

CERTIFICATE OF OWNERSHIP AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That the following list are the owners of record of that real property situate in the S 1/2 SE 1/4 Section 9, Township 1 North, Range 2 West of the Ute Meridian, City of Fruita, Mesa County, Colorado, said owners do hereby plat said real property under the name and style of Brandon Estates Filing II and being more particularly described as follows:

Lots 16 thru 21, Block 2; Lots 20 thru 24, Block 3; Lots 10 thru 13, Block 5; Lots 1 thru 10, Block 6; Tracts K, L, M and a part of Tract D, BRANDON ESTATES.

That said owners do hereby dedicate and set apart real property as shown and labeled on the Plat shown hereon as follows:

All multipurpose easements to the City of Fruita for the use of City approved utilities and public providers as perpetual, non-exclusive easements for the installation, operation, maintenance and repair of utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, sanitary wastewater lines, storm sewer, water lines, telephone and telecommunications lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees and grade structures.

Tract A & B is dedicated to the City of Fruita as a perpetual, non-exclusive blanket easement for the use by the general public for park, recreation and pedestrian path purposes. Under the terms of such easement, members of the general public shall be entitled to use such property, and any improvements constructed thereon, on an equal basis with residents of the subdivision, subject to non-discriminatory rules and regulations promulgated by the Brandon Estates Homeowners Association, Inc.

All easements include the right of ingress and egress on, along, over, under, through, and across by the beneficiaries, their successors or assigns, together with the right to trim or remove interfering trees and brush; provided however, that the beneficiaries of such easements shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of lots or tracts hereby platted shall not burden or overburden said easements by erecting or placing any improvements thereon which may prevent reasonable ingress and egress to and from the easement.

IN WITNESS WHEREOF, said owners have caused their names to be hereunto subscribed this 10th day of April, A.D., 2008.

Robert W. Jones, Robert W. Jones

Phyllis L. Jones, Phyllis L. Jones

Brandon Estates, LLC

Jerry Brandon, Manager

Jerry Brandon, Manager

James Dehart II, by James Dehart II, attorney in fact

Heather J. Jones, by Heather J. Jones, attorney in fact

Peter C. Barrios, by Jerry Brandon, attorney in fact

Stacy A. Barrios, by Jerry Brandon, attorney in fact

Robert W. Jones II, by Jerry Brandon, attorney in fact

Jamara S. Kincaid, by Jamara S. Kincaid

Joel D. Kincaid, Joel D. Kincaid

Terris S. Nelson, Terris S. Nelson

T. Michael Nelson, T. Michael Nelson

Nickie A. Wilke, Nickie A. Wilke

Andrew J. Wilke, Andrew J. Wilke

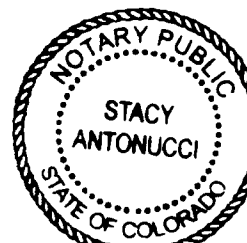
STATE OF COLORADO, COUNTY OF MESA

On this 10th day of April, A.D., 2008, before me the undersigned, personally appeared Robert W. Jones and Phyllis L. Jones, and acknowledged that they executed the foregoing Certificate of Ownership and Dedication for purposes therein contained.

IN WITNESS WHEREOF, I hereunto affix my hand and official seal.

My commission expires: 2-2-10

Stacy Antonucci, Notary Public



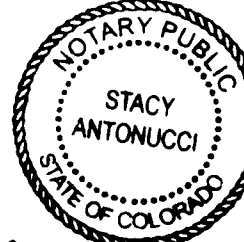
STATE OF COLORADO, COUNTY OF MESA

On this 10th day of April, A.D., 2008, before me the undersigned, personally appeared Jerry Brandon, Manager, Brandon Estates, LLC and Jerry Brandon and acknowledged that they executed the foregoing Certificate of Ownership and Dedication for purposes therein contained.

IN WITNESS WHEREOF, I hereunto affix my hand and official seal.

My commission expires: 2-2-10

Stacy Antonucci, Notary Public



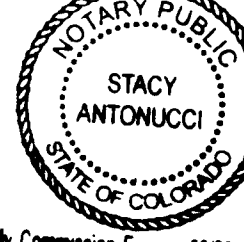
STATE OF COLORADO, COUNTY OF MESA

On this 10th day of April, A.D., 2008, before me the undersigned, personally appeared T. Michael Nelson and Terris S. Nelson, and acknowledged that they executed the foregoing Certificate of Ownership and Dedication for purposes therein contained.

IN WITNESS WHEREOF, I hereunto affix my hand and official seal.

My commission expires: 2-2-10

Stacy Antonucci, Notary Public



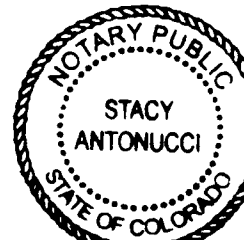
STATE OF COLORADO, COUNTY OF MESA

On this 10th day of April, A.D., 2008, before me the undersigned, personally appeared Andrew J. Wilke and Nickie A. Wilke, and acknowledged that they executed the foregoing Certificate of Ownership and Dedication for purposes therein contained.

IN WITNESS WHEREOF, I hereunto affix my hand and official seal.

My commission expires: 2-2-10

Stacy Antonucci, Notary Public



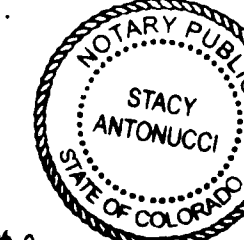
STATE OF COLORADO, COUNTY OF MESA

On this 10th day of April, A.D., 2008, before me the undersigned, personally appeared Joel D. Kincaid and Tamara S. Kincaid and acknowledged that they executed the foregoing Certificate of Ownership and Dedication for purposes therein contained.

IN WITNESS WHEREOF, I hereunto affix my hand and official seal.

My commission expires: 2-2-10

Stacy Antonucci, Notary Public



STATE OF COLORADO, COUNTY OF MESA

On this 10th day of April, A.D., 2008, before me the undersigned, personally appeared Jerry Brandon as attorney in fact for James Dehart II; Robert W. Jones II and Heather J. Jones; Peter C. Barrios and Stacy A. Barrios; and acknowledged that they executed the foregoing Certificate of Ownership and Dedication for purposes therein contained.

IN WITNESS WHEREOF, I hereunto affix my hand and official seal.

My commission expires: 2-2-10

Stacy Antonucci, Notary Public



FINAL PLAT

BRANDON ESTATES FILING II

A REPLAT OF LOTS 16-21, BLOCK 2; LOTS 20-24, BLOCK 3; LOTS 10-13, BLOCK 5; LOTS 1-10, BLOCK 6; TRACTS K, L, M and a part of Tract D, BRANDON ESTATES S 1/2 SE 1/4, SEC. 9, T1N, R2W, U.M. CITY OF FRUITA, MESA COUNTY, COLORADO

CITY COUNCIL CERTIFICATE

This Plat approved by the City Council of the City of Fruita, Colorado,

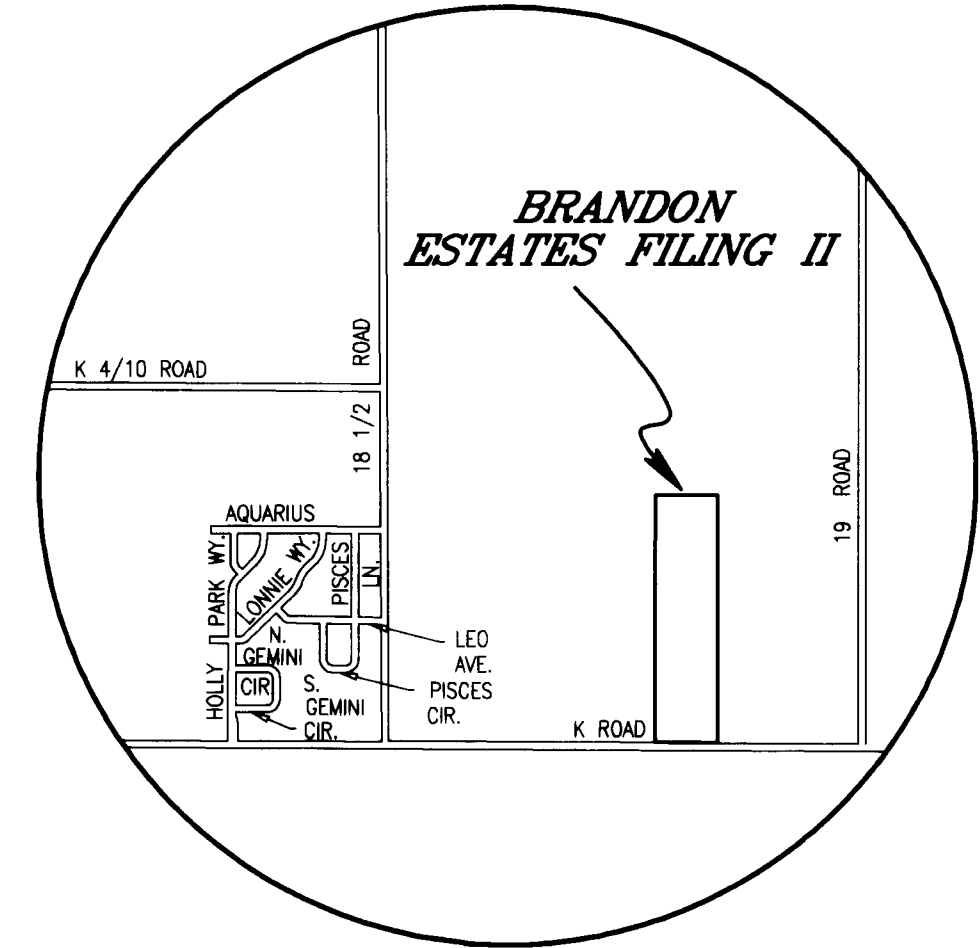
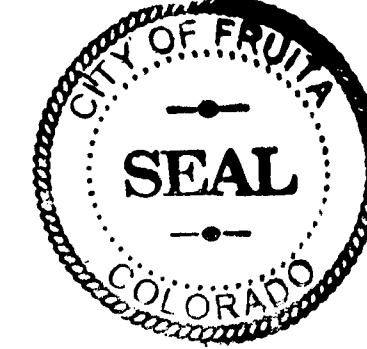
this 1st day of May, A.D., 2008, for the filing with the Clerk and Recorder of Mesa County, Colorado, and for conveyance or dedication to the City of the public dedications shown hereon; subject to the provision that approval in no way obligates the City of Fruita for financing or construction of improvements on said lands, streets or easements dedicated to the City except as specifically agreed to by the City Council of the City of Fruita. Further, said approval in no way obligates the City of Fruita for maintenance of public improvements until construction of said improvements have 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, sub-surface geology, ground water conditions, or flooding conditions of any lot shown hereon are such that a planning clearance, building 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, street lighting, street signs, other traffic control devices, flood protection devices, drainage structures, and all 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

Lizbeth Arroyo, Mayor

Witness my hand and official seal of the City of Fruita, ATTEST:

Margaret Putman, City Clerk



VICINITY MAP N.T.S.

TITLE CERTIFICATE

Land Title Guarantee Company does hereby certify that it has examined the title to all lands shown on this Plat and that title to such lands is vested in Robert W. Jones, Phyllis L. Jones, Brandon Enterprises, LLC, Jerry Brandon, T. Michael Nelson, Terri S. Nelson, Andrew J. Wilke, Nickie A. Wilke, James Dehart II, Heather J. Jones, Robert W. Jones II, Joel D. Kincaid, Tamara S. Kincaid, Peter C. Barrios and Stacy A. Barrios is free and clear of all liens, taxes and encumbrances, except as follows:

Rocky Mountain Civil Inc. Book 4615 Page 836; Bank of Colorado Book 4554 Page 804 Book 4629 Page 944; Community Banks of Colorado Book 4448 Page 90; GN Mortgage, LLC book 4425 Page 1; RThird Investments, LLC Book 4359 Page 515; Grand Valley National Bank Book 4344 Page 462, Book 4494 Page 847; RJHJ, LLC Book 4574 Page 358; Alpine Bank Book 4364 Page 962.

EXECUTED this 7th day of April, A.D., 2008.

Karen A. Crepin, Examiner

CLERK AND RECORDER'S CERTIFICATE

This plat was accepted for filing in the office of the Clerk and Recorder of Mesa County, Colorado at 3:09 o'clock P.M., on this 28th day of May, A.D. 2008, and was recorded at Reception No. 2441496, Book 4671 and Page 122 & 123 Drawer No. 11-119 and Fees \$200.00 + 1.25 sc

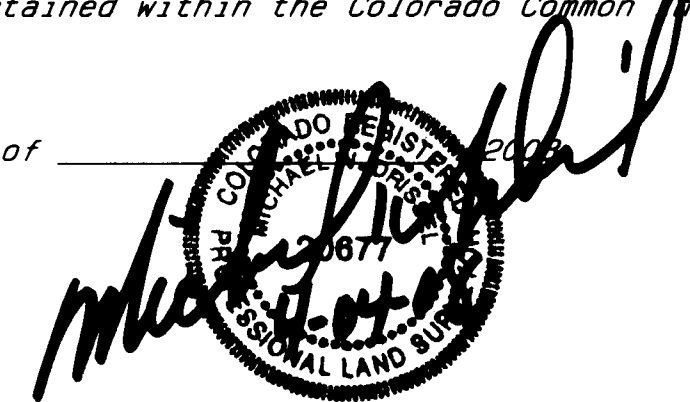
James Rich, Clerk and Recorder

Carol Lutz Rose, Deputy

SURVEYOR'S CERTIFICATE

I, Michael W. Drissel, do 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 Brandon Estates Filing II as laid out, platted, dedicated and shown hereon, that such Plat was made from an accurate survey of said property by me or under my direct supervision and correctly shows the location and dimensions of the lots, in compliance with Title 38, Article 51, C.R.S., as amended, and all other applicable regulations governing the subdivision of land. I further certify that this Plat contains all of the applicable information required by Section 38-33, 9-209, C.R.S., contained within the Colorado Common Interest Ownership Act.

Executed this \_\_\_ day of \_\_\_, 2008. Michael W. Drissel PLS



PLAT NOTES

All Irrigation Easements and Tracts A - D will be conveyed to the Brandon Estates Homeowner's Association will be granted by separate legal instrument.

"RIGHT TO FARM ACT NOTICE: This development is located in an agricultural area. It is hereby recognized that agricultural operations may continue pursuant to C.R.S. 35-3.5-101 et seq."

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.

Declarations of Protective Covenants are filed in Book 4358 at Pages 336-362, Reception #3365064.

FINAL PLAT BRANDON ESTATES FILING II LOCATED IN THE S 1/2 SE 1/4, SEC. 9, T1N, R2W, U.M. CITY OF FRUITA, MESA COUNTY, COLORADO. D H SURVEYS INC. 118 OURAY AVE. - GRAND JUNCTION, CO. (970) 245-8749. Includes table with fields for Designed By, Checked By, Job No., Date, and Sheet.

# FINAL PLAT

## BRANDON ESTATES FILING II

A REPLAT OF LOTS 16-21, BLOCK 2; LOTS 20-24, BLOCK 3; LOTS 10-13, BLOCK 5; LOTS 1-10, BLOCK 6; TRACTS K, L, M and a part of Tract D, BRANDON ESTATES S 1/2 SE 1/4, SEC. 9, T1N, R2W, U.M. CITY OF FRUITA, MESA COUNTY, COLORADO

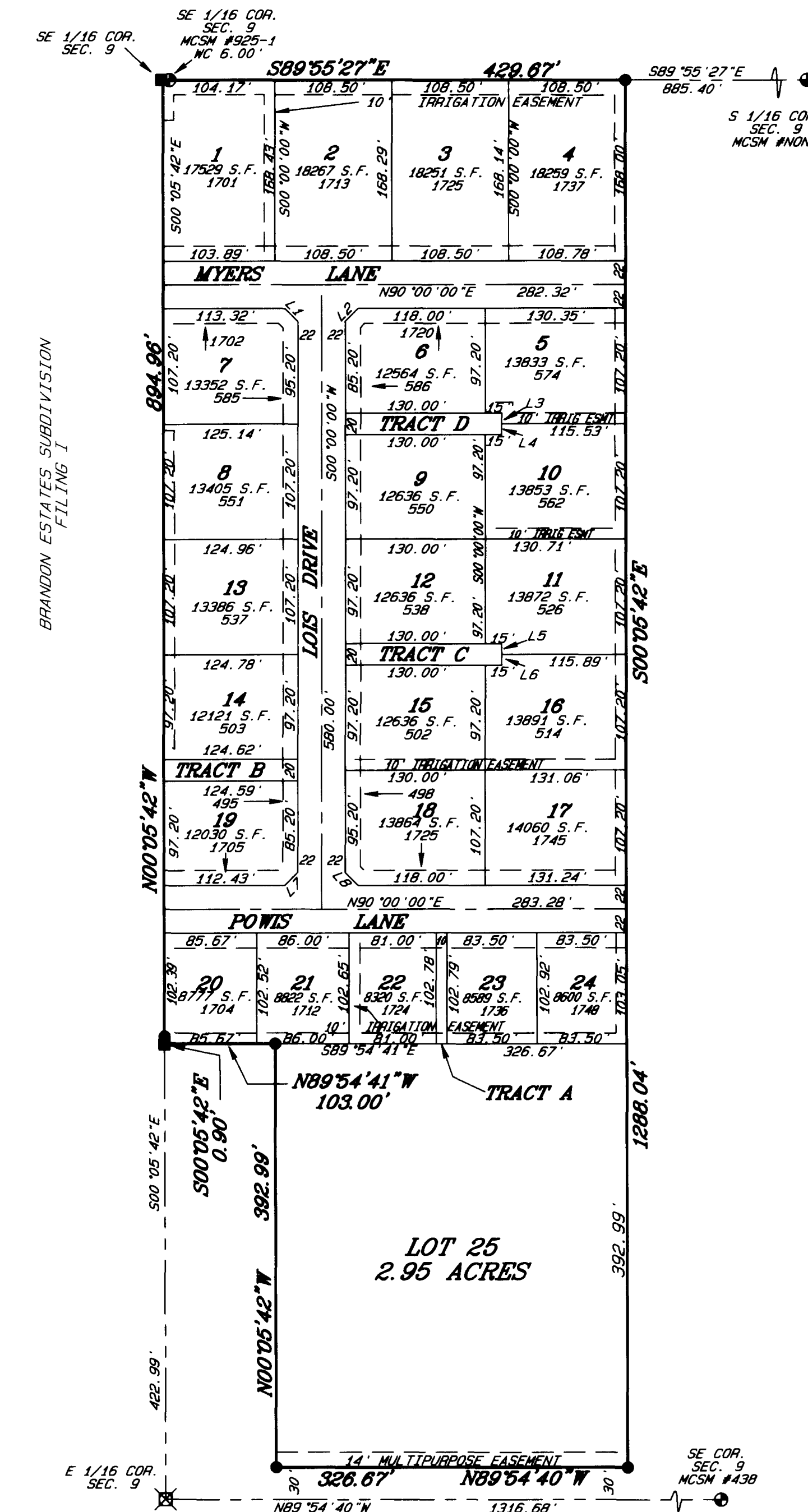
**CENTER LINE & LOT DIMENSIONS**

L1	16.97'	N45°00'00"W
L2	16.97'	S45°00'00"W
L3	10.00'	S00°00'00"W
L4	10.00'	N00°00'00"E
L5	10.00'	S00°00'00"W
L6	10.00'	N00°00'00"E
L7	16.97'	N45°00'00"E
L8	16.97'	S45°00'00"E

**TRACT DESCRIPTIONS**

TRACT A, designated for sewer lines.  
 TRACT B designated as pedestrian path.  
 TRACTS C & D, shared access for specific lots.

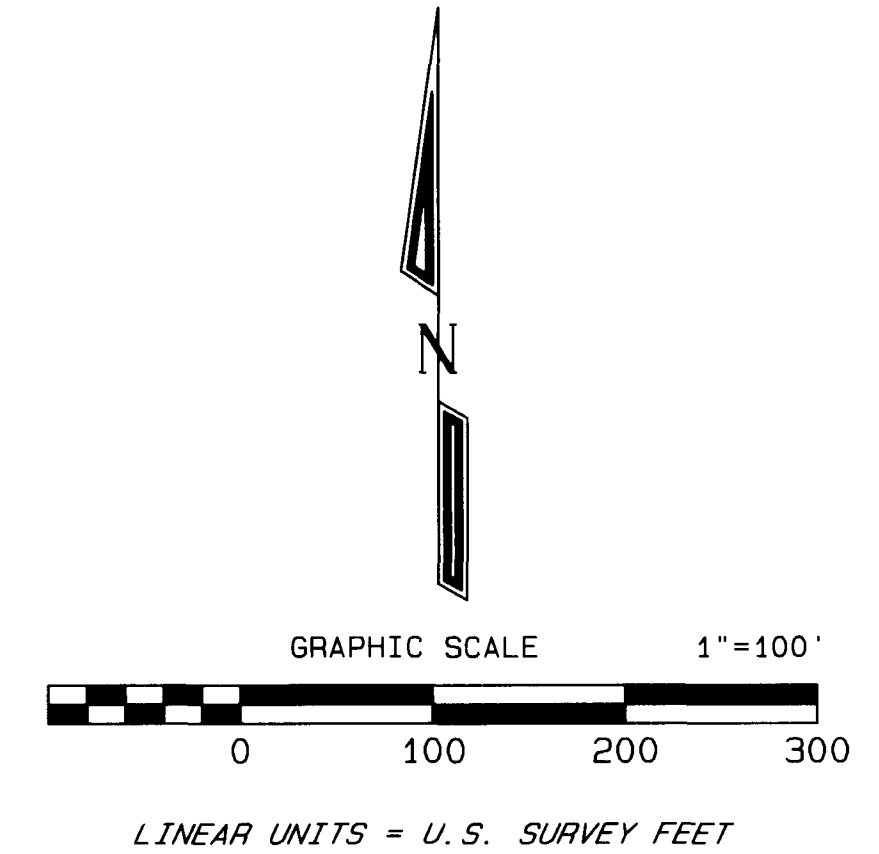
All Tracts are to be conveyed to the Brandon Estates Homeowner's Association



- LEGEND & ABBREVIATIONS**
- FOUND MESA COUNTY SURVEY MARKER
  - ⊗ FOUND 2" ALUMINUM CAP IN MONUMENT BOX STAMPED LS 24943
  - FOUND #5 REBAR W/1.5" ALUMINUM CAP STAMPED VISTA LS 19597
  - ▲ FOUND #5 REBAR W/2.5" ALUMINUM CAP STAMPED LS 31160
  - SET #5 REBAR W/2" ALUMINUM CAP STAMPED D H SURVEYS LS 20677
- EXTERIOR MONUMENTATION SET IN CONCRETE
- G. V. A. L. C. S. = GRAND VALLEY AREA LOCAL COORDINATE SYSTEM  
 MCSM = MESA COUNTY SURVEY MARKER  
 W.C. = WITNESS CORNER  
 S.F. = SQUARE FEET

**LAND USE SUMMARY**

LOT 1	17529 SQ. FT.	SINGLE FAMILY
LOT 2	18267 SQ. FT.	SINGLE FAMILY
LOT 3	18251 SQ. FT.	SINGLE FAMILY
LOT 4	18259 SQ. FT.	SINGLE FAMILY
LOT 5	13833 SQ. FT.	SINGLE FAMILY
LOT 6	12564 SQ. FT.	SINGLE FAMILY
LOT 7	13352 SQ. FT.	SINGLE FAMILY
LOT 8	13405 SQ. FT.	SINGLE FAMILY
LOT 9	12636 SQ. FT.	SINGLE FAMILY
LOT 10	13853 SQ. FT.	SINGLE FAMILY
LOT 11	13872 SQ. FT.	SINGLE FAMILY
LOT 12	12636 SQ. FT.	SINGLE FAMILY
LOT 13	13386 SQ. FT.	SINGLE FAMILY
LOT 14	12121 SQ. FT.	SINGLE FAMILY
LOT 15	12636 SQ. FT.	SINGLE FAMILY
LOT 16	13891 SQ. FT.	SINGLE FAMILY
LOT 17	14060 SQ. FT.	SINGLE FAMILY
LOT 18	13864 SQ. FT.	SINGLE FAMILY
LOT 19	12030 SQ. FT.	SINGLE FAMILY
LOT 20	8777 SQ. FT.	SINGLE FAMILY
LOT 21	8822 SQ. FT.	SINGLE FAMILY
LOT 22	8320 SQ. FT.	SINGLE FAMILY
LOT 23	8589 SQ. FT.	SINGLE FAMILY
LOT 24	8600 SQ. FT.	SINGLE FAMILY
LOT 25	2.95 ACRES	SINGLE FAMILY
TRACT A	1028 SQ. FT.	SEWER LINES
TRACT B	2492 SQ. FT.	PEDESTRIAN PATH
TRACT C	2900 SQ. FT.	SHARED ACCESS
TRACT D	2900 SQ. FT.	SHARED ACCESS
<b>TOTAL = 10.36 ACRES</b>		



**PLAT NOTES**

All lots have a 14' Multipurpose Easement along the street frontage.



FINAL PLAT  
**BRANDON ESTATES FILING II**  
 LOCATED IN THE  
 S 1/2 SE 1/4, SEC. 9, T1N, R2W, U.M.  
 CITY OF FRUITA, MESA COUNTY, COLORADO

**D H SURVEYS INC.**  
 118 OURAY AVE. - GRAND JUNCTION, CO.  
 (970) 245-8749

Designed By	M. N. D.	Checked By	S. L. H.	Job No.	813-05-07
Drawn By	TMODEL	Date	APRIL 2008	Sheet	2 OF 2