

MINOR SUBDIVISION CHERRY HILLS PARK NO.1 - 6TH AMENDMENT

BEING A LOT SUBDIVISION OF LOT 1A, CHERRY HILLS PARK NO. 1 - LOT CONSOLIDATION,
SITUATED IN THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
CITY OF CHERRY HILLS, COUNTY OF ARAPAHOE, STATE OF COLORADO.

SHEET 1 OF 2

CERTIFICATE OF OWNERSHIP AND DEDICATION STATEMENT

KNOW ALL MEN BY THIS PRESENTS, THAT THE UNDERSIGNED, BEING ALL THE OWNERS OF THE LAND DESCRIBED IN THIS PLAT IN THE CITY OF CHERRY HILLS VILLAGE, ARAPAHOE COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

LOT 1A, CHERRY HILLS PARK NO. 1 - LOT CONSOLIDATION, COUNTY OF ARAPAHOE, STATE OF COLORADO
CONTAINING 215,000 SQ.FT OR 4.93 ACRES, MORE OR LESS.

HEREBY DEDICATES TO THE CITY OF CHERRY HILLS VILLAGE, COLORADO THE UTILITY, ACCESS, AND OTHER EASEMENTS AS SHOWN HEREON. THE ENTITIES ARE RESPONSIBLE FOR PROVIDING THE UTILITY SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED AND ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES. THE OWNERS OF THE LANDS DESCRIBED HEREIN ARE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF DRAINAGE EASEMENTS SHOWN HEREON AND RELATED FACILITIES. THE UNDERSIGNED GRANTS THE CITY OF CHERRY HILLS VILLAGE A PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTY TO MAINTAIN, OPERATE, AND RECONSTRUCT THE DRAINAGE EASEMENTS AND RELATED FACILITIES AND TO MAINTAIN, OPERATE, AND RECONSTRUCT THE DRAINAGE EASEMENTS AND RELATED FACILITIES WHEN THE OWNER(S) FAIL TO ADEQUATELY MAINTAIN SUCH DRAINAGE EASEMENTS AND RELATED FACILITIES, WHICH MAINTENANCE, OPERATION, AND RECONSTRUCTION SHALL BE AT THE COST OF THE OWNER(S). ALL PUBLIC STREETS AND RIGHTS-OF-WAY SHOWN HEREON ARE DEDICATED AND CONVEYED TO THE CITY OF CHERRY HILLS VILLAGE IN FEE SIMPLE ABSOLUTE, FOR PUBLIC USES AND PURPOSES. ALL TRAIL EASEMENTS SHOWN HEREON ARE DEDICATED AND CONVEYED TO THE CITY OF CHERRY HILLS VILLAGE FOR PUBLIC USES AND PURPOSES.

EXECUTED THIS ____ DAY OF _____, 20____

OWNER(S):

CHRISTOPHER J. MARSICO

TAMMY C. MARSICO

STATE OF _____) SS.
COUNTRY OF _____)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20____.

BY CHRISTOPHER J. MARSICO AND TAMMY C. MARSICO.

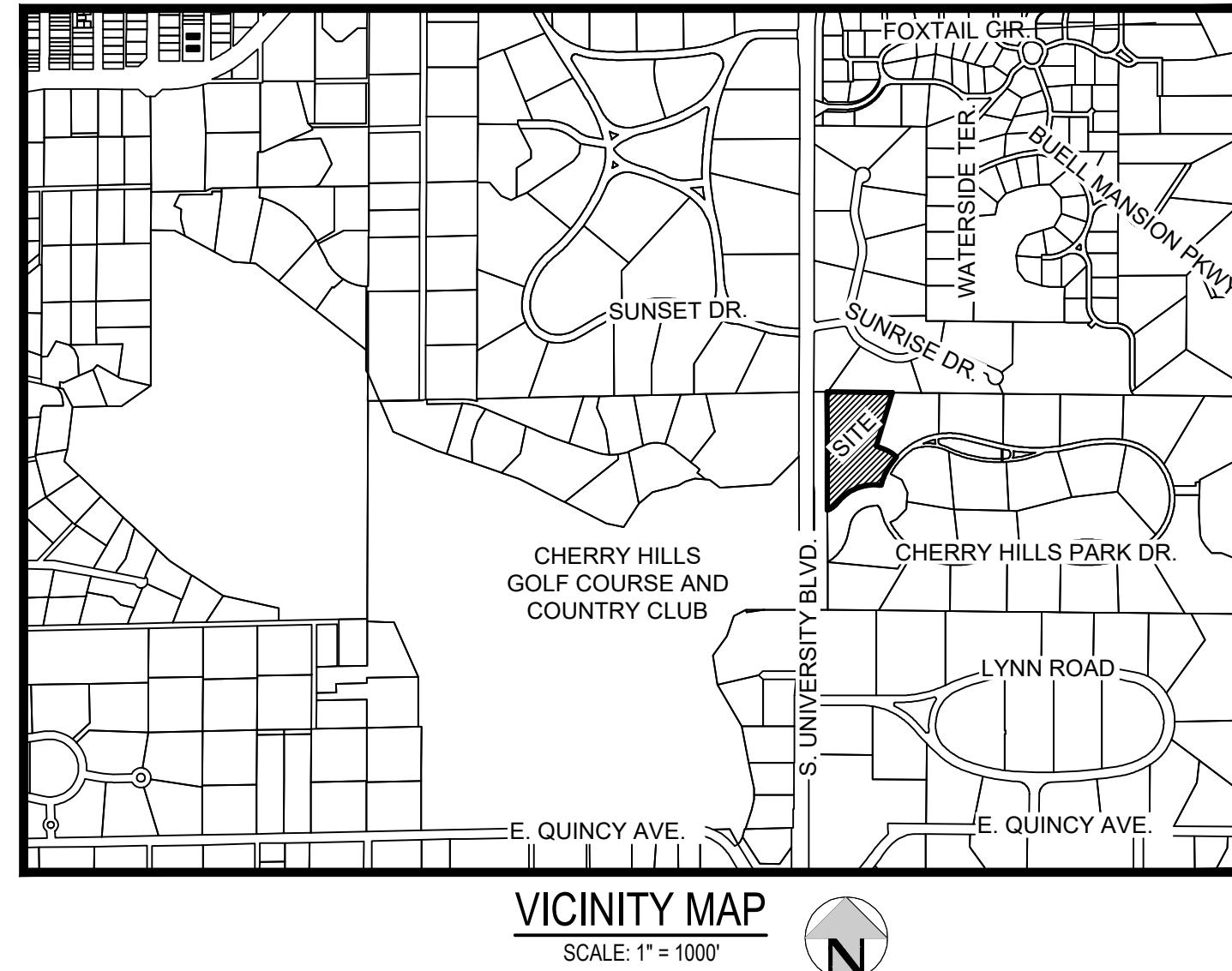
WITNESS MY HAND AND OFFICIAL SEAL. _____ NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

NOTE: THERE ARE NO LIENHOLDERS FOR THE SURVEYED PROPERTY.

PURPOSE OF THE SUBDIVISION:

THIS MINOR SUBDIVISION PLAT DIVIDES LOT 1A CHERRY HILLS PARK NO.1 - LOT CONSOLIDATION INTO TWO LOTS TO BE KNOWN AS LOT 1 AND LOT 2, CHERRY HILLS PARK NO.1 - 6TH AMENDMENT. NO OTHER AMENDMENT OR MODIFICATION OF THE UNDERLYING RECORDED SUBDIVISION PLAT(S) THAT INCLUDE THE SUBJECT LAND OF THIS PLAT IS INTENDED.



GENERAL NOTES:

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HARRIS KOCHER SMITH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD, HARRIS KOCHER SMITH RELIED UPON COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. RND70832286-4 ISSUED BY LAND TITLE GUARANTEE COMPANY AND HAVING AN EFFECTIVE DATE OF AUGUST 14, 2025 AT 5:00 P.M.
2. ALL DIMENSIONS AS SHOWN HEREON ARE RECORD AND MEASURED, UNLESS OTHERWISE STATED OR SHOWN.
3. 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.
4. THE FIELD WORK WAS COMPLETED APRIL 2, 2024.
5. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN AS SHOWN ON THE FINAL PLAT OF CHERRY HILLS PARK I RECORDED AT RECEPTION NO. A7107627 IN THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE, MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX W/ ILLEGIBLE STAMPING AND THE EAST END BY A FOUND 3-1/4" ALUM. CAP IN RANGE BOX STAMPED PLS 19003, HAVING AN ASSUMED BEARING OF SOUTH 89°13'28" EAST.
6. THE LINEAR UNITS FOR THIS SURVEY ARE U.S. SURVEY FEET.
7. ANY CONSTRUCTION ACROSS AN EXISTING SUBDIVISION PROPERTY LINE IS IN VIOLATION OF THE CITY'S MUNICIPAL CODE.
8. ANY DIVISION OF AN EXISTING LOT, OR CONVEYANCE OF PART OF AN EXISTING LOT, IS IN VIOLATION OF THE CITY'S MUNICIPAL CODE, UNLESS EXPRESSLY EXEMPTED.
9. MAINTENANCE OF DRAINAGE FACILITIES: THE OWNER(S) IN POSSESSION SHALL BE RESPONSIBLE FOR MAINTAINING THE STRUCTURAL INTEGRITY AND OPERATIONAL FUNCTIONS OF ALL DRAINAGE FACILITIES LOCATED THEREON, IF AT ANY TIME, FOLLOWING CERTIFICATION OF SAID DRAINAGE FACILITIES, THE CITY DEEMS THAT SAID DRAINAGE FACILITIES NO LONGER COMPLY WITH THE APPROVED PLANS, THE OWNER(S) IN POSSESSION SHALL RESTORE SUCH FACILITIES TO THE STANDARDS AND SPECIFICATIONS AS SHOWN ON THE APPROVED DRAINAGE PLANS. FAILURE TO MAINTAIN THE STRUCTURAL INTEGRITY AND OPERATIONAL FUNCTION OF SAID DRAINAGE FACILITIES FOLLOWING CERTIFICATION WILL RESULT IN THE CITY NOTIFYING ALL PROPERTY OWNERS WHOSE PROPERTY CONTRIBUTES TO THE FACILITY AS TO THE NATURE OF THE WORK REQUIRED TO BRING THE FACILITY INTO COMPLIANCE, TOGETHER WITH A REQUEST FOR THE WORK TO BE PERFORMED IN A REASONABLE TIME PERIOD. IF THE DRAINAGE FACILITY IS NOT SUBSEQUENTLY BROUGHT INTO COMPLIANCE WITH THE APPROVED DRAINAGE PLANS BY THE OWNER(S) IN POSSESSION, OR AN EMERGENCY SITUATION EXISTS, THE CITY MAY ENTER ONTO THE PROPERTY, CAUSE THE NECESSARY WORK TO BE PERFORMED AND FILE A LIEN AGAINST ALL PROPERTIES CONTRIBUTING TO THE DRAINAGE FACILITY.
10. THERE IS HEREBY RESERVED AN EASEMENT OVER AND ACROSS EACH LOT FOR THE PURPOSE OF ALLOWING STORMWATER FLOWS IN ACCORDANCE WITH THE APPROVED GRADING PLAN AND APPROVED DRAINAGE PLAN FOR THE SUBDIVISION, AS AMENDED FROM TIME TO TIME.
11. THE CITY DOES NOT CONSIDER, INTERPRET, OR APPLY DEED RESTRICTIONS OR COVENANTS UNLESS THE CITY IS A PART TO OR BENEFICIARY THEREOF, INCLUDING COVENANTS, CONDITIONS, AND RESTRICTIONS IN DECLARATIONS RECORDED AGAINST THE SUBJECT LAND PURSUANT TO THE COLORADO COMMON INTEREST OWNERSHIP ACT (PRIVATE COVENANTS). THE CITY'S APPROVAL OF THIS PLAT DOES NOT WARRANTY OR CONFIRM THAT ALL APPROVALS REQUIRED BY PRIVATE COVENANTS, IF ANY, WERE OBTAINED OR REVIEWED BY THE CITY, NOR DOES THE CITY'S APPROVAL OF THIS PLAT TERMINATE OR VACATE ANY PRIVATE COVENANTS.
12. THIS PROPERTY MAY BE SUBJECT TO THE TERMS, PROVISIONS, COVENANTS, CONDITIONS, RESTRICTIONS, AND RESERVATIONS AS SHOWN HEREON AND AS CONTAINED IN THE FOLLOWING INSTRUMENTS:
 - A. TERMS, CONDITIONS AND PROVISIONS OF AGREEMENT RECORDED FEBRUARY 08, 1962 IN BOOK 1318 AT PAGE 210.
 - B. ANY TAX LIEN, FEE OR ASSESSMENT BY REASON OF INCLUSION OF THE SUBJECT PROPERTY TO THE CASTLEWOOD FIRE PROTECTION DISTRICT, AS DISCLOSED BY THE INSTRUMENT RECORDED SEPTEMBER 14, 1989 IN BOOK 5772 AT PAGE 590.
 - C. ANY TAX LIEN, FEE OR ASSESSMENT BY REASON OF INCLUSION OF THE SUBJECT PROPERTY IN THE SOUTH SUBURBAN PARK AND RECREATION DISTRICT, AS DISCLOSED BY THE INSTRUMENT RECORDED APRIL 27, 1990 IN BOOK 5914 AT PAGE 733.
 - D. TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 65 SERIES OF 1995 RECORDED NOVEMBER 30, 1995 AT RECEPTION NO. A5126743.
 - E. RESTRICTIVE COVENANTS WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING AN COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARTIAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS CONTAINED IN INSTRUMENT RECORDED APRIL 03, 1998, UNDER RECEPTION NO. A8047872.
 - F. TERMS, CONDITIONS AND PROVISIONS OF LOT DECLARATION RECORDED OCTOBER 07, 1998 AT RECEPTION NUMBER A8160677.
 - G. TERMS, CONDITIONS AND PROVISIONS OF THE EASEMENT AGREEMENT RECORDED JULY 01, 1988 IN BOOK 5472 AT PAGE 42, AN EASEMENT AGREEMENT RECORDED MARCH 20, 1998 AT RECEPTION NO. A8038616, TOGETHER WITH THE ACCESS EASEMENT AGREEMENT RECORDED APRIL 03, 1998 AT RECEPTION NO. A8047871 AND REFERENCED WITHIN THE TITLE COMMITMENT DO NOT LIE WITHIN THE PROPOSED PLATED PROPERTY.
 - H. RIGHT-OF-WAY AGREEMENT RECORDED MARCH 23, 1982 IN BOOK 3596 AT PAGE 386.
 - I. TERMS, CONDITIONS AND PROVISIONS OF NOTICE RECORDED OCTOBER 13, 1988 IN BOOK 5551 AT PAGE 29.

LAND USE TABLE

	GROSS AREA	NET AREA	STREETS	EASEMENTS
LOT 1	108,659 SQ FT	106,409 SQ FT	2,550 SQ FT	24,826 SQ FT
2.50 AC	2.44 AC	0.06 AC	0.57 AC	
LOT 2	108,666 SQ FT	108,591 SQ FT	375 SQ.FT	130,898 SQ FT
2.50 AC	2.49 AC	0.01 AC	3.01 AC	

NOTE: AS ALLOWED BY THE MUNICIPAL CODE, THE AREA OF LOT 1 AND 2 HAVE A PORTION OF TRACT E ADDED TO THE AREA OF THE RESPECTIVE LOTS IN ORDER TO ACHIEVE A MINIMUM GROSS AREA OF 2.5 ACRES.

CITY OF CHERRY HILLS VILLAGE APPROVAL:

APPROVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE AND APPROVED FOR RECORDATION WITH THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE PURSUANT TO CHAPTER 17, ARTICLE VI OF THE CITY CODE FOR THE CITY OF CHERRY HILLS VILLAGE THIS ____ DAY OF _____, 20____ BY RESOLUTION NUMBER: _____

ALL DEDICATIONS, IF ANY, OF PUBLIC STREETS, PUBLIC RIGHTS-OF-WAY, PARKS, OPEN SPACES, TRAILS, PUBLIC EASEMENTS, AND OTHER PLACES DESIGNATED OR DESCRIBED FOR PUBLIC USES AS SHOWN HEREON AND SUCH OTHER EASEMENTS SHOWN HEREON FOR THE PURPOSES SHOWN ARE HEREBY ACCEPTED. ALL CONDITIONS, TERMS, AND SPECIFICATIONS DESIGNATED OR DESCRIBED HEREIN SHALL BE BINDING ON THE OWNER, ITS HEIRS, SUCCESSORS, AND ASSIGNS. THE CITY DOES NOT ACCEPT ANY DUTY OF MAINTENANCE OF THE EASEMENTS OR OF IMPROVEMENTS IN THE EASEMENTS THAT ARE NOT OWNED BY THE CITY, AND FURTHER RESERVES ITS RIGHT TO REMOVE OR REQUIRE THE OWNER(S) TO REMOVE, AT THE SOLE EXPENSE OF THE OWNER(S), ANY OBJECTS IN THE EASEMENT THAT INTERFERE WITH THEIR USE AND ENJOYMENT FOR THEIR INTENDED PURPOSE.

SIGNATURE _____

TITLE _____

SURVEYOR'S CERTIFICATION:

I, SHAWN D. CLARKE, A PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS SURVEY OF MINOR SUBDIVISION CHERRY HILLS PARK NO.1 - 6TH AMENDMENT WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE ____ DAY OF _____, 20____, AND THAT THE SURVEY IS BASED UPON MY KNOWLEDGE, INFORMATION, AND BELIEF THAT ALL MONUMENTS EXIST AS SHOWN HEREON; IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS, OR SURVEYING OF LAND, AND ALL PROVISIONS, WITHIN MY CONTROL, OF THE CHERRY HILLS VILLAGE SUBDIVISION REGULATIONS. THIS SURVEY IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESS OR IMPLIED, AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SURVEY THEREOF.

SHAWN D. CLARKE, PLS 38061
SCLARKE@HKSENG.COMFOR AND ON BEHALF OF
HARRIS KOCHER SMITH
1290 BROADWAY, STE 800
DENVER, CO 80203

DRAFT

CLERK & RECORDER'S CERTIFICATE:

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ARAPAHOE COUNTY AT _____ (A.M./P.M.) ON THE _____ DAY OF _____ A.D., 20____ IN BOOK _____, PAGE _____, MAP _____, RECEPTION NO. _____

CLERK AND RECORDER _____

BY _____
DEPUTY CLERK AND RECORDER

