

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 1017**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, APPROVING WITH
CONDITIONS THE POSTLE SUBDIVISION FILING NO. 2 FINAL PLAT**

WHEREAS, the Town of Mead (“Town”) is authorized pursuant to Title 31, Article 23, C.R.S. and the Town of Mead Municipal Code (“MMC”) to regulate the subdivision of land, streets and utilities within the Town for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, Mead Industrial Development, LLC, a Colorado limited liability company, and Mead Investors 2, LLC, a Colorado limited liability company (“Owners”) have submitted an application for the Postle Subdivision Filing No. 2 Final Plat (the “Final Plat”) for the 10.242-acre properties generally known as the Schulz Property and Lot 1, Block 1 of the Postle Subdivision Filing No. 1, generally located south of WCR 36, and east of the I-25 Frontage Road, in the Town of Mead, County of Weld, State of Colorado, as more particularly described in the Final Plat (the “Property”); and

WHEREAS, a copy of the Final Plat is attached to this Ordinance as **EXHIBIT 1** and is incorporated herein by reference; and

WHEREAS, Section 16-4-70 of the Mead Municipal Code (“MMC”) authorizes administrative staff review and approval of the Final Plat, subject to adoption by ordinance of the Board of Trustees; and

WHEREAS, the Planning Commission held a public hearing on September 21, 2022, regarding the Postle Subdivision Filing No. 2 Preliminary Plat (the “Preliminary Plat”) and, following the conclusion of the public hearing, recommended conditional approval of the Preliminary Plat to the Board of Trustees, subject to standard conditions, via Resolution No. 10-PC-2022; and

WHEREAS, the Final Plat generally conforms to the Preliminary Plat, which was reviewed and conditionally approved by the Board of Trustees by Resolution No. 76-R-2022, dated September 26, 2022; and

WHEREAS, the administrative record for this matter includes, but is not limited to, the Town of Mead Land Use Code, the Town of Mead Comprehensive Plan, all other applicable ordinances, resolutions and regulations, the staff files and reports of the Community Development Director and Town Engineer related to the Final Plat, any and all submittals by the Owners and members of the public, and the tape recordings and minutes of the Board of Trustees meeting at which the Final Plat was considered; and

WHEREAS, Town staff has determined that the Final Plat meets all applicable requirements of the MMC Land Use Code and that the review criteria set forth in Section 16-4-70(b)(8) of the MMC have been satisfied; and

WHEREAS, based on Town staff’s recommendation regarding the Final Plat and the administrative record for this matter, the Board of Trustees desires to approve the Final Plat, subject to

the conditions set forth below; and

WHEREAS, the Subdivision Improvement Agreement for the Postle Subdivision Filing No. 1 Final Plat covers necessary improvements for development of the Property, in accordance with the requirements of Section 16-4-130 of the MMC, and was approved by the Town Board of Trustees by Ordinance 985 dated February 14, 2022, and recorded with the Weld County Clerk and Recorder at Reception No. 4811738 on March 22, 2022 (“SIA”); and

WHEREAS, the Board of Trustees has determined that approval of the Final Plat will advance the public health, safety, convenience, and general welfare of the residents of the Town, subject to the conditions of approval as hereinafter set forth.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. The Final Plat designated as Postle Subdivision Filing No. 2 is hereby approved subject to the following conditions of approval:

- a. Prior to, and as a condition of recordation of the Final Plat, the Owners shall resolve/correct any and all minor technical issues as directed by Town Staff; and
- b. The Owners shall pay all fees and costs incurred by the Town and its consultants, including without limitation legal fees and costs, for review and processing of the Final Plat application within forty-five (45) days of receiving an invoice from the Town. If the fees and costs are not paid within forty-five (45) days of receiving an invoice, the Town may withhold issuance of building permits or further approvals until the invoices have been paid; and

Section 2. The SIA for the subdivision was previous approved by Ordinance 985 dated February 14, 2022 and is presently on file with the Town Clerk.

Section 3. Subject to review and approval of the Final Plat mylar by the Town Staff, and satisfaction of the conditions set forth in Section 1 above, the Mayor and other Town officials, as applicable, are hereby authorized to sign the Final Plat mylar.

Section 4. Effective Date. This ordinance shall be published and become effective as provided by law.

Section 5. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

Section 6. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section 7. Certification. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted ordinance available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED AND ADOPTED THIS 14th DAY OF NOVEMBER, 2022.

ATTEST:



Mary E. Stutt, MMC, Town Clerk



TOWN OF MEAD:



Colleen G. Whitlow, Mayor

EXHIBIT 1
Postle Subdivision Filing No. 2 Final Plat
(Attached on the next page)

POSTLE SUBDIVISION FILING NO. 2

A REPLAT OF LOT 1, BLOCK 1, POSTLE SUBDIVISION FILING NO. 1, AND AN UNPLATTED PARCEL OF LAND, LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF MEAD, COUNTY OF WELD, STATE OF COLORADO

SHEET INDEX

SHEET 1 - COVER SHEET
SHEET 2 - DETAIL SHEET & GENERAL NOTES



VICINITY MAP
SCALE 1" = 2,000'

OWNER

MEAD INVESTORS 2, LLC
222 CLAYTON STREET
4TH FLOOR DENVER CO 80206 US
222 CLAYTON STREET
4TH FLOOR DENVER CO 80206 US

ENGINEER

REX AND
1500 W. CANAL COURT, LITTLETON, CO 80120
720-880-9183

DEVELOPER/APPLICANT

MEAD INDUSTRIAL DEVELOPMENT, LLC
420 CLAYTON STREET
4TH FLOOR DENVER CO 80206 US

TOWN ENGINEER CERTIFICATE

THE FINAL PLAT SHOWN HEREON HAS BEEN REVIEWED BY THE TOWN ENGINEER AND APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____.

TOWN ENGINEER _____

CERTIFICATE OF FINAL STAFF REVIEW AND APPROVAL

THIS FINAL PLAT HAS BEEN REVIEWED AND APPROVED BY THE TOWN OF MEAD STAFF, WITH SUBMITTAL REVISIONS TO THE BOARD OF TRUSTEES FOR ACCEPTANCE BY ORDINANCE, THIS _____ DAY OF _____, 20____.

TOWN MANAGER _____

CERTIFICATE OF APPROVAL BY THE BOARD OF TRUSTEES

THIS FINAL PLAT OF POSTLE SUBDIVISION FILING NO. 2, A SUBDIVISION IN THE TOWN OF MEAD, COLORADO, HAS BEEN REVIEWED AND APPROVED BY THE BOARD OF TRUSTEES OF MEAD, COLORADO, ADOPTED AT THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF MEAD, COLORADO, HELD ON _____ AND RECORDED ON _____ AS RECEPTION NO. _____ IN THE RECORDS OF THE CLERK AND RECORDER OF WELD COUNTY, COLORADO, BY THE BOARD OF TRUSTEES OF MEAD, COLORADO, AS SHOWN ON THE PLANS DESIGNATED OR RECORDED FOR PUBLIC USES AS SHOWN HEREON AND SUCH OTHER PLANS DESIGNATED OR RECORDED FOR PUBLIC USES AS SHOWN HEREON AND SUCH OTHER TERMS AND SPECIFICATIONS ASSIGNED OR DESCRIBED HEREON SHALL BE BINDING ON THE OWNER, ITS HEIRS, SUCCESSORS AND ASSIGNS. ALL EXPENSES INCURRED WITH RESPECT TO IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING OF STREETS, GRADING, LANDSCAPING, CURBS, GUTTERS, SIDEWALKS, AND WALKWAYS, ROAD SIGNAGE, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES AND OTHER IMPROVEMENTS THAT MAY BE REQUIRED TO SERVE THE SUBDIVISION SHALL BE THE RESPONSIBILITY OF THE OWNER. THE ASSUMPTION OF MAINTENANCE RESPONSIBILITY FOR SAID IMPROVEMENTS AND OTHER ENTITIES SHALL BE SUBJECT TO A SEPARATE SUBDIVISION IMPROVEMENT AGREEMENT. THIS ACCEPTANCE OF THE FINAL PLAT DOES NOT GUARANTEE THAT THE SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT WILL BE ISSUED FOR THAT LOT.

STATE: _____

ATTEST: _____

TOWN CLERK _____

SURVEYOR'S STATEMENT

I, SHAWN D. LEE, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A FIELD SURVEY CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE DIMENSIONS SHOWN ON THIS PLAT TRULY AND CORRECTLY REPRESENT THE DIMENSIONS OF THE LAND OF THE STATE OF COLORADO BEARING WITHIN THE TOLERANCE AND ACCURACY OF SAID LAND AND ALL APPLICABLE PROVISIONS OF THE TOWN OF MEAD.

I ATTEST THE ABOVE ON THIS _____ DAY OF _____, 20____.

SHAWN D. LEE, PLS. NO. 37858
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR
100 EAST MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122

NOTES: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION TO DISCOVER SUCH DEFECT IN NO EVENT, MAY ANY ACTION BRASS BE BROUGHT IN CONNECTION WITH THIS PLAT MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

NOTES: FOR THE STATE OF COLORADO BOARD OF LICENSES FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 1.18.B.2 THE WORD DOES NOT AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND SURVEY REPRESENTED HEREON HAS BEEN PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND I AM NOT PROVIDING ANY GUARANTEE OF ACCURACY OR COMPLIANCE WITH APPLICABLE STANDARDS OF PRACTICE AND I AM BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEFS.

AZTEC
CONSULTANTS INC.
1000 Pecos Trail, Suite 100
Boulder, CO 80501
Phone: 303.440.8888
Fax: 303.440.8889
www.aztecconsultants.com

DEVELOPER
MEAD INDUSTRIAL DEVELOPMENT, LLC
222 CLAYTON STREET, 4TH FLOOR
DENVER, CO 80206 US

DATE OF PREPARATION	07/20/2022
SCALE	N/A
SHEET 1 OF 2	

CERTIFICATE OF OWNERSHIP AND DEDICATION CONTINUED.

EXECUTED THIS _____ DAY OF _____, 20____,
OWNER: MEAD INDUSTRIAL DEVELOPMENT, LLC
A COLORADO LIMITED LIABILITY COMPANY
BY: RONALD J. CORSTENING, MANAGER
STATE OF _____ } SS
COUNTY OF _____ }
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ BY AN AUTHORIZED OFFICER OF MEAD INDUSTRIAL DEVELOPMENT, LLC, A COLORADO LIMITED LIABILITY COMPANY, MY COMMISSION EXPIRES _____
WITNESS MY HAND AND OFFICIAL SEAL
NOTARY PUBLIC _____

EXECUTED THIS _____ DAY OF _____, 20____,
OWNER: MEAD INVESTORS 2, LLC,
A COLORADO LIMITED LIABILITY COMPANY
BY: _____
NAME: _____
TITLE: _____
STATE OF _____ } SS
COUNTY OF _____ }
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ BY AN AUTHORIZED OFFICER OF MEAD INVESTORS 2, LLC, A COLORADO LIMITED LIABILITY COMPANY, MY COMMISSION EXPIRES _____
WITNESS MY HAND AND OFFICIAL SEAL
NOTARY PUBLIC _____

GENERAL NOTES

SEE SHEET 2

CERTIFICATE OF OWNERSHIP AND DEDICATION

THE UNDERSIGNED ARE THE OWNER(S) OF CERTAIN LANDS IN MEAD, COLORADO, DESCRIBED HEREIN, AND BY THIS PLAT, AS APPLICABLE: (1) HAVE CAUSED SAID LAND TO BE SURVEYED INTO LOTS, BLOCKS, TRACTS, STREETS, OR OTHER DESIGNATED PARCELS, AS APPLICABLE, MARKED THEREON BY ME OR BY AN AUTHORIZED SURVEYOR, AND (2) HAVE CAUSED SAID LAND TO BE RECORDED IN THE PUBLIC RECORD OR DESIGNATED RECORDS AS "TRACTS," FOR PUBLIC ROAD AND ASSOCIATED PURPOSES; (3) FURTHER DEDICATE(S) AND GRANT(S) INTO THE PUBLIC RECORDS SAID RIGHTS-OF-WAY, PARKS, OPEN SPACES, PUBLIC EASEMENTS AND OTHER PLANS DESIGNATED OR RECORDED FOR PUBLIC USES AS SHOWN HEREON AND SUCH OTHER TERMS AND SPECIFICATIONS ASSIGNED OR DESCRIBED HEREON SHALL BE BINDING ON THE OWNER, ITS HEIRS, SUCCESSORS AND ASSIGNS. ALL EXPENSES INCURRED WITH RESPECT TO IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING OF STREETS, GRADING, LANDSCAPING, CURBS, GUTTERS, SIDEWALKS, AND WALKWAYS, ROAD SIGNAGE, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES AND OTHER IMPROVEMENTS THAT MAY BE REQUIRED TO SERVE THE SUBDIVISION SHALL BE THE RESPONSIBILITY OF THE OWNER. THE ASSUMPTION OF MAINTENANCE RESPONSIBILITY FOR SAID IMPROVEMENTS AND OTHER ENTITIES SHALL BE SUBJECT TO A SEPARATE SUBDIVISION IMPROVEMENT AGREEMENT. THIS ACCEPTANCE OF THE FINAL PLAT DOES NOT GUARANTEE THAT THE SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT WILL BE ISSUED FOR THAT LOT.

THESE RESERVED PLAT RIGHTS CONTAIN AN AREA OF 10,240 SQUARE FEET, MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.

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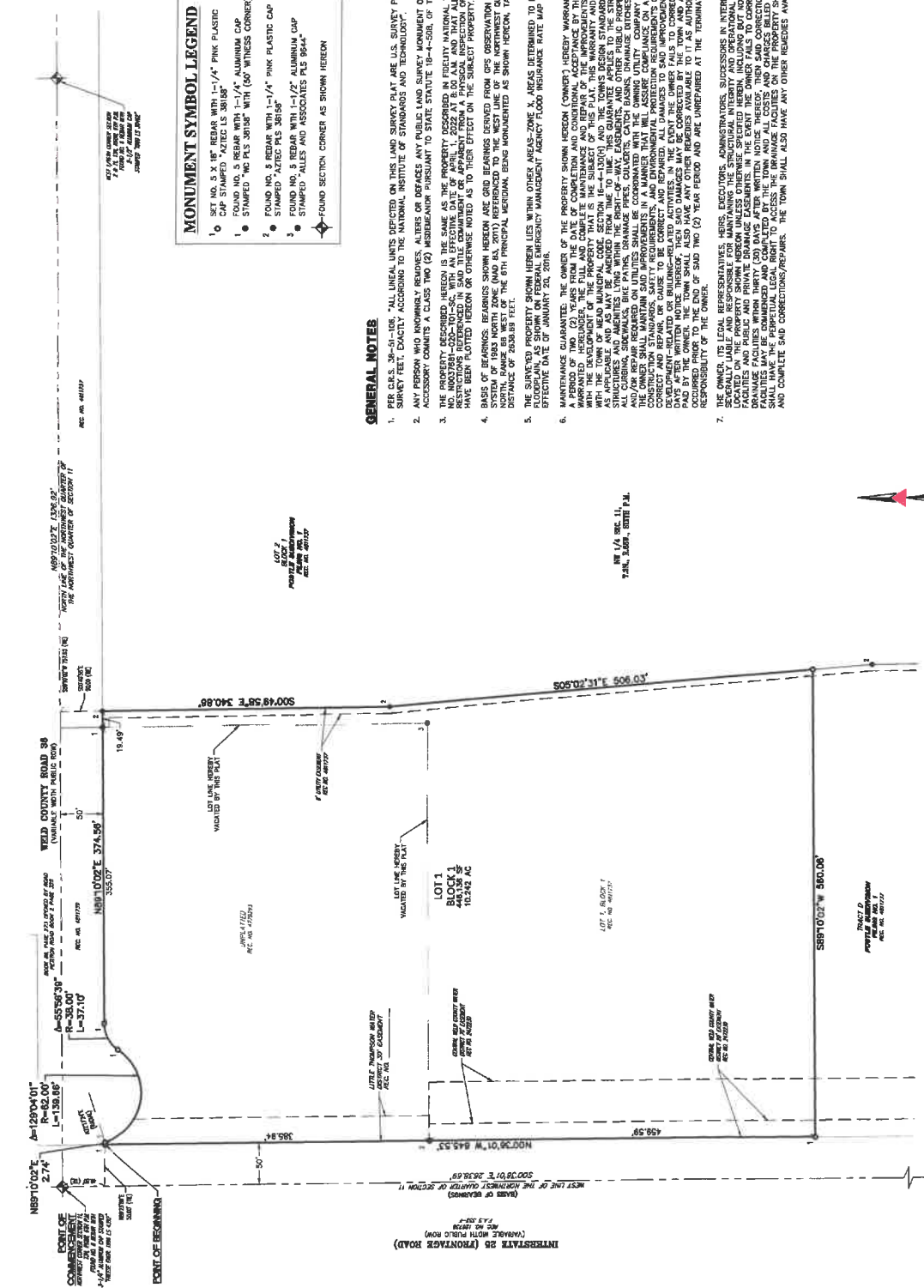
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TYPE	AREA (SF)	AREA (AC)	% OF TOTAL AREA	LAND USE	OWNERSHIP	MAINTENANCE
LOT 1, BLOCK 1	446,136	10.242	100.00	INDUSTRIAL	IND	IND
TOTALS	446,136	10.242	100.00	IND - MEAD INDUSTRIAL DEVELOPMENT, LLC		

POSTLE SUBDIVISION FILING NO. 2

A REPLAT OF LOT 1, BLOCK 1, POSTLE SUBDIVISION FILING NO. 1, AND AN UNPLATTED PARCEL OF LAND, LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF MEAD, COUNTY OF WELD, STATE OF COLORADO



MONUMENT SYMBOL LEGEND

- 1. SET NO. 5 X 10" BEAR WITH 1-1/4" PINK PLASTIC CAP STAMPED "AZTEC PLS 38158"
- 2. FOUND NO. 5 REBAR WITH 1-1/4" ALUMINUM CAP STAMPED "NO PLS 38158" WITH (60" WITNESS CORNER)
- 3. FOUND NO. 5 REBAR WITH 1-1/4" PINK PLASTIC CAP STAMPED "AZTEC PLS 38158"
- 4. FOUND NO. 5 REBAR WITH 1-1/2" ALUMINUM CAP STAMPED "ALLES AND ASSOCIATES PLS 9844"
- 5. FOUND SECTION CORNER AS SHOWN HEREON

GENERAL NOTES

1. PER CRS. 38-51-108, "ALL LINEAL UNITS DEPicted ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.3712 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY".
2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFILES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMBATS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-6-504 OF THE COLORADO REVISED STATUTES.
3. THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN FREEDY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 380282798 DATED 11/26/2014. THE DATE OF APPLICABLE COORDINATE SYSTEM IS 11/26/2014. THE COORDINATE SYSTEM IS 1983 NORTH ZONE (NAD 83), REFERENCED TO THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AS SHOWN HEREON, TAKEN TO BEAR SOUTH 09°08'00" EAST, A DISTANCE OF 3638.89 FEET.
4. THE SURVEYED PROPERTY SHOWN HEREON LIES WITHIN OTHER AREAS-ZONE X, AREAS DETERMINED TO BE GUTSIDE THE 0.0% ANNUAL CHANGE FLOODPLAIN, AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP RFX2 NO. 38152C/082K, WITH AN EFFECTIVE DATE OF JANUARY 2011.
5. MAINTENANCE GUARANTEE: THE OWNER OF THE PROPERTY SHOWN HEREON (OWNERS) HEREBY WARRANTS AND GUARANTEES TO THE TOWN, FOR THE TERM OF THE TOWN'S MAINTENANCE PERIOD, THAT THE TOWN SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF THE IMPROVEMENTS DESCRIBED ON THIS PLAT. THIS WARRANTY AND GUARANTEE IS MADE IN ACCORDANCE WITH THE DEVELOPMENT OF THE PROPERTY THAT IS THE SUBJECT OF THIS PLAT. THIS WARRANTY AND GUARANTEE IS MADE IN ACCORDANCE WITH THE DEVELOPMENT OF THE PROPERTY THAT IS THE SUBJECT OF THIS PLAT. THIS WARRANTY AND GUARANTEE IS MADE IN ACCORDANCE WITH THE DEVELOPMENT OF THE PROPERTY THAT IS THE SUBJECT OF THIS PLAT. THIS WARRANTY AND GUARANTEE IS MADE IN ACCORDANCE WITH THE DEVELOPMENT OF THE PROPERTY THAT IS THE SUBJECT OF THIS PLAT.

AZTEC CONSULTANTS, INC.
 10050 S. YORK ST., SUITE 300
 DENVER, CO 80231
 (303) 733-8888
www.aztecconsultants.com

DEVELOPER
MEAD INDUSTRIAL DEVELOPMENT, LLC
 252 CLAYTON STREET, 4TH FLOOR
 DENVER, CO 80206 US

DATE OF PREPARATION	07/20/2022
SCALE	1" = 60'
SHEET 2 OF 2	

FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

MEAD INDUSTRIAL DEVELOPMENT, LLC

