

SMITH & TOWER SUBDIVISION FILING NO. 1

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 34, T.3S., R.66W. OF THE 6TH P.M.
CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 1 OF 3

DEDICATION:

KNOW ALL PEOPLE BY THESE PRESENTS, THAT THE UNDERSIGNED WARRANT THAT THEY ARE THE OWNERS OF A PARCEL OF LAND BEING ALL THAT LAND DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED AT RECEPTION NUMBER 2020000024635 IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE, SITUATED IN THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST ¼ OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN;
THENCE N00°08'24"E ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 34, A DISTANCE OF 715.06 FEET;
THENCE N89°39'43"E A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY (ROW) LINE OF TOWER ROAD **AND THE POINT OF BEGINNING**;
THENCE N00°08'24"E ALONG SAID EAST ROW LINE OF TOWER ROAD, A DISTANCE OF 270.22 FEET TO A POINT ON THE SOUTHWESTERLY ROW LINE OF SMITH ROAD,
THENCE S83°27'36"E ALONG SAID SOUTHWESTERLY ROW LINE OF SMITH ROAD, A DISTANCE OF 426.92 FEET TO THE NORTHWEST CORNER OF A ROW CONVEYANCE RECORDED IN BOOK 1382 AT PAGE 366 OF SAID ADAMS COUNTY CLERK AND RECORDER'S OFFICE;
THENCE S01°56'06"W A DISTANCE OF 219.26 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND DESCRIBED A QUIT CLAIM DEED RECORDED AT RECEPTION NUMBER 2016000063512 OF SAID ADAMS COUNTY CLERK AND RECORDER'S OFFICE;
THENCE S89°39'43"W ALONG SAID NORTH LINE, A DISTANCE OF 417.40 FEET TO THE **POINT OF BEGINNING**.

CONTAINING (103,046 SQUARE FEET) 2.3656 ACRES, MORE OR LESS.

HAVE LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO A LOT, BLOCK AND TRACT AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF **SMITH & TOWER SUBDIVISION FILING NO. 1**, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE CITY OF AURORA, COLORADO, FOR THE PERPETUAL USE OF THE PUBLIC, THE STREETS AND EASEMENTS, AS SHOWN HEREON AND NOT PREVIOUSLY DEDICATED TO THE PUBLIC.

COVENANTS:

THE UNDERSIGNED OWNER(S), FOR THEMSELVES, THEIR HEIRS, SUCCESSORS AND ASSIGNS, COVENANT AND AGREE WITH THE CITY OF AURORA;

NO STRUCTURE CONSTRUCTED ON ANY PORTION OF THE PLATTED LAND SHOWN HEREIN SHALL BE OCCUPIED OR USED UNLESS AND UNTIL ALL PUBLIC IMPROVEMENTS, AS DEFINED BY CHAPTER 146 OF THE CITY CODE OF AURORA, COLORADO, ARE IN PLACE AND ACCEPTED BY THE CITY OR CASH FUNDS OR OTHER SECURITY FOR THE SAME ARE ESCROWED WITH THE CITY OF AURORA AND A CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED BY THE CITY;

ALL ELECTRICAL, COMMUNITY UTILITY LINES AND SERVICES, AND STREET LIGHTING CIRCUITS, EXCEPT AS PROVIDED IN SECTION 126-505 OF THE CITY CODE AS THE SAME MAY BE AMENDED FROM TIME TO TIME, SHALL BE INSTALLED UNDERGROUND;

ALL CROSSINGS OR ENCROACHMENTS, INCLUDING BUT NOT LIMITED, TO PRIVATE LANDSCAPE IRRIGATION SYSTEMS, UNDERDRAINS, OR PRIVATE UTILITIES INTO EASEMENTS OWNED BY THE CITY OF AURORA ARE ACKNOWLEDGED BY THE UNDERSIGNED AS BEING SUBJECT TO THE CITY OF AURORA'S USE AND OCCUPANCY OF SAID EASEMENTS AND RIGHTS-OF-WAY. THE UNDERSIGNED, THEIR SUCCESSORS AND ASSIGNS, HEREBY AGREE TO INDEMNIFY AND HOLD HARMLESS THE CITY OF AURORA FOR ANY LOSS, DAMAGE, OR REPAIR TO PRIVATE LANDSCAPE IRRIGATION SYSTEMS, UNDERDRAINS, OR PRIVATE UTILITIES THAT MAY RESULT FROM THE CITY OF AURORA'S USE AND OCCUPANCY OR EXERCISE OF ITS RIGHTS IN SAID EASEMENTS AND RIGHTS OF WAY. THE UNDERSIGNED, ITS SUCCESSORS AND ASSIGNS, FURTHER AGREES TO REMOVE, REPAIR, REPLACE, RELOCATE, MODIFY, OR OTHERWISE ADJUST SAID PRIVATE LANDSCAPE IRRIGATION SYSTEMS, UNDERDRAINS, PRIVATE DETENTION POND AND DRAINAGE FEATURES, OR PRIVATE UTILITIES UPON REQUEST FROM THE CITY OF AURORA AND AT NO EXPENSE TO THE CITY OF AURORA.

OWNER:

BV SMITH TOWER LLC, A COLORADO LIMITED LIABILITY COMPANY

SIGNATURE _____ PRINT NAME AND TITLE _____

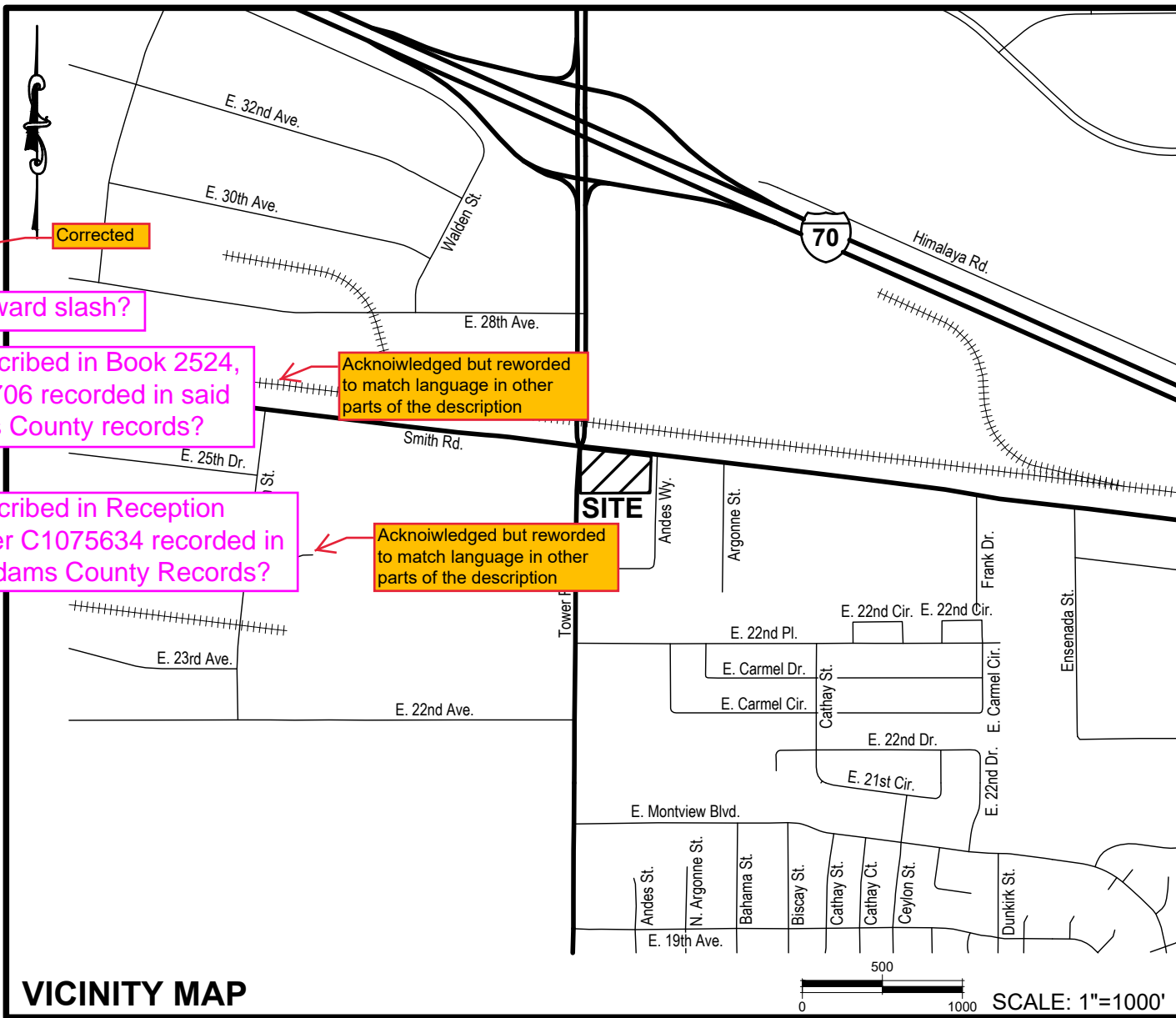
STATE OF _____)
COUNTY OF _____) §

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____ A.D., BY _____.

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY PUBLIC

MY COMMISSION EXPIRES



VICINITY MAP

SHEET INDEX

SHEET	TITLE
1 OF 3	COVER SHEET
2 OF 3	PLAT MAP
3 OF 3	ADDITIONAL EASEMENTS

GENERAL NOTES:

- THIS PLAT WAS PREPARED BASED ON TITLE COMMITMENT NO. 100-N0031458-030-TO3, AMENDMENT NO. 3 PREPARED BY FIDELITY NATIONAL TITLE AS AGENT FOR CHICAGO TITLE INSURANCE COMPANY, WITH A COMMITMENT DATE OF AUGUST 11, 2021, AND DOES NOT CONSTITUTE A TITLE SEARCH BY THIS SURVEYOR FOR OTHER EASEMENTS AND/OR EXCEPTIONS OF RECORD.
- BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN WITH A GRID BEARING OF S00°08'24"W PER THE CITY OF AURORA, COLORADO HORIZONTAL CONTROL NETWORK (COLORADO STATE PLANE COORDINATE SYSTEM OF 1983/1992 HARN COLORADO CENTRAL ZONE) AND BOUNDED BY A 3" BRASS CAP ON A 3" PIPE, STAMPED "CITY OF AURORA, 1988, LS 16419", 0.4' BELOW GRADE IN A RANGE BOX FOUND AT THE NORTHWEST CORNER OF SAID SECTION 34 AND A 2-1/2" ALUMINUM CAP ON A #6 REBAR, STAMPED "GREEN HORNE & O'MARA, 1996, PLS 23501", 0.8' BELOW GRADE IN A RANGE BOX FOUND AT THE WEST 1/4 CORNER OF SAID SECTION 34, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.
- ALL LINEAL DISTANCES ON THIS PLAT ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.
- ALL THE OWNERS OF THE LOTS ADJACENT TOWER ROAD, SMITH ROAD AND ANDES WAY SHALL BE REQUIRED TO COMPLY WITH REQUIREMENTS OF THE AURORA CITY CODE THAT MAY RESTRICT THE ABILITY TO BUILD A FENCE ALONG THOSE STREETS OR THE TYPES AND SIZES OF FENCES THAT CAN BE BUILT ALONG THOSE STREETS.
- RIGHT-OF-WAY FOR INGRESS AND EGRESS FOR SERVICE AND EMERGENCY VEHICLES IS GRANTED OVER, ACROSS, ON, AND THROUGH ANY AND ALL PRIVATE ROADS, WAYS, AND FIRE LANES NOW OR HEREAFTER ESTABLISHED ON THE DESCRIBED PROPERTY, AND THE SAME ARE HEREBY DESIGNATED AS FIRE LANES AND EMERGENCY AND SERVICE VEHICLE ROADS, AND SHALL BE POSTED "NO PARKING - FIRE LANE".
- THE EASEMENT AREA WITHIN EACH LOT AND TRACT IS TO BE CONTINUOUSLY MAINTAINED BY THE OWNER OF THE LOT AND TRACT EXCEPTING THE CITY OF AURORA FROM SUCH RESPONSIBILITY. ANY STRUCTURES INCONSISTENT WITH THE USE GRANTED IN THE EASEMENT ARE PROHIBITED.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY I WAS IN RESPONSIBLE CHARGE OF THE SURVEY WORK USED IN THE PREPARATION OF THIS PLAT; THE POSITIONS OF THE PLATTED POINTS SHOWN HEREON HAVE AN ACCURACY OF NOT LESS THAN ONE (1) FOOT IN TEN THOUSAND (10,000) FEET PRIOR TO ADJUSTMENTS, AND ALL BOUNDARY MONUMENTS AND CONTROL CORNERS SHOWN HEREON WERE IN PLACE AS DESCRIBED ON _____
Add date last observed in the field.

I FURTHER CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS ACCURATE AND IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE TO MY KNOWLEDGE, INFORMATION AND BELIEF. THIS CERTIFICATION IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

CHARLES N. BECKSTROM
PROFESSIONAL L.S. NO. 33202
FOR AND ON BEHALF OF
ENGINEERING SERVICE COMPANY



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.

ANY PERSON WHO KNOWINGLY REMOVES, ALTERS, OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT, LAND BOUNDARY MONUMENT, OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR, PURSUANT TO STATE STATUTE 18-4-508 OF THE COLORADO REVISED STATUTES.

CITY OF AURORA APPROVALS:

THE FOREGOING INSTRUMENT IS APPROVED FOR FILING AND CONVEYANCE OF THE STREETS AND EASEMENTS AS SHOWN HEREON AND IS ACCEPTED BY THE CITY OF AURORA, COLORADO THIS _____ DAY OF _____, 20____ A.D., SUBJECT TO THE CONDITION THAT THE CITY SHALL UNDERTAKE MAINTENANCE OF ANY SUCH STREETS ONLY AFTER CONSTRUCTION HAS BEEN COMPLETED BY THE SUBDIVIDER TO THE CITY OF AURORA SPECIFICATIONS.

CITY ENGINEER _____ DATE _____

PLANNING DIRECTOR _____ DATE _____

CLERK AND RECORDER'S CERTIFICATE:

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ADAMS COUNTY, COLORADO, ON THIS _____ DAY OF _____, 20____ AD, AT _____ O'CLOCK _____ M.

COUNTY CLERK AND RECORDER

DEPUTY

INSTRUMENT NO.: _____




Acknowledged, note has been added

Add the following Note:
The owners or occupants of the lands herein described shall have no right or cause of action, either in law or in equity, for damages or injury to any person or property arising out of or resulting directly or indirectly, from the overflight of aircraft, or for damages or injury to any person or property resulting from any noise, nuisance, vibrations of any kind or description resulting, directly or indirectly, from aircraft overflights provided, that nothing contained in the foregoing easement shall divest the owners or occupants, their heirs, successors administrators or assigns, of any right or cause of action for damages to any person or property resulting from the negligent operation of aircraft overflights over the described premises at any altitude above ground level.

ENGINEERING SERVICE COMPANY <i>Creative Solutions Since 1954</i> CIVIL ENGINEERS LAND SURVEYORS	14190 East Evans Avenue Aurora, Colorado 80014 engineeringsserviceco.com P 303.337.1393 F 303.337.7481 T/F 1.877.273.0659	Survey No.: 19145-P Project No.: 383.6 Date: 10/11/2021 Field Book No.: 928 Revised: 5/6/2022
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A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 34, T.3S., R.66W. OF THE 6TH P.M.
CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO

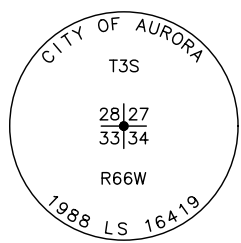
CITY OF AURORA
T3S
28|27
33|34
R66W
1988 LS 16419

LEGEND			
—————	PLAT BOUNDARY LINE	BK. PG.	BOOK AND PAGE
—— ———	ADJACENT LOT/PARCEL LINES	REC. NO.	RECEPTION NUMBER
—— — — —	SECTION LINE	(XX.XX' D)	RECORD DISTANCE PER SPECIAL WARRANTY DEED (REC. NO. 20200000024635) IF DIFFERENT FROM AS-MEASURED
—————	NEW R.O.W./LOT LINE		
- - - - -	EXISTING EASEMENT LINE		ALL DIMENSIONS SHOWN WITH NO PARENTHESIS ARE AS-MEASURED DIMENSION
——— - ——	EXISTING EASEMENT CENTERLINE		
- - - - -	NEW EASEMENT LINE		ALIQUOT CORNER
——— - ——	NEW EASEMENT CENTERLINE		SET 5/8"x24" REBAR & 1 1/4" YELLOW PLASTIC CAP STAMPED "ESC LS 33202"
- - - - -	NEW R.O.W. RESERVATION LINE		FOUND MONUMENT AS DESCRIBED
—————	RIGHT OF WAY		

SMITH & TOWER SUBDIVISION FILING NO. 1

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 34, T.3S., R.66W. OF THE 6TH P.M.
CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 3 OF 3

NORTHWEST CORNER OF SECTION 34, T.3S., R.66W. OF THE 6TH P.M. (FOUND 3" BRASS CAP ON A 3" PIPE, 0.4" BELOW GRADE IN A RANGE BOX. STAMPED AS SHOWN.)



TOWER ROAD
(80' PUBLIC R.O.W.)
(BK. 2524-PG. 706)

WEST LINE OF THE NW 1/4 OF SECTION 34, T.3S., R.66W. OF THE 6TH P.M.
S00°00'24"W 2648.49' BASIS OF BEARINGS
(270.25' D)
270.47'

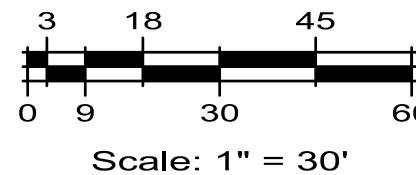
N00°08'24"E 270.22'

N00°08'24"E 244.24'

8,163 SQUARE FEET, 0.1874 ACRES
DEDICATED TO THE CITY OF AURORA
AS STREET RIGHT-OF-WAY

SMITH ROAD
(100' PUBLIC R.O.W.)
(REC. NO. C1075634)

CURVE DATA TABLE					
COURSE	DELTA	RADIUS	LENGTH	Chd BEARING	Chd LENGTH
C1	96°24'00"	20.00'	33.65'	N48°20'24"E	29.82'
C2	85°23'43"	25.00'	37.26'	S40°45'45"E	33.91'



S83°27'36"E (427' D)
333.23'

Δ=96°52'41"
R=40.50'
L=68.48'
Chd=N48°06'03"E
60.61'

Δ=83°07'19"
R=40.50'
L=58.76'
Chd=S41°53'57"E
53.74'

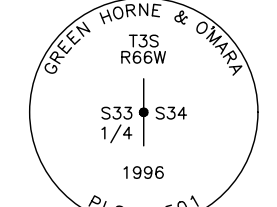
LOT 1, BLOCK 1
90,805 SQUARE FEET
2.0846 ACRES

4,077 SQUARE FEET, 0.0936 ACRES
DEDICATED TO THE CITY OF AURORA
AS STREET RIGHT-OF-WAY

ANDES WAY
(PUBLIC R.O.W. VARIES)
(BK. 1382-PG. 360) (BK. 1382-PG. 366)
(REC. NO. C0137417)

LOT 1, BLOCK 1
BUZZARD BAY SUBDIVISION FILING NO. 1
(PLAT - REC. NO. C0137417)

POINT OF COMMENCEMENT
SOUTHWEST CORNER OF THE NW 1/4 OF THE NW 1/4 OF SECTION 34, T.3S., R.66W. OF THE 6TH P.M. (FOUND CHISELED CROSS IN CONCRETE CURB. SET 3-1/4" BRASS CAP WITH 3" STEM, RECESSED INTO CONCRETE CURB AND SET WITH EPOXY. STAMPED AS SHOWN)



WEST 1/4 CORNER OF SECTION 34, T.3S., R.66W. OF THE 6TH P.M. (FOUND 2-1/2" ALUMINUM CAP ON A #6 REBAR, 0.8" BELOW GRADE IN A RANGE BOX. STAMPED AS SHOWN.)

SURVEYOR NOTE:

THE LEGAL DESCRIPTION PROVIDED AND DEEDS FOR THE DEDICATION OF RIGHT-OF-WAY FOR ANDES WAY ARE INCONSISTENT. BASED UPON CORRESPONDENCE WITH THE CITY OF AURORA, THE CITY VIEWS THE WEST RIGHT-OF-WAY LINE FOR ANDES WAY ABUTS THE EAST LINE OF THE SUBJECT PROPERTY.

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Survey No. 19145-P
Project No. 383.6
Date: 10/11/2021
Field Book No. 928
Revised: 5/6/2022

LEGEND		REC. NO.	RECEPTION NUMBER
—	PLAT BOUNDARY LINE	(XX.XX' D)	RECORD DISTANCE PER SPECIAL WARRANTY DEED (REC. NO. 2020000024635) IF DIFFERENT FROM AS-MEASURED
---	ADJACENT LOT/PARCEL LINES		
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- - -	NEW EASEMENT LINE		ALIQUOT CORNER
—	NEW EASEMENT CENTERLINE		SET 5/8"x24" REBAR & 1 1/4" YELLOW PLASTIC CAP STAMPED "ESC LS 33202"
- - -	NEW R.O.W. RESERVATION LINE		FOUND MONUMENT AS DESCRIBED
—	R.O.W.		
- - -	BK. PG.		