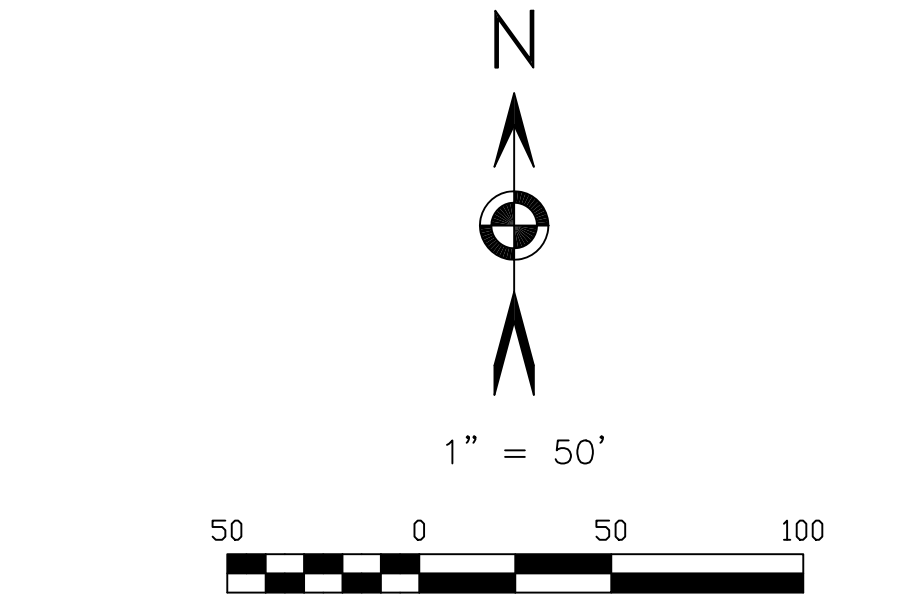
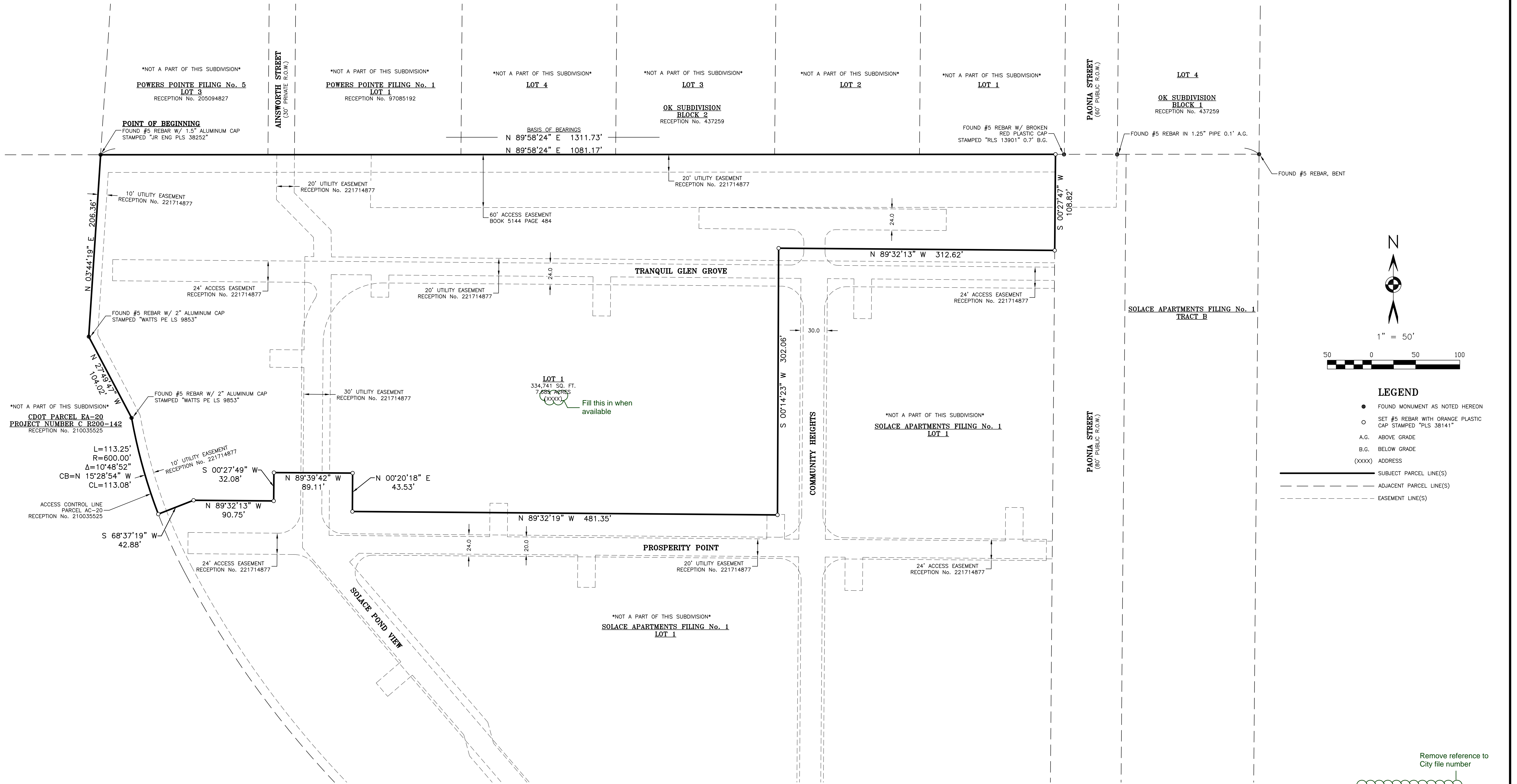
PROJECT No.: 22-031 SHEET 2 OF 3

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COUNTY OF EL PASO, STATE OF COLORADO

AS REPLATTED

This page is difficult to read. I would recommend framing the proposed subdivision with a heavier line.



- LEGEND**
- FOUND MONUMENT AS NOTED HEREON
 - SET #5 REBAR WITH ORANGE PLASTIC CAP STAMPED "PLS 38141"
 - A.G. ABOVE GRADE
 - B.G. BELOW GRADE
 - (XXXX) ADDRESS
 - SUBJECT PARCEL LINE(S)
 - - - ADJACENT PARCEL LINE(S)
 - - - EASEMENT LINE(S)

Remove reference to City file number

CITY No. AR FP XX-XXXX

DATE: 09/23/2022		REVISIONS	
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PROJECT No.: 22-031 SHEET 3 OF 3