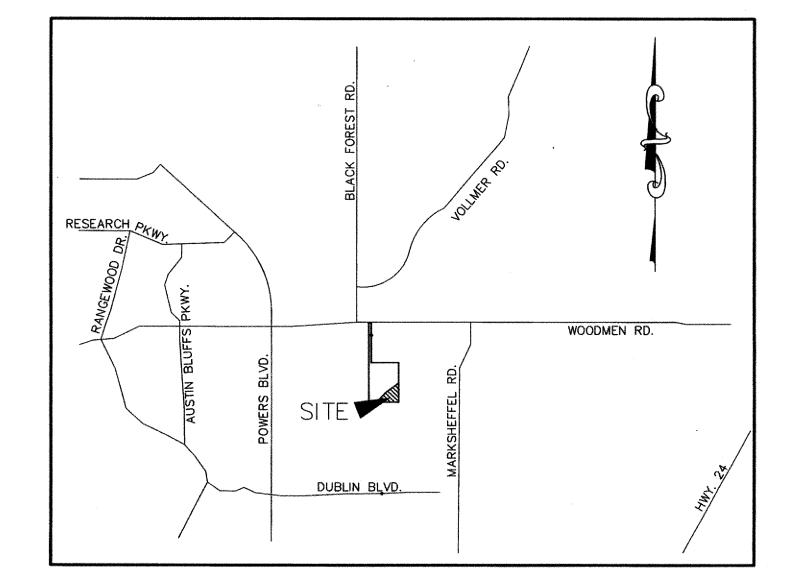
# QUAIL BRUSH CREEK FILING NO. 4

A PORTION OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO



VICINITY MAP N.T.S.

THAT QUAIL BRUSH CREEK, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

BE IT KNOWN BY THESE PRESENTS:

## LEGAL DESCRIPTION:

THAT PORTION OF THE WEST HALF OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS IS THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MONUMENTED AT THE NORTH END BY A 3 1/4" ALUMINUM CAP IN VALVE BOX STAMPED PLS 38038 AND AT THE SOUTH BY A 3 1/4" ALUMINUM CAP STAMPED PLS 30107, ASSUMED TO BEAR NO0'08'07"W.

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 8; THENCE \$47°33'47"E, A DISTANCE OF 1943.45 FEET TO THE POINT OF BEGINNING: SAID POINT BEING THE SOUTHFAST CORNER OF LOT 25. QUAIL BRUSH CREEK FILING NO. 1. RECORDED UNDER RECEPTION NO. 214713480:

THENCE ALONG THE EASTERLY LINE OF SAID QUAIL BRUSH CREEK FILING NO. 1 AND QUAIL BRUSH CREEK FILING NO. 1A, RECORDED UNDER RECEPTION NO. 215713656, THE FOLLOWING ELEVEN (11) COURSES:

(1) N00'57'13"W, A DISTANCE OF 70.34 FEET; (2) 568.38 FEET ALONG THE ARC OF A 690.00 FOOT RADIUS NON-TANGENTIAL

CIRCULAR CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 47'11'47" AND A CHORD THAT BEARS

N35'13'49"E, A DISTANCE OF 552.44 FEET; (3) N58'49'42"E, A DISTANCE OF 26.27 FEET;

(4) N31'10'18"W, A DISTANCE OF 100.00 FEET (5) N58'49'42"E, A DISTANCE OF 125.37 FEET;

(6) S31°10'18"E, A DISTANCE OF 100.00 FEET:

(7) N58'49'42"E, A DISTANCE OF 294.31 FEET;

(8) 273.71 FEET ALONG THE ARC OF A 330.00 FOOT RADIUS TANGENTIAL CIRCULAR CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 47'31'23" AND A CHORD THAT BEARS N35'04'01"E. A DISTANCE OF (9) N13'53'38"E, A DISTANCE OF 89.37 FEET;

(10) 36.22 FEET ALONG THE ARC OF A 200.00 FOOT RADIUS NON-TANGENTIAL CIRCULAR CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 10°22'32" AND A CHORD THAT BEARS S67°54'14"E. A

DISTANCE OF 36.17 FEET: (11) N27\*17'02"E, A DISTANCE OF 150.00 FEET TO THE NORTHEAST CORNER OF LOT 17 OF SAID QUAIL BRUSH CREEK FILING NO. 1A:

### THENCE S89'53'37"E, A DISTANCE OF 189.12 FEET;

THENCE S00'06'23"W, A DISTANCE OF 1156.80 FEET TO THE NORTHEAST CORNER OF TRACT A. DUBLIN BOULEVARD FILING NO. 4, RECORDED UNDER RECEPTION NO. 204205716; THENCE S89'02'40"W, ALONG THE NORTH LINE OF SAID TRACT A, A DISTANCE OF 1162.73 FEET TO THE POINT OF BEGINNING, CONTAINING A CALCULATED AREA OF 841,081 SQUARE FEET (19.309 ACRES) OF LAND, MORE

## **DEDICATION:**

THE ABOVE OWNER HAS HEREBY CAUSED SAID TRACT TO BE PLATTED INTO LOTS, TRACTS, STREETS, AND EASEMENTS AS SHOWN HEREON. THE UNDERSIGNED DOES HEREBY 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 RELEASE OR QUITCLAIM ALL OF 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 "QUAIL BRUSH CREEK FILING NO. 4" IN THE CITY OF COLORADO SPRINGS. COUNTY OF EL PASO, STATE OF COLORADO. ALL STREETS ARE HEREBY DEDICATED TO THE CITY OF COLORADO SPRINGS FOR PUBLIC USE. TRACTS E & F ARE HEREBY DEDICATED TO THE CITY OF COLORADO SPRINGS FOR PUBLIC USE.

THE AFOREMENTIONED, QUAIL BRUSH CREEK, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP HAS EXECUTED THIS INSTRUMENT THIS 27 DAY OF February , 2017, A.D.

QUAIL BRUSH CREEK, LLLP BY: RIVERS DEVELOPMENT, INC., IT'S GENERAL PARTNER BY: BRIAN BAHR, PRESIDENT

STATE OF COLORADO) COUNTY OF EL PASO)

IARION MANN GREEN NOTARY PUBLIC STATE OF COLORADO Y COMMISSION EXPIRES 02-27-2020

THE ABOVE AND FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 27 DAY OF FEBRUARY, 2017, A.D., BY BRIAN BAHR, AS PRESIDENT OF RIVERS DEVELOPMENT. INC. IT'S GENERAL PARTNER OF QUAIL BRUSH CREEK. LLLP. A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP.

WITNESS MY HAND AND OFFICIAL SEAL:

# **EASEMENTS:**

1. UNLESS SHOWN OTHERWISE, ALL SIDE LOTS LINES ARE HEREBY PLATTED WITH A FIVE (5) FEET WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT. REAR LOT LINES ARE HEREBY PLATTED WITH A SEVEN (7) FEET WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT. ALL FRONT LINES ARE PLATTED WITH A FIVE (5) FEET WIDE PUBLIC UTILITY AND PUBLIC IMPROVEMENT EASEMENT. THE SOLE RESPONSIBILITY FOR SURFACE MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNER. SEE DETAIL B SHEET 2.

ALL INTERIOR CORNER LOTS ARE HEREBY PLATTED WITH A SIGHT VISIBILITY AND PUBLIC IMPROVEMENT EASEMENT AS SHOWN. NO OBSTRUCTIONS GREATER THAT 30 INCHES IN HEIGHT ARE ALLOWED IN THESE EASEMENTS. THE SOLE RESPONSIBILITY FOR SURFACE MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNER. SEE DETAIL A AND C SHEET 2.

3. 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.

# PLAT NOTES:

1. THE DATE OF PREPARATION IS OCTOBER 1, 2015.

2. THE SUBJECT PROPERTY IS INCLUDED IN THE WOODMEN HEIGHTS METROPOLITAN DISTRICT UNDER RECEPTION NO. 204209871 IN THE RECORDS OF EL PASO COUNTY AND IS INCLUDED IN THE WOODMEN ROAD METROPOLITAN DISTRICT AS EVIDENCED BY INSTRUMENT RECORDED DECEMBER 27, 2005, UNDER RECEPTION NO. 205202369 IN THE RECORDS OF EL PASO COUNTY.

3. 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 THE POTENTIALITY AND THE RAMIFICATIONS THEREOF.

4. WHILE NOT A REQUIREMENT, RESIDENCES CONSTRUCTED IN THIS AREA SHOULD INCLUDE FAA APPROVED SOUND MITIGATION CONSTRUCTION TECHNIQUES TO OBTAIN AT LEAST A 25db REDUCTION IN INTERIOR NOISE.

5. NO MAN-MADE OR NON-MAN MADE OBSTRUCTIONS ARE ALLOWED TO PENETRATE THE 40:1 APPROACH SURFACE.

6. ALL EXTERIOR LIGHTING PLANS ARE TO BE APPROVED BY THE DIRECTOR OF AVIATION TO PREVENT A HAZARD TO AIRCRAFT.

7. NO ELECTROMAGNETIC, LIGHT, ANY PHYSICAL EMISSIONS WHICH MAY INTERFERE WITH AIRCRAFT, AVIATION, COMMUNICATIONS OR NAVIGATIONAL AIDS ARE ALLOWED.

8. IF A CRANE IS TO BE USED DURING THE CONSTRUCTION PERIOD, AN FAA FORM 7460-1 WILL NEED TO BE FILED THROUGH THE AIRPORT OPERATIONS OFFICE AND APPROVED BY THE FEDERAL AVIATION ADMINISTRATION BEFORE ANY BUILDING PERMIT IS ISSUED BY THE CITY OR COUNTY. NORMAL TIME REQUIRED FOR APPROVAL IS 30-60 WORKING DAYS.

9. THIS PROPERTY IS SUBJECT TO AN AVIGATION EASEMENT RECORDED UNDER RECEPTION NO. 215035948, OF THE EL PASO COUNTY RECORDS.

10. NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A DESIGNATED FEMA FLOODPLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY MAP NUMBER 08041C0537F EFFECTIVE MARCH 17, 1997.

11. THIS PROPERTY IS SUBJECT TO PROPERTY TAXES, RATES, FEES, TOLLS, CHARGES AND ASSESSMENTS OF THE WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 2 WHICH ARE NOW LEVIED AND IMPOSED BY THIS DISTRICT OR WHICH MAY BE LEVIED AND IMPOSED IN THE FUTURE. THE DISTRICT WAS CREATED BY AN ORDER AND DECREE OF EL PASO COUNTY DISTRICT COURT CASE NUMBER 2004 CV 3877AS EVIDENCED BY DOCUMENTS RECORDED IN THE RECORDS OF EL PASO COUNTY AT RECEPTION NUMBER 204209871.

12. THIS PROPERTY IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND OF THE EL PASO COUNTY RECORDS. THOA 3-2-17 RESTRICTIONS FOR QUAIL BRUSH CREEK, RECORDED UNDER RECEPTION NUMBER 215036047

# PLAT NOTES:

(CONTINUED)

13. THIS SUBDIVISION PLAT IS LOCATED WITHIN AND IS SUBJECT TO WOODMEN HEIGHTS METRO DISTRICT AND WOODMEN ROAD METRO DISTRICT REQUIREMENTS AND PLATTING AND BUILDING PERMIT FEES.

14. TRACT A IS FOR PUBLIC ACCESS, PUBLIC UTILITIES, TRAILS, LANDSCAPING, SIGNAGE. PUBLIC IMPROVEMENTS, AND FOR PUBLIC DRAINAGE; TRACT A SHALL TO BE OWNED BY THE DEVELOPER AS FUTURE R.O.W. RESERVATION TRACT AND MAINTAINED BY THE QUAIL BRUSH CREEK H.O.A.

15. TRACTS B-D; ARE FOR PUBLIC ACCESS, PUBLIC UTILITIES, TRAILS, LANDSCAPING, SIGNAGE, PUBLIC IMPROVEMENTS, AND IN ADDITION, TRACTS B. C. AND D. ARE FOR PUBLIC DRAINAGE; TRACTS ARE TO BE OWNED AND MAINTAINED BY THE QUAIL BRUSH CREEK H.O.A. THE TRACTS WILL BE CONVEYED TO THE HOA VIA A SEPARATE INSTRUMENT. (INTERIM OWNERSHIP / MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE DEVELOPER UNTIL CONVEYANCE TO THE HOA).\*\*EXCEPTION: DEVELOPER TO OWN TRACT A AS FUTURE R.O.W. RESERVATION TRACT.

16. TRACT E AND F ARE FOR OPEN SPACE, PUBLIC ACCESS, PUBLIC UTILITIES, TRAILS, PUBLIC IMPROVEMENTS AND PUBLIC DRAINAGE AND ARE TO BY OWNED AND MAINTAINED BY THE CITY OF COLORADO SPRINGS.

17. THIS PROPERTY IS SUBJECT TO ANY APPLICABLE DISTRICT FACILITY FEES OR LIEN OF WOODMEN HEIGHTS METROPOLITAN DISTRICT NO. 2 AS DISCLOSED BY THE JOINT RESOLUTION RECORDED IN THE RECORDS OF EL PASO COUNTY AT RECEPTION NO. 205140999.

18. THIS PROPERTY IS SUBJECT TO THE FINDINGS, SUMMARY, AND CONCLUSIONS OF A PRELIMINARY SUBSURFACE SOIL INVESTIGATION REPORT PREPARED BY RMG ARCHITECTS & ENGINEERS DATED NOVEMBER 2, 2016. A COPY OF SAID REPORT HAS BEEN PLACED WITHIN FILE AR PUD 06-00336-A3MN16 WITH THE CITY OF COLORADO SPRINGS - PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT. CONTACT AT 30 SOUTH NEVADA AVENUE, COLORADO SPRINGS, COLORADO, IF YOU WOULD LIKE TO REVIEW SAID REPORT.

19. 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.

20. BASIS OF BEARINGS IS THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MONUMENTED AT THE NORTH END BY A 3 1/4" ALUMINUM CAP IN VALVE BOX STAMPED PLS 38038 AND AT THE SOUTH BY A 3 1/4" ALUMINUM CAP STAMPED PLS 30107, ASSUMED TO BEAR N00'08'07"W.

21. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY M&S CIVIL CONSULTANTS, INC., TO DETERMINE THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS OF LAND, OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY OR TITLE OF RECORD, M&S CIVIL CONSULTANTS, INC., RELIED UPON TITLE COMMITMENT NO. SC55001058-2 PREPARED BY LAND TITLE GUARANTEE COMPANY DATED OCTOBER 21, 2004 AT 5:00 PM, AND SC166478 PREPARED BY LAND TITLE GUARANTEE COMPANY DATED MARCH 29, 2004 AT 5:00 PM, AND LAND TITLE GUARANTEE ORDER NO. 55034062-5 DATED OCTOBER 1, 2012 AT 5:00 PM.

22. \*FOR INFORMATIONAL PURPOSES ONLY\*, THE ONLY PARCELS THAT CAN BE DEDICATED BY PLAT ARE THOSE TO BE OWNED BY THE CITY. "TITLE" TO PARCELS OR EASEMENTS NOT DEDICATED TO THE CITY CANNOT BE TRANSFERRED TO "INDIVIDUAL PROPERTY OWNERS, HOA'S OR DISTRICTS" VIA THE PLAT. DEDICATION OR TRANSFER OF OWNERSHIP OF TRACTS WILL NEED TO BE CREATED BY SEPARATE INSTRUMENT."

23. LOTS 15, 16, 17, 18, 19, 20, 21, 22 & 23 MUST MEET THE STREAMSIDE OVERLAY REVIEW CRITERIA AND WILL BE REQUIRED TO SUBMIT A STREAMSIDE SITE PLAN FOR BUILDING PERMIT REVIEW.

24. LOTS 17, 18 & 19 ARE ALL ALLOWED UP TO A MAXIMUM OF 45% OF IMPERVIOUS SURFACES, PER RELIEF GRANTED UNDER AR NV 17-00101.

# TRACTS:

TRACT A OWNED BY THE DEVELOPER AND MAINTAINED BY QUAIL BRUSH CREEK H.O.A. -----FUTURE SPRUCE HILL COURT STREET EXTENSION OWNED AND MAINTAINED BY QUAIL BRUSH CREEK H.O.A. ----- LANDSCAPE, PUBLIC UTILITIES, PUBLIC IMPROVEMENTS, PED ACCESS. TRACT B OWNED AND MAINTAINED BY QUAIL BRUSH CREEK H.O.A. ----- LANDSCAPE, PUBLIC UTILITIES, PUBLIC IMPROVEMENTS, PED ACCESS TRACT C TRACT D OWNED AND MAINTAINED BY QUAIL BRUSH CREEK H.O.A. ----- LANDSCAPE, PARK, PUBLIC UTILITIES, PUBLIC IMPROVEMENTS, OWNED AND MAINTAINED BY CITY OF COLORADO SPRINGS ----- LANDSCAPE, OPEN SPACE, DRAINAGE CHANNEL, PUBLIC UTILITIES, TRACTS E & F IMPROVEMENTS OF SAND CREEK & PUBLIC TRAIL TO BE

OWNED AND MAINTAINED BY THE CITY OF COLORADO SPRINGS

ROW PRESERVATION, PUBLIC UTILITIES, PUBLIC IMPROVEMENTS PED ACCESS

PUBLIC IMPROVEMENTS, PUBLIC ACCESS

# SURVEYOR'S STATEMENT:

THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, HEREBY STATES THAT THE ACCOMPANYING PLAT WAS SURVEYED AND DRAWN UNDER HIS SUPERVISION 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 MY KNOWLEDGE AND BELIEF.



COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR NO. 32820 FOR AND ON BEHALF OF M&S CIVIL CONSULTANTS, INC. 20 BOULDER CRESCENT, SUITE 110 COLORADO SPRINGS, CO 80903

#### 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.

## LIMITATION OF ACTIONS AGAINST LAND SURVEYORS:

ALL ACTIONS AGAINST ANY LAND SURVEYOR BROUGHT TO RECOVER DAMAGES RESULTING FROM ANY ALLEGED NEGLIGENT OR DEFECTIVE LAND SURVEY SHALL BE BROUGHT WITHIN THREE YEARS AFTER THE PERSON BRINGING THE ACTION DISCOVERS OR IN THE EXERCISE OF REASONABLE DILIGENCE AND CONCERN SHOULD HAVE DISCOVERED THE NEGLIGENCE OR DEFECT WHICH GAVE RISE TO SUCH ACTION. AND NOT THEREAFTER, BUT IN NO CASE SHALL SUCH ACTION BE BROUGHT MORE THAN TEN YEARS AFTER COMPLETION OF THE SURVEY UPON WHICH SUCH ACTION IS BASED.

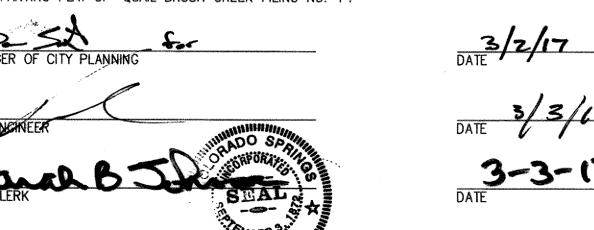
## NOTICE IS HEREBY GIVEN:

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 PUBLIC 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 WITHIN THIS SITE.

## CITY APPROVAL:

ON BEHALF OF THE CITY OF COLORADO SPRINGS, THE UNDERSIGNED HEREBY APPROVE FOR FILING THE ACCOMPANYING PLAT OF "QUAIL BRUSH CREEK FILING NO. 4".



# CLERK AND RECO

STATE OF COLORADO) COUNTY OF EL PASO)

AND DULY RECORDED UNDER RECEPTION NO. 217713915 RECORDS OF EL PASO COUNTY, COLORADO.

CHUCK BROERMAN, RECORDER

FINAL PLAT QUAIL BRUSH CREEK FILING NO. 4 JOB NO. 08-033 DATE PREPARED: 10/01/15 DATE REVISED: 02/24/17



20 BOULDER CRESCENT, SUITE 110 COLORADO SPRINGS. COLORADO 80903 719,955,5485

SHEET 1 OF 2

AR FP 16-00400

