

06/26/2019

# LOPEZ AND VELASQUEZ EXEMPTION SURVEY PLAT

219900104

A PORTION OF THE NORTH 472 FEET OF GOVERNMENT LOT 5 (SOUTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 6, T. 13 S., R. 65 W. OF THE 6TH P.M., EL PASO COUNTY, COLORADO

### LEGAL DESCRIPTION: (PRIOR TO THIS EXEMPTION SURVEY PLAT)

#### PARCEL A:

That portion of the North 472 feet of the Southwest quarter of the Northwest quarter of Section 6 in Township 13 South, Range 65 West of the 6th p.m., County of El Paso, State of Colorado, described as follows:

BEGINNING at the Northeast corner of said Southwest quarter of the Northwest quarter of said Section 6; thence South 88 degrees 46 minutes 17 seconds West 472 feet, more or less, to intersect the South line of said North 472 feet; thence North 88 degrees 45 minutes 48 seconds East of 462.19 feet on said South line to intersect the East line of said Southwest quarter of the Northwest quarter of said Section 6; thence North 0 degrees 23 minutes East on said East line 472 feet to the POINT OF BEGINNING.

#### PARCEL B:

A non-exclusive right of way for ingress, egress and related purposes over and across the South 30 feet of the East 50 feet of the Northwest quarter of the Northwest quarter of Section 6 in Township 13 South, Range 65 West of the 6th p.m., County of El Paso, State of Colorado.

TITLE COMMITMENT ORDER NUMBER: RND55065350

#### SCHEDULE B-2

#### EXCEPTIONS:

- 1-8. Were not addressed.
9. Right of proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises as reserved in United States Patent recorded December 27, 1883 in Book 56 at Page 4.
10. Reservation of mineral rights as contained in deed recorded January 10, 1955 in Book 174 at Page 93.
11. Easement granted by Warranty Deed recorded May 08, 1968, in Book 2233 at Page 711 and recorded March 7, 2011 under Reception No. 211023514.
12. Terms, conditions and provisions of Order and Decree creating the Black Forest Volunteer Fire Protection District recorded August 21, 1975 in Book 2772 at Page 121.
13. Terms, conditions and provisions of Permanent Easement Agreement recorded December 09, 2005 at Reception No. 205196077. Notice in connection with above, recorded August 11, 2017 under Reception No. 217096421.
14. Easement over the North 30 feet of subject property as shown on Special Warranty deed recorded July 3, 2006 under Reception No. 206097796.
15. Grant of Permanent Drainage Easement to the City of Colorado Springs over a portion of subject property as recorded February 22, 2007 under Reception No. 207025020.
16. Terms, conditions and provisions of Construction Easement Agreement recorded February 22, 2007 at Reception No. 207025023.
17. The effect of inclusion of subject property in the Woodmen Heights Metropolitan District No. 1, as evidenced by instrument recorded September 29, 2008, under Reception No. 208106389 and Second Amended and Restated Resolution Concerning the Facility Plotting Fee recorded November 19, 2013 under Reception No. 213140364.
18. Terms, conditions, provisions, burdens, obligations and easements as set forth and granted in Grant of Easement recorded April 27, 2012 under Reception No. 212048184.
19. Terms, conditions, provisions, burdens and obligations as set forth in Agreement to Provide Easement for Utility Extensions recorded August 31, 2012 under Reception No. 21201853.

Note: The commitment does not reflect the status of title to water rights or representation of said rights.

Note: This commitment is not a report or representation as to mineral interests, and should not be used, or relied upon, in connection with the notice requirements that are set forth in CRS 24-65.5-103.

### LEGAL DESCRIPTION: (CREATED PER THIS EXEMPTION SURVEY PLAT)

#### LOT 1:

A tract of land being a portion of the tract of land described Warranty Deed recorded at Reception No. 217058373 of the records of El Paso County, Colorado and located in a portion of the North 472 feet of the Southwest quarter of the Northwest quarter (SW1/4NW1/4) of Section 6, Township 13 South, Range 65 West of the 6th P.M., El Paso County, Colorado, being more particularly described as follows:

COMMENCING at a No. 6 rebar with 3-1/4" aluminum cap stamped by PLS No. 19586 at the Northeast corner of Government Lot 4, being the Northwest quarter of the Northwest quarter (NW1/4NW1/4) of Section 6, Township 13 South, Range 65 West of the 6th P.M., from which a No. 6 rebar with 3-1/4" aluminum cap stamped by RLS No 10377 bears N00°28'36"W a distance of 1320.85 feet at the Northeast corner of the Southwest quarter of the Southwest quarter (SW1/4SW1/4) of Section 31, Township 12 South, Range 65 West of the 6th P.M., and is the basis of bearings used herein; thence S00°19'26"W on the East line of said Government Lot 4, a distance of 1303.18 feet to a No. 6 rebar with 3-1/4" aluminum cap stamped by PLS No. 19586 at the Northeast corner of said SW1/4NW1/4; thence S88°42'56"W on the North line of said SW1/4NW1/4, a distance of 30.51 feet to a point thirty and one-half (30.50) feet West of the East line of said SW1/4NW1/4, as measured perpendicular thereto and the POINT OF BEGINNING; thence S00°19'26"W parallel with said East line, a distance of 186.33 feet; thence N89°40'34"E a distance of 19.50 feet to a point fifty (50.00) feet West of said East line, as measured perpendicular thereto; thence S64°33'08"W a distance of 270.42 feet; thence S00°46'13"E a distance of 175.60 feet to the South line of the North 472 feet of said SW1/4NW1/4; thence S88°42'56"W on said South line, a distance of 171.90 feet to a point 462.19 feet from the Southeast corner of said SW1/4NW1/4, as measured on said South line; thence N00°14'45"E a distance of 472.17 feet to the North line of said SW1/4NW1/4; thence N88°42'56"E on said North line, a distance of 432.32 feet to the POINT OF BEGINNING and containing 3.268 acres of land, more or less.

#### TRACT A:

A portion of the tract of land described in the Warranty Deed recorded at Reception No. 217058373 of the records of El Paso County, Colorado and located in a portion of the North 472 feet of the Southwest quarter of the Northwest quarter (SW1/4NW1/4) of Section 6, Township 13 South, Range 65 West of the 6th P.M., El Paso County, Colorado being more particularly described as follows:

COMMENCING at a No. 6 rebar with 3-1/4" aluminum cap stamped by PLS No. 19586 at the Northeast corner of Government Lot 4, being the Northwest quarter of the Northwest quarter (NW1/4NW1/4) of Section 6, Township 13 South, Range 65 West of the 6th P.M., from which a No. 6 rebar with 3-1/4" aluminum cap stamped by RLS No 10377 bears N00°28'36"W a distance of 1320.85 feet at the Northeast corner of the Southwest quarter of the Southwest quarter (SW1/4SW1/4) of Section 31, Township 12 South, Range 65 West of the 6th P.M., and is the basis of bearings used herein; thence S00°19'26"W on the East line of said Government Lot 4, a distance of 1303.18 feet to a No. 6 rebar with 3-1/4" aluminum cap stamped by PLS No. 19586, at the Northeast corner of said SW1/4NW1/4; thence S00°19'26"W on the East line of said SW1/4NW1/4, a distance of 472.19 feet to the Southeast corner of said tract of land; thence S88°42'56"W on the South line of said tract of land, a distance of 50.02 feet to the POINT OF BEGINNING at a point fifty (50.00) feet West of said East line, as measured perpendicular thereto; thence continuing S88°42'56"W on said South line, a distance of 240.27 feet; thence N00°46'13"W a distance of 175.60 feet; thence N64°33'08"E a distance of 270.42 feet to a point fifty (50.00) feet West of said East line, as measured perpendicular thereto; thence S00°19'26"W parallel with said East line, a distance of 286.40 feet to the POINT OF BEGINNING and containing 1.285 acres or 55,968 square feet of land, more or less.

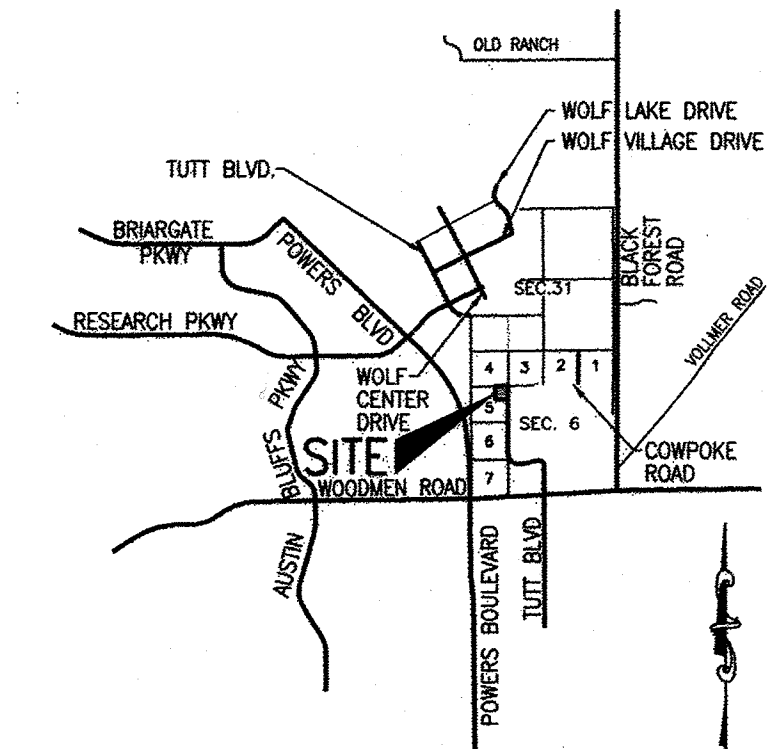
#### TRACT B:

A portion of the tract of land described in the Warranty Deed recorded at Reception No. 217058373 of the records of El Paso County, Colorado and located in a portion of the North 472 feet of the Southwest quarter of the Northwest quarter (SW1/4NW1/4) of Section 6, Township 13 South, Range 65 West of the 6th P.M., El Paso County, Colorado being more particularly described as follows:

COMMENCING at a No. 6 rebar with 3-1/4" aluminum cap stamped by PLS No. 19586 at the Northeast corner of Government Lot 4, being the Northwest quarter of the Northwest quarter (NW1/4NW1/4) of Section 6, Township 13 South, Range 65 West of the 6th P.M., from which a No. 6 rebar with 3-1/4" aluminum cap stamped by RLS No 10377 bears N00°28'36"W a distance of 1320.85 feet at the Northeast corner of the Southwest quarter of the Southwest quarter (SW1/4SW1/4) of Section 31, Township 12 South, Range 65 West of the 6th P.M., and is the basis of bearings used herein; thence S00°19'26"W on the East line of said Government Lot 4, a distance of 1303.18 feet to a No. 6 rebar with 3-1/4" aluminum cap stamped by PLS No. 19586 at the Northeast corner of said SW1/4NW1/4, and the POINT OF BEGINNING; thence S00°19'26"W on the East line of said SW1/4NW1/4, a distance of 472.19 feet to the Southeast corner of said tract of land; thence S88°42'56"W on the South line of said tract of land, a distance of 50.02 feet, to a point fifty (50.00) feet West of said East line, as measured perpendicular thereto; thence N00°19'26"E parallel with said East line, a distance of 286.40 feet; thence S89°40'34"E a distance of 19.50 feet to a point thirty and one-half (30.50) feet West of said East line, as measured perpendicular thereto; thence N00°19'26"E parallel with said East line, a distance of 186.33 feet to the North line of said SW1/4NW1/4; thence N88°42'56"E on said North line, a distance of 30.51 feet to the POINT OF BEGINNING and containing 0.459 acre or 19,981 square feet of land, more or less.

### NOTES:

1. All corners were found or set as shown.
2. The basis of bearings for this survey is a No. 6 rebar with 3-1/4" aluminum cap stamped by PLS No. 19586 at the Northeast corner of Government Lot 4, being the Northwest quarter of the Northwest quarter (NW1/4NW1/4) of Section 6, Township 13 South, Range 65 West of the 6th P.M., from which a No. 6 rebar with 3-1/4" aluminum cap stamped by RLS No 10377 bears N00°28'36"W a distance of 1320.85 feet at the Northeast corner of the Southwest quarter of the Southwest quarter (SW1/4SW1/4) of Section 31, Township 12 South, Range 65 West of the 6th P.M.
3. This Exemption Survey Plat does not constitute a title search by Rockwell Consulting, Inc. to determine ownership, easements, and rights of way of record. For all such matters of record Rockwell Consulting, Inc. relied upon Commitment for Title Insurance Order Number RND55065350, issued October 12, 2017 by Land Title Guarantee Company. Said Exemption Survey Plat is only valid for the tract of land described in said Commitment for Title Insurance.
4. All references hereon to Books, Pages, Maps and Reception Numbers are public documents filed in the records of El Paso County, State of Colorado.
5. Any person who knowingly removes, alters or defaces any public land survey monument of land or accessory, commits a Class Two (2) Misdemeanor pursuant to State Statute 18-4-508.
6. The linear unit of measure used for this survey is the U.S. Survey Foot.
7. Tract A and B are no build areas.
8. Tract A shall be utilized as drainage and open space. Ownership and maintenance of Tract A shall be vested in the City of Colorado Springs.
9. Tract B shall be utilized as roadway and open space. Ownership and maintenance of Tract B shall be vested in the City of Colorado Springs.
10. No structures or fences are permitted within designated "Floodplain" or "Park and Open Space" areas. Lot 1 is located within a designated FEMA Floodplain as determined by the Flood Insurance Rate Map, Community Map Number 08041C0529 G, effective date December 07, 2018, and as being amended by the 100-year and 500-year proposed condition, Conditional Letter of Map Revision (LOMR) Case No. 18-08-1091R, approval pending. No structures are within the designated Floodplain areas.
11. Mailboxes shall be installed in accordance with all El Paso County and United States Postal Services regulations.
12. Addresses: Any addresses shown on this plat are for informational purposes only. They are not the legal description and are subject to change.

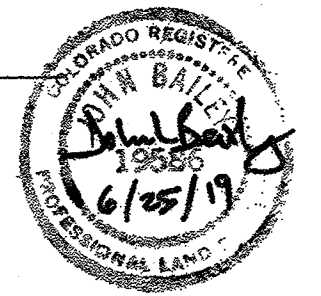


Vicinity Map  
NOT TO SCALE

### SURVEYOR'S STATEMENT:

I, John L. Bailey, a registered Land Surveyor in the State of Colorado, on the basis of my knowledge, information and belief, do hereby state to the City of Colorado Springs, Land Title Guarantee Company, Heriberto Lopez and Blanca F. Magallon Velasquez that this Exemption Survey Plat has been prepared under my responsible charge on January 18, 2019 to normal standards of care of a professional land surveyor practicing in the State of Colorado.

John L. Bailey  
JOHN L. BAILEY, PLS NO. 19586  
FOR AND ON BEHALF OF ROCKWELL CONSULTING, INC.



### STATEMENT OF DEPOSIT:

Deposited this 26 day of June 2019 A.D. at 1:02 o'clock P.M. in Book DPST of Land Survey Plats at Page 5306NW4. Deposit No. 219900104 of the records El Paso County, Colorado.

By: *Cassandra M. Katch*  
DEPUTY COUNTY CLERK AND RECORDER

Office of County Clerk and Recorder  
El Paso County, State of Colorado  
Certified to be a full, true, and correct  
Copy of the record in my Office  
219900104 Book 5306NW4 Page 5306NW4  
Date: 6/25/19  
County Clerk & Recorder  
El Paso County, Colorado  
By: *Chick Brozman*  
Deputy

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.

DATE OF FIELD SURVEY 01/18/19

SHEET 1 OF 2 FILE: 17023.SP.DWG 03/26/19 JLB

ROCKWELL CONSULTING, Inc. ENGINEERING • SURVEYING  
1955 N. UNION BLVD., SUITE 200  
COLORADO SPRINGS, CO 80909  
(719) 475-2575 • FAX (719) 475-2223

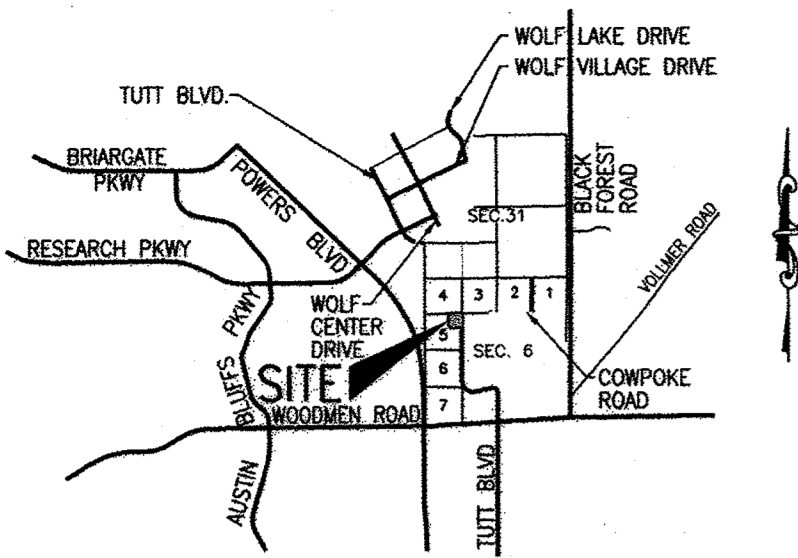
LOPEZ & VELASQUEZ EXEMPTION SURVEY PLAT  
A PORTION OF THE SW1/4 OF THE NW1/4 OF  
TITLE : SECTION 6, T. 13 S., R. 65 W. OF THE 6TH P.M.

SCALE : AS SHOWN DRAWN BY : JLB 17-023  
DATE : 01/09/19 CHECKED BY : JLB JOB NO.

# LOPEZ AND VELASQUEZ EXEMPTION SURVEY PLAT

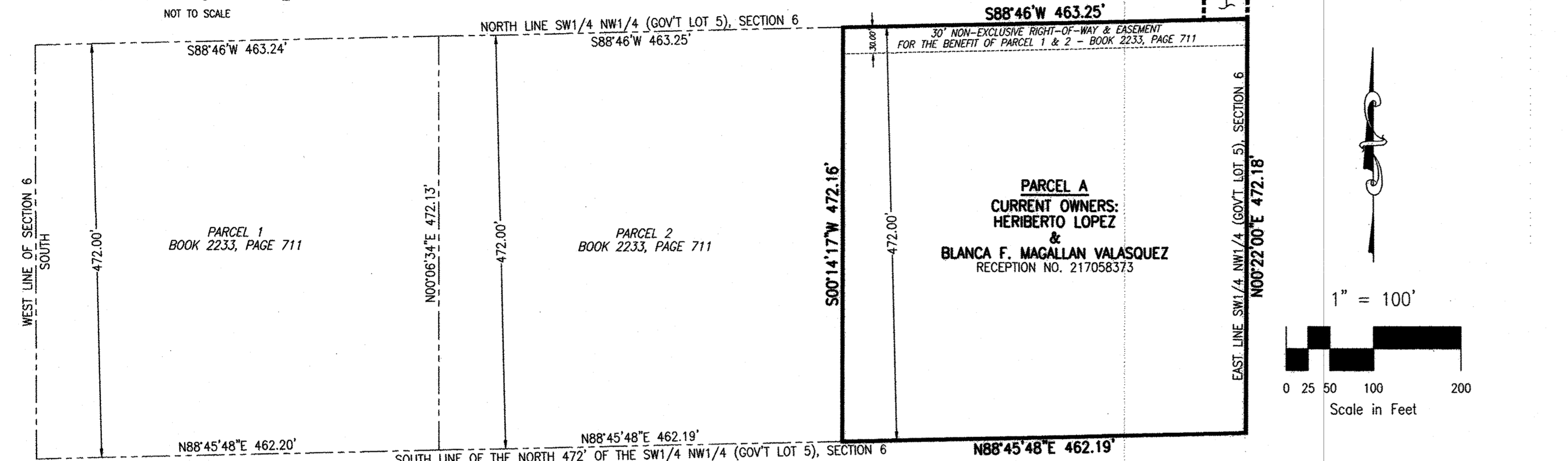
A PORTION OF THE NORTH 472 FEET OF GOVERNMENT LOT 5 (SOUTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 6, T. 13 S., R. 65 W. OF THE 6TH P.M., EL PASO COUNTY, COLORADO

219900104



Vicinity Map

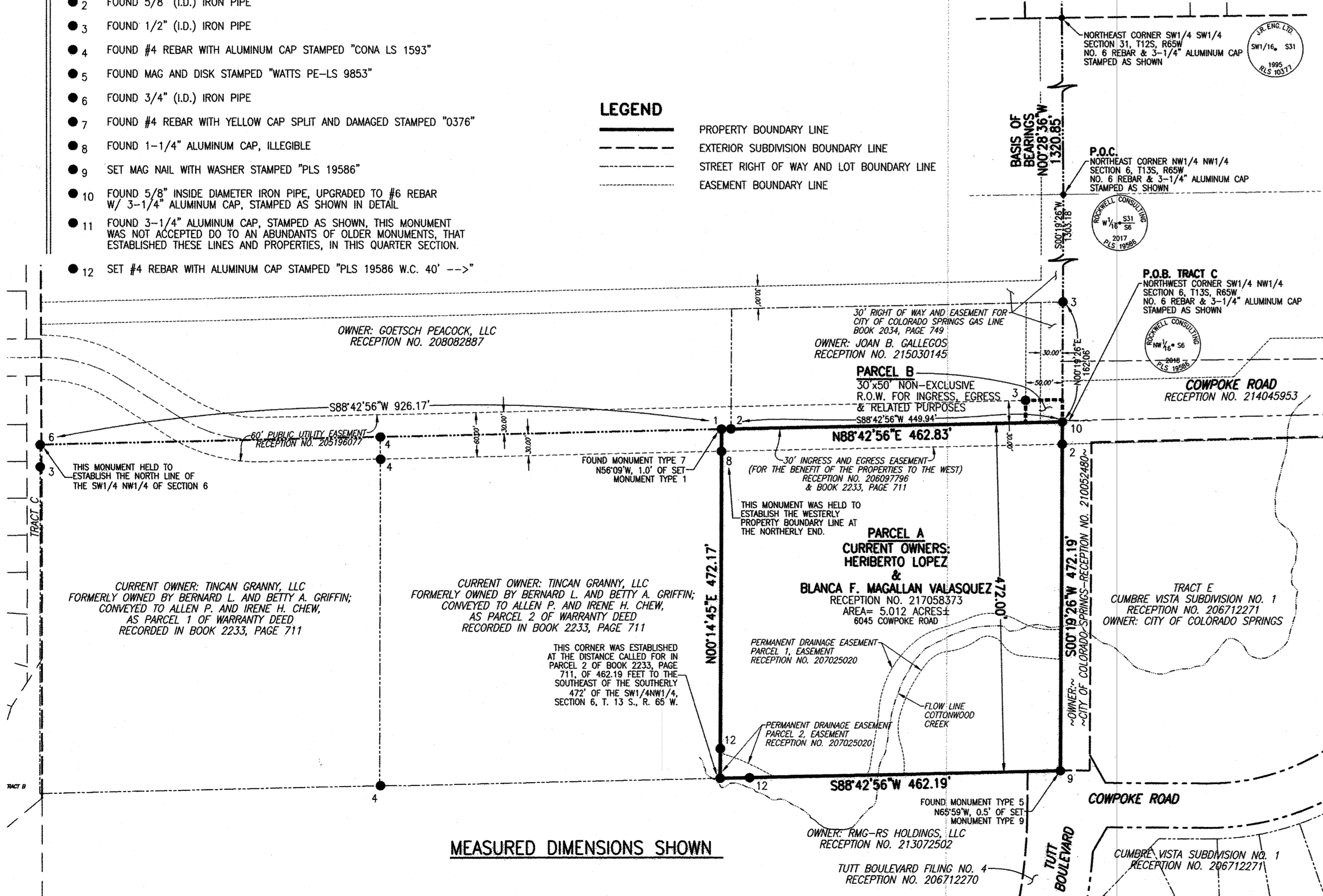
06/26/2019



LEGEND RECORD DIMENSIONS SHOWN

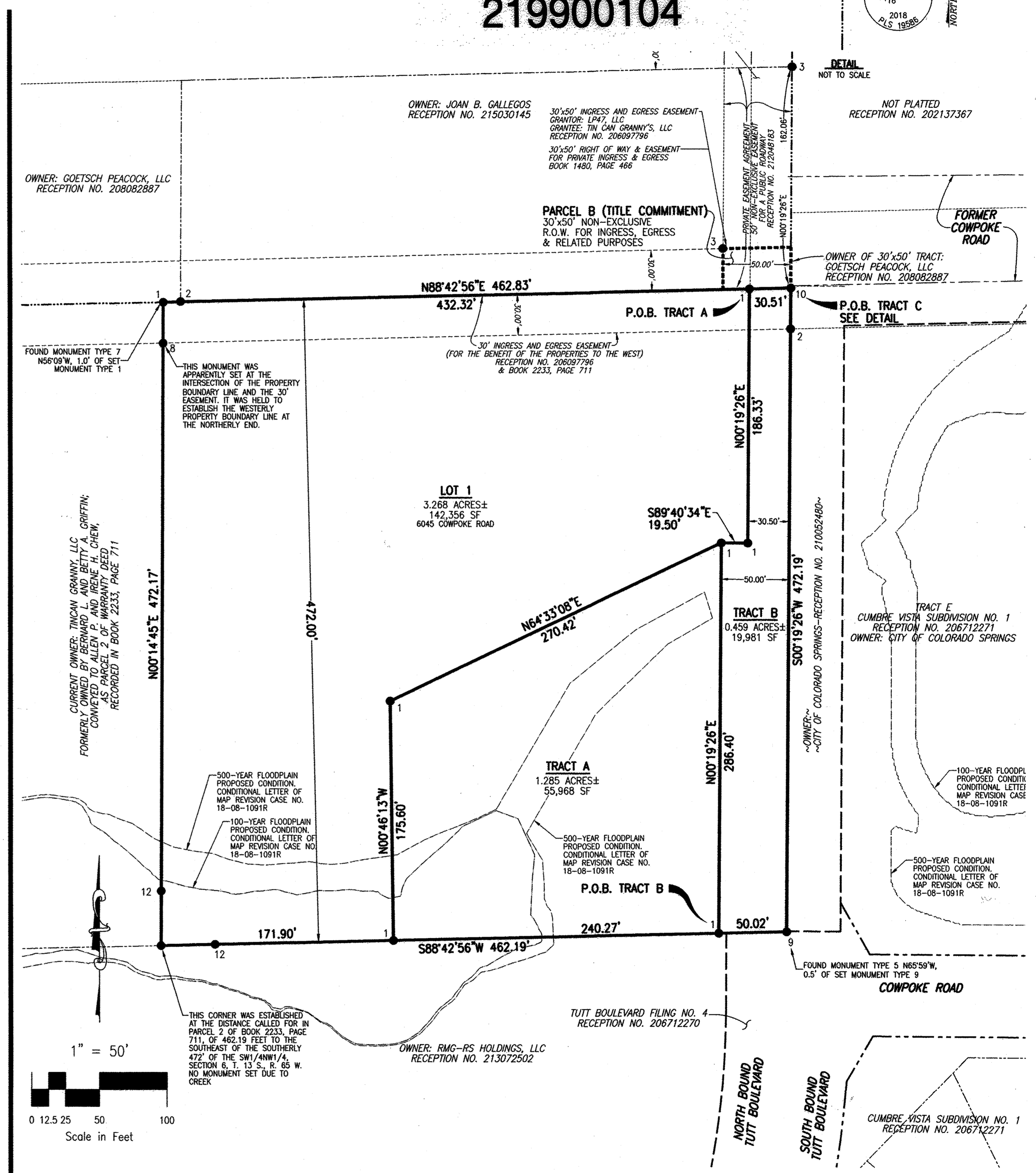
- 1 SET #4 REBAR WITH RED CAP STAMPED "ROCKWELL PLS 19586"
- 2 FOUND 5/8" (I.D.) IRON PIPE
- 3 FOUND 1/2" (I.D.) IRON PIPE
- 4 FOUND #4 REBAR WITH ALUMINUM CAP STAMPED "CONA LS 1593"
- 5 FOUND MAG AND DISK STAMPED "WATTS PE-LS 9853"
- 6 FOUND 3/4" (I.D.) IRON PIPE
- 7 FOUND #4 REBAR WITH YELLOW CAP SPLIT AND DAMAGED STAMPED "0376"
- 8 FOUND 1-1/4" ALUMINUM CAP, ILLEGIBLE
- 9 SET MAG NAIL WITH WASHER STAMPED "PLS 19586"
- 10 FOUND 5/8" INSIDE DIAMETER IRON PIPE, UPGRADED TO #6 REBAR W/ 3-1/4" ALUMINUM CAP, STAMPED AS SHOWN IN DETAIL
- 11 FOUND 3-1/4" ALUMINUM CAP, STAMPED AS SHOWN, THIS MONUMENT WAS NOT ACCEPTED DO TO AN ABUNDANTS OF OLDER MONUMENTS, THAT ESTABLISHED THESE LINES AND PROPERTIES, IN THIS QUARTER SECTION.
- 12 SET #4 REBAR WITH ALUMINUM CAP STAMPED "PLS 19586 W.C. 40" --->

- LEGEND**
- PROPERTY BOUNDARY LINE
  - - - EXTERIOR SUBDIVISION BOUNDARY LINE
  - - - STREET RIGHT OF WAY AND LOT BOUNDARY LINE
  - - - EASEMENT BOUNDARY LINE

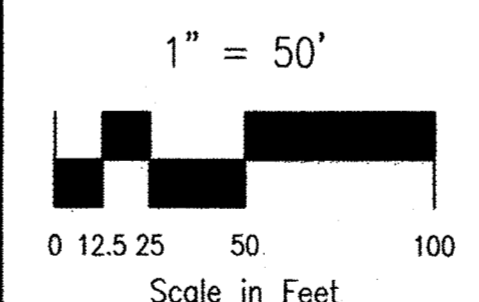


MEASURED DIMENSIONS SHOWN

CONDITIONS PRIOR TO THIS EXEMPTION SURVEY PLAT



CONDITIONS CREATED PER THIS EXEMPTION SURVEY PLAT  
MEASURED DIMENSIONS SHOWN



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SHEET 2 OF 2 FILE: 17023L.SP.DWG 03/26/19 JLB

**ROCKWELL CONSULTING, Inc.**  
ENGINEERING - SURVEYING  
1955 N. UNION BLVD., SUITE 200  
COLORADO SPRINGS, CO 80909  
(719) 475-2975 • FAX (719) 475-9223

LAND SURVEY PLAT  
A PORTION OF THE SW1/4 OF THE NW1/4 OF  
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