

FINAL PLAT

MILLER'S RUN SUBDIVISION, PLANNED DEVELOPMENT

CITY COUNCIL CERTIFICATE

This plat approved by the City Council of the City of Fruita, Colorado, this 13<sup>th</sup> day of January, A.D., 2004, for the 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 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 the size, soil conditions, sub-surface geology, ground water conditions, or flooding conditions of any lot shown hereon are such that a building permit, or any other permit will be issued, this approval is with the understanding that all expenses involved require improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road signs, flood protection devices, drainage structures, and all improvements that may be required shall be the responsibility of the owner designated hereon and not the City of Fruita, unless otherwise specifically agreed to in writing by the City Council.



By: [Signature]  
City of Fruita, Mayor

and 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 13<sup>th</sup> day of January, A.D., 2004.

[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 Miller, Marais LLC and is free and clear of all liens, taxes and encumbrances, except as follows: NO LIENHOLDERS

EXECUTED this 17<sup>th</sup> day of MAY, A.D., 2004.

By: [Signature]  
LAWRENCE D. VENT/TITLE EXAMINER  
MERIDIAN LAND TITLE, LLC

CLERK AND RECORDER'S CERTIFICATE

I hereby certify that this instrument was filed for recording in my office at 2:13 o'clock P.M. this 9<sup>th</sup> day of JUNE, A.D. 2004, and is duly recorded in Book No. 2671 at page 843. Reception No. 2196140. Fees 10<sup>00</sup> / 12<sup>00</sup>. Drawer No. PP-46

[Signature]  
Deputy

[Signature]  
Clerk and Recorder

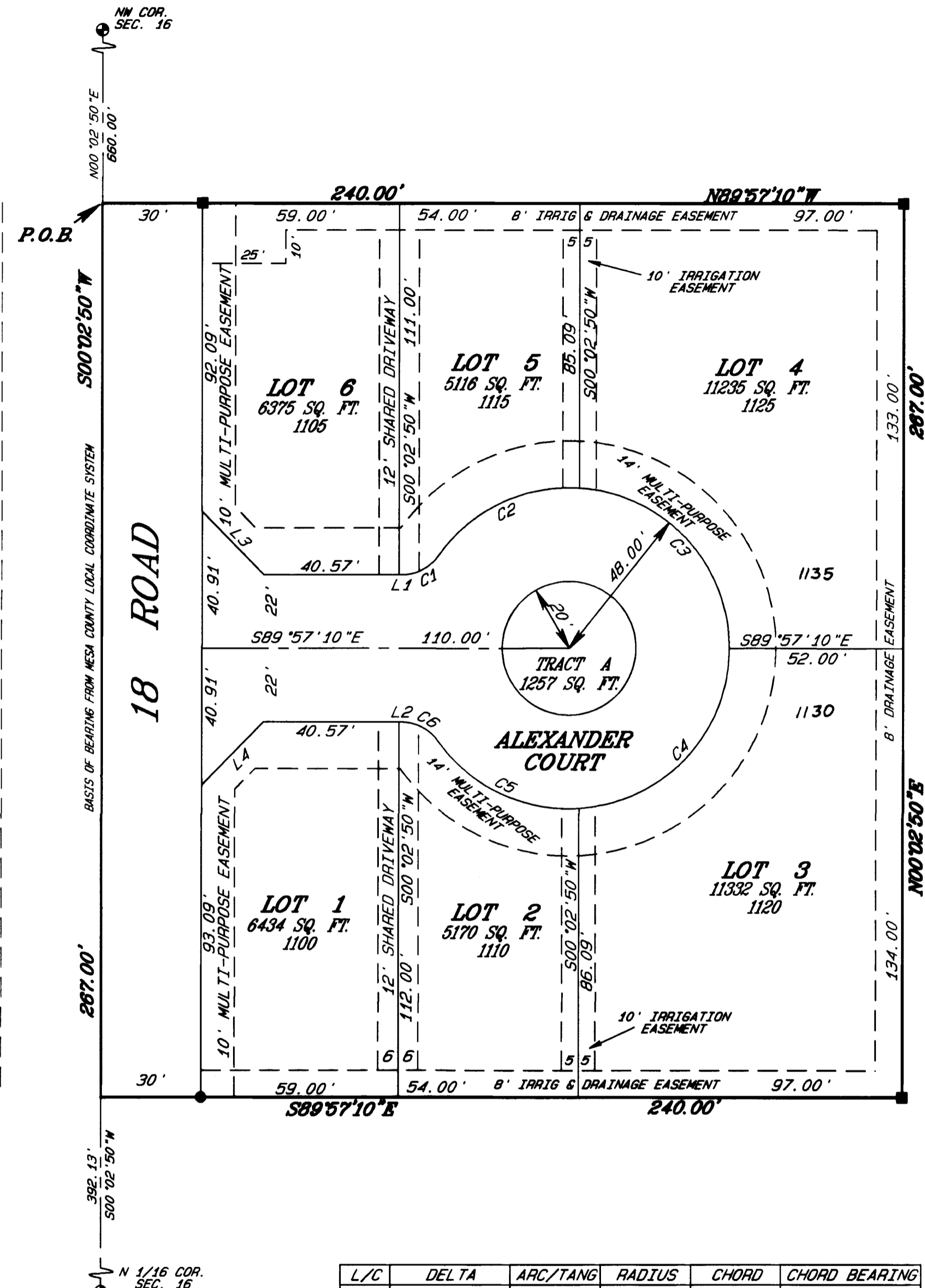
Declarations of Protective Covenants are filed in Book \_\_\_\_\_ at Pages \_\_\_\_\_  
Reception No. \_\_\_\_\_

LEGEND

- MESA COUNTY SURVEY MARKER
- FD, #5 REBAR W/1.5" ALUM. CAP STAMPED LS 24963
- SET #5 REBAR W/2" ALUM. CAP STAMPED D H SURVEYS LS 20677
- P. O. B. = POINT OF BEGINNING

AREA SUMMARY

DED. ADS	= 0.39 AC. / 27%
LOTS	= 1.05 AC. / 71%
TRACT	= 0.03 AC. / 02%
TOTAL	= 1.47 AC. / 100%



L/C	DELTA	ARC/TANG	RADIUS	CHORD	CHORD BEARING
L1		0.78			S89°57'10"E
C1	54°44'37"	12.90	13.50	12.41	N62°40'31"E
C2	58°19'37"	48.86	48.00	46.78	N64°28'01"E
C3	86°25'00"	72.40	48.00	65.73	S43°09'40"E
C4	86°25'00"	72.40	48.00	65.73	S43°15'20"W
C5	58°19'37"	48.86	48.00	46.78	N64°22'21"W
C6	54°44'37"	12.90	13.50	12.41	N62°34'51"W
L2		0.78			N89°57'10"W
L3		26.41			S44°13'39"E
L4		26.41			N44°19'19"E

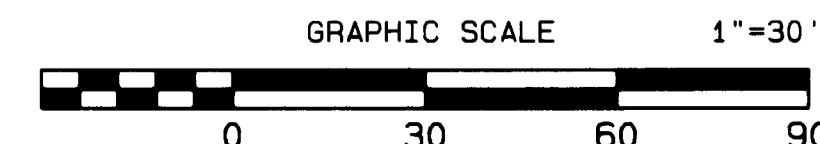
PLAT NOTES

All drainage easements shown hereon shall be conveyed to Miller's Run Homeowner's Association as perpetual easements for the installation, operation, maintenance and repair of irrigation systems and to supply and drain irrigation water and to drain stormwater, free and clear of all liens and encumbrances.

Tract A shall be conveyed to Miller's Run Homeowners Association, Inc. by separate legal instrument, free and clear of all liens and encumbrances.

"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.



CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS That the undersigned, Miller Marais LLC is the owner of that real property situated in the NW 1/4 NW 1/4 Section 16, Township 1 North, Range 2 West of the Ute Meridian, Mesa County, Colorado, being described as follows:

Commencing at the northwest corner of said Section 16, the basis of bearing being S00°02'50"W along the west line of said NW 1/4 NW 1/4 to the N 1/16 corner of said Section 16; thence S00°02'50"W a distance of 660.00 feet to the point of beginning; thence S89°57'10"E a distance of 267.00 feet; thence S89°57'10"E a distance of 240.00 feet; thence N00°02'50"E a distance of 267.00 feet; thence N89°57'10"W a distance of 240.00 feet to the point of beginning. Said parcel contains 1.47 acres more or less.

Have by these presents laid out, platted and subdivided the same into lots and blocks as shown on this plat and designate the same as MILLER'S RUN SUBDIVISION in the City of Fruita, County of Mesa, Colorado, and do hereby grant, convey, dedicate and set apart to the City of Fruita, County of Mesa, Colorado, for the public use all streets shown hereon, including drives, avenues and courts.

All Multi-purpose Easements shown hereon are hereby dedicated 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 sewer lines, storm sewer, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, irrigation lines, landscaping, trees and grade structures.

All of the easements described above include the right of reasonable ingress and egress thereto by the beneficiaries of the easements and their respective successors and assigns, together with the right to trim or remove interfering trees and brush, and in drainage easements, the right to dredge, and are subject to the conditions and obligations in such beneficiaries to utilize the easements in a reasonable and prudent manner and to restore the surface of any lands damaged or disturbed by the exercise of such easement rights to as close to its original conditions as possible as promptly as possible following the completion of any work within an easement area. The owners of Lots, Blocks, or Tracts that are encumbered by such easements shall not burden or overburden the easements by erecting or placing any improvements thereon which impair in any way the exercise of the easement rights or the right of reasonable ingress and egress to the easements, or in the case of drainage easements, which impede or alter the course of the drainage.

We hereby accept the responsibility for the completion of required public improvements for MILLER'S RUN subdivision and 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.

EXECUTED this 27<sup>th</sup> day of MAY, A.D., 2004

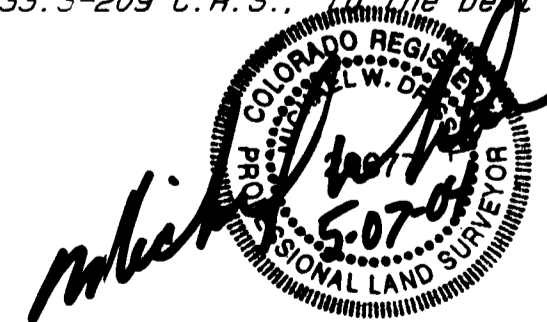
[Signature]  
Miller, Marais LLC  
By: Andries S. Marais, Manager

STATE OF COLORADO )  
                                  ) ss  
COUNTY OF MESA     )

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of May, A.D., 2004, by Andries S. Marais, Manager  
My commission expires 3/26/05  
Witness my hand and official seal [Signature]  
Notary Public  
Address \_\_\_\_\_

SURVEYOR'S CERTIFICATE

I, Michael W. Drissel, do hereby certify that I am a licensed land surveyor licensed under the laws of the State of Colorado, that this plat is a true, correct and complete plat of MILLER'S RUN 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 direct supervision and correctly shows the location and dimensions of lots, in compliance with Title 38, Article 51, C.R.S., as amended and complies with Section 38-33.3-209 C.R.S., to the best of my knowledge and belief.



**MILLER'S RUN SUBDIVISION**  
LOCATED IN THE  
NW1/4 NW1/4 SEC. 16, T1N, R2W, U.M.  
**D H SURVEYS INC.**  
118 OURAY AVE. - GRAND JUNCTION, CO.  
(970) 245-8749

Designed By	M.W.D.	Checked By	A.V.P.	Job No.	621-03-03
Drawn By	TMODEL	Date	MAY 2004	Sheet	1 OF 1