

# TOWNHOME PLAT

# MILLER'S RUN TOWNHOMES

## A REPLAT OF LOTS 3 & 4, MILLER RUN SUBDIVISION, PLANNED DEVELOPMENT

### NW1/4 NW1/4 SEC. 16, T1N, R2W, U.M., CITY OF FRUITA, COUNTY OF MESA, STATE OF COLORADO

#### CERTIFICATE OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS That Miller Marais, LLC is the owner of record of that real property situate in the NW 1/4 NW 1/4 of Section 16, Township 1 North, Range 2 West of the Ute Meridian, City of Fruita, Mesa County, Colorado, the ownership of which is demonstrated at Book 3671, Page 843 of the records in the office of the Mesa County Clerk and Recorder.

Said owner does hereby plat said real property under the name and style of Miller's Run Townhome Development and being more particularly described as follows:

Lot 3 and Lot 4, Miller's Run Subdivision, Planned Development, City of Fruita, Mesa County, Colorado.

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 interest of this Plat have been represented hereon.

IN WITNESS WHEREOF, said owner Miller Marais, LLC, has caused its name to be hereunto subscribed this 21st day of JUNE, A.D., 2007.

Andries S. Marais  
Miller, Marais LLC  
By: Andries S. Marais, Manager

STATE OF COLORADO )  
COUNTY OF MESA ) ss.

On this 21st day of JUNE, A.D. 2007, before me the undersigned officer, personally appeared Andries S. Marais, Manager, Miller Marais LLC, and acknowledged that he executed the foregoing Certificate of Ownership for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto affix my hand and official seal.  
My commission expires: 12-5-09

Jessica Miller  
Notary Public  
JESSICA MILLER  
NOTARY PUBLIC  
STATE OF COLORADO  
My Commission Expires 12/05/2009  
County of Mesa

#### TITLE CERTIFICATE

GUARANTEE COMPANY  
Wells Fargo Bank, 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:

LOT 3: DEED OF TRUST TO WELLS FARGO BANK: BOOK 4334 PG 836  
BOOK 4334 PG 837  
BOOK 4313 PG 285  
FINANCING STATEMENTS TO WELLS FARGO BANK: BOOK 4339 PG 837  
BOOK 4339 PG 839  
DEEDS OF TRUST TO WELLS FARGO BANK: BOOK 4314 PG 186  
BOOK 4314 PG 198

EXECUTED this 21st day of JUNE, A.D., 2007.

BY: Lawrence D. Vent  
LAWRENCE D. VENT, EXAMINER,  
LAND TITLE GUARANTEE COMPANY

#### LIENHOLDER'S CERTIFICATE

Wells Fargo Bank does hereby certify that it is the holder of two construction loans against the lands shown on this plat and hereby consents to the subdivision of the lands shown hereon.

EXECUTED this 19 day of JUNE, 2007

By: Camilla Highower

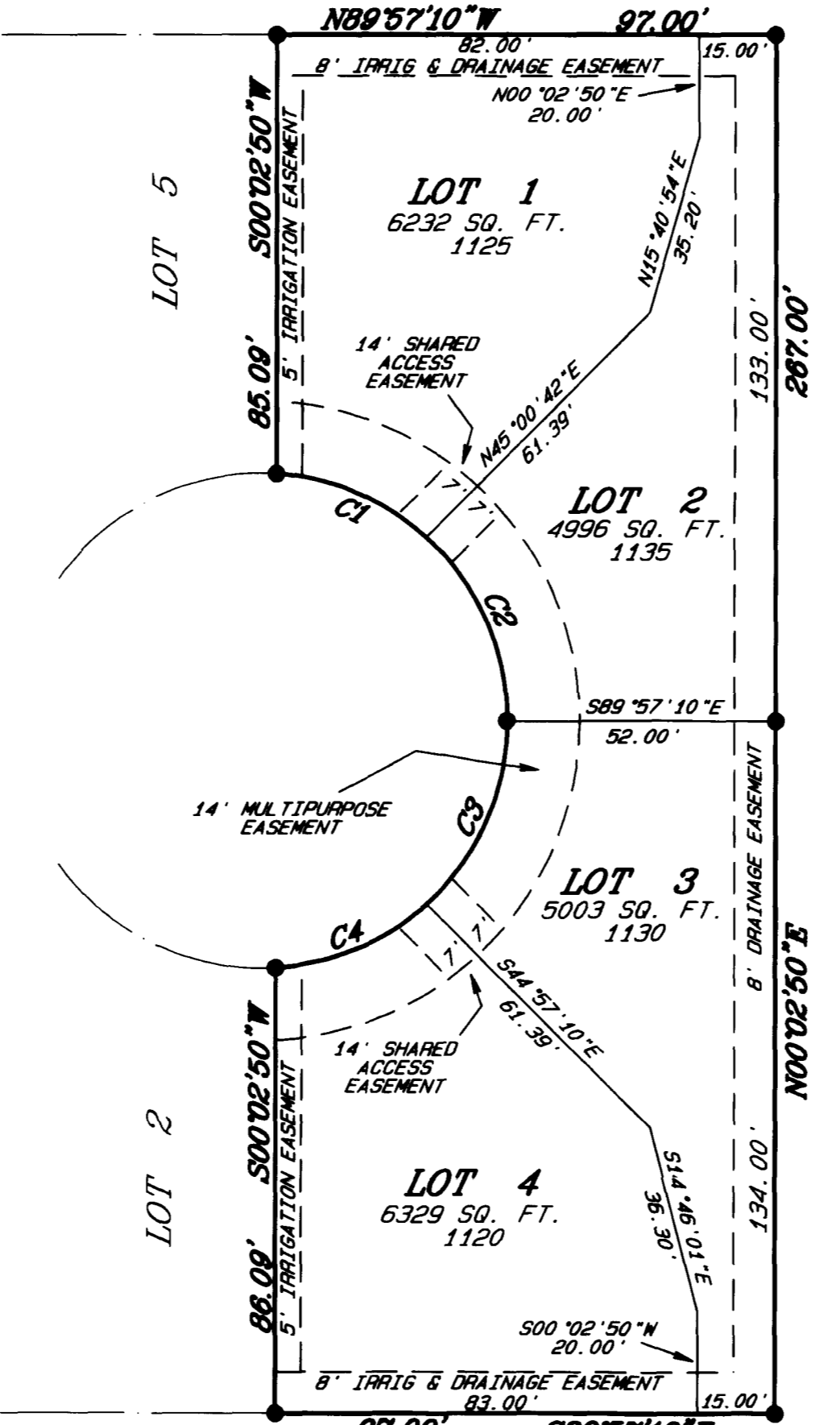
#### CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO )  
COUNTY OF MESA ) ss.

This Plat was filed for record in the office of the Mesa County Clerk and Recorder at 12:13 P. M., on this 5th day of July, A.D., 2007 in Book 4463, Page 869, Reception No. 2389413

Drawer IT-103 Fees 10<sup>00</sup> 1<sup>00</sup>

Janice Rich Mesa County Clerk and Recorder  
Gingy Baughman Deputy



C	DELTA	ARC	RADIUS	CHORD	CHORD BEARING
C1	38°25'57"	32.20'	48.00'	31.60'	N67°09'11"W
C2	47°59'03"	40.20'	48.00'	39.03'	S23°56'41"E
C3	47°41'32"	39.95'	48.00'	38.81'	N23°53'36"E
C4	38°43'29"	32.44'	48.00'	31.83'	N67°06'06"E

#### LAND USE SUMMARY

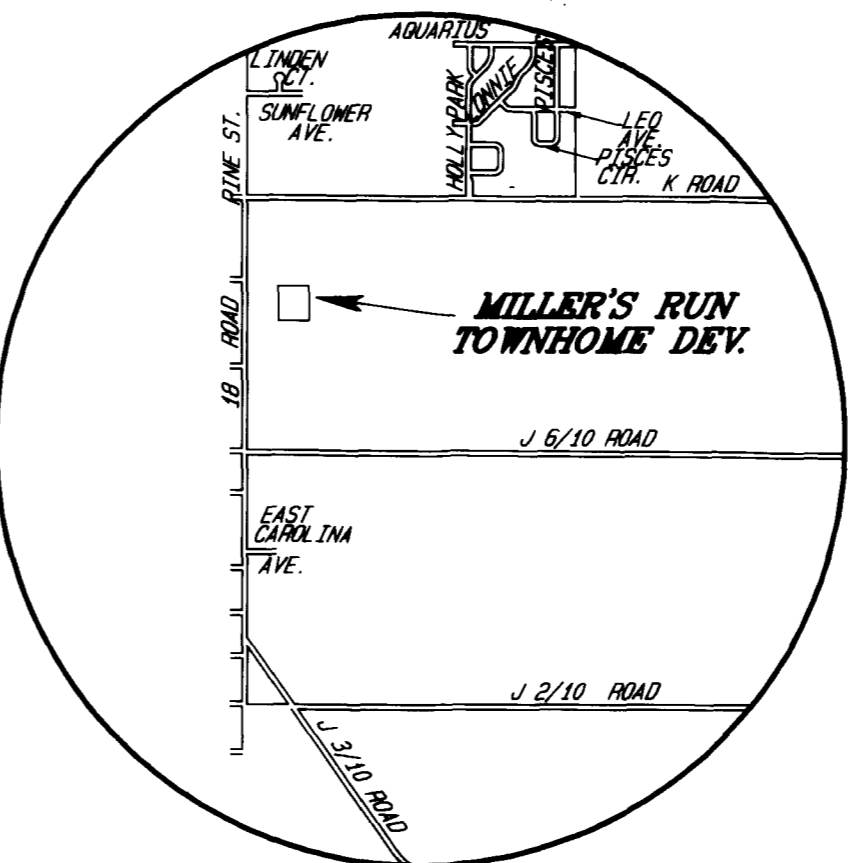
- Total Area: 22,560 square feet (0.52 acres)
- Proposed use of each lot: Single Family attached dwelling units
- Number of units: Residential units = 4

#### PLAT NOTES

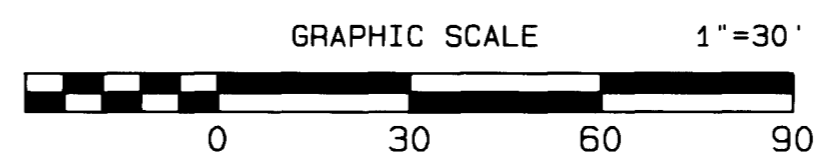
- The 14' multipurpose easement has been previously dedicated to the City of Fruita on Miller's Run Subdivision recorded in Book 3671 at Page 843.
- The irrigation & drainage easements have previously been recorded on Miller's Run Subdivision recorded in Book 3671 at Page 843.
- "RIGHT TO FARM ACT NOTICE: 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.

#### LEGEND

- MESA COUNTY SURVEY MARKER
- FOUND #5 REBAR W/1.5" ALUMINUM CAP STAMPED LS 24963
- FOUND #5 REBAR W/2" ALUMINUM CAP STAMPED D H SURVEYS LS 20677



VICINITY MAP  
N.T.S.



#### CITY COUNCIL CERTIFICATE

This Plat approved by the City Council of the City of Fruita, Colorado, this 14th day of JUNE, A.D., 2007, 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 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 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 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 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: Ed James Adams  
Mayor

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

Maiguel Estroza  
City Clerk



#### PLANNING COMMISSION CERTIFICATE

This Plat approved by the City of Fruita Planning Commission the 25th day of MAY, A.D., 2007.

Terri M. Grimsby  
Chairman

#### 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 Miller's Run Subdivision as laid out, platted 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.

Executed this 19 day of JUNE, 2007  
Michael W. Drissel PLS



TOWNHOME PLAT		
<b>MILLER'S RUN TOWNHOMES</b>		
LOCATED IN THE		
NW1/4 NW1/4 SEC. 16, T1N, R2W, U.M.		
<b>D H SURVEYS INC.</b>		
118 OURAY AVE. - GRAND JUNCTION, CO.		
(970) 245-8749		
Designed By	M. W. D.	Checked By
Drawn By	TMODEL	Date
Job No.	621-03-03	Sheet
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