

HARMONY SUBDIVISION FILING NO. 13, AMENDMENT NO. 1

A RESUBDIVISION OF LOTS 1 THRU 6, BLOCK 1, HARMONY SUBDIVISION FILING NO. 13.
SITUATED IN THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 65 WEST, OF THE 6TH P.M.,
CITY OF AURORA, COUNTY OF ARAPAHOE, STATE OF COLORADO
SHEET 1 OF 2

STATEMENT OF INTENT:

THE PURPOSE OF THIS AMENDMENT IS TO CORRECT THE LOT DIMENSIONS FOR LOTS 1 THRU 6, INCLUSIVE, BLOCK 1 OF HARMONY SUBDIVISION FILING NO. 13, AS RECORDED IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER AT RECEPTION NO. E1067744.

LEGAL DESCRIPTION:

KNOW ALL PEOPLE BY THESE PRESENTS THAT THE UNDERSIGNED WARRANT THEY ARE THE OWNERS OF A PARCEL OF LAND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF AURORA, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 6, INCLUSIVE, BLOCK 1, HARMONY SUBDIVISION FILING NO. 13, AS RECORDED IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER AT RECEPTION NO. E1067744.

SAID PARCEL CONTAINING A CALCULATED AREA OF 19,010 SQUARE FEET OR 0.436 ACRE, MORE OR LESS, AND BEING SUBJECT TO ANY EXISTING EASEMENTS AND/OR RIGHTS OF WAY OF WHATSOEVER NATURE.

HAVE LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF HARMONY SUBDIVISION FILING NO. 1, AMENDMENT NO. 1, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE CITY OF AURORA, COLORADO, FOR THE PERPETUAL USE OF THE PUBLIC, THE EASEMENTS AS SHOWN HEREON AND NOT PREVIOUSLY DEDICATED TO THE PUBLIC.

OWNER:

MELODY HOMES, INC., A DELAWARE CORPORATION

SIGNATURE

PRINT NAME

PRINT TITLE

NOTARIAL:

STATE OF COLORADO)
COUNTY OF _____)SS

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

BY _____ AS _____ OF _____

MELODY HOMES, INC., A DELAWARE CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

COVENANTS:

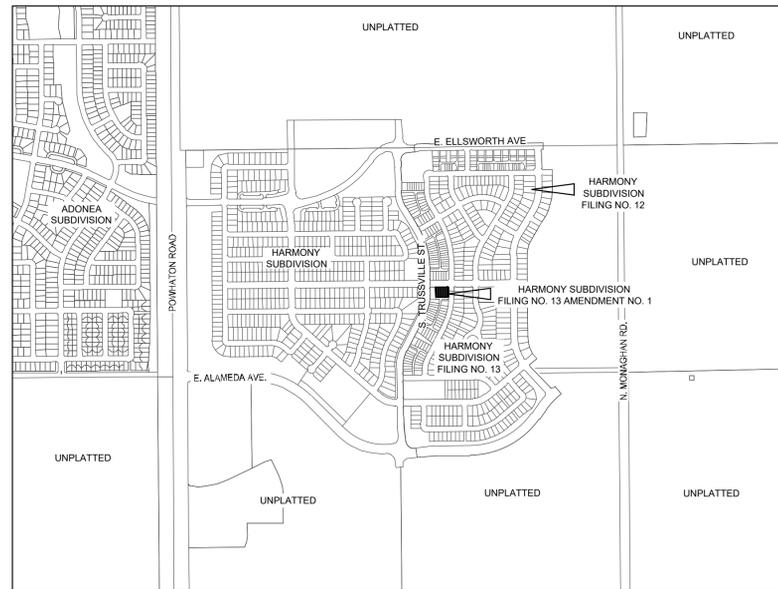
THE UNDERSIGNED OWNER(S), FOR THEMSELVES, THEIR HEIRS, SUCCESSORS AND ASSIGNS (COLLECTIVELY HEREAFTER "OWNER"), COVENANT AND AGREE WITH THE CITY OF AURORA ("CITY");

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.

THE AREA(S) LABELED AS "UTILITY EASEMENT" HEREON DEPICT EASEMENT(S) HEREBY DEDICATED BY THE OWNER TO THE CITY FOR USE BY PUBLIC UTILITY COMPANIES AUTHORIZED IN WRITING BY THE CITY FOR PROVISION OF SERVICES REQUIRED OR ORDINARILY PERFORMED WITHIN THE UTILITY EASEMENT BY THIRD PARTY PUBLIC UTILITY PROVIDERS OF ELECTRIC, TELEVISION, CABLE, TELECOMMUNICATION FACILITIES, AND OTHER PUBLIC UTILITIES TO SURVEY, INSTALL, CONSTRUCT, RECONSTRUCT, RELOCATE, REPLACE, MAINTAIN, ENLARGE, UPGRADE, REPAIR, USE, OPERATE, PATROL, CONTROL, IMPROVE, TEST, INSPECT OR REMOVE AT ANY TIME AND FROM TIME TO TIME AS MAY BE USEFUL TO, OR REQUIRED BY CITY, ANY AND ALL PIPES, CASINGS, WIRES, CONDUIT, CULVERTS, VALVES, VENTILATORS, MANHOLES, EQUIPMENT, OR MATERIAL AND ANY OTHER APPURTENANCES NECESSARY, AND TO MAKE ANY CUTS AND FILLS IN THE EARTH NEEDED ONLY IN, ON, UNDER, THROUGH, OVER AND ACROSS THE "UTILITY EASEMENT" FOR ONE OR MORE PUBLIC UTILITY IMPROVEMENTS INCLUDING ALL THINGS DEEMED BY THE CITY, IN ITS SOLE DISCRETION, TO BE NECESSARY OR CONVENIENT FOR THE OPERATION OF SUCH PUBLIC UTILITY. THE AUTHORIZED PUBLIC UTILITY SHALL MAINTAIN SAID IMPROVEMENTS INSTALLED BY THE PUBLIC UTILITY WITHIN, ACROSS, UNDER OR UPON THE UTILITY EASEMENT. HOWEVER, THE CITY SHALL HAVE THE PERPETUAL RIGHT, BUT NOT OBLIGATION, TO CUT, TRIM, CONTROL AND REMOVE TREES, BRUSH, AND OTHER OBSTRUCTIONS WHICH INJURE OR INTERFERE WITH THE CITY'S OR AUTHORIZED PUBLIC UTILITY'S IMPROVEMENTS, USE, OCCUPATION OR ENJOYMENT OF THE UTILITY EASEMENT, OR THEIR RIGHTS IN THE UTILITY EASEMENT, WITHOUT LIABILITY TO THE CITY FOR DAMAGES ARISING THEREFROM.



VICINITY MAP
SCALE: 1" = 1000'

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NOTES:

- 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. THE SAME ARE HEREBY DESIGNATED AS FIRE LANES AND EMERGENCY AND SERVICE VEHICLE ROADS AND SHALL BE POSTED "NO PARKING- FIRE LANE".
- BASIS OF BEARINGS: BEARINGS ARE BASED IN ACCORDANCE WITH THE CITY OF AURORA HORIZONTAL CONTROL. UPON THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE SOUTH 1/4 CORNER BY A FOUND 3-1/4 INCH ALUMINUM CAP STAMPED "T4S R65W 9/16 1995, LS 27609" AND AT THE CENTER 1/4 CORNER OF SAID SECTION 9 BY A FOUND NO. 6 REBAR WITH A 3-1/4 INCH ALUMINUM CAP STAMPED "WESTWOOD T4S R65W C1/4 S9 2022 25369", IS ASSUMED TO BEAR NORTH 00°23'54" WEST, A DISTANCE OF 2663.69 FEET, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO.
- THE EASEMENT AREA WITHIN EACH LOT IS TO BE CONTINUOUSLY MAINTAINED BY THE OWNER OF THE LOT EXCEPTING THE CITY OF AURORA FROM SUCH RESPONSIBILITY. ANY STRUCTURES INCONSISTENT WITH THE USE GRANTED IN THE EASEMENT ARE PROHIBITED.
- ALL OWNERS OF LOTS ADJACENT TO E. MAPLE AVENUE AND S URIAH STREET SHALL BE REQUIRED TO COMPLY WITH REQUIREMENTS OF THE AURORA CITY CODE RESTRICTING THE ABILITY TO BUILD A FENCE ALONG THOSE STREETS OR THE TYPES AND SIZES OF FENCES THAT CAN BE BUILT ALONG THOSE STREETS.
- 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.
- ALL EXTERIOR BOUNDARY MONUMENTS SHALL BE SET BY THE SURVEYOR OF RECORD PER COLORADO REVISED STATUTES 38.51.105.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY WESTWOOD PROFESSIONAL SERVICES, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE OF RECORD, WESTWOOD PROFESSIONAL SERVICES, INC. RELIED UPON LAND TITLE GUARANTEE COMPANY, ORDER NUMBER: FCT70857481-2. EFFECTIVE DATE: 12/13/2024 AT 5:00 P.M. EVERY EFFORT HAS BEEN MADE TO LOCATE, IDENTIFY, AND DEPICT ANY AND ALL EASEMENTS ENCUMBERING THE SUBJECT PROPERTY. THE POSSIBILITY EXISTS, HOWEVER, THAT UNRECORDED EASEMENTS WITH NO READILY VISIBLE EVIDENCE EXIST.
- DISTANCES ON THIS PLAT ARE GROUND DISTANCES EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED EXACTLY AS 1200/3937 METERS.
- 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.
- THE EASEMENTS HEREON SHOWN AND LABELED 6" GAS EASEMENT ARE FOR THE EXCLUSIVE USE AS GAS EASEMENTS: EXCEPT OTHER UTILITIES, SERVICE WALKS, AND DRIVEWAYS MAY CROSS SAID EASEMENTS AT SUBSTANTIALLY RIGHT ANGLES.

MORTGAGE HOLDER:

THE UNDERSIGNED, BCMP MORTGAGE INVESTMENT CORPORATION, AS MORTGAGE HOLDER ON PART OR ALL OF THE HEREIN SHOWN REAL PROPERTY, DOES HEREBY AGREE AND CONSENT TO THE PLATTING OF SAID PROPERTY AS SHOWN HEREON.

MORTGAGE HOLDER _____

AS _____

CITY OF AURORA APPROVALS:

THE FOREGOING INSTRUMENT IS APPROVED FOR FILING AND CONVEYANCE OF 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 _____

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT 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 _____, 20__.

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.

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR
JEAN P. HALPIN, PLS NO. 38474
FOR AND ON BEHALF OF WESTWOOD PROFESSIONAL SERVICES, INC.

ENGINEER/SURVEYOR

Westwood

10333 E. Dry Creek Rd., Suite 400
Englewood, CO 80112
Tel: (720) 482-9526 / Fax: (720) 482-9546

