

NORTHGATE AUTO PLAZA FILING NO. 2

FINAL PLAT

A PORTION OF THE EAST HALF OF SECTION 7 AND THE WEST HALF OF SECTION 8
TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

KNOW ALL MEN BY THESE PRESENTS:

THAT NORTHGATE PROPERTIES, LLC, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT:

PROPERTY DESCRIPTION:

A PORTION OF THE EAST HALF OF THE EAST HALF OF SECTION 7 AND THE WEST HALF OF THE WEST HALF OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A COURSE ON THE EASTERLY BOUNDARY LINE OF "NORTHGATE FILING NO. 7", RECORDED UNDER RECEPTION NO. 200095536 OF THE RECORDS OF SAID EL PASO COUNTY, ASSUMED TO BEAR S48°56'16"E A DISTANCE OF 1890.56 FEET.

BEGINNING AT THE SOUTHERNMOST CORNER OF "NORTHGATE AUTO PLAZA FILING NO. 1", AS RECORDED AT RECEPTION NO. 208712874 OF THE RECORDS OF SAID EL PASO COUNTY; THENCE ON THE BOUNDARY OF SAID "NORTHGATE AUTO PLAZA FILING NO. 1", THE FOLLOWING SEVEN (7) COURSES:

1. N03°56'16"W A DISTANCE OF 49.50 FEET;
2. N41°03'44"E A DISTANCE OF 63.00 FEET;
3. ON A TANGENT ARC OF CURVE TO THE RIGHT, HAVING A RADIUS OF 417.50 FEET, A DELTA ANGLE OF 35°25'05", AN ARC LENGTH OF 258.08 FEET, AND WHOSE LONG CHORD BEARS N58°46'16"E A DISTANCE OF 253.99 FEET;
4. ON A RADIAL BEARING, N13°31'11"W A DISTANCE OF 65.00 FEET;
5. ON AN ARC OF CURVE TO THE LEFT, HAVING A RADIUS OF 482.50 FEET, A DELTA ANGLE OF 06°34'13", AN ARC LENGTH OF 55.33 FEET, AND WHOSE LONG CHORD BEARS S73°11'42"W A DISTANCE OF 55.30 FEET;
6. ON A RADIAL BEARING, N20°05'24"W A DISTANCE OF 13.12 FEET;
7. ON A TANGENT ARC OF CURVE TO THE RIGHT, HAVING A RADIUS OF 250.00 FEET, A DELTA ANGLE OF 23°28'46", AN ARC LENGTH OF 102.45 FEET, AND WHOSE LONG CHORD BEARS N06°21'00"W A DISTANCE OF 101.73 FEET;
8. ON A TANGENT BEARING, N03°23'22"E A DISTANCE OF 107.35 FEET;

THENCE S88°38'38"E A DISTANCE OF 381.64 FEET TO THE WESTERLY BOUNDARY OF A PARCEL OF LAND RECORDED IN A DEED IN BOOK 3488 AT PAGES 63, 65, AND 67 OF THE RECORDS OF SAID EL PASO COUNTY; THENCE ON THE BOUNDARY OF SAID DEED, S01°05'53"E A DISTANCE OF 229.12 FEET TO THE SOUTHERLY BOUNDARY OF AN ACCESS EASEMENT RECORDED AT RECEPTION NO. 205199358 OF THE RECORDS OF SAID EL PASO COUNTY; THENCE ON THE BOUNDARY OF SAID ACCESS EASEMENT, S88°52'38"W A DISTANCE OF 100.01 FEET; THENCE S01°05'21"E A DISTANCE OF 266.46 FEET; THENCE S00°11'01"W A DISTANCE OF 131.19 FEET; THENCE N89°48'59"W A DISTANCE OF 39.88 FEET; THENCE S49°13'31"W A DISTANCE OF 163.34 FEET TO THE EASTERLY BOUNDARY OF SAID "NORTHGATE FILING NO. 7"; THENCE ON SAID EASTERLY BOUNDARY, N48°56'16"W A DISTANCE OF 398.61 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 253,342 SQ. FEET, OR 5.816 ACRES, MORE OR LESS.

DEDICATION:

THE UNDERSIGNED OWNER HAS CAUSED SAID TRACT OF LAND TO BE PLATTED INTO LOTS, A TRACT, A STREET, AND EASEMENTS AS SHOWN ON THE PLAT. THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT AND CONVEY TO THE CITY OF COLORADO SPRINGS THOSE RIGHT-OF-WAYS AND 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 OR ANY SUCH PUBLIC EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN THE CITY OF COLORADO SPRINGS. THE STREET AND "TRACT A" ARE HEREBY DEDICATED TO THE CITY OF COLORADO SPRINGS FOR PUBLIC USE. THESE TRACTS OF LAND AS HEREIN PLATTED SHALL BE KNOWN AS "NORTHGATE AUTO PLAZA FILING NO. 2" IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO.

OWNER:

THE AFOREMENTIONED, NORTHGATE PROPERTIES, LLC, BY GARY ERICKSON, MANAGER, HAS EXECUTED THIS DOCUMENT ON THIS 6TH DAY OF MAY, 2009 A.D.

GARY ERICKSON
MANAGER, NORTHGATE PROPERTIES, LLC.

NOTARIAL:

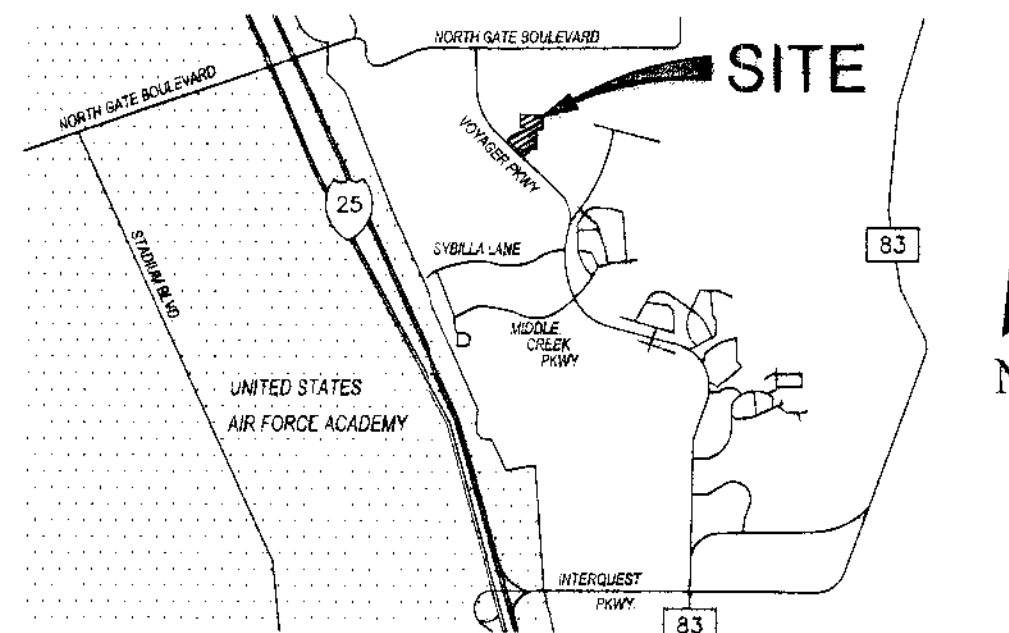
STATE OF COLORADO)
) SS
COUNTY OF EL PASO)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 6TH DAY OF MAY, 2009 A.D., BY GARY ERICKSON OF NORTHGATE PROPERTIES, LLC.

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: July 26, 2010

Joni Brander
NOTARY PUBLIC



VICINITY MAP
NOT TO SCALE

EASEMENTS:

AS SHOWN ON SHEET 2.

PLAT NOTES:

1. **BASIS OF BEARINGS:** A COURSE ON THE EASTERLY BOUNDARY LINE OF "NORTHGATE FILING NO. 7", RECORDED UNDER RECEPTION NO. 200095536 OF THE RECORDS OF SAID EL PASO COUNTY, ASSUMED TO BEAR S48°56'16"E A DISTANCE OF 1890.56 FEET.
2. ALL REFERENCES HEREON TO BOOKS, PAGES, MAPS, AND RECEPTION NUMBERS ARE PUBLIC DOCUMENTS FILED IN THE RECORDS OF EL PASO COUNTY, STATE OF COLORADO.
3. THIS PROPERTY IS SUBJECT TO THE FINDINGS, SUMMARY, AND CONCLUSIONS OF A GEOLOGIC HAZARD EXEMPTION LETTER PREPARED BY KUMAR AND ASSOCIATES, DATED NOVEMBER 29, 2007. A COPY OF SAID LETTER HAS BEEN PLACED WITHIN THE FILE OF THE CITY OF COLORADO SPRINGS DEVELOPMENT SERVICES DIVISION. CONTACT DEVELOPMENT SERVICES DIVISION, 30 SOUTH NEVADA AVENUE, SUITE 301, COLORADO SPRINGS, COLORADO, IF YOU WOULD LIKE TO REVIEW SAID LETTER.
4. **FLOODPLAIN STATEMENT:** THIS PROPERTY LIES WITHIN ZONE "X" AREAS DETERMINED TO BE OUTSIDE OF A 500-YEAR FLOODPLAIN, PER THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 08041C0280F, EFFECTIVE DATE MARCH 17, 1997.
5. **UTILITY EASEMENTS:** UTILITY EASEMENTS ARE CREATED FOR THE USE OF ALL PUBLIC UTILITIES WITH THE SOLE RESPONSIBILITY FOR MAINTENANCE BEING VESTED WITH THE INDIVIDUAL LOT OWNERS.
6. "NO BUILDING PERMITS SHALL BE ISSUED FOR BUILDING SITES WITHIN THIS PLAT UNTIL ALL REQUIRED FEES HAVE BEEN PAID AND ALL 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 IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO, DRAINAGE, STREET AND EROSION CONTROL HAVE BEEN PLACED ON FILE WITH THE CITY OF COLORADO SPRINGS."
7. THE AREA INCLUDED IN THE PLAT DESCRIBED HEREIN IS SUBJECT TO THE CODE OF THE CITY OF COLORADO SPRINGS, 2001 AS AMENDED.
8. THIS PROPERTY IS SUBJECT TO THE RESTRICTIONS SET FORTH IN THE HOMEOWNERS ASSOCIATION DOCUMENTS RECORDED IN THE EL PASO COUNTY RECORDS UNDER RECEPTION NUMBER 98094696.
9. "ALL EASEMENTS SHOWN OR DEDICATED HEREON FOR PUBLIC UTILITY PURPOSES SHALL BE SUBJECT TO THOSE TERMS AND CONDITIONS AS SPECIFIED IN THE INSTRUMENT RECORDED AT RECEPTION NUMBER 207044873 OF THE RECORDS OF EL PASO COUNTY, COLORADO (EXCEPT FOR DUAL EASEMENTS AS DEFINED IN 7.7.607) OF THE CITY CODE."
10. TRACT A WILL BE USED AS A REGIONAL DETENTION POND BEING OWNED BY THE CITY OF COLORADO SPRINGS AND DRAINAGE RELATED MAINTENANCE BEING PERFORMED BY THE CITY OF COLORADO SPRINGS. ALL LANDSCAPING AND GENERAL MAINTENANCE WILL BE PERFORMED BY THE HOMEOWNERS ASSOCIATION.
11. NOTICE: THIS PROPERTY MAY BE IMPACTED BY NOISE AND OTHER SIMILAR INCIDENTAL SENSORY EFFECTS OF FLIGHT CAUSED BY AIRCRAFT USED IN THE USAF ACADEMY'S AIRMANSHIP PROGRAM. THIS NOTICE SHALL REMAIN IN EFFECT UNTIL THE ACADEMY SHALL CEASE TO BE ACTIVELY USED. THIS NOTICE SHALL RUN WITH THE LAND.

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 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.

SURVEYOR'S STATEMENT:

I, JAMES L. SINCOVEC, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS PLAT HAS BEEN PREPARED UNDER MY DIRECTION IN ACCORDANCE WITH THE COLORADO REVISED STATUTES, AS AMENDED, AND THAT THIS PLAT DOES ACCURATELY SHOW THE DESCRIBED TRACTS OF LAND AND THE 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.

James L. Sincovec
PROFESSIONAL LAND SURVEYOR
17500
5-6-D

JAMES L. SINCOVEC, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. NO. 17052
FOR AND ON BEHALF OF EDWARD-JAMES SURVEYING, INC.

CITY APPROVAL:

ON BEHALF OF THE CITY OF COLORADO SPRINGS, THE UNDERSIGNED HEREBY APPROVE FOR FILING THE ACCOMPANYING PLAT FOR "NORTHGATE AUTO PLAZA FILING NO. 2" IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO.

Meghan Thompson
DIRECTOR OF CITY PLANNING

5/11/09
DATE

Carla L. Tellez
CITY ENGINEER

5/13/09
DATE

Cindy D. Conroy
CITY CLERK DEPUTY

5/13/09
DATE

RECORDING:

STATE OF COLORADO)
) SS
COUNTY OF EL PASO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT

10:24 CLOCK A.M. THIS 18TH DAY OF May, 2009 A.D., AND

IS DULY RECORDED UNDER RECEPTION NUMBER 209712954 OF THE RECORDS OF EL PASO COUNTY, COLORADO.

SURCHARGE: 1.00 ROBERT C. BALINK, RECORDER

FEES: 20- S.C. I

BY: *Tashy Linker*
DEPUTY

FEES:

- SCHOOL FEE: N/A COMM.
- BRIDGE FEE: N/A MONUMENT BRANCH
- PARK FEE: N/A COMM.
- DRAINAGE FEE: FACILITIES EXCEED FEES

NO.	DESCRIPTION	DATE
1	CHANGES PER CITY COMMENTS	4/26/09
2	CHANGES PER CITY COMMENTS	7/17/09
3	CHANGES PER CITY COMMENTS	1/09/09

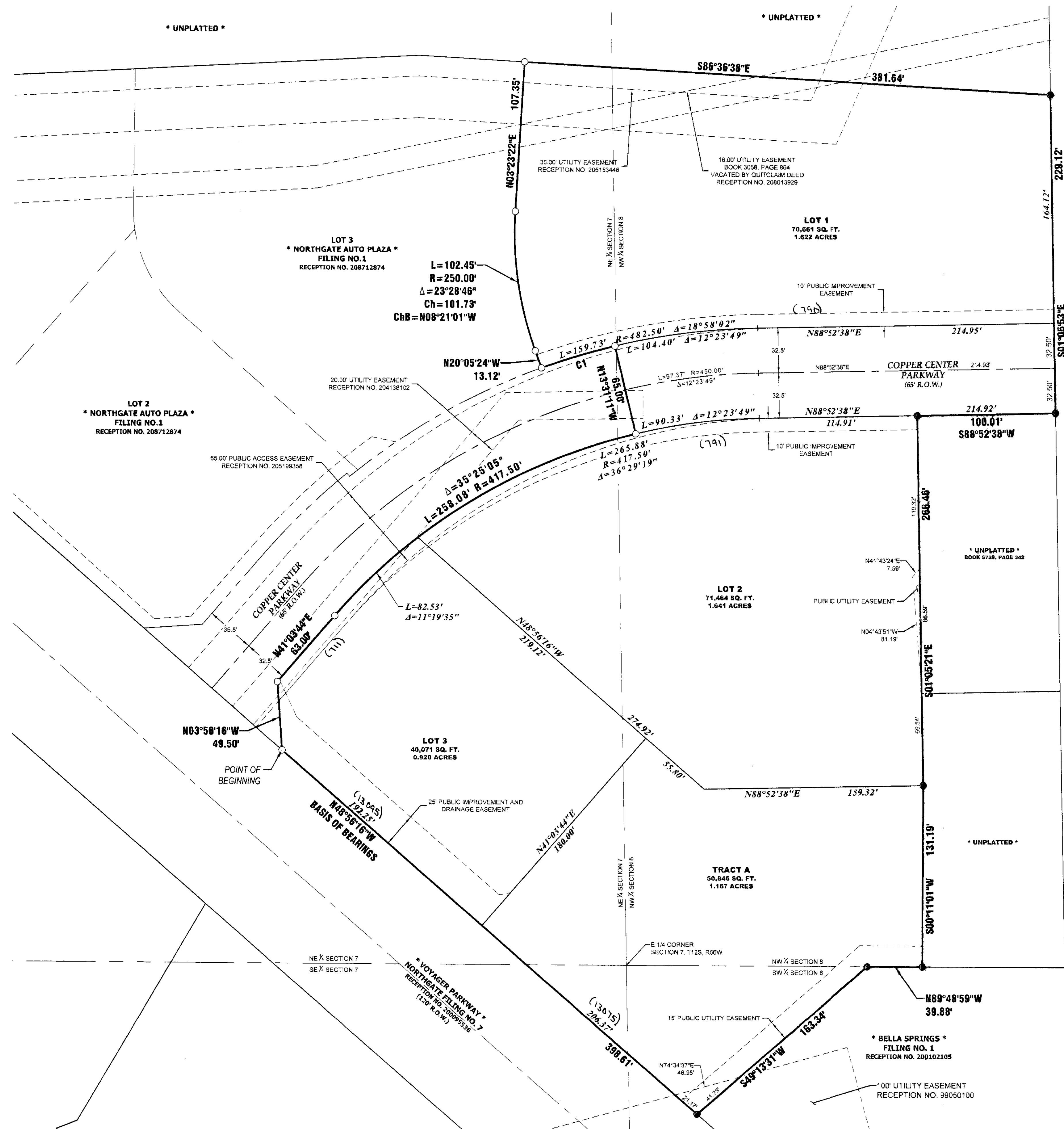
EDWARD-JAMES SURVEYING, INC.
4732 Eagleridge Circle
Pueblo, CO 81008
Office: (719) 576-1216
Fax: (719) 545-6240
2764 Janitell Road
Colorado Springs, CO 80906
Office: (719) 576-1216
Fax: (719) 576-1206



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CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

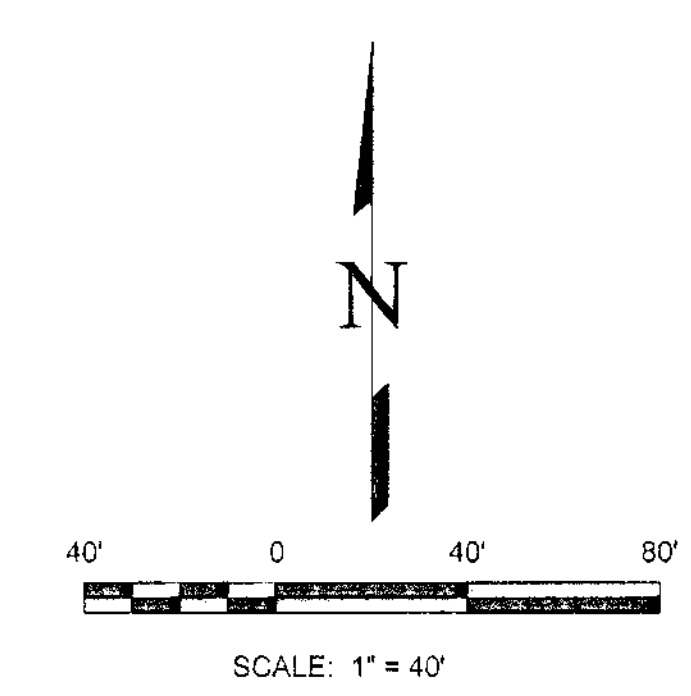
DRAWN BY	RJS
CHECKED BY	JLS
H-SCALE	N/A
JOB NO.	717.00
DATE CREATED	01/22/08
DATE ISSUED	05/06/09
SHEET NO.	1 OF 2

NORTHGATE AUTO PLAZA FILING NO. 2 FINAL PLAT



CURVE TABLE					
NO.	LENGTH	RADIUS	DELTA	CH. LENGTH	CH. BEARING
C1	55.33'	482.50'	8°34'13"	56.30'	S73°11'42"W

- LEGEND:**
- SET NO. 5 REBAR WITH ORANGE PLASTIC CAP STAMPED "EDWARD-JAMES PLS 17502"
 - FOUND NO. 5 REBAR WITH 1-1/2" ALUMINUM CAP STAMPED "JR ENG PLS 32820" SET
 - AREA NOT INCLUDED IN THIS SURVEY
 - R.O.W. RIGHT-OF-WAY



NO.	REVISIONS	DESCRIPTION	DATE
1	CHANGES PER CITY COMMENTS		4/26/08
2	CHANGES PER CITY COMMENTS		7/17/08
3	CHANGES PER CITY COMMENTS		10/09/09

EDWARD-JAMES SURVEYING, INC.

2764 Janitell Road
Pueblo, CO 81008
Office: (719) 576-1216
Fax: (719) 545-6247

**NORTHGATE AUTO PLAZA FILING NO. 2
FINAL PLAT**

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TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

DRAWN BY	AWE/RJS
CHECKED BY	JLS
H-SCALE	1" = 40'
JOB NO.	717.00
DATE CREATED	01/22/08
DATE ISSUED	05/06/09
SHEET NO	2 OF 2

ES