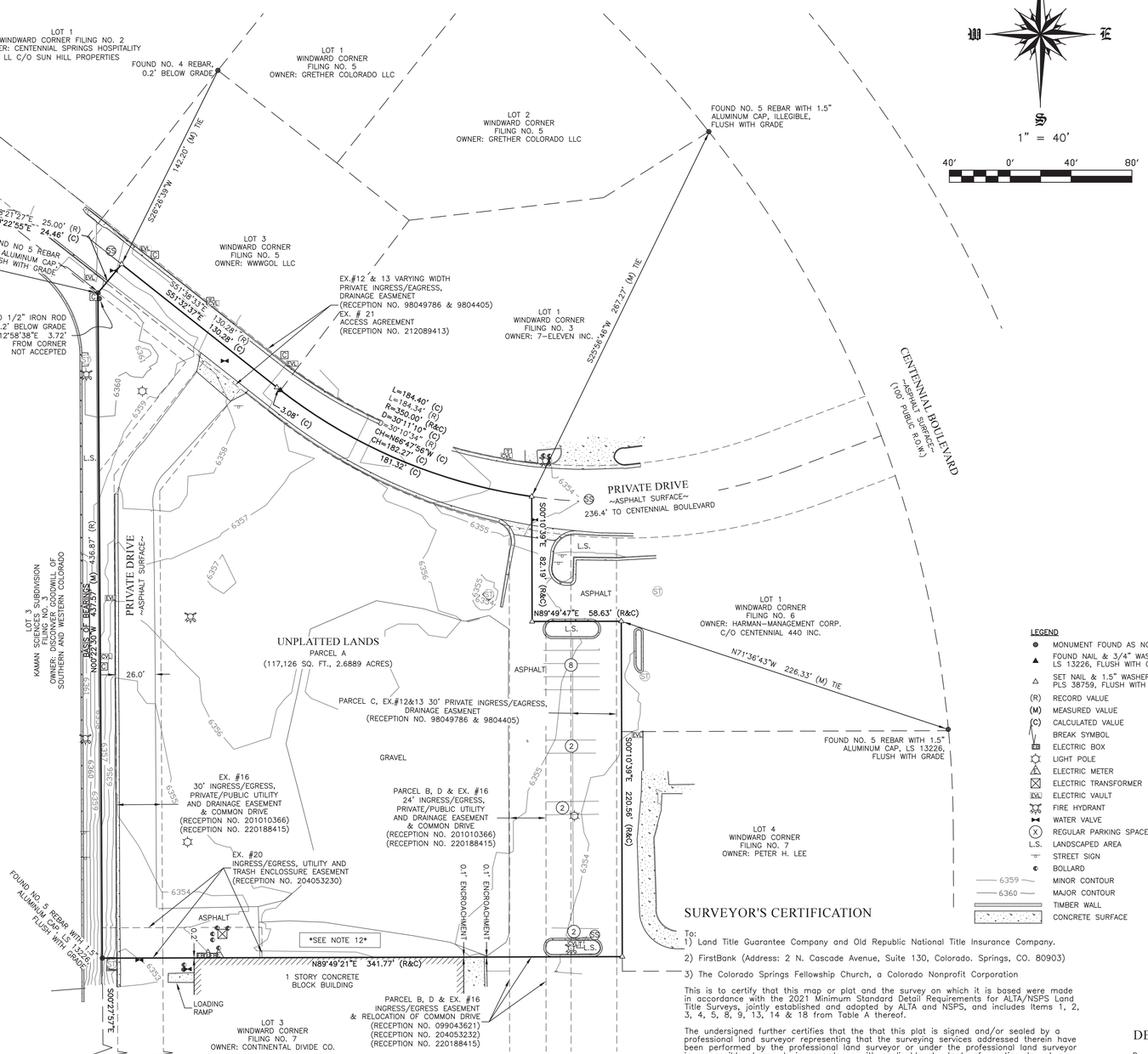
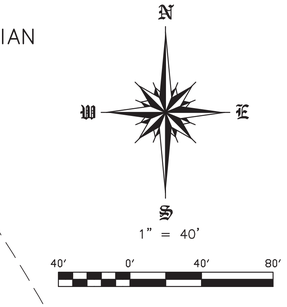
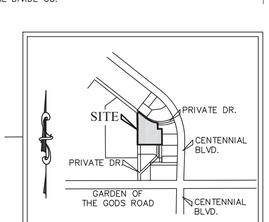
ALTA/NSPS LAND TITLE SURVEY

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 23
TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN
CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, COLORADO







VICINITY MAP
(NOT TO SCALE)

SCHEDULE B-2 EXCEPTIONS

SCHEDULE B-2 EXCEPTION ITEMS NOT SHOWN HEREON ARE NOT SURVEY RELATED MATTERS AND THEREFORE CANNOT BE PLOTTED HEREON.

9. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF PUBLIC IMPROVEMENTS EASEMENT RECORDED JANUARY 19, 1995 IN BOOK 6592 AT PAGE 983 AND RERECORDED DECEMBER 18, 1997 UNDER RECEPTION NO. 97148968. (DOES NOT TOUCH, AND BASED ON THE DESCRIPTION CONTAINED IN THE RECORD DOCUMENT DOES NOT AFFECT THE SURVEYED PROPERTY.)

10. THE EFFECT OF TRANSFER OF RIGHTS IN AND TO ENVIRONMENTAL INDEMNIFICATION AND RELEASE, RECORDED DECEMBER 31, 1996, UNDER RECEPTION NO. 96159828. ASSIGNMENT OF RIGHTS RECORDED MAY 21, 1998 UNDER RECEPTION NO. 98068876. (BLANKET IN NATURE)

11. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH AND GRANTED IN GRANT OF EASEMENT FOR COMMON INGRESS/EGRESS–WINDWARD CORNER, RECORDED APRIL 20, 1998, UNDER RECEPTION NO. 98049785, AS AMENDED BY AMENDMENT TO GRANT OF EASEMENT RECORDED MAY 21, 1998 UNDER RECEPTION NO. 98068875 AND WINDWARD CORNER DESIGNATION AND VACATION OF COMMON DRIVES RECORDED JANUARY 29, 2001 UNDER RECEPTION NO. 201010366. (DOES NOT TOUCH, AND BASED ON THE DESCRIPTION CONTAINED IN THE RECORD DOCUMENTS, DOES NOT AFFECT THE SURVEYED PROPERTY.)

12. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND UTILITY EASEMENTS WHICH ARE A BURDEN TO SUBJECT PROPERTY AS SET FORTH AND GRANTED IN GRANT OF EASEMENT FOR PUBLIC AND PRIVATE UTILITIES AND FOR COMMON INGRESS AND EGRESS–WINDWARD CORNER RECORDED APRIL 20, 1998 UNDER RECEPTION NO. 98049786 (SHOWN HEREON), AS AMENDED BY RELOCATION OF COMMON DRIVE RECORDED MARCH 22, 1999 UNDER RECEPTION NO. 99043621 (NOT ON THE SURVEYED PROPERTY).

13. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT AGREEMENT RECORDED APRIL 07, 1998 UNDER RECEPTION NO. 98044005. (SHOWN HEREON).

14. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF EASEMENT FOR PUBLIC AND PRIVATE UTILITIES AND FOR COMMON INGRESS AND EGRESS WINDWARD CORNER RECORDED MAY 15, 1998 UNDER RECEPTION NO. 98065315. (SHOWN HEREON).

15. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENTS AGREEMENT RECORDED JUNE 22, 1998 AT RECEPTION NO. 98085459. (DOES NOT TOUCH, AND BASED ON THE DESCRIPTION CONTAINED IN THE RECORD DOCUMENTS, DOES NOT AFFECT THE SURVEYED PROPERTY.)

16. EASEMENTS WHICH BURDEN THE SUBJECT PROPERTY AND RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL 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 AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WINDWARD CORNER RECORDED SEPTEMBER 09, 1998, UNDER RECEPTION NO. 98129996 (BLANKET IN NATURE). CONSENT IN CONJUNCTION THEREWITH RECORDED SEPTEMBER 9, 1998 UNDER RECEPTION NO. 98129997 (BLANKET IN NATURE). WINDWARD CORNER DESIGNATION AND VACATION OF COMMON DRIVES IN CONNECTION THEREWITH RECORDED JANUARY 29, 2001, UNDER RECEPTION NO. 201010366 (SHOWN HEREON). NOTE: WINWARD CORNER VACATION OF A PORTION OF EASEMENT (REC. NO 98049785) DOES NOT TOUCH THE SURVEYED PROPERTY). ASSIGNMENT OF DECLARANT'S RIGHTS IN CONNECTION THEREWITH RECORDED APRIL 2, 2004 UNDER RECEPTION NO. 204053231. AS AMENDED BY RELOCATION OF COMMON DRIVE WINDWARD CORNER IN CONNECTION THEREWITH RECORDED MARCH 22, 1999 UNDER RECEPTION NO. 99043621 (IT IS NOT ON, DOES NOT TOUCH, AND– BASED ON THE DESCRIPTION CONTAINED IN THE RECORD DOCUMENT –DOES NOT AFFECT, THE SURVEYED PROPERTY) AND WINDWARD CORNER VACATION OF COMMON DRIVES IN CONNECTION THEREWITH RECORDED JANUARY 29, 2001 UNDER RECEPTION NO. 201010366 (SHOWN HEREON. NOTE: WINWARD CORNER VACATION OF A PORTION OF EASEMENT (REC. NO 98049785) DOES NOT TOUCH THE SURVEYED PROPERTY) AND RELOCATION OF COMMON DRIVE WINDWARD CORNER IN CONNECTION THEREWITH RECORDED APRIL 2, 2004 UNDER RECEPTION NO. 204053232 (SHOWN HEREON). DESIGNATION OF COMMON DRIVES IN CONNECTION THEREWITH RECORDED NOVEMBER 19, 2020 UNDER RECEPTION NO. 220188415 (SHOWN HEREON). DESIGNATION OF COMMON MAINTENANCE IN CONNECTION THEREWITH RECORDED SEPTEMBER 13, 2021 UNDER RECEPTION NO. 221171217 (ITS LOCATION CANNOT BE DETERMINED FROM THE RECORD DOCUMENT).

17. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN MEMORANDUM OF LASE BETWEEN WW2.COM, LLC, LANDLORD AND STAPLES THE OFFICE SUPERSTORE, INC., TENANT, RECORDED MARCH 04, 2002 UNDER RECEPTION NO. 202035909 (BLANKET IN NATURE). ASSIGNMENT AND ASSUMPTION OF SAID LEASE RECORDED APRIL 13, 2004 UNDER RECEPTION NO. 204058699 (NO PLOTTABLE EASEMENTS OR RESTRICTIONS).

NOTE: THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN.

18. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PERMANENT EASEMENT AGREEMENT RECORDED JULY 22, 2002 UNDER RECEPTION NO. 202118930. (SHOWN HEREON).

19. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT FOR MINOR ENCROACHMENTS RECORDED APRIL 02, 2004 UNDER RECEPTION NO. 204053229.(AFFECTS BUILDING TOUCHING SOUTHERLY BOUNDARY LINE AS SHOWN HEREON).

20. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN INGRESS/EGRESS, UTILITY AND TRASH ENCLOSURE EASEMENT RECORDED APRIL 02, 2004 UNDER RECEPTION NO. 204053230. (SHOWN HEREON).

21. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN ACCESS AGREEMENT RECORDED AUGUST 02, 2012 UNDER RECEPTION NO. 212089413 (SHOWN HEREON). AGREEMENT IN CONNECTION THEREWITH RECORDED SEPTEMBER 11, 2013 UNDER RECEPTION NO. 213115694. (NO PLOTTABLE EASEMENTS OR RESTRICTIONS)

LEGAL DESCRIPTION

PARCEL A:

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE 6TH P.M., IN THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 3, "WINDWARD CORNER, FILING NO. 7" AS RECORDED FEBRUARY 2, 2001 UNDER RECEPTION NO. 201013107 OF THE RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT ALSO BEING ON THE EASTERLY LINE OF "KAMAN SCIENCES SUBDIVISION NO. 3" AS RECORDED MARCH 15, 1999 UNDER RECEPTION NO. 99040000 OF SAID RECORDS; THENCE N00°22'30" W, ALONG SAID EASTERLY LINE, 436.87 FEET TO THE MOST WESTERLY CORNER OF TRACT A AS PLATTED IN "WINDWARD CORNER, FILING NO. 2" AS RECORDED OCTOBER 7, 1998 UNDER RECEPTION NO. 98146135 OF SAID RECORDS; THENCE N38°21'27" E, ALONG THE SOUTHERLY LINE THEREOF 25.00 FEET; THENCE S51°38'33" E, ALONG THE SOUTHWESTERLY LINE OF LOT 3, "WINDWARD CORNER, FILING NO. 5" AS RECORDED JUNE 14, 2000 UNDER RECEPTION NO. 200068442 OF SAID RECORDS, 130.28 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE AND ALONG THE SOUTHERLY LINE OF LOT 1, "WINDWARD CORNER, FILING NO. 3" AS RECORDED JULY 23, 1998 UNDER RECEPTION NO. 98103052 OF SAID RECORDS ON A CURVE TO THE LEFT, HAVING A RADIUS OF 350.00 FEET AND A CENTRAL ANGLE OF 30°10'34", AN ARC DISTANCE OF 184.34 FEET TO THE NORTHWESTERLY CORNER OF LOT 1, "WINDWARD CORNER, FILING NO. 6" AS RECORDED DECEMBER 4, 2000 UNDER RECEPTION NO. 200145521 OF SAID RECORDS; THENCE S00°10'39" E, ALONG THE WESTERLY LINE THEREOF, 82.19 FEET; THENCE N89°49'47" E, ALONG SAID WESTERLY LINE 58.63 FEET; THENCE S00°10'39" E, ALONG SAID WESTERLY LINE, 72.62 FEET TO THE SOUTHWEST CORNER THEREOF, SAID POINT BEING ALSO THE NORTHWEST CORNER OF LOT 4 OF AFORESAID "WINDWARD CORNER, FILING NO. 7"; THENCE S00°10'39" E, ALONG THE WESTERLY LINE THEREOF, 147.94 FEET TO A POINT ON THE NORTHERLY LINE OF AFORESAID LOT 3, "WINDWARD CORNER, FILING NO. 7"; THENCE S89°49'21" W, ALONG SAID NORTHERLY LINE 341.77 FEET TO THE POINT OF BEGINNING.

PARCEL B:

THOSE EASEMENT RIGHTS FOR COMMON INGRESS AND EGRESS CREATED BY INSTRUMENT RECORDED APRIL 20, 1998 UNDER RECEPTION NO. 98049785, AS AMENDED BY AMENDMENT TO GRANT OF EASEMENT RECORDED MAY 21, 1998 UNDER RECEPTION NO. 98068875 AND WINDWARD CORNER DESIGNATION AND VACATION OF COMMON DRIVES RECORDED JANUARY 29, 2001 UNDER RECEPTION NO. 201010366.

PARCEL C:

THOSE EASEMENT RIGHTS FOR COMMON INGRESS AND EGRESS CREATED BY INSTRUMENT RECORDED APRIL 20, 1998 UNDER RECEPTION NO. 98049786, AS AMENDED BY RELOCATION OF COMMON DRIVE WINDWARD CORNER RECORDED MARCH 22, 1999 UNDER RECEPTION NO. 99043621.

PARCEL D :

THOSE EASEMENT RIGHTS FOR VEHICULAR AND PEDESTRIAN ACCESS CREATED BY THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WINDWARD CORNER RECORDED SEPTEMBER 9, 1998 UNDER RECEPTION NO. 98129996, AS AMENDED BY RELOCATION OF COMMON DRIVE WINDWARD CORNER RECORDED MARCH 22, 1999 UNDER RECEPTION NO. 99043621 AND WINDWARD CORNER DESIGNATION AND VACATION OF COMMON DRIVES RECORDED JANUARY 29, 2001 UNDER RECEPTION NO. 201010366 AND RELOCATION OF COMMON DRIVE WINDWARD CORNER RECORDED APRIL 2, 2004 UNDER RECEPTION NO. 204053232.

(Per Land Title Guarantee Company Commitment #SCB55105747)

SURVEYOR'S NOTES

1. 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.

2. Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a class 2 misdemeanor pursuant to the Colorado Revised Statute 18–4–508.

3. The lineal units used in this drawing are U.S. Survey Feet.

4. This survey was performed in the field on June 1, 2022.

5. The overall subject parcel contains a calculated area of 117,126 square feet (2.6889 acres) of land, more or less.

6. This survey does not constitute a title search by Apex Land Surveying and Mapping LLC to determine ownership or easements of record. For information regarding easements, rights–of–way and title of record, Apex Land Surveying and Mapping LLC relied upon Title Commitment SCB55105747, with an effective date of 05/16/2022 at 5:00 P.M. as provided by Land Title Guarantee Company.

7. Bearings are based on a portion of the west line of subject parcel and coincident with a portion of the Easterly line of Lot 3, Kaman Sciences Subdivision Filing No. 3, monumented on the South end with a No. 5 rebar with a 1.5" aluminum cap, LS 13226, found flush with grade, and on the North end with a No. 5 rebar with 1.5" aluminum cap, PLS 30118, found flush with grade,, and is assumed to bear N.89°22'30"W., with a measured distance of 437.57 feet.

8. Any underground or above ground utilities shown hereon have been located from field survey information. Forth Land Surveying, Inc. does not guarantee said underground utilies to be shown in their exact location and that said underground utilities are shown in their entirety. Forth Land Surveying, Inc. did not physically enter any manholes or inlets to verify size and material. Where additional or more detailed information is required, the client is advised that excavation may be necessary.

9. The Federal Emergency Management Agency, Flood Insurance Rate Map No. 08041C0513G, effective date December 7, 2018, indicates this parcel of land to be located in Zone X (Areas determined outside the 500–year floodplain).

10. There were 14 regular parking spaces and NO handicap parking space visible at the time of survey. Note: Stripping was faded at time of survey.

11. Elevations are based on NGS monument PID DL2021 (Elevation=6195.19 feet, NAVD88). 1' contour interval plotted hereon from field survey.

12. Location of semi truck trailer parked on subect parcel at the time of survey.

LEGEND

- MONUMENT FOUND AS NOTED
- FOUND NAIL & 3/4" WASHER, LS 13226, FLUSH WITH GRADE
- SET NAIL & 1.5" WASHER, PLS 38759, FLUSH WITH GRADE
- (R) RECORD VALUE
- (M) MEASURED VALUE
- (C) CALCULATED VALUE
- BREAK SYMBOL
- ELECTRIC BOX
- LIGHT POLE
- ELECTRIC METER
- ELECTRIC TRANSFORMER
- ELECTRIC VAULT
- FIRE HYDRANT
- WATER VALVE
- REGULAR PARKING SPACES
- L.S. LANDSCAPED AREA
- STREET SIGN
- BOLLARD
- 6359 MINOR CONTOUR
- 6360 MAJOR CONTOUR
- TIMBER WALL
- CONCRETE SURFACE

SURVEYOR'S CERTIFICATION

To:
1) Land Title Guarantee Company and Old Republic National Title Insurance Company.

2) FirstBank (Address: 2 N. Cascade Avenue, Suite 130, Colorado. Springs, CO. 80903)

3) The Colorado Springs Fellowship Church, a Colorado Nonprofit Corporation

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 8, 9, 13, 14 & 18 from Table A thereof.

The undersigned further certifies that the that this plat is signed and/or sealed by a professional land surveyor representing that the surveying services addressed therein have been performed by the professional land surveyor or under the professional land surveyor in responsible charge. Is in accordance with applicable standards of practice. Is not a guaranty or warranty, either expressed or implied, and have been met to the best of his professional knowledge, information, and belief.

The field work was completed on: June 1, 2022
Date of Plat or Map: June 15, 2022

COLORADO LICENSED
DANNY RODIC
38759
06-15-2022
PROFESSIONAL LAND SURVEYOR

Danny Rodic
State of Colorado Professional Land Surveyor No. 38759
For and on behalf of Apex Land Surveying and Mapping LLC

DEPOSITING CERTIFICATION

Deposited this _____ day of _____, A.D. 20___ at

_____o'clock ____M. in Book _____ of Land Survey Plats, at Page(s)

_____, Deposit Number _____ of the records of

the Clerk and Recorder's Office of El Paso County, Colorado.

_____ By: Deputy

DATE: June 15, 2022	REVISIONS		
No.	Remarks	Date	By
1.	Revise Surveyor certification note No. 1	07–13–2022	DDR
Field: DDR	Drawn: DDR	Checked: DDR/JAR	

APEX LAND SURVEYING AND MAPPING LLC
6130 Spurwood Drive
Colorado Springs, CO 80918
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E–mail: info@apexsurveyor.com
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PROJECT No.: 22029