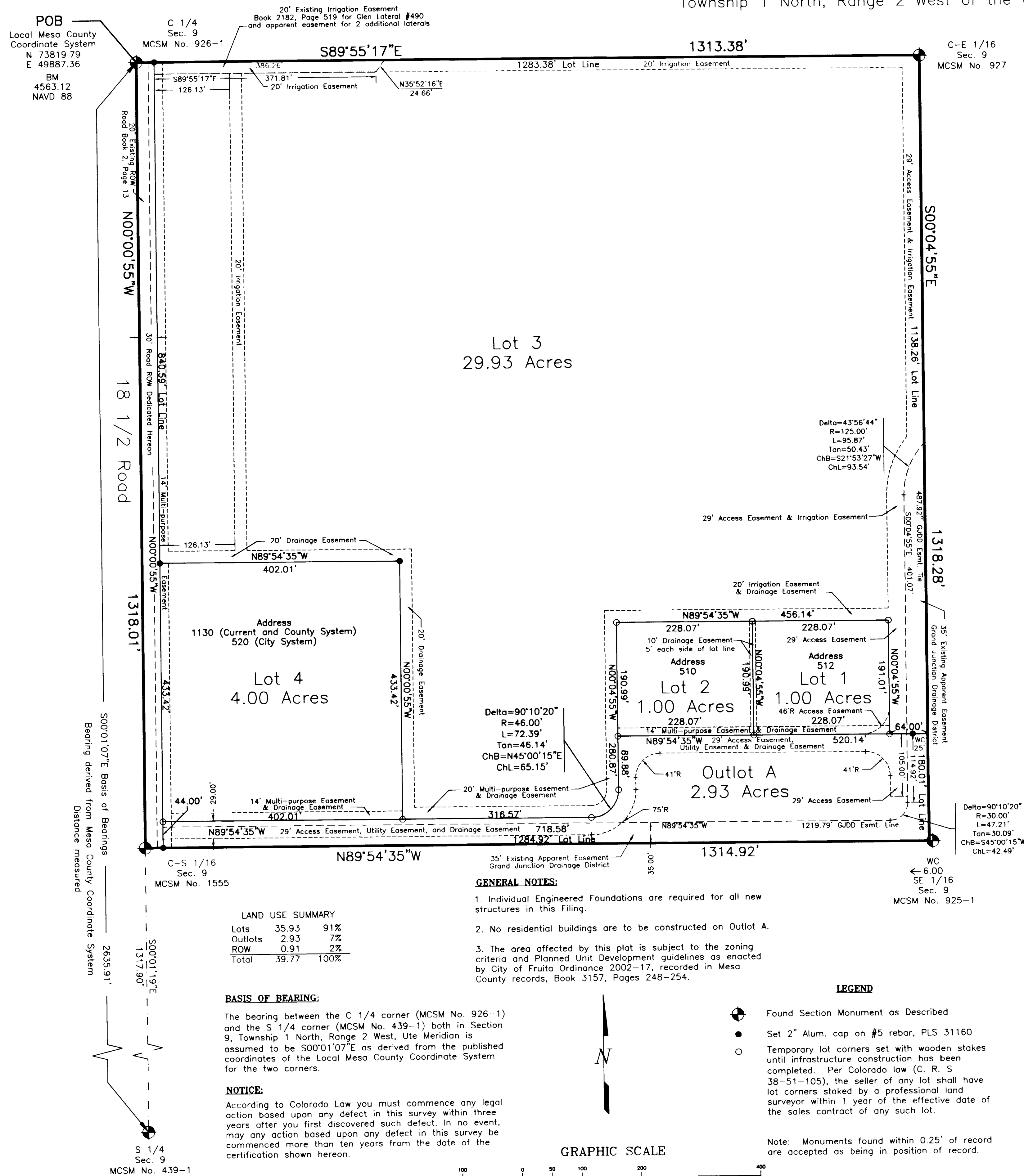


# Final Plat Burenheide Estates Filing No. 1

The NW 1/4 SE 1/4 Section 9,  
Township 1 North, Range 2 West of the Ute Meridian, Mesa County, Colorado



**LAND USE SUMMARY**

Lots	35.93	91%
Outlots	2.93	7%
ROW	0.91	2%
Total	39.77	100%

**BASE OF BEARING:**

The bearing between the C 1/4 corner (MCSM No. 926-1) and the S 1/4 corner (MCSM No. 439-1) both in Section 9, Township 1 North, Range 2 West, Ute Meridian is assumed to be S00°01'07"E as derived from the published coordinates of the Local Mesa County Coordinate System for the two corners.

**NOTICE:**

According to Colorado Law you must commence any legal action based upon any defect in this survey within three years after you first discovered 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.

**GENERAL NOTES:**

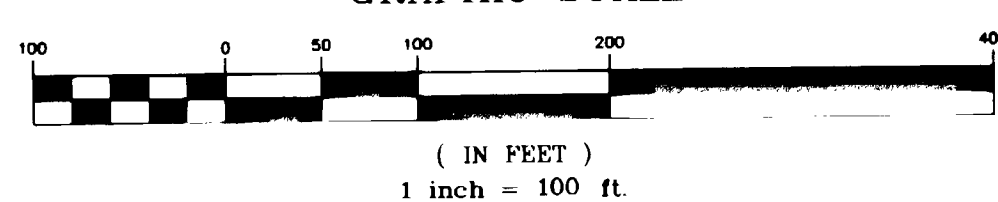
- Individual Engineered Foundations are required for all new structures in this filing.
- No residential buildings are to be constructed on Outlot A.
- The area affected by this plat is subject to the zoning criteria and Planned Unit Development guidelines as enacted by City of Fruita Ordinance 2002-17, recorded in Mesa County records, Book 3157, Pages 248-254.

**LEGEND**

- Found Section Monument as Described
- Set 2" Alum. cap on #5 rebar, PLS 31160
- Temporary lot corners set with wooden stakes until infrastructure construction has been completed. Per Colorado law (C. R. S. 38-51-105), the seller of any lot shall have lot corners staked by a professional land surveyor within 1 year of the effective date of the sales contract of any such lot.

Note: Monuments found within 0.25' of record are accepted as being in position of record.

**GRAPHIC SCALE**



**CERTIFICATE OF DEDICATION AND OWNERSHIP:**

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, Omer J. Burenheide and Phyllis E. Burenheide, are the owners of that real property in the SE 1/4 Section 9, Township 1 North, Range 2 West of the Ute Meridian, Mesa County, Colorado, as evidenced by deed recorded in Mesa County Clerk and Recorder's records in Book 890, Page 708, Described as follows:

The NW 1/4 SE 1/4 Section 9, Township 1 North, Range 2 West of the Ute Meridian, Mesa County, Colorado, more particularly described by metes and bounds as follows:

BEGINNING at the C 1/4 corner of said Section 9 whence the C-S 1/16 corner of said Section 9 bears S00°00'55"E, 1318.01 feet with all other bearings contained herein being relative thereto; thence, S89°55'17"E along the north line of said NW 1/4 SE 1/4, 1313.38 feet to the C-E 1/16 corner of said Section 9; thence, S00°04'55"E along the east line of said NW 1/4 SE 1/4, 1318.28 feet to the SE 1/16 corner of said Section 9; thence, N89°54'35"W along the south line of said NW 1/4 SE 1/4, 1314.92 feet to the C-S 1/16 corner of said Section 9; thence, N00°00'55"W along the west line of said NW 1/4 SE 1/4, 1318.01 feet to the POINT OF BEGINNING; containing 39.77 acres.

That said owners have caused the said property to be laid out and platted as BURENHEIDE ESTATES FILING NO. 1.

That said owners do hereby dedicate and set apart all of the streets and roads as shown on the accompanying plat to City of Fruita for the use of the public forever;

That said owners do hereby dedicate those portions of said real property which are labeled as multi-purpose easements and utility easements on the accompanying plat to the City of Fruita as perpetual non-exclusive easements for the installation, operation, maintenance and repair of approved utilities and appurtenances including, but not limited to, electric lines, cable TV lines, natural gas pipelines, waste water lines, sanitary sewer lines, water lines, and telephone lines.

That said owners do hereby dedicate those portions of said real property which are labeled as access easements on the accompanying plat to the City of Fruita as perpetual non-exclusive emergency services access easements for approved emergency services providers;

That said owners do hereby reserve that area designated as a 20' Existing Irrigation Easement Book 2182, Page 519 for Glen Lateral #490 and apparent easement for 2 additional laterals on the accompanying plat for the benefit of the users of said laterals as non-exclusive irrigation easements.

That said owners do hereby grant those areas designated as non specified irrigation and/or drainage easements on the accompanying plat to the Home Owners Association as non-exclusive easements for the installation and maintenance of irrigation and drainage facilities, said grant to be made by separate instrument;

That said owners do hereby reserve those areas designated as access easements on the accompanying plat to be granted to the owners of the lots so served as non-exclusive access easements, said grants to be made by separate instruments at the time ownership of said lots are transferred.

That said owners do hereby grant that area designated as an access easement within Outlot A on the accompanying plat to Grand Junction Drainage District as a non-exclusive access and maintenance easement for their drainage facilities now located or planned therein, said grant to be made by separate instrument;

That said owners do hereby grant that area designated as a 35' Existing Apparent Easement, Grand Junction Drainage District on the accompanying plat to the Grand Junction Drainage District as a non-exclusive easement for drainage purposes and for the access and maintenance thereof, said grant to be made by separate instrument.

That said owners do hereby grant that area labeled as Outlot A on the accompanying plat to the Grand Junction Drainage District to construct, operate and maintain drainage retention and detention facilities; said grant to be made by separate instrument.

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/owners shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of said parcels 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 easements.

The covenants are recorded in Book 3369, Pages 330.

There are no lien holders for the described property.

In witness whereof said owners have caused their names to be hereunto subscribed.

Omer J. Burenheide  
Phyllis E. Burenheide

STATE OF COLORADO }  
COUNTY OF MESA } SS

The foregoing Certificate of Dedication and Ownership was acknowledged before me by Omer J. Burenheide and Phyllis E. Burenheide this 6<sup>th</sup> day of May A.D. 2003.

Witness my hand and official seal  
Notary Public  
My commission expires 7/3/04

**TITLE COMPANY'S CERTIFICATE:**

Abstract and Title Company of Mesa County, Inc. ("Company") has examined the title to lands included within the boundary of this plat of the Burenheide Estates Filing No. 1 and certifies that the title to such land is vested in Omer J. Burenheide and Phyllis E. Burenheide, as Joint Tenants, as shown hereon. The property is free and clear of all liens and taxes as evidenced by Title commitment No. 00907201 C and C2 issued by the Company.

Scott Williams, President  
Abstract and Title Company of Mesa County, Inc. 5/6/03 date

**PLANNING COMMISSION'S CERTIFICATE:**

This Plat is approved by the City of Fruita, Colorado, Planning Commission on this 1<sup>st</sup> day of May A.D. 2003.

Chairman, Planning Commission

**CITY COUNCIL CERTIFICATE:**

This Plat approved by the City Council of the City of Fruita, Colorado on this 7<sup>th</sup> day of May A.D. 2003, for filing with the Clerk and Recorder of Mesa County, Colorado, and for conveyance or dedication to the City of 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 public 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 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, sub-surface 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 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 Fruita City Council.

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

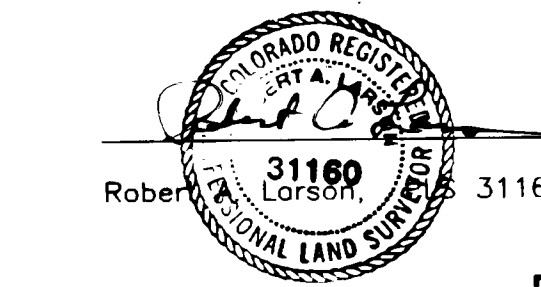
Mayor  
City Clerk

**CLERK AND RECORDER'S CERTIFICATE**

STATE OF COLORADO }  
COUNTY OF MESA } SS  
I hereby certify that this instrument was filed in my office at 11:04 o'clock A.M. this 28<sup>th</sup> day of May A.D. 2003, and is duly recorded in Plat Book No. 19, Page 329  
Reception No. 2123990, Drawer No. NN-109  
Clerk and Recorder Deputy Fees

**SURVEYOR'S CERTIFICATE:**

I, Robert A. Larson, 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 the Burenheide Estates Filing No. 1, 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, staked upon the ground in compliance with Title 38, Article 51, C. R. S., as amended, and all other regulations governing the subdivision of land. I further certify that this plat contains all of the information required by Section 38-33.3-209, C. R. S., contained within the Colorado Common Interest Ownership Act.



Merritt IS, L.L.C.  
2004 N. 12th St., #4, Grand Junction, CO. 81501  
PHONE (970) 255-7386 FAX (970) 243-8515

**Burenheide Estates Filing No. 1**  
The NW1/4 SE 1/4 Section 9  
Township 1 North, Range 2 West  
Ute Meridian, Mesa County, Colorado

DATE: May 3, 2003	SCALE: 1" = 100'
DRAWN: TWS	CHK: RAL
PROJECT NO. 0204	SHEET 1 OF 1