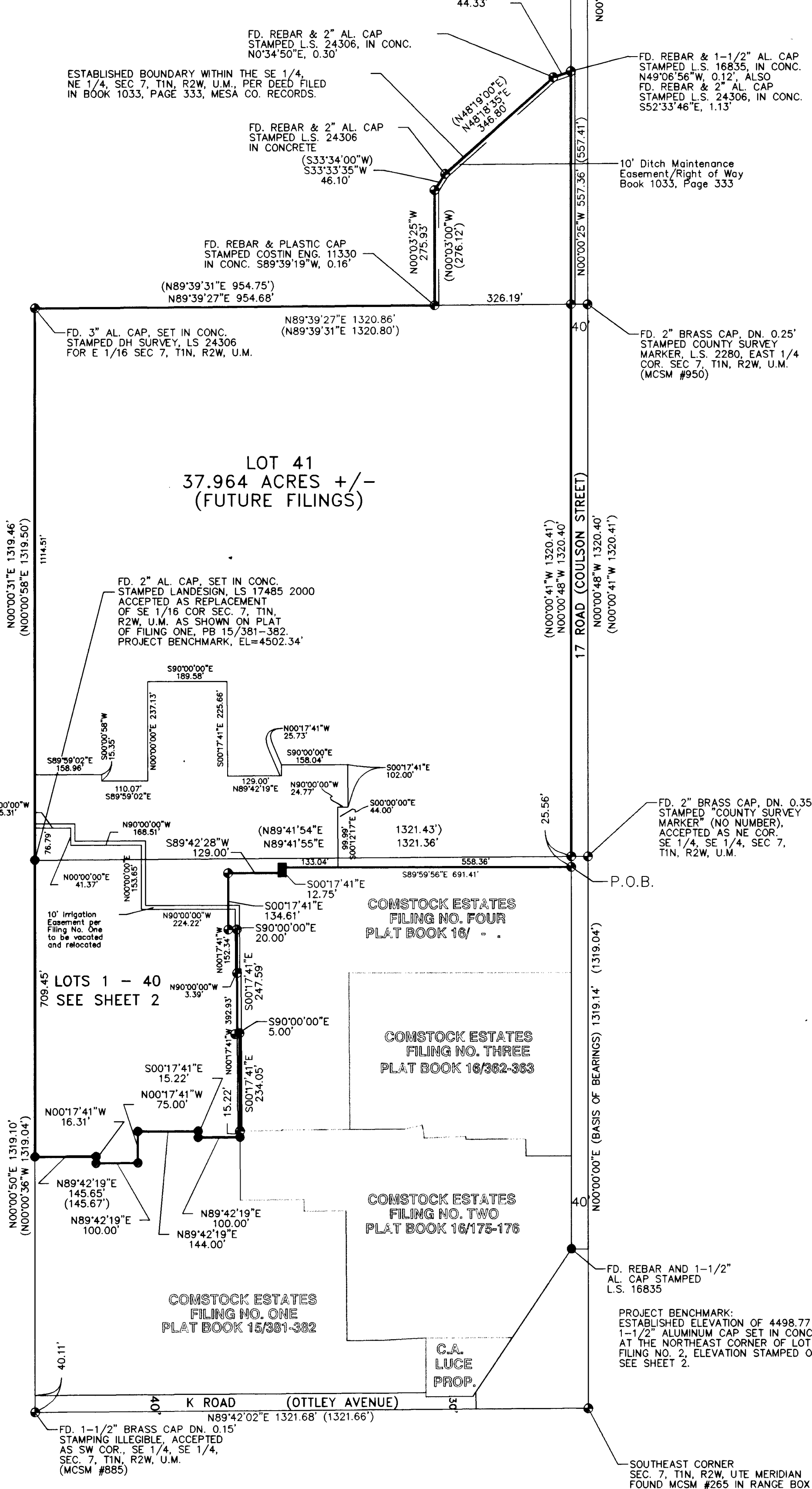
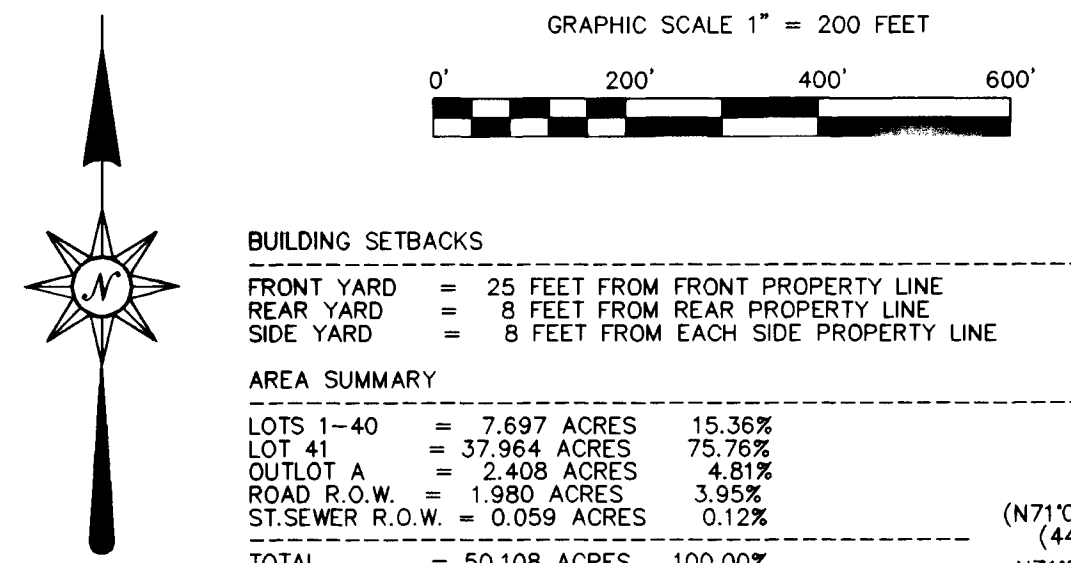


REPLAT OF COMSTOCK ESTATES - FILING NO. FIVE BEING A REPLAT OF LOT 28, COMSTOCK ESTATES - FILING NO. FOUR



NOTARY PUBLIC CERTIFICATION
State of Colorado
County of Mesa
The foregoing ratification was acknowledged before me this _____ day of _____ A.D. 2001, by _____
Witness my hand and official seal
Notary Public
My Commission Expires: _____

LIENHOLDERS RATIFICATION OF PLAT
First National Bank of the Rockies having property interests in or encumbrances upon the real property involved, pursuant to Deed of Trust recorded in Book 2127, page 491, records of Mesa County Clerk and Recorder, do hereby ratify and affirm the Plat of COMSTOCK ESTATES, FILING NO. FIVE.
Signed this 5th day of April, 2001.
Name: First National Bank of the Rockies
By: C. Dennis King Title: Branch President

NOTARY PUBLIC CERTIFICATION
State of Colorado
County of Mesa
The foregoing ratification was acknowledged before me this 5th day of April A.D. 2001, by C. Dennis King as Branch President of First National Bank of the Rockies
Witness my hand and official seal
Deborah A. Fuller
Notary Public
My Commission Expires: 8-26-01

CITY COUNCIL CERTIFICATE
This plat approved by the City Council of the City of Fruita, Colorado, for filing with the Clerk and Recorder of Mesa County, Colorado, and for conveyance or dedication to the City of Fruita for financing or constructing of improvements on said lands, streets or easements dedicated to the public except as specifically agreed to by the City of Fruita for maintenance of public improvements until construction of said improvements has been completed in accordance with the City of Fruita's specifications and the City of Fruita has agreed to accept said improvements. This approval does not guarantee that the size, soil conditions, subsurface geology, ground water conditions or flooding conditions of any lot shown hereon are such that a building permit, development permit, or any other required permit will be issued. This approval is with the understanding that all expenses involving required improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all other improvements that may be required shall be the responsibility of the owners designated hereon and not the City of Fruita, unless otherwise specifically agreed to in writing by the City Council.
City of Fruita, Colorado
By: Vicki M. Lin 2-16-01
Mayor

PLANNING COMMISSION CERTIFICATE
This plat has been approved by the City of Fruita Planning Commission this 26 day of February, 2001.
By: David Kausung
Chairman

CLERK AND RECORDER'S CERTIFICATE
State of Colorado
County of Mesa
I hereby certify that this instrument was filed in my office at 2:30 o'clock PM on this 30th day of May, 2001 and was duly recorded in Plat Book no. 18 page no. 167 + 165
Reception No. 1998574 Drawer No. 53-129
Fees: \$20.00
Monika Toold
Clerk and Recorder
By: Elaine Leaks
Deputy

SURVEYOR'S NOTES
THE BASIS OF BEARINGS FOR THIS PLAT IS THE EAST LINE OF SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 2 WEST, UTE MERIDIAN, EACH END OF WHICH IS MONUMENTED BY A MESA COUNTY SURVEY MARKER, AS SHOWN HEREON, SAID BEARING BEING NORTH 00°00'00" EAST AS SHOWN ON MAP OF COMSTOCK ESTATES FILING NO. ONE, AS PER PLAT RECORDED IN PLAT BOOK NO. 15, PAGES 381 AND 382 IN THE OFFICE OF THE CLERK AND RECORDER OF MESA COUNTY, COLORADO.
EASEMENT AND TITLE DOCUMENTS (SCHEDULES A&B) PROVIDED BY FIRST AMERICAN TITLE COMPANY, ORDER NO. Comm 1998 00187551
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 CERTIFICATION SHOWN HEREON.
○ Indicates set a number 5 rebar, 18" long, with a 1-1/2" aluminum cap stamped LS 24963
◇ Indicates set a number 5 rebar, 18" long, with a 1-1/2" aluminum cap stamped LS 24963 in concrete
● Indicates found 1-1/2" Aluminum Cap stamped "LANDESIGN 16835"
● Indicates found 1-1/2" Aluminum Cap stamped "Rocky Mtn. L.S. 31155" unless otherwise noted.
■ Indicates found a number 5 rebar, 18" long, with a 1-1/2" aluminum cap stamped Rocky Mtn L.S. 31155 in concrete.
△ Indicates set a Gear Spike and Aluminum Washer stamped, LS 24963 at centerline points of control.
(R) Indicates record variance
PROJECT BENCHMARK BASED UPON ELEVATIONS ESTABLISHED IN COMSTOCK ESTATES FILING NO. ONE, WHICH WERE ESTABLISHED BY TRIGGERED LEVEL LOOP FROM MCSM #1277-P096 ELEV = 4482.04 (f) 1366.125 (m) NAVD 1988 MCGPS.

CERTIFICATE OF OWNERSHIP AND DEDICATION
Comstock, LLC
are the sole owners in fee simple of all that real property described as follows: (Warranty Deeds recorded in Book _____ page _____ and Book _____ page _____ records of the Mesa County Clerk and Recorder)

A parcel of land being Lot 28 of Comstock Estates Filing No. Four, City of Fruita, Mesa County, Colorado as per Plat filed in Plat Book No. _____ and _____ in the office of the Clerk and Recorder of said Mesa County, said parcel lying over a portion of the Southeast 1/4 of the Northeast 1/4, the Northeast 1/4 of the Southeast 1/4, and the Southeast 1/4 of the Northeast 1/4, all of Section 7, Township 1 North, Range 2 West, Ute Meridian, and being more particularly described as follows:

BEGINNING at a point on the East line of said Lot 28, said point being the Southerly terminus of that certain course shown as S 00° 00' 00" E 25.56' on said plat; thence, along the Boundaries of said Lot 28, as said Lot 28 is shown on this survey through the following courses:
North 00°00'00" West, 25.56 feet, along the Westerly Right-of-Way of 17 Road (Coulson Street);
thence, North 00°00'48" West, 1320.40 feet, along said Westerly Right-of-Way, to its intersection with the Northwesterly line of that certain parcel of land described in a deed filed in Book 1033, page 333, said Mesa County Records;
thence, along said Northwesterly line through the following courses:
South 71°04'35" West, 44.33 feet;
thence, South 49°18'35" West, 346.80 feet;
thence, South 33°33'35" West, 46.10 feet;
thence, South 00°33'35" East, 275.93 feet to said lines intersection with the Northerly line of the Northeast 1/4 of the Southeast 1/4 of said Section 7;
thence, along said North line, South 89°39'31" West, 954.68 feet to the Northwest Corner of said Northeast 1/4 of the Southeast 1/4 of said Section 7;
thence, along the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 7, South 00°00'31" West, 1319.46 feet to the Southwest Corner of said Northeast 1/4 of the Southeast 1/4 of said Section 7;
thence, along the West line of the Southeast 1/4 of the Southeast 1/4 of said Section 7, South 00°00'50" West 709.45 feet to the South line of said Lot 28 of Comstock Estates, Filing No. Four;
thence, along said South and East line of said Lot 28, through the following courses:
North 89°42'19" East, 145.65 feet;
thence, South 00°17'41" East, 16.31 feet;
thence, North 89°42'19" East, 100.00 feet;
thence, North 00°17'41" West, 75.00 feet;
thence, North 89°42'19" East, 144.00 feet;
thence, South 00°17'41" East, 15.22 feet;
thence, North 89°42'19" East, 100.00 feet;
thence, North 00°17'41" West, 15.22 feet;
thence, North 00°17'41" West, 234.05 feet;
thence, North 00°00'00" West, 5.00 feet;
thence, North 00°17'41" West, 247.59 feet;
thence, North 00°00'00" West, 20.00 feet;
thence, North 00°17'41" West, 134.61 feet;
thence, North 89°42'28" East, 129.00 feet;
thence, North 00°17'41" West, 12.75 feet;
thence, South 89°59'58" East, 691.41 feet to the POINT OF BEGINNING

Containing 50.108 ACRES. As shown hereon and by this reference made a part hereof.
Said owner by these presents laid out, platted and subdivided the same into lots as shown on this plat, and designate the same as REPLAT OF COMSTOCK ESTATES, FILING NO. FIVE in the City of Fruita, County of Mesa, State of Colorado; and do hereby grant, convey, dedicate and set apart to said City of Fruita, for public use, the streets shown hereon, including avenues, drives, courts, places, alleys, and storm sewer and public access right of way, the public lands shown hereon for their indicated public use and the multi-purpose, utility and drainage easements shown hereon for utility and drainage purposes only. We hereby accept the responsibility for the completion of all required public improvements for REPLAT OF COMSTOCK ESTATES, FILING NO. FIVE and further, hereby grant the right to install and maintain all necessary structures to the entity responsible for providing the services for which the easements are established. We further state that this subdivision shall be subject to the protective covenants filed and recorded for this subdivision in the office of the Clerk and Recorder of Mesa County, Colorado in Book 2348 of page 569 and Book 2370, page 196.
Executed this 15th day of March, 2001.
By: Michael A. Tracy
Michael A. Tracy
Owner

NOTARY PUBLIC CERTIFICATION
State of Colorado
County of Mesa
The foregoing Certificate of Dedication and ownership was acknowledged before me this 15th day of March, A.D. 2001, by Michael A. Tracy of Comstock, LLC, owner.
Witness my hand and official seal
Deborah A. Fuller
Notary Public
My Commission Expires: 8-26-01

SURVEYOR'S CERTIFICATION
I, David G. Nicewicz, hereby certify that I am a Registered Land Surveyor, licensed under the laws of the State of Colorado as REPLAT OF COMSTOCK ESTATES, FILING NO. FIVE in the City of Fruita, Colorado, and do hereby certify that this plat is a true, correct and complete plat of the REPLAT OF COMSTOCK ESTATES, FILING NO. FIVE, as laid out, platted, dedicated and shown hereon, that the survey thereof was made under my direct supervision, and correctly shows the location and dimensions of the lots, staked upon the ground in compliance with Title 38, Article 551, C.R.S., as amended, and all other regulations governing the subdivision of land.
Certified this 16 day of FEBRUARY, 2001.
By: David G. Nicewicz
David G. Nicewicz, P.L.S. 24963

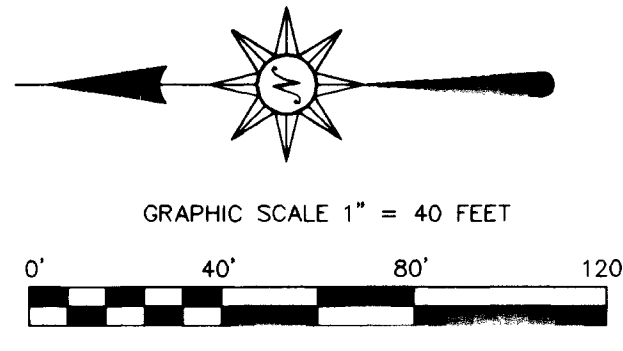
LIENHOLDERS RATIFICATION OF PLAT
_____ having property interests in or encumbrances upon the real property involved, pursuant to Deed of Trust recorded in Book _____ page _____ records of Mesa County Clerk and Recorder, do hereby ratify and affirm the Replat of COMSTOCK ESTATES, FILING NO. FIVE.
Signed this _____ day of _____, 2001.
By: _____

**REPLAT OF COMSTOCK ESTATES - FILING NO. FIVE
BEING A REPLAT OF LOT 28, COMSTOCK ESTATES - FILING NO. FOUR**

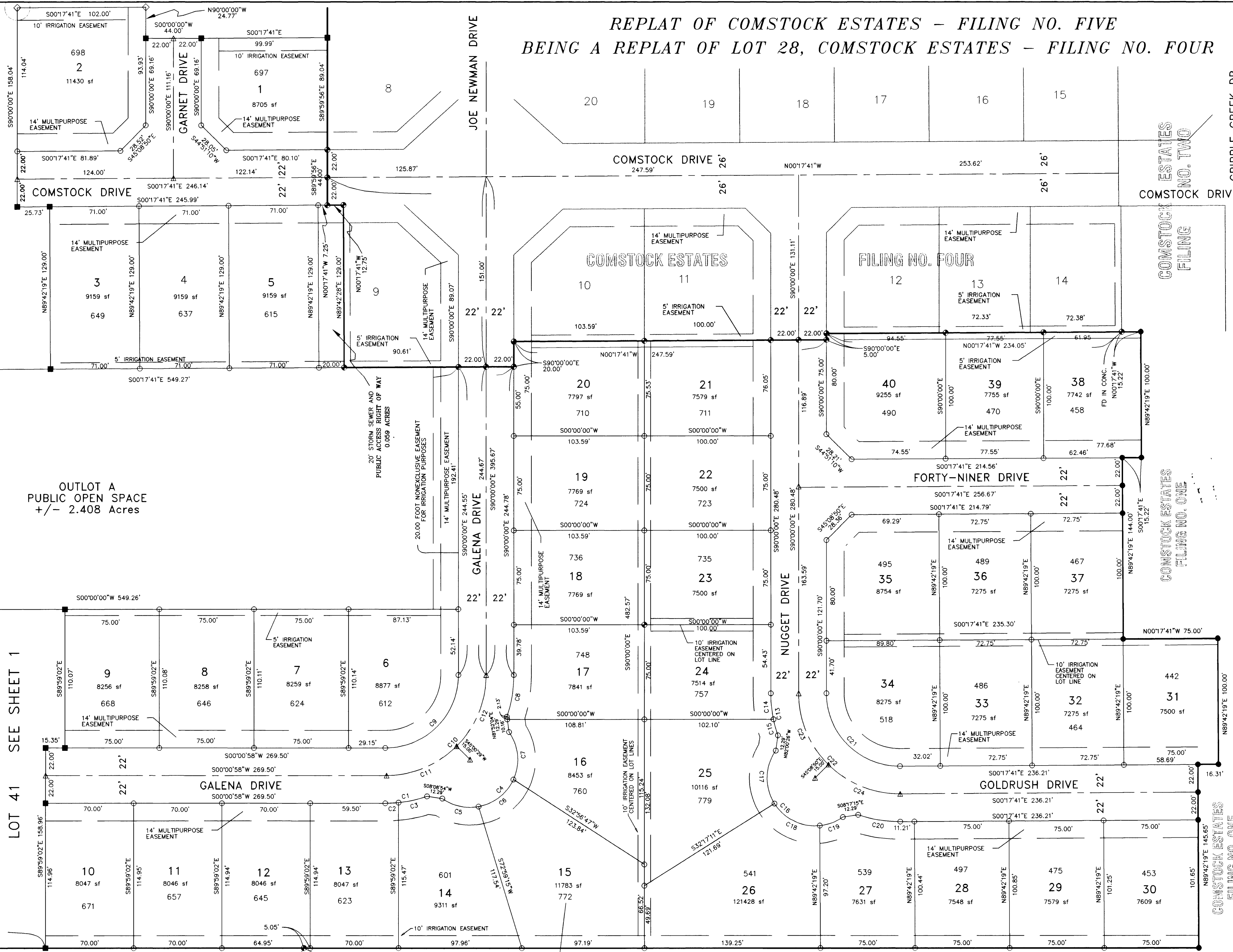
LOCATED IN PORTIONS OF THE NE1/4 AND THE SE1/4 OF SECTION 7,
T. 1 N., R. 2 W., UTE MERIDIAN, CITY OF FRUITA, MESA COUNTY, COLORADO

PLAN SCALE 1" = 200'	SIGNATURE BLOCK		WEST ELK LAND SURVEYING, INC.
	FILED BY: DGN, RKG	DATE: 12/00	
REVISIONS:	DRAWN BY: DGN	DATE: 01/01	3446 L LANE HOTCHKISS, COLORADO 81419 EMAIL : westelkland@aol.com
	CHECKED BY: RKG	DATE: 01/01	
TITLE: REPLAT OF COMSTOCK ESTATES, FILING NO. FIVE			MAP ID: WE00028FR
DATE: 01/22/01		DWG. NO. PLATPGI	SHEET 1 OF 2

REPLAT OF COMSTOCK ESTATES - FILING NO. FIVE
BEING A REPLAT OF LOT 28, COMSTOCK ESTATES - FILING NO. FOUR



LOT 41 SEE SHEET 1



OUTLOT A
PUBLIC OPEN SPACE
+/- 2.408 Acres

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	185.633	102.00	33.72	17.92	N89°27'18"W	33.57
C2	05°24'34"	102.00	10.52	5.26	S02°26'19"E	10.52
C3	130°1'58"	102.00	23.20	11.65	S12°24'36"E	23.15
C4	160°24'47"	38.00	108.40	220.34	S44°29'31"E	74.89
C5	45°36'12"	38.00	50.25	15.86	S12°25'16"W	29.45
C6	44°50'39"	38.00	56.37	18.73	S17°46'08"E	35.00
C7	59°29'03"	38.00	39.78	21.93	N84°47'07"E	37.99
C8	18°56'33"	102.00	33.72	17.02	N80°31'44"W	33.57
C9	90°00'58"	80.00	91.12	58.02	S44°59'31"E	82.04
C10	90°00'58"	80.00	125.69	80.02	S44°59'31"E	113.15
C11	45°00'29"	80.00	62.84	33.14	S22°29'17"E	61.24
C12	45°00'29"	80.00	62.84	33.14	S87°29'44"E	61.24
C13	19°04'54"	102.00	33.97	17.14	N80°27'33"E	33.81
C14	11°38'00"	102.00	20.71	10.39	S84°11'00"W	20.67
C15	07°28'54"	102.00	13.26	6.64	S74°38'33"W	13.25
C16	16°22'47"	38.00	108.40	220.34	N44°51'10"E	74.89
C17	87°21'14"	38.00	44.87	25.32	N86°35'04"W	42.14
C18	83°22'57"	38.00	42.03	23.46	S90°13'36"W	38.82
C19	29°42'08"	38.00	19.70	10.08	S20°30'41"E	19.48
C20	19°04'54"	102.00	33.97	17.14	S89°14'46"W	33.81
C21	90°17'41"	80.00	91.40	56.30	N44°51'10"E	82.24
C22	90°17'41"	80.00	128.08	80.41	S44°51'10"W	113.43
C23	45°08'51"	80.00	63.04	33.28	S87°29'55"W	61.42
C24	45°08'50"	80.00	63.04	33.28	S22°16'44"W	61.42

FD, 3" AL. CAP. SET IN CONC.
STAMPED DH SURVEY, LS 24306
FOR E 1/16 SEC 7, T1N, R2W, U1M.

SURVEYOR'S NOTES:
THE BASIS OF BEARINGS FOR THIS PLAT IS THE EAST LINE OF SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 2 WEST, UTE MERIDIAN, EACH END OF WHICH IS MONUMENTED BY A MESA COUNTY SURVEY MARKER, AS SHOWN HEREON, SAID BEARING BEING NORTH 00°00'00" EAST AS SHOWN ON MAP OF COMSTOCK ESTATES FILING NO. ONE, AS PER PLAT RECORDED IN PLAT BOOK NO. 15, PAGES 381 AND 382 IN THE OFFICE OF THE CLERK AND RECORDER OF MESA COUNTY, COLORADO.

EASEMENT AND TITLE DOCUMENTS (SCHEDULES A&B) PROVIDED BY FIRST AMERICAN TITLE COMPANY, ORDER NO. 00128603

BUILDING SETBACKS
FRONT YARD = 25 FEET FROM FRONT PROPERTY LINE
REAR YARD = 8 FEET FROM REAR PROPERTY LINE
SIDE YARD = 8 FEET FROM EACH SIDE PROPERTY LINE

AREA SUMMARY
LOTS 1-40 = 7.697 ACRES 15.36%
LOT 41 = 37.964 ACRES 75.76%
OUTLOT A = 2.408 ACRES 4.81%
ROAD R.O.W. = 1.980 ACRES 3.95%
STORM SEWER ROW = 0.059 ACRES 0.12%
TOTAL = 50.108 ACRES 100.00%

LOT 41 SEE SHEET 1

- Indicates set a number 5 rebar, 18" long, with a 1-1/2" aluminum cap stamped LS 24963
- ◇ Indicates set a number 5 rebar, 18" long, with a 1-1/2" aluminum cap stamped LS 24963 in concrete
- Number 5 rebar, 18" long, and 1-1/2" aluminum cap stamped LS 24963 to be set at all lot corners prior to the sale of any lot.
- ▲ Indicates set Centerline Monuments per City of Fruita Code.
- Indicates found 1-1/2" Aluminum Cap stamped "LANDSIGN 16835"
- Indicates found 1-1/2" Aluminum Cap or washer stamped "Rocky Mtn. L.S. S. 31155" unless otherwise noted.
- Indicates found a number 5 rebar, 18" long, with a 1-1/2" aluminum cap stamped "Rocky Mtn L.S. 31155" in concrete
- ▲ Indicates set Gear Spike and Aluminum Washer stamped, LS 24963 at centerline points of control.
- (R) Indicates record variance

FD, 2" AL. CAP. SET IN CONC.
STAMPED LANDSIGN, LS 17485 2000
ACCEPTED AS REPLACEMENT
OF SE 1/16 COR SEC. 7, T1N,
R2W, U1M, AS SHOWN ON PLAT
OF FILING NO. PB 15/381-382,
PROJECT BENCHMARK, EL=4502.34'

INDICATES STREET ADDRESS (TYPICAL)

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 CERTIFICATION SHOWN HEREON.

REPLAT OF COMSTOCK ESTATES - FILING NO. FIVE
BEING A REPLAT OF LOT 28, COMSTOCK ESTATES - FILING NO. FOUR
LOCATED IN PORTIONS OF THE NE1/4 AND THE SE1/4 OF SECTION 7,
T1N, R2W, UTE MERIDIAN, CITY OF FRUITA, MESA COUNTY, COLORADO

PLAN SCALE 1" = 40'	SIGNATURE BLOCK	WEST ELK LAND SURVEYING, INC.
	FIELD CREW DGN, RKG	
REVISIONS:	DRAFTER DGN	DATE 01/01
	CHECKED BY RKG	DATE 01/01
TITLE REPLAT OF COMSTOCK ESTATES, FILING NO. FIVE		MAP ID: WE00028FR
DATE: 01/28/01		DWG. NO. PLATP02
		SHEET 2 OF 2