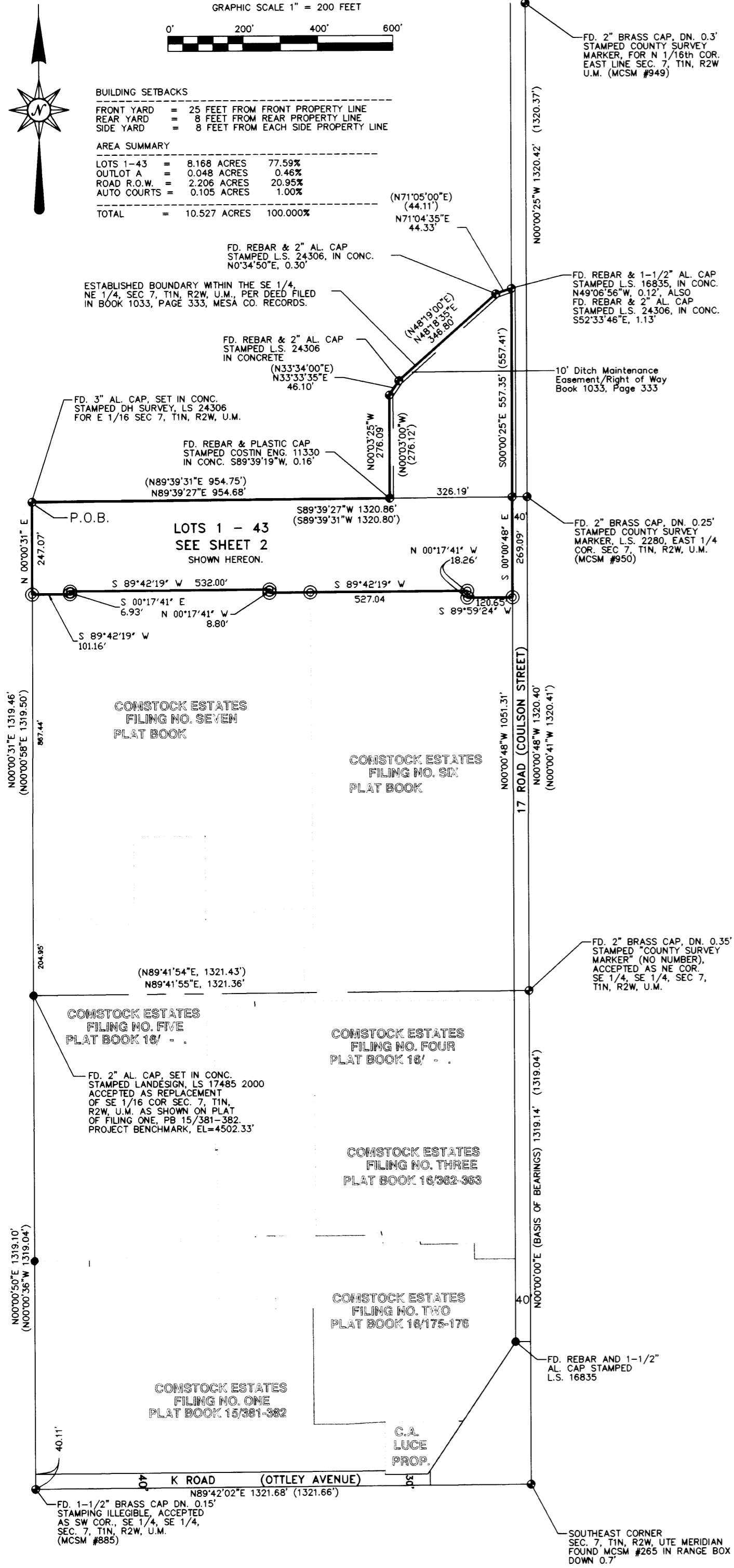


FINAL PLAT REPLAT OF LOTS 6-11, 21-23, 25, 27, 29 AND 31 OF COMSTOCK ESTATES - FILING NO. EIGHT BEING A REPLAT OF LOT 62, COMSTOCK ESTATES - FILING NO. SEVEN



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 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: [Signature]
Mayor

Witness my hand and seal of the City of Fruita, Colorado

Attest: [Signature]
City Clerk



PLANNING COMMISSION CERTIFICATE

This plat has been approved by the City of Fruita Planning Commission on the 26th day of July, 2004.

By: [Signature]
Chairman

CLERK AND RECORDER'S CERTIFICATE

State of Colorado
County of Mesa

I hereby certify that this instrument was filed in my office at 4:05 o'clock P.M. on this 29th day of July, 2004 and was duly recorded in Plat Book No. 3706 page No. 653+654 Reception No. 2205293 Drawer No. PP-81 Fees: \$10.00 \$1.00

By: [Signature]
Clerk and Recorder
By: [Signature]
Deputy

TITLE CERTIFICATE

[Signature] does hereby certify that I have examined the title to the lands shown on this plat and that title to such lands is vested in Comstock LLC free and clear of all liens, taxes and encumbrances, except as follows: 1st Mt. Bank of the Rockies

EXECUTED this 22 day of July, 2004

By: [Signature]
Title examiner's signature

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 found 1-1/2" Aluminum Cap stamped "LANDESIGN 16835"
- Indicates found a number 5 rebar, 18" long, with a 1-1/2" aluminum cap stamped LS 24963
- 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

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 2789, page 768, records of the Mesa County Clerk and Recorder)

A parcel of land being Comstock Estates Filing No. Eight, City of Fruita, Mesa County, Colorado as per Plat filed in Plat Book No. _____ page _____ 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, being 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°32'25" 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, 527.04 feet;
 thence North 00°17'41" West, 8.80 feet;
 thence South 89°42'19" West, 532.00 feet;
 thence South 00°17'41" East, 6.93 feet;
 thence South 89°42'19" West, 101.16 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, 247.06 feet to the Point of Beginning.
 Said parcel contains 10.53 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 REPLAT OF LOTS 6-11, 21-23, 25, 27, 29 AND 31 OF COMSTOCK ESTATES, FILING NO. EIGHT 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 Silverplume, Jasper, Placer, Celestite and Comstock Drives and Outlot A 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 REPLAT OF LOTS 6-11, 21-23, 25, 27, 29 AND 31 OF COMSTOCK ESTATES, FILING NO. EIGHT and further, hereby grant 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 22nd day of July, 2004.

By: [Signature]
Manager

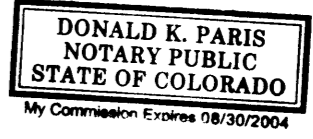
NOTARY PUBLIC CERTIFICATION

State of Colorado
County of Mesa

The foregoing Certificate of Dedication and ownership was acknowledged before me this 22 day of July, A.D. 2004, by Clifton Anson, manager of Comstock LLC, a limited liability co.

Witness my hand and official seal

By: [Signature]
Notary Public



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 REPLAT OF LOTS 6-11, 21-23, 25, 27, 29 AND 31 OF COMSTOCK ESTATES, FILING NO. EIGHT, 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.

I further certify that this plat contains all the information required by Section 38-33.3-209, C.R.S.

Certified this 14th day of July, 2004.
By: [Signature]
David G. Nicewicz, P.L.S. 24963

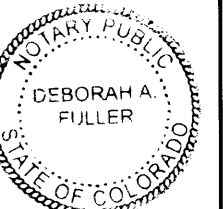
SUBORDINATION BY LIENHOLDERS

[Signature] being the holder of a promissory note secured by a deed of trust dated 11/11/03 and recorded at Reception No. 21868 in the office of the Clerk and Recorder of Mesa County, Colorado hereby consents to the subdivision of the lands set forth in this Final Plat, REPLAT OF LOTS 6-11, 21-23, 25, 27, 29 AND 31 OF COMSTOCK ESTATES, FILING NO. EIGHT, and subordinates the lien as 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 [Signature] of 1st National Bank of the Rockies Street name and number 24th Hwy W 150 City, State, and Zip Colorado Junction, CO 81505 By: [Signature], J.P. (Lien Holder signature)

State of Colorado
County of Mesa
Signed this 22 day of July, 2004.
The foregoing was acknowledged before me this 22 day of July, 2004, by [Signature] As Vice President of First National Bank of the Rockies (Lien Holder).

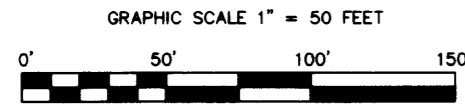
Witness my hand and official seal.
My commission expires: 8/24/2005
Notary Public [Signature]



| | | | |
|--|--|---|--|
| REPLAT OF LOTS 6-11, 21-23, 25, 27, 29 AND 31 OF COMSTOCK ESTATES - FILING NO. EIGHT BEING A REPLAT OF LOT 62, COMSTOCK ESTATES - FILING NO. SEVEN 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' | SIGNATURE BLOCK FIELD CREW: DGN, RKG DRAFTER: RKG, DGN CHECKED BY: KIN | DATE: 12/02 DATE: 12/02 DATE: 03/04 | WEST ELK LAND SURVEYING, INC. 3446 L LANE HOTCHKISS, COLORADO 81419 EMAIL: westelkland@aol.com |
| REVISIONS: DATE: 09/25/02 DATE: 02/05/03 DATE: 03/19/04 | | TITLE: REPLAT OF LOTS 6-11, 21-23, 25, 27, 29 AND 31 DATE: 7/12/04 DVG. NO. REPLATPGI SHEET 1 OF 2 | |

FINAL PLAT

REPLAT OF LOTS 6-11, 21-23, 25, 27, 29 AND 31 OF COMSTOCK ESTATES - FILING NO. EIGHT BEING A REPLAT OF LOT 62, COMSTOCK ESTATES - FILING NO. SEVEN



24963
7/14/04 *David G. Nicewicz*
David G. Nicewicz, P.L.S. 24963

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 found 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
- ⊕ Indicates found 1-1/2" Aluminum Cap or washer 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. 31155" in concrete
- ▲ Indicates set Nail and Aluminum Washer stamped LS24963 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-PO96 ELEV = 4482.04 (t) 1366.125 (m) NAVD 1988 MCGPS.

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.

CURVE TABLE

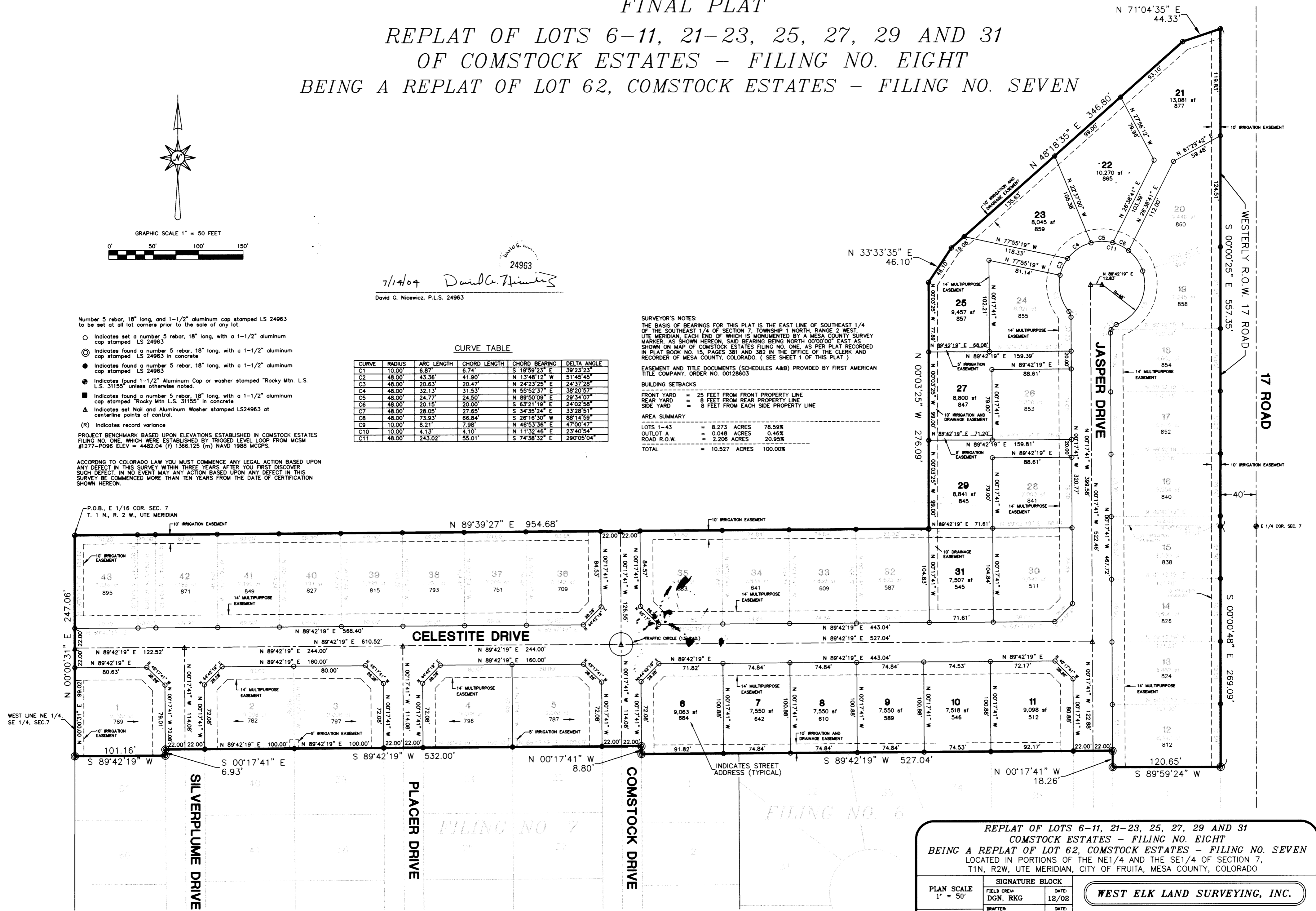
| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|--------|------------|--------------|---------------|-------------|
| C1 | 10.00' | 6.87' | 6.74' | S 19°59'23" E | 39°23'23" |
| C2 | 48.00' | 43.36' | 41.90' | N 13°48'12" W | 51°45'45" |
| C3 | 48.00' | 20.63' | 20.47' | N 24°23'25" E | 24°37'28" |
| C4 | 48.00' | 32.13' | 31.53' | N 55°52'37" E | 38°20'57" |
| C5 | 48.00' | 24.77' | 24.50' | N 89°50'09" E | 29°34'07" |
| C6 | 48.00' | 20.15' | 20.00' | S 63°21'19" E | 24°02'58" |
| C7 | 48.00' | 28.05' | 27.65' | S 34°35'24" E | 33°28'51" |
| C8 | 48.00' | 73.93' | 66.84' | S 26°16'30" W | 88°14'59" |
| C9 | 10.00' | 8.21' | 7.98' | N 46°53'36" E | 47°00'47" |
| C10 | 10.00' | 4.13' | 4.10' | N 11°32'46" E | 23°40'54" |
| C11 | 48.00' | 243.02' | 55.01' | S 74°38'32" E | 290°05'04" |

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. (SEE SHEET 1 OF THIS PLAT)

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 1-43 = 8.273 ACRES 78.59%
OUTLOT A = 0.048 ACRES 0.46%
ROAD R.O.W. = 2.206 ACRES 20.95%
TOTAL = 10.527 ACRES 100.00%



**REPLAT OF LOTS 6-11, 21-23, 25, 27, 29 AND 31
COMSTOCK ESTATES - FILING NO. EIGHT
BEING A REPLAT OF LOT 62, COMSTOCK ESTATES - FILING NO. SEVEN**
LOCATED IN PORTIONS OF THE NE 1/4 AND THE SE 1/4 OF SECTION 7,
T1N, R2W, UTE MERIDIAN, CITY OF FRUITA, MESA COUNTY, COLORADO

| | | |
|---|--|----------------|
| PLAN SCALE 1" = 50' | SIGNATURE BLOCK | |
| | FIELD CREW: DGN, RKG | DATE: 12/02 |
| REVISIONS: DATE: 09/25/02 DATE: 02/05/03 DATE: 10/20/03 DATE: 01/06/04 DATE: 03/19/04 | DRAFTER: RKG, DGN | DATE: 12/02 |
| | CHECKED BY: KIN | DATE: 03/04 |
| | WEST ELK LAND SURVEYING, INC. | |
| | 3446 L LANE HOTCHKISS, COLORADO 81419 EMAIL: westelkland@aol.com | |
| TITLE: REPLAT OF LOTS 6-11, 21-23, 25, 27, 29 AND 31 | | |
| DATE: 07/12/04 DWG. NO. REPLATPG8 SHEET 2 OF 2 | | |

RECORDER'S NOTE: INK BLOTCHES ON PLAT WHEN PRESENTED FOR RECORDING.