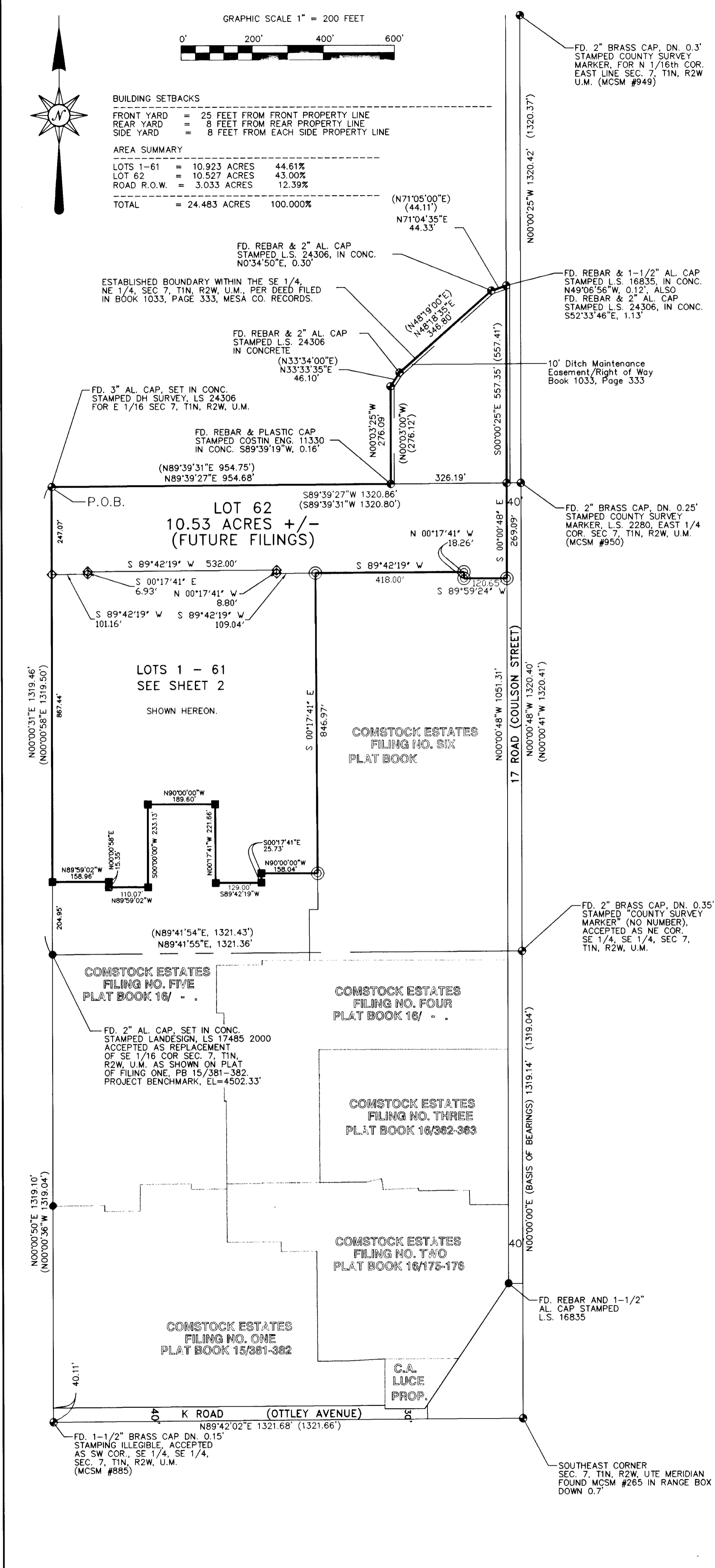


# COMSTOCK ESTATES - FILING NO. SEVEN BEING A REPLAT OF LOT 57, COMSTOCK ESTATES - FILING NO. SIX



**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 \_\_\_\_\_ page \_\_\_\_\_ records of Mesa County Clerk and Recorder, do hereby ratify and affirm the Plat of COMSTOCK ESTATES, FILING NO. SEVEN.  
 Signed this 7<sup>th</sup> day of October, 2002.  
 Name: Bruce L. Penny  
 By: Bruce L. Penny Title: Vice President

**NOTARY PUBLIC CERTIFICATION**  
 State of Colorado )  
 County of Mesa )  
 The foregoing ratification was acknowledged before me this 7<sup>th</sup> day of October A.D. 2002, by Bruce L. Penny as Vice President of First National Bank of the Rockies.  
 Witness my hand and official seal  
Deborah A. Fuller  
 Notary Public  
 My Commission Expires: 8-26-2005

**CITY COUNCIL CERTIFICATE**  
 This plat approved by the City Council of the City of Fruita, Colorado, and filed with the Clerk and Recorder of Mesa County, Colorado, and for conveyance or dedication to the City of the public dedications shown hereon; subject to the provisions that approval in no way obligates 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: B. James Cedeno  
 Mayor  
 Witness my hand and seal of the City of Fruita, Colorado  
 Attest: Margaret Stuchman  
 City Clerk  
 By: [Signature]  
 PLANNING COMMISSION CERTIFICATE  
 This plat has been approved by the City of Fruita Planning Commission this 8<sup>th</sup> day of OCTOBER, 2002.  
 By: [Signature]  
 CLERK AND RECORDER CERTIFICATE  
 State of Colorado )  
 County of Mesa )  
 I hereby certify that this instrument was filed in my office at 11:03 o'clock AM on this 6<sup>th</sup> day of November, 2002 and was duly recorded in Plat Book no. 19 page no. 165, 166  
 Reception No. 2085721 Drawer No. NN-2  
 Fees: 20.00  
Monika Todd  
 Clerk and Recorder  
 By: Olivia Nurren  
 Deputy

**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 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.  
 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 a number 5 rebar, 18" long, with a 1-1/2" aluminum cap stamped LS 24963 in concrete  
 ▲ 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 stamped "Rocky Mtn. L.S. 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. 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

**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, that this plat is a true, correct and complete plat of the COMSTOCK ESTATES, FILING NO. SEVEN, as laid out plotted, 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 25 day of SEPTEMBER, 2002.  
David G. Nicewicz  
 By: David G. Nicewicz  
 David G. Nicewicz, P.L.S. 24963

**LIENHOLDERS RATIFICATION OF PLAT**  
**First National Bank of the Rockies**, being the holder of a promissory note secured by a deed of trust dated Sept. 14, 2000 and recorded on Oct. 3, 2000 at Reception No. 19116316 in the office of the Clerk and Recorder of Mesa County, Colorado, do hereby consent to the subdivision of the lands set forth in this Final Plat, COMSTOCK ESTATES, FILING NO. SEVEN, and subordinates the lien represented by the aforesaid deed of trust to the dedications and restrictions as shown on this Final Plat and relative covenants, conditions and restrictions.  
 Lien Holder: First National Bank of the Rockies  
 Street name and number: 482 Hwy 6480  
 City, State, and Zip: Grand Junction, CO 81505  
 By: Bruce L. Penny, Vice President  
 State of Colorado  
 County of Mesa  
 Signed this 15<sup>th</sup> day of October, 2002.  
 The foregoing was acknowledged before me this 15<sup>th</sup> day of October, 2002, by Bruce L. Penny as Vice President of First National Bank of the Rockies (Lien Holder).  
 Witness my hand and official seal.  
 My commission expires: 8-26-2005  
 Notary Public: Deborah A. Fuller

**COMSTOCK ESTATES - FILING NO. SEVEN  
BEING A REPLAT OF LOT 57, COMSTOCK ESTATES - FILING NO. SIX**  
 LOCATED IN PORTIONS OF THE NE 1/4 AND THE SE 1/4 OF SECTION 7,  
 T. 1 N., R. 2 W., UTE MERIDIAN, CITY OF FRUITA, MESA COUNTY, COLORADO

**PLAN SCALE**  
 1" = 200'  
**REVISIONS:**  
 DATE: 04/24/02  
 DATE: 07/23/02  
**SIGNATURE BLOCK**  
 FIELDS DRAWN: DGN, RKG DATE: 04/02  
 DRAFTER: RKG, DGN DATE: 07/02  
 CHECKED BY: KIN DATE: 07/02  
**WEST ELK LAND SURVEYING, INC.**  
 3446 L LANE, COLORADO 81419  
 HOTCHKISS, COLORADO 81419  
 EMAIL: westelkland@aol.com  
 TITLE: COMSTOCK ESTATES FILING NO. SEVEN MAP ID: WE02028P7  
 DATE: 09/25/02 DWG NO: WE02028P7P01 SHEET 1 OF 2

**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 118 page 188 and Book 118 page 118 records of the Mesa County Clerk and Recorder)  
 A parcel of land being Lot 57 of Comstock Estates Filing No. Six, City of Fruita, Mesa County, Colorado, as per Plat filed in Plat Book No. \_\_\_\_\_ pages \_\_\_\_\_ 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 Southeast 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 the Northwest corner of said Northeast 1/4 of the Southeast 1/4 of said Section 7, a 3" aluminum cap set in concrete L.S. 24306;  
 Thence North 89°39'27" East along the North line of said NE 1/4 of the SE 1/4 of said Section 7, 954.68 feet;  
 thence North 00°03'55" West, 276.09 feet;  
 thence North 33°33'35" East, 46.10 feet;  
 thence North 48°18'35" East, 346.80 feet;  
 thence North 71°04'35" East, 44.33 feet to the Westerly Right-of-Way of 17 Road;  
 thence South 00°00'25" East along said Westerly Right-of-Way, 557.35 feet;  
 thence South 00°00'48" East continuing along said Westerly Right-of-Way, 269.09 feet;  
 thence South 89°59'24" West, 120.65 feet;  
 thence North 00°17'41" West, 18.26 feet;  
 thence South 89°42'19" West, 418.00 feet;  
 thence South 00°17'41" East, 846.97 feet;  
 thence North 90°00'00" West, 158.04 feet;  
 thence South 00°17'41" East, 25.73 feet;  
 thence South 89°42'19" West, 129.00 feet;  
 thence North 00°17'41" West, 221.66 feet;  
 thence North 90°00'00" West, 189.60 feet;  
 thence South 00°00'00" East, 233.13 feet;  
 thence North 89°59'10" West, 110.07 feet;  
 thence North 00°00'58" East, 15.35 feet;  
 thence North 89°59'02" West, 158.96 feet to the West line of said NE 1/4 of the SE 1/4 of said Section 7;  
 thence North 00°00'31" East along said West line of the NE 1/4 of the SE 1/4, 1114.51 feet to the Point of Beginning.  
 Said parcel contains 24.48 acres, more or less.

Said owner by these presents laid out, plotted and subdivided the same into lots as shown on this plat, and designate the same as COMSTOCK ESTATES, FILING NO. SEVEN in the City of Fruita, 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 Silverplume, Pioneer, Placer, and Comstock Drives and storm and sanitary sewer the multi-purpose, utility and irrigation easements shown hereon for utility and irrigation purposes only. We hereby accept the responsibility for the completion of all required public improvements for COMSTOCK ESTATES, FILING NO. SEVEN 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 at page 569 and Book 2370, page 146.  
 Executed this 15<sup>th</sup> day of OCTOBER, 2002.  
 By: Michael A. Tracy  
 By: [Signature]  
 NOTARY PUBLIC CERTIFICATION  
 State of Colorado )  
 County of Mesa )  
 The foregoing Certificate of Dedication and ownership was acknowledged before me this 15<sup>th</sup> day of OCTOBER A.D. 2002, by TRICHAEAL A. TRACY of COMSTOCK, L.L.C. owner.  
 Witness my hand and official seal  
Laurie A. Leonardo  
 Notary Public, State of Colorado  
 My Commission Expires October 18, 2004

My Commission Expires: 10/18/04  
**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, that this plat is a true, correct and complete plat of the COMSTOCK ESTATES, FILING NO. SEVEN, as laid out plotted, 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 25 day of SEPTEMBER, 2002.  
David G. Nicewicz  
 By: David G. Nicewicz  
 David G. Nicewicz, P.L.S. 24963

**SUBORDINATION BY LIENHOLDERS**  
**First National Bank of the Rockies**, being the holder of a promissory note secured by a deed of trust dated Sept. 14, 2000 and recorded on Oct. 3, 2000 at Reception No. 19116316 in the office of the Clerk and Recorder of Mesa County, Colorado, do hereby consent to the subdivision of the lands set forth in this Final Plat, COMSTOCK ESTATES, FILING NO. SEVEN, and subordinates the lien represented by the aforesaid deed of trust to the dedications and restrictions as shown on this Final Plat and relative covenants, conditions and restrictions.  
 Lien Holder: First National Bank of the Rockies  
 Street name and number: 482 Hwy 6480  
 City, State, and Zip: Grand Junction, CO 81505  
 By: Bruce L. Penny, Vice President  
 State of Colorado  
 County of Mesa  
 Signed this 15<sup>th</sup> day of October, 2002.  
 The foregoing was acknowledged before me this 15<sup>th</sup> day of October, 2002, by Bruce L. Penny as Vice President of First National Bank of the Rockies (Lien Holder).  
 Witness my hand and official seal.  
 My commission expires: 8-26-2005  
 Notary Public: Deborah A. Fuller

**COMSTOCK ESTATES - FILING NO. SEVEN  
BEING A REPLAT OF LOT 57, COMSTOCK ESTATES - FILING NO. SIX**  
 LOCATED IN PORTIONS OF THE NE 1/4 AND THE SE 1/4 OF SECTION 7,  
 T. 1 N., R. 2 W., UTE MERIDIAN, CITY OF FRUITA, MESA COUNTY, COLORADO

**PLAN SCALE**  
 1" = 200'  
**REVISIONS:**  
 DATE: 04/24/02  
 DATE: 07/23/02  
**SIGNATURE BLOCK**  
 FIELDS DRAWN: DGN, RKG DATE: 04/02  
 DRAFTER: RKG, DGN DATE: 07/02  
 CHECKED BY: KIN DATE: 07/02  
**WEST ELK LAND SURVEYING, INC.**  
 3446 L LANE, COLORADO 81419  
 HOTCHKISS, COLORADO 81419  
 EMAIL: westelkland@aol.com  
 TITLE: COMSTOCK ESTATES FILING NO. SEVEN MAP ID: WE02028P7  
 DATE: 09/25/02 DWG NO: WE02028P7P01 SHEET 1 OF 2

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 Signed this 7<sup>th</sup> day of October, 2002.  
 Name: Bruce L. Penny  
 By: Bruce L. Penny Title: Vice President

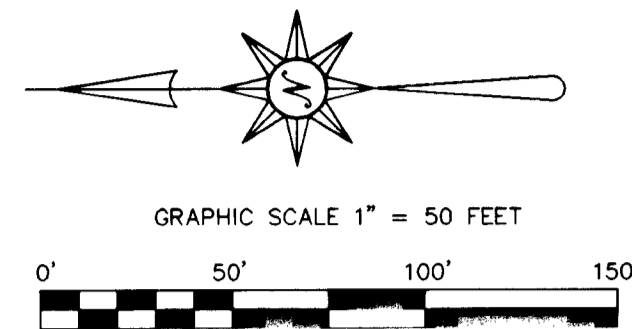
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Deborah A. Fuller  
 Notary Public  
 My Commission Expires: 8-26-2005

**CITY COUNCIL CERTIFICATE**  
 This plat approved by the City Council of the City of Fruita, Colorado, and filed with the Clerk and Recorder of Mesa County, Colorado, and for conveyance or dedication to the City of the public dedications shown hereon; subject to the provisions that approval in no way obligates 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: B. James Cedeno  
 Mayor  
 Witness my hand and seal of the City of Fruita, Colorado  
 Attest: Margaret Stuchman  
 City Clerk  
 By: [Signature]  
 PLANNING COMMISSION CERTIFICATE  
 This plat has been approved by the City of Fruita Planning Commission this 8<sup>th</sup> day of OCTOBER, 2002.  
 By: [Signature]  
 CLERK AND RECORDER CERTIFICATE  
 State of Colorado )  
 County of Mesa )  
 I hereby certify that this instrument was filed in my office at 11:03 o'clock AM on this 6<sup>th</sup> day of November, 2002 and was duly recorded in Plat Book no. 19 page no. 165, 166  
 Reception No. 2085721 Drawer No. NN-2  
 Fees: 20.00  
Monika Todd  
 Clerk and Recorder  
 By: Olivia Nurren  
 Deputy

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 Certified this 25 day of SEPTEMBER, 2002.  
David G. Nicewicz  
 By: David G. Nicewicz  
 David G. Nicewicz, P.L.S. 24963

**SUBORDINATION BY LIENHOLDERS**  
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 Lien Holder: First National Bank of the Rockies  
 Street name and number: 482 Hwy 6480  
 City, State, and Zip: Grand Junction, CO 81505  
 By: Bruce L. Penny, Vice President  
 State of Colorado  
 County of Mesa  
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 The foregoing was acknowledged before me this 15<sup>th</sup> day of October, 2002, by Bruce L. Penny as Vice President of First National Bank of the Rockies (Lien Holder).  
 Witness my hand and official seal.  
 My commission expires: 8-26-2005  
 Notary Public: Deborah A. Fuller

COMSTOCK ESTATES - FILING NO. SEVEN  
BEING A REPLAT OF LOT 57, COMSTOCK ESTATES - FILING NO. SIX



LOT	MINIMUM TOP OF FOUNDATION ELEVATION	LOT	MINIMUM TOP OF FOUNDATION ELEVATION
1	4509.00	32	4506.66
2	4508.81	33	4507.05
3	4507.81	34	4507.23
4	4507.48	35	4507.37
5	4507.13	36	4507.63
6	4506.75	37	4507.94
7	4506.42	38	4509.01
8	4506.06	39	4508.17
9	4505.71	40	4507.81
10	4505.35	41	4507.48
11	4504.99	42	4507.13
12	4504.61	43	4506.75
13	4504.30	44	4506.42
14	4504.12	45	4506.06
15	4504.00	46	4505.71
16	4503.83	47	4505.35
17	4503.54	48	4504.99
18	4503.25	49	4504.61
19	4503.15	50	4504.30
20	4503.46	51	4503.64
21	4503.46	52	4504.32
22	4503.72	53	4504.46
23	4504.15	54	4504.89
24	4504.58	55	4505.35
25	4505.01	56	4505.75
26	4505.40	57	4506.14
27	4505.86	58	4506.59
28	4506.26	59	4507.00
29	4506.26	60	4507.80
30	4506.26	61	4507.80
31	4506.26		

E 1/16 CORNER SECTION 7  
Found 3" alum. cap set in conc.  
stamped DH SURVEY, LS 24306

- 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 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 a number 5 rebar, 18" long, with a 1-1/2" aluminum cap stamped LS 24963 in concrete
  - ⊕ Indicates set Centerline Monuments per City of Fruita Code
  - Indicates found 1-1/2" Aluminum Cap stamped "LANDESIGN LS 16835"
  - Indicates found 1-1/2" Aluminum Cap or washer stamped "Rocky Mtn. L.S. U.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 Nail 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 BEING THE SW CORNER OF SECTION 7, ELEV = 4482.04 (1) 1366.125 (m) NAVD 1988 MCGPS.

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LEN	CHORD BEARING	DELTA ANGLE	TANGENT
C1	500.00'	20.41'	20.40'	N 00°52'28" E	02°20'18"	10.20'
C2	500.00'	20.41'	20.40'	N 00°52'28" E	02°20'18"	10.20'
C3	500.00'	26.92'	26.92'	N 01°31'36" W	03°05'07"	13.47'
C4	500.00'	24.21'	24.21'	N 01°40'55" W	02°46'28"	12.11'
C5	478.00'	25.74'	25.74'	N 01°31'36" W	03°05'07"	12.87'
C6	522.00'	28.11'	28.11'	N 01°31'36" W	03°05'07"	14.06'
C7	522.00'	10.05'	10.05'	N 02°31'04" W	01°06'11"	10.05'
C8	478.00'	3.63'	3.63'	N 02°50'53" W	00°26'32"	1.84'
C9	478.00'	14.89'	14.89'	N 01°09'05" E	01°47'06"	7.45'
C10	522.00'	21.31'	21.30'	N 00°52'28" E	02°20'18"	10.65'
C11	522.00'	21.30'	21.30'	N 00°52'28" E	02°20'18"	10.65'
C12	478.00'	4.62'	4.62'	N 00°01'05" W	00°33'12"	2.31'

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.

COMSTOCK ESTATES - FILING NO. SEVEN  
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" = 50'

REVISIONS: DATE: 04/24/02 DATE: 07/23/02

SIGNATURE BLOCK  
FIELD CREW: DGN, RKG DATE: 04/02  
DRAFTER: RKG, DGN DATE: 07/02  
CHECKED BY: KIN DATE: 07/02

WEST ELK LAND SURVEYING, INC.  
3446 L LANE  
HOTCHKISS, COLORADO 81419  
EMAIL: westelkland@aol.com

TITLE: COMSTOCK ESTATES FILING NO. SEVEN MAP ID: WE02028P7  
DATE: 09/25/02 DWG NO: WE02028P7P02 SHEET 2 OF 2