

# FALCON ESTATES NO. 5, FILING NO. 1

A VACATION AND REPLAT OF LOTS 1, 5, 6, AND 7 BLOCK 7, REFILEING OF FALCON ESTATES NO. 2 AND LOT 3, MARKET AT CHAPEL HILLS WEST, LOT 1 AIR ACADEMY FEDERAL CREDIT UNION FILING NO.1 AND BURNS ROAD, IN SECTION 5, TOWNSHIP 13 SOUTH, RANGE 66 WEST OF THE 6th PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

**KNOW ALL MEN BY THESE PRESENTS:**

THAT SPECIFIED PROPERTIES XXIV, L.P. AND AIR ACADEMY FEDERAL CREDIT UNION, ARE OWNERS OF THE DESCRIBED TRACT OF LAND TO WIT:

**LEGAL DESCRIPTION:**

A TRACT OF LAND, BEING A PORTION OF SECTION 5, TOWNSHIP 13 SOUTH, RANGE 66 WEST, SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING LOTS 1, 5, 6 AND 7, BLOCK 7 AND BURNS ROAD, IN THE REFILEING OF FALCON ESTATES NO. 2, AS RECORDED IN PLAT BOOK C-2 AT PAGE 16, LOT 3 IN MARKET AT CHAPEL HILLS WEST, AS RECORDED IN PLAT BOOK H-5 AT PAGE 48 AND LOT 1 IN AIR ACADEMY FEDERAL CREDIT UNION FILING NO.1, RECORDED UNDER RECEPTION NO. 97008886, RECORDS OF EL PASO COUNTY, COLORADO.

**BASIS OF BEARINGS:** THE SOUTHERLY LINE OF LOT 3, MARKET AT CHAPEL HILLS WEST, AS RECORDED IN PLAT BOOK H-5 AT PAGE 48, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE SOUTHEASTERLY CORNER WITH A NO. 5 REBAR AND A 1-1/2" ALUMINUM SURVEYOR'S CAP, MARKED "JR ENG LTD RLS 10377" AND AT THE SOUTHWESTERLY CORNER WITH A 1/2" INSIDE DIAMETER IRON PIPE, BEING ASSUMED TO BEAR S66°09'15"W, A DISTANCE OF 523.58 FEET.

CONTAINING A CALCULATED AREA OF 23.148 ACRES.

**DEDICATION:**

THE ABOVE OWNERS HAVE CAUSED SAID TRACT OF LAND TO BE PLATTED INTO LOTS, AND EASEMENTS AS SHOWN ON THE PLAT AND DESCRIBED HEREIN. THE UNDERSIGNED DOES HEREBY GRANT UNTO THE CITY OF COLORADO SPRINGS THOSE EASEMENTS SHOWN ON THE PLAT OR DESCRIBED HEREIN, AND FURTHER RESTRICTS THE USE OF ALL UTILITY AND DRAINAGE EASEMENTS SHOWN ON THE PLAT 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 SUCH EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN THE CITY OF COLORADO SPRINGS. THIS TRACT OF LAND AS HEREIN PLATTED SHALL BE KNOWN AS "FALCON ESTATES NO. 5, FILING NO. 1", IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

**NOTICE IS HEREBY GIVEN:**

THAT THE AREA INCLUDED IN THE PLAT DESCRIBED HEREIN IS SUBJECT TO THE CODE OF THE CITY OF COLORADO SPRINGS, 1980, 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 COMBINATIONS THEREOF, GUARANTEEING THE COMPLETION OF ALL REQUIRED PUBLIC AND PRIVATE IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO PUBLIC DRAINAGE, STREETS, UTILITIES, AND EROSION CONTROL, AND ALL PRIVATE DRAINAGE IMPROVEMENTS HAVE BEEN PLACED ON FILE WITH THE CITY OF COLORADO SPRINGS.

**EASEMENTS:**

UNLESS OTHERWISE INDICATED, ALL FRONT AND SIDE LOT LINES ARE HEREBY PLATTED WITH A FIVE (5) FOOT EASEMENT FOR PUBLIC UTILITY PURPOSES, AND ALL REAR LOT LINES ARE HEREBY PLATTED WITH AN SEVEN (7) FOOT EASEMENT FOR PUBLIC UTILITY AND DRAINAGE PURPOSES, WITH THE SOLE RESPONSIBILITY FOR MAINTENANCE BEING VESTED IN THE PROPERTY OWNER.

**IN WITNESS WHEREOF:**

THE AFOREMENTIONED SPECIFIED PROPERTIES XXIV, L.P., HAS EXECUTED THIS INSTRUMENT THIS 31 DAY OF December 1997, A.D.

SPECIFIED PROPERTIES XXIV, L.P.  
BY: WESTWOOD RESIDENTIAL NO.24 LIMITED PARTNERSHIP, ITS GENERAL PARTNER  
BY: WESTWOOD RESIDENTIAL GENERAL PARTNER NO. 24, INC., ITS GENERAL PARTNER

BY: John R. Carmichael  
JOHN R. CARMICHAEL, PRESIDENT

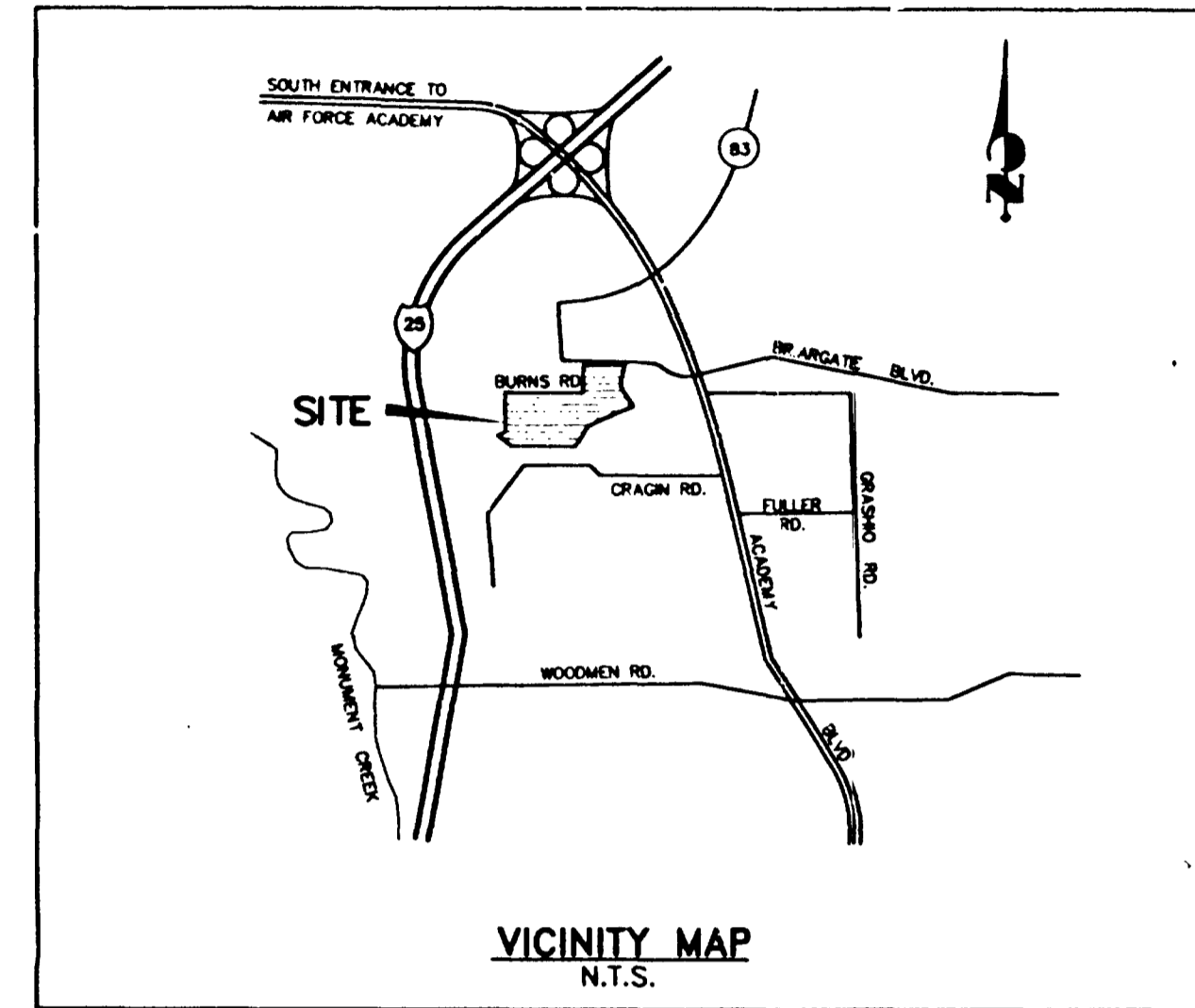
STATE OF Colorado }  
COUNTY OF El Paso } ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 31 DAY OF December, 1997, A.D., BY JOHN R. CARMICHAEL, PRESIDENT OF WESTWOOD RESIDENTIAL GENERAL PARTNER NO.24, INC., A TEXAS CORPORATION, ACTING AS THE GENERAL PARTNER OF WESTWOOD RESIDENTIAL NO.24 LIMITED PARTNERSHIP, A TEXAS LIMITED PARTNERSHIP, ACTING AS THE GENERAL PARTNER OF SPECIFIED PROPERTIES XXIV, L.P., A TEXAS LIMITED PARTNERSHIP.

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: 7/5/99

Paula S. Gray  
NOTARY PUBLIC



**GENERAL NOTES:**

1. THE BASIS OF BEARINGS IS THE SOUTHERLY LINE OF LOT 3, MARKET AT CHAPEL HILLS WEST, AS RECORDED IN PLAT BOOK H-5 AT PAGE 48, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE SOUTHEASTERLY CORNER WITH A NO. 5 REBAR AND A 1-1/2" ALUMINUM SURVEYOR'S CAP, MARKED "JR ENG LTD RLS 10377" AND AT THE SOUTHWESTERLY CORNER WITH A 1/2" INSIDE DIAMETER IRON PIPE, BEING ASSUMED TO BEAR S66°09'15"W, A DISTANCE OF 523.58 FEET.
2. THE DATE OF PREPARATION IS JANUARY 2, 1997. THE DATE OF REVISION IS DECEMBER 31, 1997.
3. \* - INDICATES AREA NOT A PART OF THIS SUBDIVISION.
4. PORTIONS OF THIS SITE, AS SHOWN, ARE WITHIN A SPECIAL FLOOD HAZARD AREA INUNDATED BY 100-YEAR FLOOD, ZONE AE & AO, AS DETERMINED BY GRAPHIC INTERPRETATION. FLOODPLAIN INFORMATION WAS OBTAINED FROM F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 08041C0508, REVISED DATE MARCH 17, 1997.
5. THE APPROVAL OF THIS REPLAT VACATES ALL PRIOR PLATS AND EASEMENTS FOR THE AREA DESCRIBED BY THIS REPLAT.
6. THE OWNER OF LOT 2 SHALL OWN AND BE RESPONSIBLE FOR MAINTENANCE OF TRACT A.
7. THIS PROPERTY IS SUBJECT TO THE FINDINGS, SUMMARY AND CONCLUSIONS OF A GEOLOGIC HAZARD REPORT PREPARED BY C.T.J. THOMPSON, INC. DATED DECEMBER 16, 1996. A COPY OF SAID REPORT HAS BEEN PLACED WITHIN FILE: AR-DP-97-00108 OF THE CITY OF COLORADO SPRINGS - DEVELOPMENT SERVICES DIVISION. CONTACT DEVELOPMENT SERVICES DIVISION, 30 SOUTH NEVADA AVENUE, SUITE 301, COLORADO SPRINGS, CO, IF YOU WOULD LIKE TO REVIEW SAID REPORT.
8. THE STEM PORTION OF LOT 2, ADJACENT TO LOT 1, WILL ALSO BE USED AS AN ACCESS EASEMENT FOR THE BENEFIT OF LOT 1.
9. BURNS ROAD VACATED BY CITY OF COLORADO SPRINGS ORDINANCE #97-218. THE BURNS ROAD RIGHT-OF-WAY HAS BEEN REPLACED WITH AN ACCESS EASEMENT.

**IN WITNESS WHEREOF:**

THE AFOREMENTIONED AIR ACADEMY FEDERAL CREDIT UNION, HAS EXECUTED THIS INSTRUMENT THIS 31 DAY OF December, 1997, A.D.

AIR ACADEMY FEDERAL CREDIT UNION

BY: Don H. Owen  
DON H. OWEN, PRESIDENT  
AIR ACADEMY FEDERAL CREDIT UNION

Donald M. Bird  
DONALD M. BIRD, SECRETARY  
AIR ACADEMY FEDERAL CREDIT UNION

STATE OF COLORADO }  
COUNTY OF EL PASO } ss

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 31 DAY OF December, 1997, A.D., BY DON H. OWEN, AS PRESIDENT, AND DONALD M. BIRD, AS SECRETARY OF AIR ACADEMY FEDERAL CREDIT UNION.

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: 6/4/00

James D. Waller  
NOTARY PUBLIC

**SURVEYOR'S STATEMENT:**

THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, HEREBY STATES AND DECLARES THAT THE ACCOMPANYING PLAT WAS SURVEYED AND DRAWN UNDER HIS RESPONSIBLE CHARGE 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 HIS KNOWLEDGE AND BELIEF, AND THE PLAT TO BE VACATED, IS A RECORDED PLAT.  
James R. Falker  
JAMES R. FALKER, PROFESSIONAL LAND SURVEYOR  
COLORADO PROFESSIONAL LAND SURVEYOR NO. 10377  
FOR AND ON BEHALF OF JR ENGINEERING, LTD. DATE 1/12/97

**LIMITATIONS OF ACTIONS AGAINST LAND SURVEYORS:**

ALL ACTIONS AGAINST ANY LAND SURVEYOR BROUGHT TO RECOVER DAMAGES RESULTING FROM ANY ALLEGED NEGLIGENCE OR DEFECTIVE LAND SURVEY SHALL BE BROUGHT WITHIN THREE YEARS AFTER THE PERSON BRINGING THE ACTION EITHER DISCOVERED 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 AN ACTION BE BROUGHT MORE THAN TEN YEARS AFTER THE COMPLETION OF THE SURVEY UPON WHICH SUCH ACTION IS BASED.

**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.

**APPROVALS:**

ON BEHALF OF CITY OF COLORADO SPRINGS, THE UNDERSIGNED HEREBY APPROVE FOR FILING THE ACCOMPANYING REPLAT AND VACATION OF "FALCON ESTATES NO. 5, FILING NO. 1".

For Paula S. Gray 3/10/98  
CITY ENGINEER DATE

John R. Carmichael 2-12-98  
MANAGER OF DEVELOPMENT SERVICES DATE

Kathryn M. Ljung 2/24/98  
CITY CLERK DATE

**CLERK AND RECORDER:**

STATE OF COLORADO )  
COUNTY OF EL PASO ) ss

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT 1:51 O'CLOCK P.M. THIS 11th DAY OF March, 1998, A.D. AND IS DULY RECORDED UNDER RECEPTION NO. 98030993, OF THE RECORDS OF EL PASO COUNTY, COLORADO.

RECORDER: J. PATRICK KELLY BY: Brenda A. Blanchard  
DERUTY

RECEPTION NO.: 98030993

FEE: 20.00

SURCHARGE FEE: 1.00

SCHOOL FEE: 100.00

BRIDGE FEE: 2.00

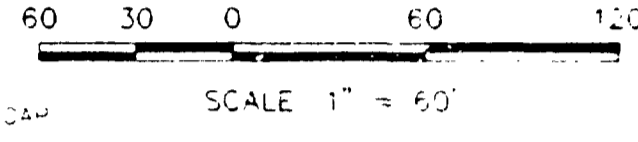
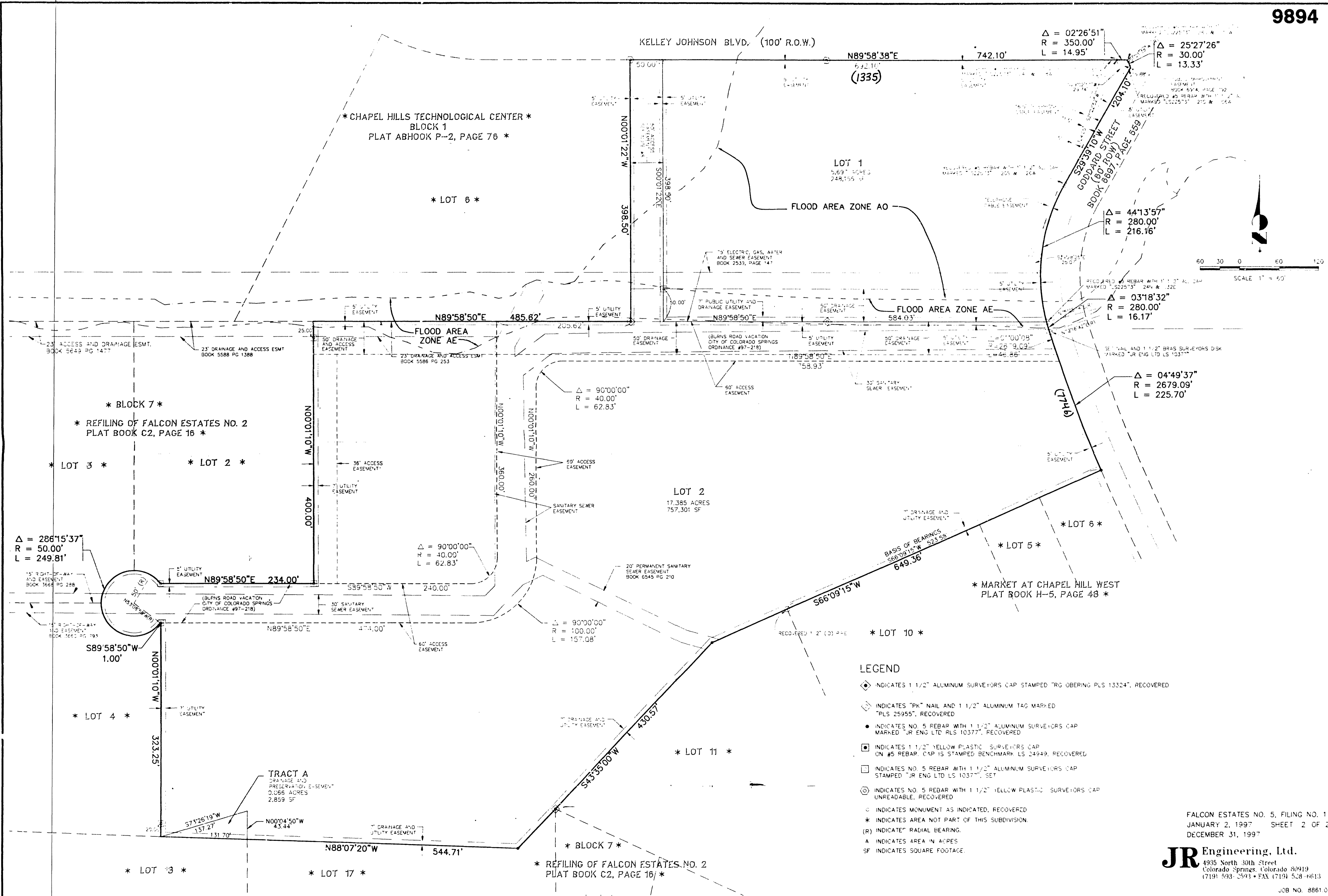
PARK FEE: 100.00

DRAINAGE FEE: 100.00

FALCON ESTATES NO.5, FILING NO. 1  
JANUARY 2, 1997 SHEET 1 OF 2  
REVISED: DECEMBER 31, 1997

**JR Engineering, Ltd.**  
4835 North 30th Street  
Colorado Springs, Colorado 80919  
(719) 593-2593 • FAX (719) 528-6613

FILENAME: 8861001.DWG DATE: 12/31/97



- LEGEND**
- ◊ INDICATES 1/2" ALUMINUM SURVEYORS CAP STAMPED "RG OBERING PLS 13324", RECOVERED
  - ⬢ INDICATES "PK" NAIL AND 1/2" ALUMINUM TAG MARKED "PLS 25955", RECOVERED
  - INDICATES NO. 5 REBAR WITH 1/2" ALUMINUM SURVEYORS CAP MARKED "JR ENG LTD RLS 10377", RECOVERED
  - ◻ INDICATES 1/2" YELLOW PLASTIC SURVEYORS CAP ON #5 REBAR. CAP IS STAMPED BENCHMARK LS 24949, RECOVERED
  - ◻ INDICATES NO. 5 REBAR WITH 1/2" ALUMINUM SURVEYORS CAP STAMPED "JR ENG LTD LS 10377", SET
  - ⊙ INDICATES NO. 5 REBAR WITH 1/2" YELLOW PLASTIC SURVEYORS CAP UNREADABLE, RECOVERED
  - INDICATES MONUMENT AS INDICATED, RECOVERED
  - \* INDICATES AREA NOT PART OF THIS SUBDIVISION.
  - (R) INDICATES RADIAL BEARING.
  - A INDICATES AREA IN ACRES.
  - SF INDICATES SQUARE FOOTAGE.

FALCON ESTATES NO. 5, FILING NO. 1  
 JANUARY 2, 1997 SHEET 2 OF 2  
 DECEMBER 31, 1997

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