

# FINAL PLAT

# FRUITA INDUSTRIAL PARK FILING NO. ONE

NE 1/4, SECTION 18, T.1N., R.2W., UTE MERIDIAN, CITY OF FRUITA, MESA COUNTY, COLORADO

### CERTIFICATE OF OWNERSHIP AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS that Davjo National Development, LLC and FrUITA Industrial Park, LLC are the owners of record of that real property situated in the northeast 1/4 of Section 18, Township 1 North, Range 2 West of the Ute Meridian, City of FrUITA, Mesa County, Colorado, being a portion of Lots 48, 49, 50, 53, 54, 55, 56 and 57 and portions of vacated streets as shown on the plat of Orchard Subdivision as recorded in Plat Book 1 at Page 7 of the records of said Mesa County, the ownership of which is demonstrated at Book 4211, Page 638 and Book 4661, Page 757, 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 FrUITA Industrial Park Filing No. One and being more particularly described as follows:

Commencing at the East 1/4 corner of said Section 18, being a found Mesa County survey marker, the basis for bearing being N00°11'21"W to the North 1/16 corner of said Section 18, being another found Mesa County survey marker;  
thence S89°54'39"W a distance of 169.89 feet along the southerly right-of-way of vacated McCune Avenue also known as Greenway Drive to the southwesterly right-of-way of D.R.G. & W. Railroad and the Point of Beginning;  
thence S89°54'39"W along said south line a distance of 1080.10 feet to the northerly right-of-way of Interstate Highway 70;  
thence N78°34'42"W along said northerly right-of-way a distance of 73.22 feet to the centerline of Pinyon Avenue as shown on the plat of said Orchard Subdivision;  
thence N00°08'56"W along said centerline a distance of 193.22 feet;  
thence N65°53'04"W a distance of 468.22 feet;  
thence S00°06'56"W a distance of 87.58 feet to the northerly right-of-way of Highway Interstate 70;  
thence N73°24'04"W along said northerly right-of-way a distance of 31.10 feet;  
thence N00°06'56"E a distance of 16.65 feet;  
thence N75°03'34"W a distance of 275.36 feet to the centerline of Little Salt Wash;  
thence S32°38'59"W along said centerline a distance of 8.32 feet to the northerly right-of-way of Highway Interstate 70;  
thence N73°24'04"W along said right-of-way a distance of 518.52 feet;  
thence N06°33'04"E a distance of 75.35 feet;  
thence N83°27'22"W a distance of 67.35 feet to the west line of said northeast 1/4 of Section 18;  
thence N00°11'06"W along said west line a distance of 1333.09 feet to the said southerly right-of-way of D.R.G. & W. Railroad;  
thence S55°31'44"E along said railroad right-of-way a distance of 1433.52 feet;  
thence S35°38'04"W a distance of 138.60 feet to the southerly right-of-way of said railroad;  
thence S56°31'44"E along said railroad right-of-way a distance of 1635.61 feet to the Point of Beginning.  
Said parcel contains 42.90 acres more or less.

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

Salt Court and Greenway Drive rights-of-way are dedicated to the City of FrUITA for the use of the public forever.

All 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, irrigation, landscaping, trees and grade structures.

Drainage Easements to the City of FrUITA for the conveyance of stormwater. The owners of lots are not relieved of their responsibility to inspect, install, operate, maintain and repair facilities associated with the conveyance of stormwater through the easement.

Sewer Easements to the City of FrUITA for the construction, operation, maintenance and repair of facilities associated with sanitary sewer lines.

Tract A to the City of FrUITA for access to storm sewer facilities.  
Tract B shown hereon is dedicated and conveyed to the City of FrUITA for (a) the conveyance of runoff water which flows within the area hereby platted or from upstream areas, through natural or man-made facilities above or below ground; (b) open space for the preservation of natural habitat; (c) ingress and egress use by the general public for pedestrian, recreation and open space purposes as determined appropriate by the City.

Tract C to the City of FrUITA for the construction, operation, maintenance and repair of facilities associated with a sanitary sewer lift station.

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 owners hereby acknowledge that all lienholders or encumbrancers, if any, associated with the interest of this Plat have been represented hereon.

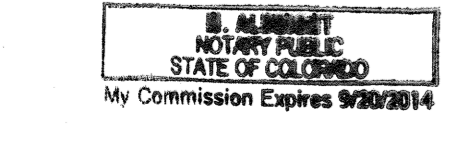
IN WITNESS WHEREOF, said owners, Davjo National Development, LLC and FrUITA Industrial Park, LLC, have caused its names to be hereunto subscribed this 26<sup>th</sup> day of NOVEMBER, A.D., 2012.

DAVJO NATIONAL DEVELOPMENT, LLC  
Robert W. Jones II  
FRUITA INDUSTRIAL PARK, LLC  
Darren Davidson

STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF MESA    )  
  
On this 26<sup>th</sup> day of November, A.D., 2012, before me the undersigned officer, personally appeared Robert W. Jones II and Darren Davidson and acknowledged that they executed the foregoing Certificate of Ownership and Dedication for purposes therein contained.

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

My commission expires: 9/24/2014  
m. Allgeier  
Notary Public



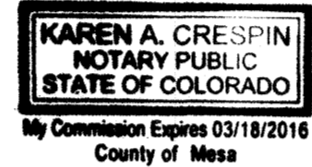
### SUBORDINATION BY LIENHOLDERS

Community Banks of Colorado, being the holder of a promissory note secured by a Deed of Trust dated September 04, 2008 recorded September 16, 2008 at Book 4727, Page 177, 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: Dawn C. Cootee  
Community Banks of Colorado A division of NBH Bank N.A.

STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF MESA    )  
  
The foregoing was acknowledged before me this 29 day of November 2012, by Dawn C. Cootee as Officer of Community Banks of Colorado A division of NBH Bank N.A.

Witness my hand and official seal.  
My commission expires: 11/10/13  
Karen A. Crespin  
Notary Public



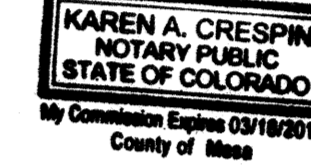
### SUBORDINATION BY LIENHOLDERS

Community Banks of Colorado, being the holder of a promissory note secured by a Deed of Trust dated May 5, 2008 recorded May 9, 2008 at Book 4661, Page 759, 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: Dawn C. Cootee  
Community Banks of Colorado A division of NBH Bank N.A.

STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF MESA    )  
  
The foregoing was acknowledged before me this 29 day of November 2012, by Dawn C. Cootee as Officer of Community Banks of Colorado A division of NBH Bank N.A.

Witness my hand and official seal.  
My commission expires: 11/10/13  
Karen A. Crespin  
Notary Public



### SUBORDINATION BY LIENHOLDERS

Burr Oak Investments, being the holder of a promissory note secured by a Deed of Trust dated January 27, 2011, recorded January 28, 2011 at Book 5119, Page 260, 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: Tom Kaper  
Burr Oak Investments

STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF MESA    )  
  
The foregoing was acknowledged before me this 26<sup>th</sup> day of November 2012, by Tom Kaper as MANAGER of Burr Oak Investments

Witness my hand and official seal.  
My commission expires: 11/10/13  
Albrech J. Campbell  
Notary Public



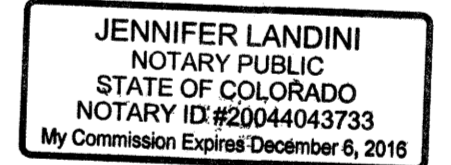
### SUBORDINATION BY LIENHOLDERS

Wells Fargo Bank, being the holder of a promissory note secured by a Deed of Trust dated August 27, 2009, recorded September 24, 2009 at Book 4920, Page 194, 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: Ronald R. Sawyer  
Wells Fargo Bank

STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF MESA    )  
  
The foregoing was acknowledged before me this 3<sup>rd</sup> day of December 2012, by Ronald R. Sawyer as Senior Relationship Manager of Wells Fargo Bank

Witness my hand and official seal.  
My commission expires: 12/6/16  
Jennifer Landini  
Notary Public



### SUBORDINATION BY LIENHOLDERS

Burr Oak Investments, being the holder of a promissory note secured by a Deed of Trust dated February 3, 2011, recorded February 15, 2011 at Book 5125, Page 549, 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: Tom Kaper  
Burr Oak Investments

STATE OF COLORADO )  
                                  ) ss.  
COUNTY OF MESA    )  
  
The foregoing was acknowledged before me this 26<sup>th</sup> day of November 2012, by Tom Kaper as MANAGER of Burr Oak Investments

Witness my hand and official seal.  
My commission expires: 11/10/13  
Albrech J. Campbell  
Notary Public



### PLAT NOTES

No buildings, storage or fences in the floodplain.  
"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.

FINAL PLAT  
**FRUITA INDUSTRIAL PARK FILING NO. ONE**  
LOCATED IN THE  
NE 1/4, SECTION 18, T.1N., R.2W., U.M.  
CITY OF FRUITA, MESA COUNTY, COLORADO  
**D H SURVEYS INC.**  
118 OURAY AVE. - GRAND JUNCTION, CO.  
(970) 245-8749

Designed By S.L.H.   Checked By M.W.D.   Job No. 813-06-27  
Drawn By TERRAMODEL   Date NOVEMBER, 2012   Sheet 1 OF 3



# FINAL PLAT

# FRUITA INDUSTRIAL PARK FILING NO. ONE

NE 1/4, SECTION 18, T.1N., R.2W., UTE MERIDIAN, CITY OF FRUITA, MESA COUNTY, COLORADO

### CITY COUNCIL CERTIFICATE

This Plat approved by City Council of the City of Fruita, Colorado, this 13<sup>th</sup> day of December, A.D., 2012, 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 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 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: Boi Seale  
Mayor

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



### PLANNING COMMISSION CERTIFICATE

This Plat approved by the City of Fruita Planning Commission this 13<sup>th</sup> day of DEC, A.D., 2012.  
Synthia M. Drimby  
Chairman

### TITLE CERTIFICATE

Abstract & Title Co. of Mesa County, Inc. does hereby certify that it has examined the title to lands shown on this Plat and that title to such lands is vested in DavJo National Development, LLC and Fruita Industrial Park, LLC and are free and clear of all liens, taxes and encumbrances, except as follows:

These lenders executing this Plat as of 12/12/12

EXECUTED this 13<sup>th</sup> day of December, A.D., 2012.  
BY: Scott W. W...

### PLAT NOTES

No buildings, storage or fences in the floodplain.  
"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.

### 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 10:45 A.M., on this 17<sup>th</sup> day of DECEMBER, A.D., 2012, in Book No. 5403, Page No. 390-392, Reception No. 2637284.  
Drawer 22-3, Fees 30<sup>00</sup>

Sheila Reiner  
Mesa County Clerk and Recorder

Lucinda N. Talley  
Deputy

### SURVEYOR'S CERTIFICATE

I, Steven L. Hagedorn, a registered Professional Land Surveyor in the State of Colorado, do hereby state that the accompanying plat of FRUITA INDUSTRIAL PARK FILING NO. ONE, a subdivision of a part of the City of Fruita, State of Colorado, has been prepared by me and/or under my direct supervision and represents a field survey of the same. This statement is applicable only to the survey data represented hereon, and does not represent a warranty or opinion as to ownership, lienholders, or quality of title. I further state that this Plat is in compliance with the Title 38, Article 51, C.R.S., as amended.

EXECUTED this 20<sup>th</sup> day of November, 2012



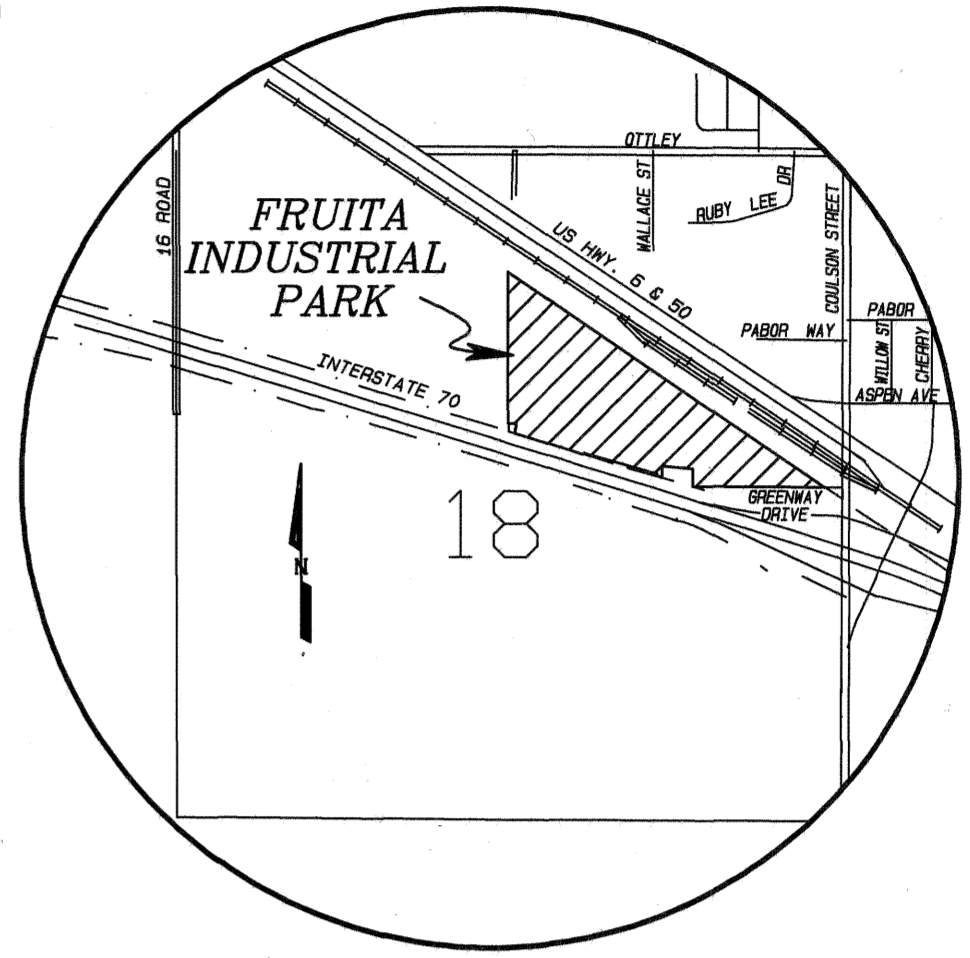
S. Hagedorn  
Land Surveyor

FINAL PLAT <b>FRUITA INDUSTRIAL PARK FILING NO. ONE</b> LOCATED IN THE NE 1/4, SECTION 18, T.1N., R.2W., U.M. CITY OF FRUITA, MESA COUNTY, COLORADO		
<b>D H SURVEYS INC.</b> 118 OURAY AVE. - GRAND JUNCTION, CO. (970) 245-8749		
Designed By <u>S.L.H.</u>	Checked By <u>M.W.D.</u>	Job No. <u>813-06-27</u>
Drawn By <u>TERRAMODEL</u>	Date <u>NOVEMBER, 2012</u>	Sheet <u>2 OF 3</u>

# FINAL PLAT

## FRUITA INDUSTRIAL PARK FILING NO. ONE

NE 1/4, SECTION 18, T.1N., R.2W., UTE MERIDIAN, CITY OF FRUITA, MESA COUNTY, COLORADO



**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S83°50'49"E	76.15'
L2	S06°33'02"W	75.00'
L3	N00°11'06"W	74.99'
L4	S45°04'28"E	26.49'
L5	N44°55'32"E	25.42'
L6	N33°28'16"E	83.66'
L7	S85°53'04"E	5.01'
L8	N66°15'23"E	39.65'
L9	S56°31'44"E	108.54'
L10	N37°53'43"E	25.71'
L11	N00°08'56"W	20.00'
L12	S74°08'30"E	172.61'
L13	N89°51'04"E	133.66'
L14	N89°51'04"E	260.00'

**CURVE TABLE**

CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	56°22'55"	120.00'	118.09'	S28°20'25"E	113.38'
C2	56°22'55"	150.00'	147.61'	S28°20'25"E	141.72'
C3	45°00'37"	180.00'	141.40'	S22°39'15"E	137.80'
C4	64°29'15"	15.50'	14.74'	N62°45'23"E	14.19'
C5	87°45'08"	62.50'	80.41'	N79°23'19"E	72.78'
C6	76°03'51"	92.50'	69.70'	S19°42'11"E	64.69'
C7	70°05'47"	92.50'	64.23'	S54°22'37"W	60.30'
C8	55°03'43"	92.50'	50.45'	N63°02'37"W	48.53'
C9	64°29'15"	15.50'	14.74'	N62°45'23"E	14.19'
C10	89°56'25"	70.00'	109.88'	S45°07'09"E	98.94'
C11	64°09'54"	100.00'	111.87'	S32°11'53"E	106.13'
C12	33°28'09"	275.00'	160.64'	N73°15'55"W	159.37'
C13	33°28'09"	245.00'	143.12'	N73°15'55"W	141.09'
C14	33°28'09"	215.00'	125.55'	N73°15'55"W	123.81'

**LAND USE SUMMARY**

LOT/TRACT R-O-W	AREA	LAND USE	ADDRESS
LOT 1, BLOCK 1	1.32 ACRES	COMMERCIAL/INDUSTRIAL	775 SALT COURT
LOT 2, BLOCK 1	0.79 ACRES	COMMERCIAL/INDUSTRIAL	755 SALT COURT
LOT 3, BLOCK 1	0.64 ACRES	COMMERCIAL/INDUSTRIAL	725 SALT COURT
LOT 4, BLOCK 1	1.72 ACRES	COMMERCIAL/INDUSTRIAL	703 GREENWAY DRIVE
LOT 5, BLOCK 1	0.71 ACRES	COMMERCIAL/INDUSTRIAL	673 GREENWAY DRIVE
LOT 6, BLOCK 1	1.10 ACRES	COMMERCIAL/INDUSTRIAL	649 GREENWAY DRIVE
LOT 7, BLOCK 1	1.03 ACRES	COMMERCIAL/INDUSTRIAL	601 GREENWAY DRIVE
LOT 1, BLOCK 2	1.28 ACRES	COMMERCIAL/INDUSTRIAL	893 GREENWAY DRIVE
LOT 2, BLOCK 2	0.95 ACRES	COMMERCIAL/INDUSTRIAL	881 GREENWAY DRIVE
LOT 3, BLOCK 2	1.15 ACRES	COMMERCIAL/INDUSTRIAL	863 GREENWAY DRIVE
LOT 4, BLOCK 2	1.67 ACRES	COMMERCIAL/INDUSTRIAL	857 GREENWAY DRIVE
TRACT A	0.12 ACRES	STORM SEWER ACCESS	
TRACT B	2.50 ACRES	DRAINAGE/OPENSOURCE	
TRACT C	0.12 ACRES	SANITARY SEWER LIFT STATION	
TRACT D	15.34 ACRES	FOR FUTURE DEVELOPMENT	
TRACT E	7.61 ACRES	FOR FUTURE DEVELOPMENT	
DEDICATED ROADS	4.85 ACRES	PUBLIC RIGHT-OF-WAY	
<b>TOTAL</b>	<b>42.90 ACRES</b>		

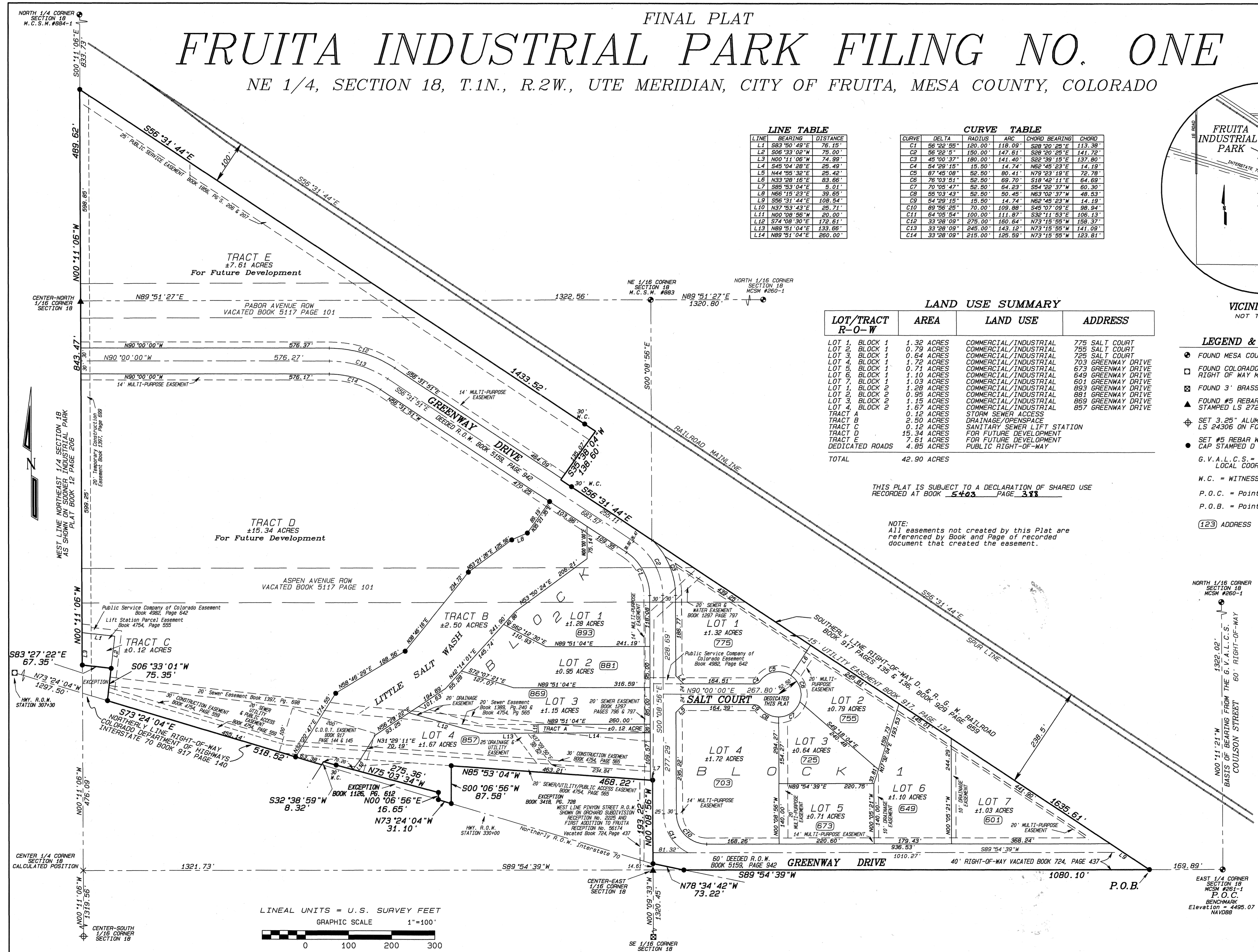
**VICINITY MAP**  
NOT TO SCALE

**LEGEND & ABBREVIATIONS**

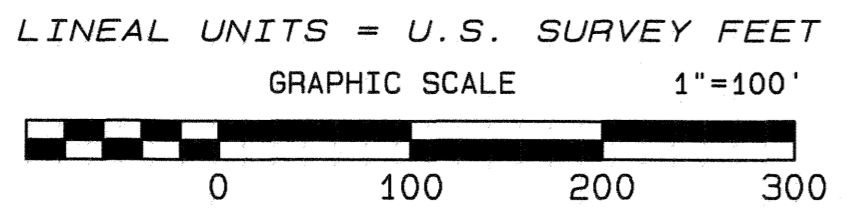
- FOUND MESA COUNTY SURVEY MARKER
- FOUND COLORADO DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MARKER IN CONCRETE
- ⊠ FOUND 3" BRASS CAP STAMPED LS 16413
- ▲ FOUND #5 REBAR W/2" ALUMINUM CAP STAMPED LS 27279
- ⊕ SET 3.25" ALUMINUM CAP STAMPED D H SURVEY LS 24306 ON FOUND #6 REBAR
- SET #5 REBAR W/2" ALUMINUM CAP STAMPED D H SURVEYS LS 24306
- G.V.A.L.C.S. = GRAND VALLEY AREA LOCAL COORDINATE SYSTEM
- W.C. = WITNESS CORNER
- P.O.C. = Point of Commencement
- P.O.B. = Point of Beginning
- (123) ADDRESS

THIS PLAT IS SUBJECT TO A DECLARATION OF SHARED USE RECORDED AT BOOK 5403 PAGE 311

NOTE:  
All easements not created by this Plat are referenced by Book and Page of recorded document that created the easement.



**FINAL PLAT**  
**FRUITA INDUSTRIAL PARK FILING NO. ONE**  
 LOCATED IN THE  
 NE 1/4, SECTION 18, T.1N., R.2W., U.M.  
 CITY OF FRUITA, MESA COUNTY, COLORADO  
**D H SURVEYS INC.**  
 118 OURAY AVE. - GRAND JUNCTION, CO.  
 (970) 245-8749



Designed By: S.L.H. Checked By: M.M.D. Date: NOVEMBER, 2012 Sheet: 3 OF 3  
 Drawn By: TERRAMODEL