

# Final Plat CLEORA JOHNSON MINOR SUBDIVISION

A portion of Lot 24, Orchard Subdivision to Fruita, Situate in the NE1/4 NW1/4 Section 17,  
Township 1 North, Range 2 West, City of Fruita, County of Mesa, State of Colorado

**CERTIFICATE OF DEDICATION AND OWNERSHIP**

THOMAS L. KIRKPATRICK IS THE OWNER OF ALL THAT REAL PROPERTY, RECORDED IN BOOK 3692 AT PAGE 180 OF THE MESA COUNTY REAL PROPERTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 24, ORCHARD SUBDIVISION TO FRUITA, COLORADO,  
THENCE SOUTH 230 FEET,  
THENCE EAST 189.4 FEET,  
THENCE NORTH 230 FEET,  
THENCE WEST 189.4 FEET TO THE POINT OF BEGINNING;  
EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT 139.4 FEET EAST OF THE NORTHWEST CORNER OF TRACT 24 OF ORCHARD SUBDIVISION TO THE TOWN OF FRUITA,  
THENCE EAST 50 FEET,  
THENCE SOUTH 230 FEET;  
THENCE WEST 50 FEET;  
THENCE NORTH 230 FEET TO THE POINT OF BEGINNING,  
MESA COUNTY, COLORADO.

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 THE CLEORA JOHNSON MINOR SUBDIVISION IN THE CITY OF FRUITA, COUNTY OF MESA, COLORADO, FOR PUBLIC USE ALL THE STREETS SHOWN HERON, INCLUDING AVENUES, DRIVES, COURTS, PLACES AND ALLEYS, THE PUBLIC LANDS SHOWN HERON FOR UTILITY AND DRAINAGE PURPOSES ONLY. WE HEREBY ACCEPT THE RESPONSIBILITY FOR THE COMPLETION OF REQUIRED PUBLIC IMPROVEMENTS FOR THE CLEORA JOHNSON MINOR SUBDIVISION AND FURTHER, HEREBY GRANT THE RIGHT TO INSTALL AND MAINTAIN ALL NECESSARY STRUCTURES TO THE ENTITY RESPONSIBLE FOR PROVIDING SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED. WE FURTHER STATE THAT THE SUBDIVISION SHALL BE SUBJECT TO THE PROTECTIVE COVENANTS FILED AND RECORDED FOR THIS SUBDIVISION IN THE OFFICES OF THE CLERK AND RECORDER OF MESA COUNTY, IN BOOK N/A AT PAGE N/A, AS DOCUMENT NO. N/A

ALL STREETS ROADS AND RIGHT OF WAY SHOWN HERON, TO THE FULL WIDTH OF THEIR PLATTED RIGHT-OF-WAY, ARE HEREBY DEDICATED TO THE CITY OF FRUITA FOR THE USE OF THE PUBLIC FOREVER AS PUBLIC STREETS, AND FOR DRAINAGE AND UNDERGROUND UTILITY PURPOSES.

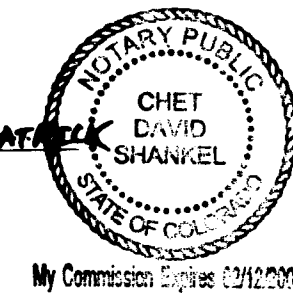
ALL MULTI-PURPOSE EASEMENTS SHOWN HERON ARE DEDICATED TO THE CITY OF FRUITA FOR THE USE OF CITY APPROVED UTILITIES AND PUBLIC PROVIDERS AS PERPETUAL, NON-EXCLUSIVE EASEMENTS FOR THE INSTALLATION, OPERATION, MAINTENANCE AND REPAIR OF UTILITIES AND APPURTENANCES INCLUDING, BUT NOT LIMITED TO, ELECTRIC LINES, CABLE TV LINES, NATURAL GAS PIPELINES, SANITARY SEWER LINES, STORM SEWERS, WATER LINES, TELEPHONE LINES, AND ALSO FOR 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 CONDITION AND OBLIGATION 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 CONDITION 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 CASE OF DRAINAGE EASEMENTS, WHICH IMPEDE OR ALTER THE COURSE OF THE DRAINAGE.

EXECUTED THIS 9th DAY OF August, 2005.  
*Thomas L. Kirkpatrick*  
THOMAS L. KIRKPATRICK

STATE OF COLORADO )  
COUNTY OF MESA ) SS

THE FOREGOING CERTIFICATE AND DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 4th DAY OF AUGUST, 2005, BY THOMAS L. KIRKPATRICK  
WITNESS MY HAND AND OFFICIAL SEAL.  
MY COMMISSION EXPIRES: 02/12/08  
*Chris Stankl*  
NOTARY PUBLIC

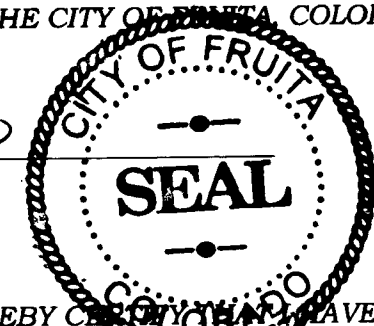


**FRUITA CITY COUNCIL CERTIFICATE**

THIS PLAT APPROVED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO, THIS 10th DAY OF AUGUST, 2005, FOR FILING WITH THE CLERK AND RECORDER OF MESA COUNTY, COLORADO, AND FOR CONVEYANCE OR DEDICATION TO THE CITY OF PUBLIC DEDICATIONS SHOWN HERON; 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 THE PUBLIC IMPROVEMENTS UNTIL CONSTRUCTION OF SAID IMPROVEMENTS HAS BEEN COMPLETE 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, SUBSURFACE GEOLOGY, GROUND WATER CONDITIONS, OR FLOODING CONDITIONS OF ANY LOT SHOWN HERON ARE SUCH THAT A BUILDING PERMIT, DEVELOPMENT PERMIT, OR ANY OTHER REQUIRED PERMIT WILL BE ISSUED. THIS APPROVALS 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 ALL OTHER IMPROVEMENTS THAT MAY BE REQUIRED SHALL BE THE RESPONSIBILITY OF THE OWNERS DESIGNATED HERON AND NOT THE CITY OF FRUITA, UNLESS OTHERWISE SPECIFICALLY AGREED TO IN WRITING BY THE FRUITA CITY COUNCIL.

CITY OF FRUITA, COLORADO  
BY: *John Adams*  
MAYOR  
WITNESS MY HAND AND SEAL OF THE CITY OF FRUITA, COLORADO

ATTEST:  
*Angela E. Brown*  
CITY CLERK

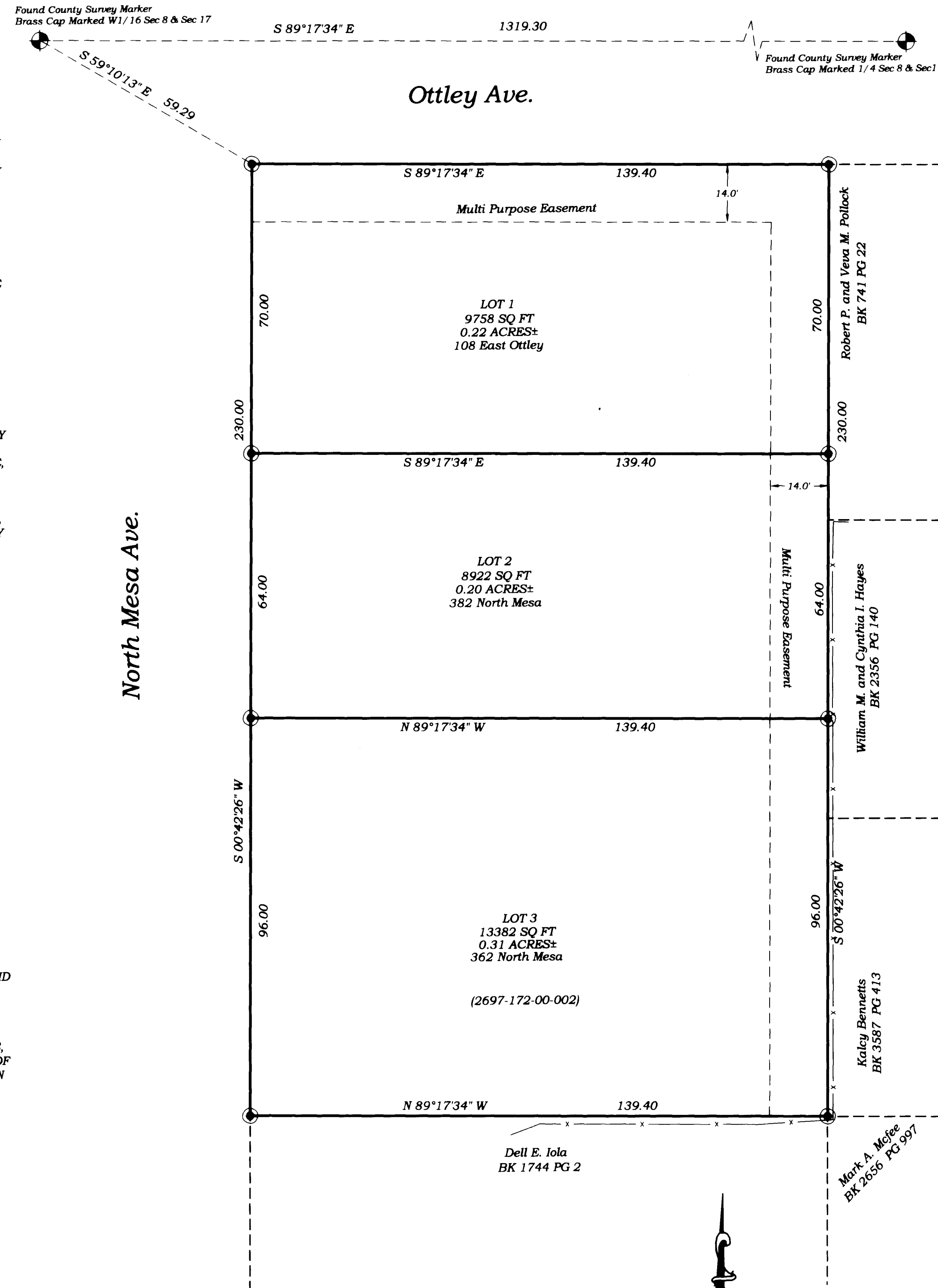


**TITLE CERTIFICATE**

LAWRENCE D. VENT DOES HEREBY CERTIFY THAT HE HAS EXAMINED THE TITLE TO ALL LANDS SHOWN ON THIS PLAT AND THAT TITLE TO SUCH LANDS IS VESTED IN THOMAS L. KIRKPATRICK FREE AND CLEAR OF ALL LIENS, TAXES, AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

LIEN HOLDERS:  
AMERICAN NATIONAL BANK 131 N. 6TH STREET GRAND JUNCTION, CO 81501

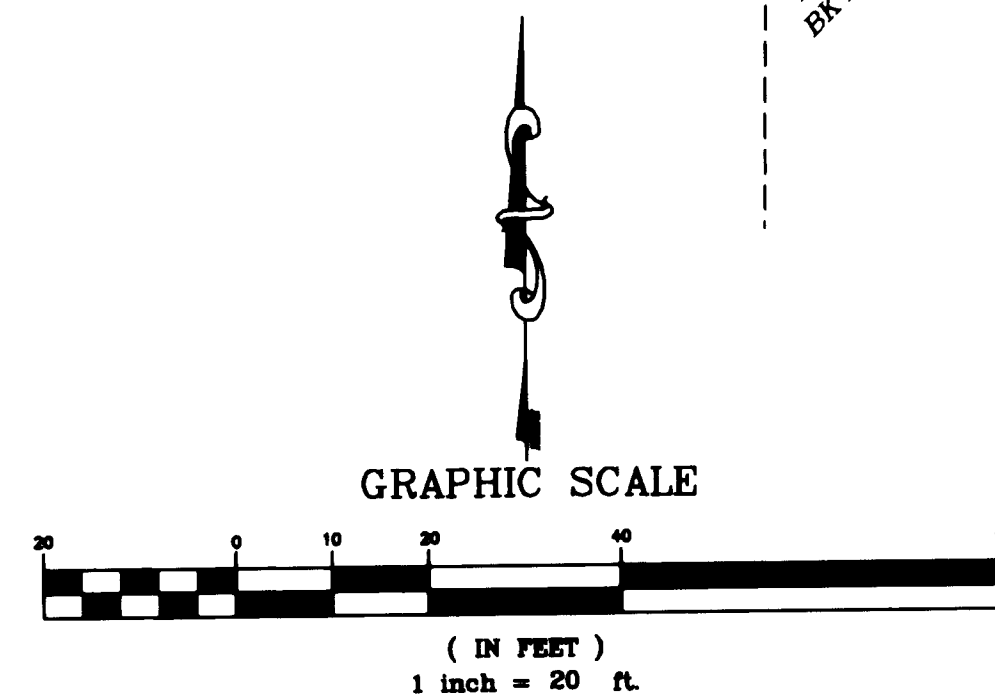
EXECUTED THIS 5th DAY OF AUGUST, 2005  
BY: *L.D. Vent*  
LAWRENCE D. VENT/EXAMINER/MERIDIAN LAND TITLE, LLC



AREA SUMMARY		
DESC:	SQUARE FEET	ACRES
LOTS	32,062	0.74

LEGEND	
Set # 5 Rebar & Cap LSN 36572	



**PLAT NOTES**

- 6-FOOT PRIVACY FENCES WITHIN EITHER 25-FOOT SETBACK ARE NOT ALLOWED AND CAN NOT BE PETITIONED FOR LOT 1.
- BUILDING SETBACKS TO FOLLOW CITY OF FRUITA STANDARDS.

**SURVEYOR NOTES**

- BASIS OF BEARINGS FOR THIS SURVEY IS A BEARING OF S 89° 17' 34" E BETWEEN THE WEST 1/16 CORNER ON THE NORTH LINE OF SECTION 17 AND THE NORTH 1/4 CORNER OF SECTION 17 AS SHOWN HERON
- DATE OF SURVEY WAS FEBRUARY 26, 2005.
- THIS SURVEY IS BASED ON THE TITLE COMMITMENT PREPARED BY MERIDIAN LAND TITLE, FILE # 70602, DOCUMENTS OF RECORD AND MONUMENTS FOUND IN PLACE AS INDICATED HERON.
- 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 CERTIFICATION SHOWN HERON.

**SURVEYOR'S CERTIFICATE**

I, MICHAEL J. LANGHORNE, DO HEREBY STATE 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 CLEORA L. JOHNSON MINOR SUBDIVISION AS LAID OUT, PLATTED, DEDICATED AND SHOWN HERON, THAT SUCH PLAT WAS MADE FROM AN ACCURATE SURVEY OF SAID PROPERTY BY ME AND UNDER MY SUPERVISION AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, EASEMENTS AND STREETS OF SAID SUBDIVISION AS THE SAME ARE STAKED ON UPON THE GROUND IN COMPLIANCE WITH STATE REGULATIONS GOVERNING THE SUBDIVISION OF LAND, AND THAT IT COMPLES WITH C.R.S. 38-33.3-209.

IN WITNESS WHEREOF I HAVE SET MY HAND AND SEAL THIS 4th DAY OF August, A.D. 2005.

*Michael J. Langhorne*  
MICHAEL J. LANGHORNE, P.S.  
PROFESSIONAL LAND SURVEYOR  
#36572

**PLANNING COMMISSION CERTIFICATE**

THIS PLAT APPROVED BY THE CITY OF FRUITA PLANNING COMMISSION THE 10th DAY OF August, 2005.

*Bush Bonister*  
CHAIRMAN  
Comm. Del. P. Director

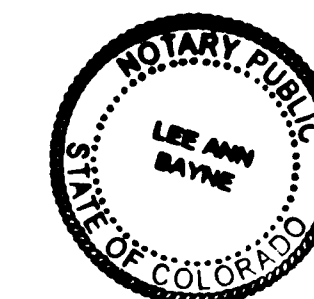
**SUBORDINATION BY LIENHOLDER**

AMERICAN NATIONAL BANK BEING THE HOLDER OF A PROMISSORY NOTE SECURED BY A DEED OF TRUST DATED 7/1/2004 AND RECORDED ON 7/08/2004, AT RECEPTION NO. 2201001, 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, CLEORA JOHNSON MINOR SUBDIVISION, AND SUBORDINATES THE LIEN REPRESENTS BY THE AFORESAID DEED OF TRUST TO THE DEDICATIONS AND RESTRICTIONS AS SHOWN ON THIS FINAL PLAT AND RELATIVE CONDITIONS AND RESTRICTIONS.

AMERICAN NATIONAL BANK  
136 N. 6TH STREET  
GRAND JUNCTION, CO 81501  
BY: *David Zoller* SVP  
DAVID ZOLLNER, SENIOR VICE PRESIDENT, AMERICAN NATIONAL BANK

STATE OF COLORADO )  
COUNTY OF MESA ) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 5th DAY OF August, 2005, BY David Zoller  
WITNESS MY HAND AND OFFICIAL SEAL.  
MY COMMISSION EXPIRES: 09-05-08



*Lee Ann Bayne*  
NOTARY PUBLIC

**CLERK AND RECORDER'S CERTIFICATE**

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE MESA COUNTY CLERK AND RECORDER AT 8:22 O'CLOCK AT A.M., ON THE 12th DAY OF AUGUST, 2005 AND IS DULY RECORDED IN THE BOOK 3965 AT PAGE 784, AS RECEPTION NO. 2269214 DRAWER NO. RR-13

MESA COUNTY CLERK AND RECORDER *Jamie Ward*  
BY: *Lucina McElroy* DEPUTY

FEES: 10.00

BOOKCLIFF SURVEY SERVICES, LLC

JOHNSON MINOR SUBDIVISION  
T-L-K BUILDERS  
1412 P RD  
LOMA, CO 81524

FILE:	04079-01
DFT:	WKK
CK:	M.J.
DATE:	4-02-05
PROJECT NO.:	04079-01
SHEET	1
OF	1