

FINAL PLAT ELMWOOD HORIZON SUBDIVISION

A RE-PLAT OF LOT 2, SILVER TRUMPET MINOR SUBDIVISION
W 1/2 NW 1/4, SEC. 8, T1N, R2W, U.M.

CERTIFICATE OF OWNERSHIP AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS That New Elmwood Cemetery District is the owner of record of that real property situate in the W 1/2 NW 1/4 of Section 8, Township 1 North, Range 2 West of the Ute Meridian, City of Fruita, Mesa County, State of Colorado, the ownership of which is demonstrated at Book 3777, Page 90 of the records in the office of the Mesa County Clerk and Recorder. Said owners do hereby plat said real property under the name and style of **ELMWOOD HORIZON SUBDIVISION** and being more particularly described as follows:

Lot 2, Silver Trumpet Minor Subdivision,
City of Fruita, Mesa County, Colorado.
Said parcel contains 10.46 acres more or less.

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

Elmwood Court is dedicated for the use of the public forever.

The 14' 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 sewers, water lines, telephone and telecommunications lines, and also for the installation and maintenance of traffic control facilities, street lighting, landscaping, trees and grade structures.

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.

Said owner hereby acknowledges that all lienholders or encumbrancers, if any, associated with the interests of this Plat have been represented hereon.

IN WITNESS WHEREOF, said owner, New Elmwood Cemetery District has caused its name to be hereunto subscribed this 22 day of NOVEMBER, A.D., 2006.

New Elmwood Cemetery District

H Kenneth Henry
President

STATE OF COLORADO)
County of Mesa) ss.

On this 22nd day of November, A.D. 2006, before me the undersigned officer, personally appeared H Kenneth Henry and acknowledged that they executed the foregoing Certificate of Ownership and Dedication for the purposes therein contained.

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

My commission expires: 9-29-2010

Cynthia A. Spade
Notary Public



PLAT NOTES

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.

CITY COUNCIL CERTIFICATE

This Plat approved by the City Council of the City of Fruita, Colorado, this _____ day of _____, A.D., 2006, 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 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

By: [Signature]
Mayor

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

[Signature]
City Clerk



PLANNING COMMISSION CERTIFICATE

This Plat approved by the City of Fruita Planning Commission the 30th day of November, A.D., 2006.

[Signature]
Chairman

TITLE CERTIFICATE

Meridian Land Title, LLC does hereby certify that I have examined the title to all lands shown on this Plat and that title to such lands is vested in New Elmwood Cemetery District and is free and clear of all liens, taxes and encumbrances, except as follows:

DEED OF TRUST: BOOK 3777 PAGE 90 TO AMERICAN NATIONAL BANK

EXECUTED this 29th day of NOVEMBER, A.D., 2006.

BY: [Signature]
LAWRENCE D. VENT
EXAMINER

CLERK AND RECORDER'S CERTIFICATE

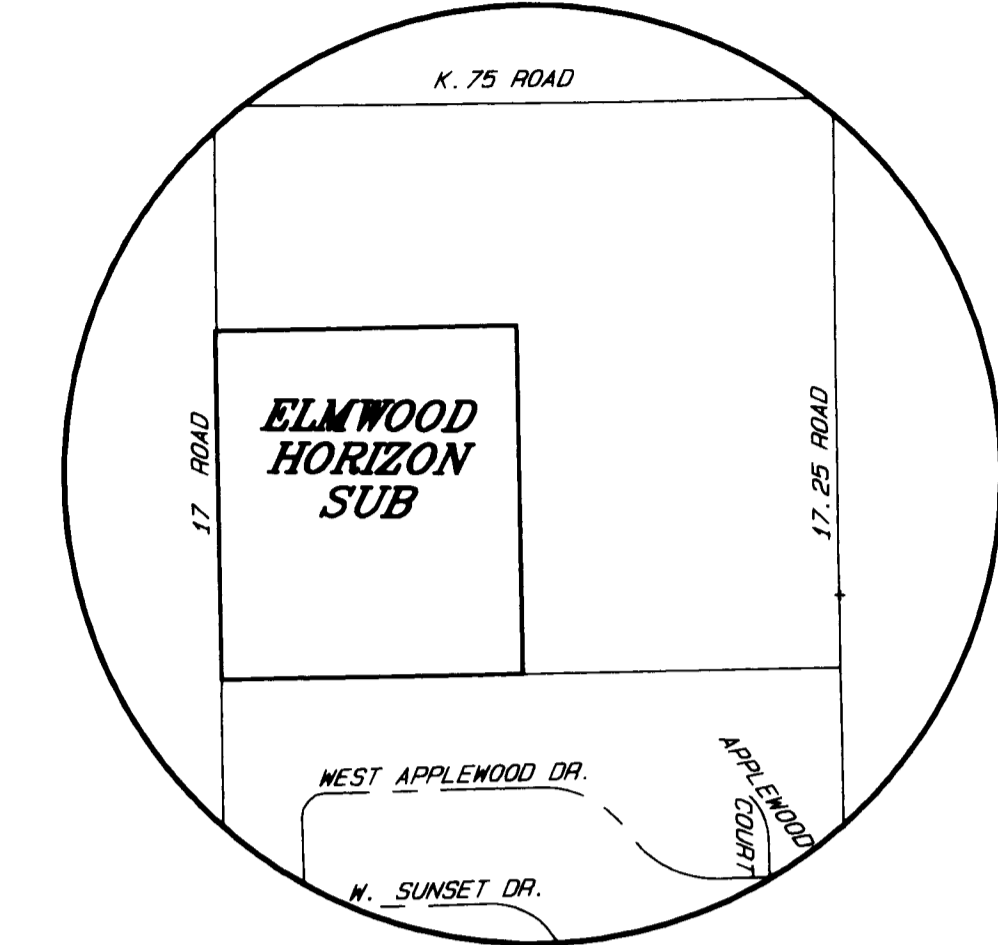
STATE OF COLORADO)
County of Mesa) ss.

This Plat was filed for record in the office of the Mesa County Clerk and Recorder at 10:22 A.M., on this 13th day of December, A.D., 2006 in Book 4313, Page 715-716, Reception No. 2353320
Fee: \$ 20.00 + \$1.00 Drawer: SS-126

[Signature]
Mesa County Clerk and Recorder

[Signature]
Deputy

Declarations of Protective Covenants are filed in Book 4313 at Pages 758-770
Reception No. 2353327-2353329



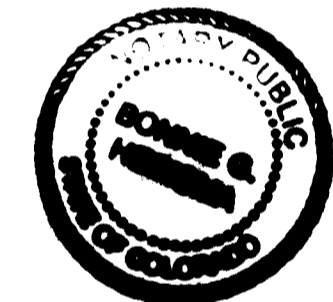
VICINITY MAP
N.T.S.

SUBORDINATION BY LIENHOLDERS

American National Bank being the holder of a promissory note secured by a Deed of Trust dated October 22, 2004 recorded November 10, 2004 at Book 3777, Page 90, 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, and subordinates the lien represented by the aforesaid Deed of Trust to the dedications, restrictions, covenants and conditions shown on this Final Plat.

By: American National Bank:

[Signature]
Lienholder



STATE OF COLORADO)
County of Mesa) ss.

The foregoing was acknowledged before me this 21 day of November, A.D., 2006, by Dave Zolner as President of American National Bank.
My commission expires 4-02-2008

Witness my hand and official seal [Signature]
Notary Public

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 complete Plat of **ELMWOOD HORIZON SUBDIVISION** 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 supervision and correctly shows the location and dimensions of the lots, in compliance with Title 38, Article 51, C.R.S., as amended. I further certify that this Plat contains all applicable information required by Section 38-33.3-209, C.R.S., contained within the Colorado Common Interest Ownership Act.

Executed this 14 day of NOVEMBER, 2006.
Michael W. Drissel PLS



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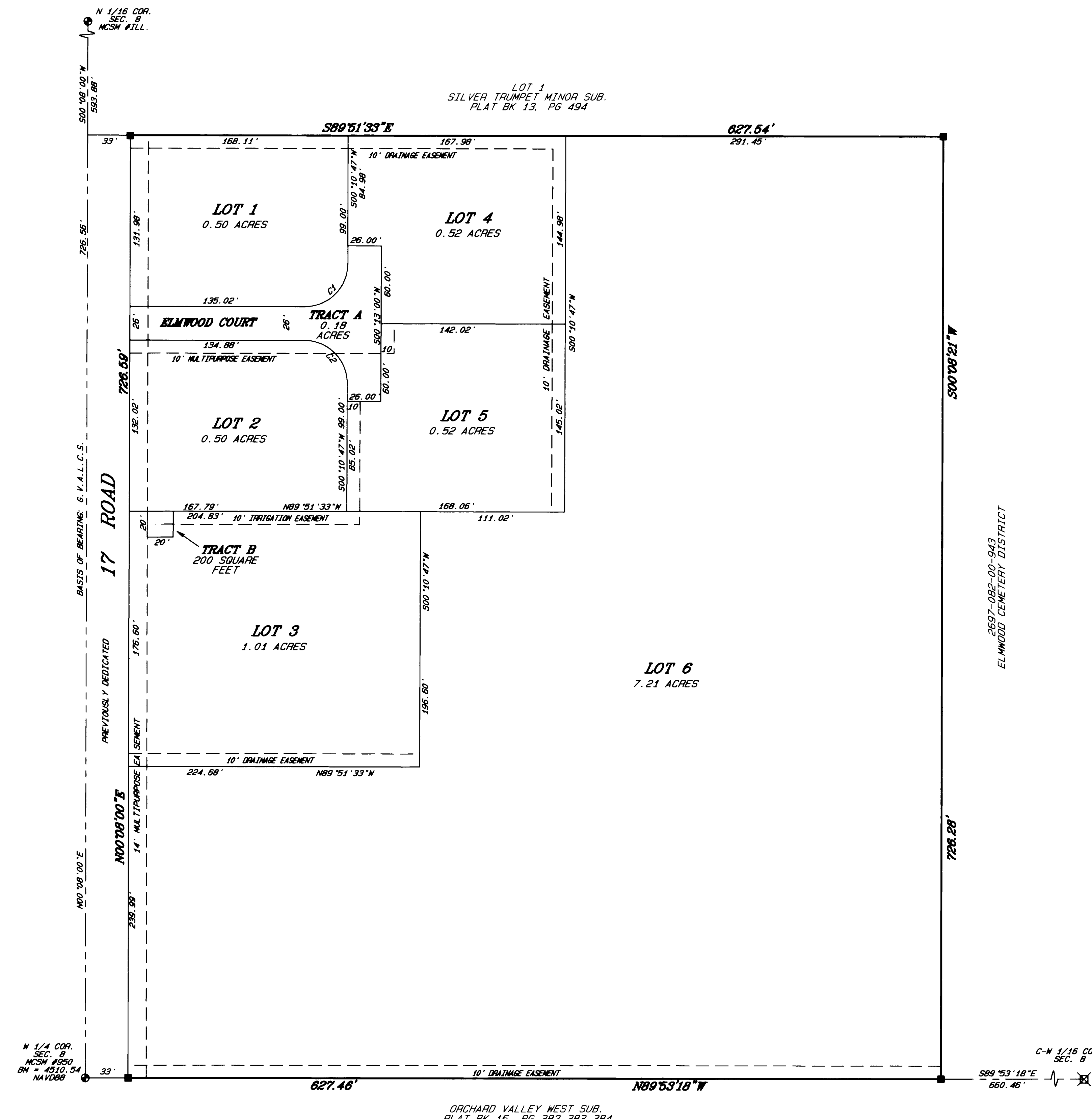
D H SURVEYS INC.
118 OURAY AVE. - GRAND JUNCTION, CO.
(970) 245-8749

Designed By	M. W. D.	Checked By	S. L. H.	Job No.	813-06-16
Drawn By	TMODEL	Date	NOV. 2006	Sheet	1 OF 2

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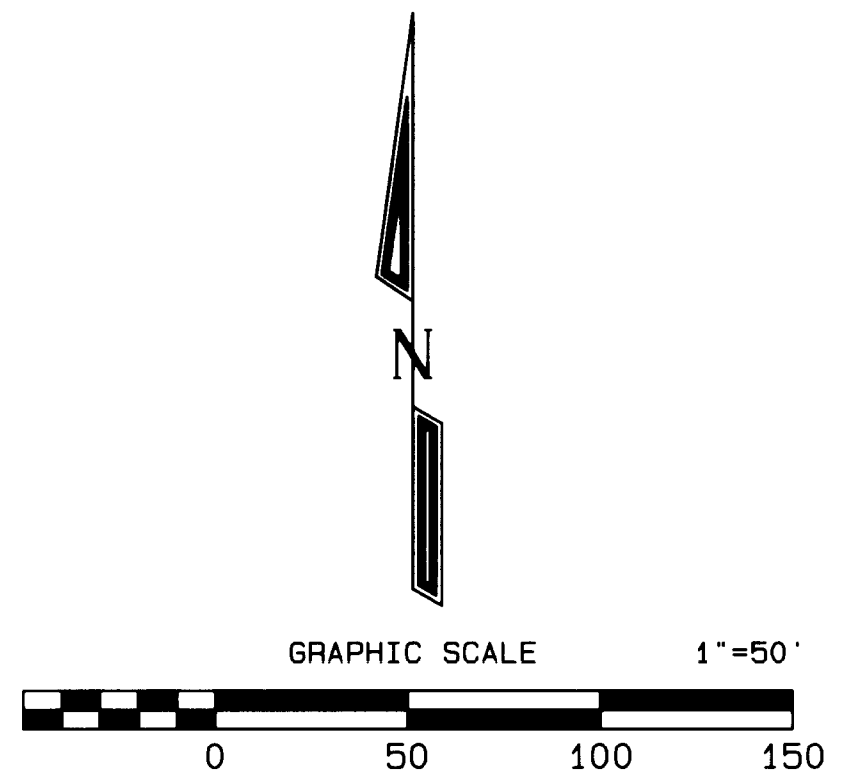
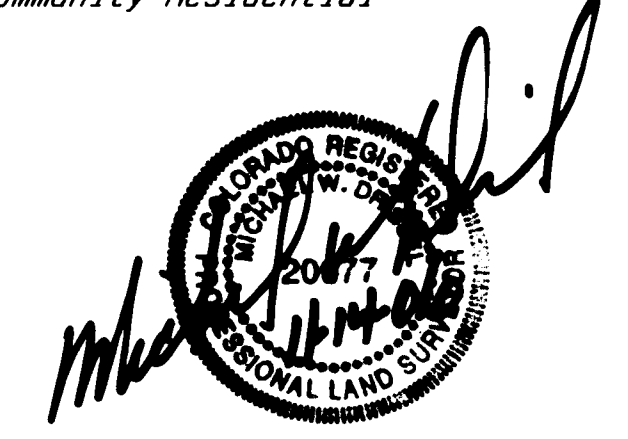
C	DELTA	ARC	RADIUS	CHORD	CHORD BEARING
C1	89°57'40"	51.81'	33.00'	46.65'	N45°09'37"E
C2	90°02'20"	51.86'	33.00'	46.68'	N44°50'23"W

LEGEND & ABBREVIATIONS

- FOUND MESA COUNTY SURVEY MARKER
- ⊗ FOUND #6 REBAR W/2.5" ALUMINUM CAP STAMPED LS 17485
- FOUND #5 REBAR W/2" ALUMINUM CAP STAMPED LS 24953
- G.V.A.L.C.S. = GRAND VALLEY AREA LOCAL COORDINATE SYSTEM
- BM = BENCHMARK
- NAVD88 = NORTH AMERICAN VERTICAL DATUM 1988

LAND USE SUMMARY

1. Total Area: 455,836 square feet (10.46 acres)
2. Acreage of developable land: 455,836 square feet (10.46 acres)
3. Proposed use of each lot: Single family dwelling units
4. Number of units: Residential units = 6
5. Residential dwelling units = single family.
6. Gross and net residential density:
Gross = 0.57 units per acre, Net = 0.58 units per acre
7. All lots will be serviced by individual 2" stub-ups for irrigation
8. Fruta Zoning will be Community Residential



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