

THE TOWNES AT KETTLE CREEK

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22
AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 27,
TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

KNOW ALL MEN BY THESE PRESENTS:

That ASHTON DENVER RESIDENTIAL, LLC, a Colorado limited liability corporation being the owner of the following described tract of land to wit:

A tract of land being a portion of the Southwest Quarter of Section 22, and the Northwest Quarter of Section 27, Township 12 South, Range 66 West, El Paso County, Colorado, described as follows:

Basis of Bearings: The southeasterly line of Bison Ridge at Kettle Creek Filing No. 1, being monumented at each end by a No. 5 rebar with a 1 1/2" aluminum cap stamped "JR Eng RLS 31161". Said line is assumed to bear N 45°28'00"E.

Beginning at the southerly corner of Lot 43 of Bison Ridge at Kettle Creek Filing No.1, as recorded under Reception No. 2040688973, records of El Paso County, Colorado; thence N 45°28'00"E, along the easterly line of said Bison Ridge at Kettle Creek Filing No. 1, a distance of 579.12 feet to the easterly corner of said Bison Ridge at Kettle Creek Filing No. 1, said point also being a point on the westerly right of way line of Powers Boulevard, as established by URS Corporation; thence on said westerly right of way line, the following two (2) courses:

- 1. S 35°44'13"E, a distance of 244.44 feet;
- 2. S 23°49'06"E, a distance of 401.92 feet;

thence S 58°43'02"W, a distance of 401.60 feet; thence S 68°14'10"W, a distance of 99.49 feet to a point on the easterly right of way line of Rhinestone Drive, as platted in said Bison Ridge at Kettle Creek Filing No.1; thence on said easterly right of way line, the following seven courses:

- 1. On the arc of a curve to the left, whose center bears S 65°17'41"W, having a delta of 26°02'26", a radius of 432.50 feet, a distance of 196.57 feet to a point of reverse curve;
- 2. On the arc of a curve to the right, having a delta of 19°23'02", a radius of 367.50 feet, a distance of 124.33 feet to a point on curve;
- 3. S 58°38'16"W, a distance of 7.50 feet to a point on curve;
- 4. On the arc of a curve to the right, whose center bears N 58°38'16"E, having a delta of 8°43'31", a radius of 375.00 feet, a distance of 57.71 feet to a point of tangent;
- 5. N 22°38'13"W, a distance of 74.45 feet to a point of curve;
- 6. On the arc of a curve to the left, having a delta of 4°23'02", a radius of 225.00 feet, a distance of 17.22 feet to a point of tangent;
- 7. N 27°01'15"W, a distance of 29.93 feet to the Point of Beginning.

Containing a calculated area of 7.345 acres, more or less.

DEDICATION:

The above owner has caused said tract of land to be surveyed and platted into lots, tracts and easements as shown on the accompanying plat. The undersigned do hereby grant unto the City of Colorado Springs those Public Easements as shown on the plat and further restrict 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 quit claim all or any such easements shall remain exclusively vested in the City of Colorado Springs. All private streets and Tract A are to be owned and maintained by The Townes at Kettle Creek Homeowners Association, as established per a document recorded under Reception No. 206081154. This tract of land as herein platted shall be known as THE TOWNES AT KETTLE CREEK in the City of Colorado Springs, County of El Paso, State of Colorado.

IN WITNESS WHEREOF:

The aforementioned, ASHTON DENVER RESIDENTIAL, LLC, has executed this instrument this 6th day of JUNE 2006 A.D.

ASHTON DENVER RESIDENTIAL, LLC

By: *[Signature]*

NOTARIAL:

STATE OF COLORADO }
COUNTY OF EL PASO }

The above and aforementioned was acknowledged before me this 6th day of June, 2006 A.D., by Roger Thiriet

Witness my hand and seal Jennifer Donlan

Address 204 Inverness Way, Suite 200
Englewood CO 80112

My Commission expires 1-16-2007



FEES:

Park Fee: 0.05 @ B.P. Drainage Fee: N/A
School Fee: 0.05 @ B.P. Bridge Fee: N/A

NOTES:

- 1. o Denotes survey monument set with a #5 rebar with Surveyor's Cap, P.L.S. #32439.
- Denotes recovered aluminum cap, PLS 31161, unless otherwise noted.
- 2. Basis of Bearings is the southeasterly line of Bison Ridge at Kettle Creek Filing No. 1, being monumented at each end by a No. 5 rebar with a 1 1/2" aluminum cap stamped "JR Eng RLS 31161". Said line is assumed to bear N 45°28'00"E.
- 3. This property is located within Zone X (Areas determined to be outside of the 500-year floodplain) as established by FEMA per FIRM panel 08041C0507 F, effective date 3/17/1997.
- 4. This survey does not constitute a title search by Clark Land Surveying, Inc. to determine ownership or easements of record. For all information regarding easements, rights of way and title of record, Clark Land Surveying, Inc. relied upon a Commitment for Title Insurance, prepared by LAWYERS TITLE INSURANCE CORPORATION, Commitment No. LTPP0001345 dated February 24, 2005 at 7:30 o'clock A.M.
- 5. Direct vehicular access from this property to Powers Boulevard is restricted per a document recorded at Reception Number 206074037.
- 6. Tracts A, C-1, C-2, C-3 and all commonly owned property and amenities shall be owned and maintained by The Townes at Kettle Creek Home Owners Association.
- 7. Tract A is hereby dedicated to the City of Colorado Springs as a Public Utilities Easement.
- 8. Tracts B-1 through B-5 are to be owned and maintained by The Townes at Kettle Creek Home Owners Association until such time as such Tracts are conveyed to the adjacent property owners.
- 9. This property is subject to an Easement Encroachment License on file with the City of Colorado Springs, Real Estate Services, file number RES File No. 15634.

NOTICE IS HEREBY GIVEN:

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 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 improvements including, but not limited to, drainage, street and erosion control have been placed on file with the City of Colorado Springs.

SURVEYOR'S CERTIFICATION:

The undersigned Colorado Registered Professional Land Surveyor does hereby certify that the accompanying plat was surveyed and drawn under his direct responsibility and 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 his professional knowledge, belief and opinion.



Mark S. Johannes
Colorado Professional Land Surveyor No. 32439
For and on behalf of Clark Land Surveying, Inc.

EASEMENTS:

Easements are as shown with the sole responsibility for maintenance being vested with The Townes at Kettle Creek Home Owners Association.

CITY APPROVAL:

On behalf of the City of Colorado Springs, the undersigned hereby approve for filing the accompanying plat of THE TOWNES AT KETTLE CREEK.

[Signature] 6/12/06 Date
City Engineer Date
[Signature] 6-9-06 Date
City Planning Director Date

[Signature] 6/12/06 Date
Deputy City Clerk Date

RECORDING:

STATE OF COLORADO }
COUNTY OF EL PASO }
I hereby certify that this instrument was filed for record in my office at 10:46 o'clock A.M., this 13th day of June, 2006 A.D., and is duly recorded under Reception No. 206112345 of the records of El Paso County, Colorado.

SURCHARGE: 1.00
FEE: 20.00

ROBERT C. BALINK, RECORDER

By: *[Signature]*
Deputy

Clark Land Surveying, Inc.
Boundary - GPS - Mapping
512 South Weber St.
Colorado Springs, CO 80903
719.633.8331 FAX 719.633.8822

| Revisions | | | |
|-----------|--|-----|----------|
| No. | Description | By | Date |
| 1 | City comments | DJF | 11/23/05 |
| 2 | Review building locations and easements. Add Trees | MSJ | 2/27/06 |
| 3 | City comments, add Park, Tree Easement, review lot and easement locations. | MSJ | 3/23/06 |
| 4 | Review lot and utility add Trees | MSJ | 4/18/06 |

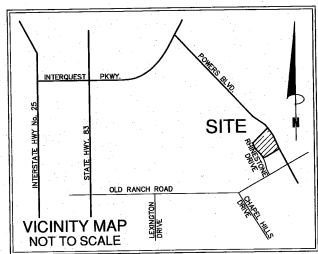
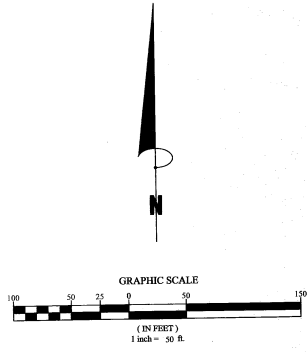
Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

THE TOWNES AT KETTLE CREEK

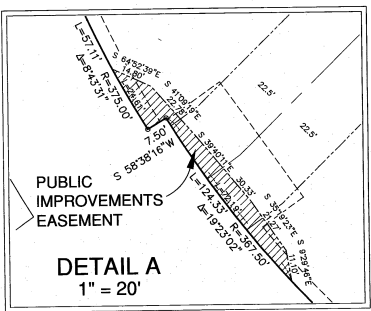
Project No. 5494
Drawn By: MSJ
Checked By: WRC
Date: 9/29/05
Sheet: 1 of 2

THE TOWNES AT KETTLE CREEK

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22
AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 27,
TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO



▨ DENOTES SIGHT TRIANGLE
Ⓢ DENOTES BUILDING TYPE NUMBER
--- TIES TO LOT CORNERS ARE PERPENDICULAR TO SUBDIVISION BOUNDARY LINES



BUILDING 1 DETAIL
ALL LOT CORNERS ARE 90° ANGLES

| | | | |
|-----------------|-----------------|-----------------|-----------------|
| 27.00' | 22.00' | 22.00' | 27.00' |
| 1626.75 sq. ft. | 1,325.5 sq. ft. | 1,325.5 sq. ft. | 1646.75 sq. ft. |
| 60.25' | 60.25' | 60.25' | 60.25' |
| 27.00' | 22.00' | 22.00' | 27.00' |

BUILDINGS 2-7 & 9-14 DETAIL
ALL LOT CORNERS ARE 90° ANGLES

| | | | | | |
|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| 27.00' | 22.00' | 22.00' | 22.00' | 22.00' | 27.00' |
| 1626.75 sq. ft. | 1,325.5 sq. ft. | 1,325.5 sq. ft. | 1,325.5 sq. ft. | 1,325.5 sq. ft. | 1646.75 sq. ft. |
| 60.25' | 60.25' | 60.25' | 60.25' | 60.25' | 60.25' |
| 27.00' | 22.00' | 22.00' | 22.00' | 22.00' | 27.00' |

BUILDING 8 DETAIL
ALL LOT CORNERS ARE 90° ANGLES

| | | | | |
|-----------------|-----------------|-----------------|-----------------|-----------------|
| 27.00' | 22.00' | 22.00' | 22.00' | 27.00' |
| 1626.75 sq. ft. | 1,325.5 sq. ft. | 1,325.5 sq. ft. | 1,325.5 sq. ft. | 1626.75 sq. ft. |
| 60.25' | 60.25' | 60.25' | 60.25' | 60.25' |
| 27.00' | 22.00' | 22.00' | 22.00' | 27.00' |



Clark Land Surveying, Inc.
Boundary - GPS - Mapping
432 South Weber St.
Colorado Springs, CO 80903
719.633.8533 FAX 719.633.8822

| No. | Revisions | By | Date |
|-----|---|-----|----------|
| 1 | City comments. | MSJ | 11/23/05 |
| 2 | Remove building locations and easements. Add Tracts. | MSJ | 2/6/06 |
| 3 | City comments, add Pub. Imp. Easement, revise lot and easement locations. | MSJ | 3/21/06 |
| 4 | Revise lot and utility, add Tract C. | MSJ | 4/18/06 |

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 herein.

| | | | |
|-----------------------------------|------|-------------|---------|
| THE TOWNES AT KETTLE CREEK | | | |
| Project No. | 5494 | Drawn By: | MSJ |
| | | Checked By: | WRG |
| | | Date: | 9/29/05 |
| | | Sheet: | 2 of 2 |