

# FINAL PLAT MULE SHOE SUBDIVISION

NE 1/4 NW 1/4, SEC. 9, T1N, R2W, U.M.  
CITY OF FRUITA, COUNTY OF MESA, STATE OF COLORADO

**CERTIFICATE OF DEDICATION AND OWNERSHIP**

We, Smithco Inc., the sole owner in fee simple of all that real property located in the NE 1/4 NW 1/4 Section 9, Township 1 North, Range 2 West of the Ute Meridian, Mesa County, Colorado, being described as follows:

That part of the SE 1/4 NE 1/4 NW 1/4 of said Section 9, lying south and east of the Little Salt Wash.

have by these presents laid out, platted and subdivided the same into lots as shown on this Plat and designate the same as the Mule Shoe Subdivision in the City of Fruita, County of Mesa, State of Colorado, and do hereby grant, convey, dedicate and set apart to the City of Fruita, County of Mesa, Colorado, for public use and the streets shown hereon, including avenues, drives, courts, places and alleys, the public lands shown hereon for utility and drainage purposes only. We hereby accept the responsibility for the completion of required public improvements for the Mule Shoe 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 this 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 4004 at Pages 853-854 as Document No. 2298191.

All Multi-purpose Easements shown hereon are hereby dedicate 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.

Conservation easement shown hereon is dedicated to the City of Fruita for use by the general public for park and recreation purposes. Under the terms of said easement, members of the general public shall be entitled to use such property, and any improvements constructed thereon, on an equal basis with the residents of this subdivision, subject to non-discriminatory rules and regulations promulgated by the Queens Homeowners Association, Inc.

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.

**CITY COUNCIL CERTIFICATE**

This Plat approved by the City Council of the City of Fruita, Colorado, this 10th day of August, A.D., 2005, 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 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 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 planning clearance building permit, or any other permit will be issued. This approval is with the understanding that all expenses involving require improvements for all utility services, paving, grading, landscaping, curbs, gutters, sidewalks, road lighting, road 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.

By: [Signature]  
City of Fruita, Mayor

Witness my hand and seal of the City of Fruita, Colorado



[Signature]  
City Clerk

**PLANNING COMMISSION CERTIFICATE**

This Plat approved by the City of Fruita Planning Commission the 10th day of August, A.D., 2005.

[Signature]  
Chairman  
LOCAL DEV. DIRECTOR

**PLAT NOTES**

"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 year from the date of the certification shown hereon.

EXECUTED this 28 day of July, A.D., 2005

[Signature] Pres.  
Paul R. Smith, President  
Smithco, Inc.



My Commission Expires 8-27-05

STATE OF COLORADO )  
                                  ) ss  
COUNTY OF MESA     )

The foregoing instrument was acknowledged before me this 28th day of July, A.D., 2005, by Paul R. Smith, President, Smithco, Inc. My commission expires 8-27-2005

Witness my hand and official seal Rachael Davis  
Notary Public  
Address 2562 Trails End Court, Grand Junction, CO 81505

**TITLE CERTIFICATE**

Abstract & Title Co. of Mesa County, Inc. 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 Smithco Inc., of Grand Junction, CO, a Colorado corporation and is free and clear of all liens, taxes and encumbrances, except as shown:

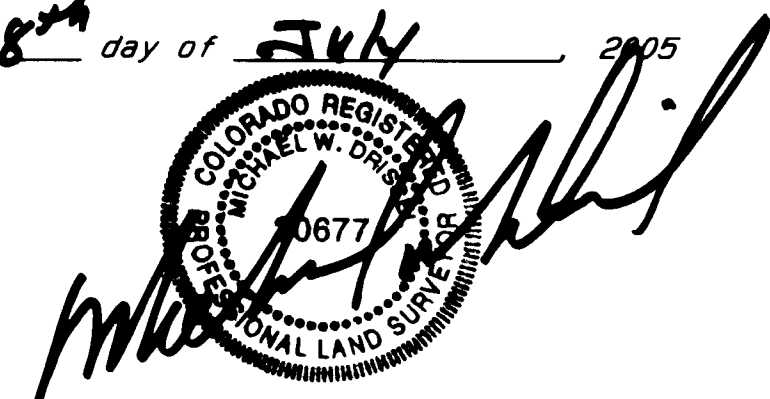
EXECUTED this 26th day of July, A.D., 2005.

By: [Signature]

**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 true, correct and complete Plat of MULE SHOE 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.

EXECUTED this 18th day of July, 2005



**SUBORDINATION BY LIENHOLDER**

The Grand Valley National Bank, being the holder of a promissory note secured by a deed of trust dated January 7, 2005 and recorded on January 10, 2005, at Book 3815 at Page 252, 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, of Mule Shoe Subdivision, and subordinates the lien represented by the aforesaid deed of trust to the dedications and restrictions as shown on this Final Plat and relative covenants, conditions and restrictions.

Grand Valley National Bank

By: [Signature]

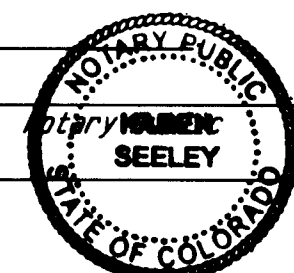
STATE OF COLORADO )  
                                  ) ss  
COUNTY OF MESA     )

The foregoing instrument was acknowledged before me this 28th day of July, A.D., 2005 by [Signature]

Witness my hand and official seal:

Address:

My commission expires:



My Commission Expires 08/19/2008

**CLERK AND RECORDER'S CERTIFICATE**

This Plat was filed for record in the office of the Mesa County Clerk and Recorder at 12:14 o'clock P.M., on this 30th day of September, A.D. 2005, in Book No. 4004 Page No. 824-825 Reception No. 2278188  
Drawer RR-45 Fees \$ 20.00 +1.00

[Signature]  
Clerk and Recorder

[Signature]  
Deputy

<b>FINAL PLAT MULE SHOE SUBDIVISION</b>		
LOCATED IN THE NE 1/4 NW 1/4, SEC. 9, 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	TWODEL	Date
Job No.	412-05-04	Sheet
	JULY 2005	1 OF 2

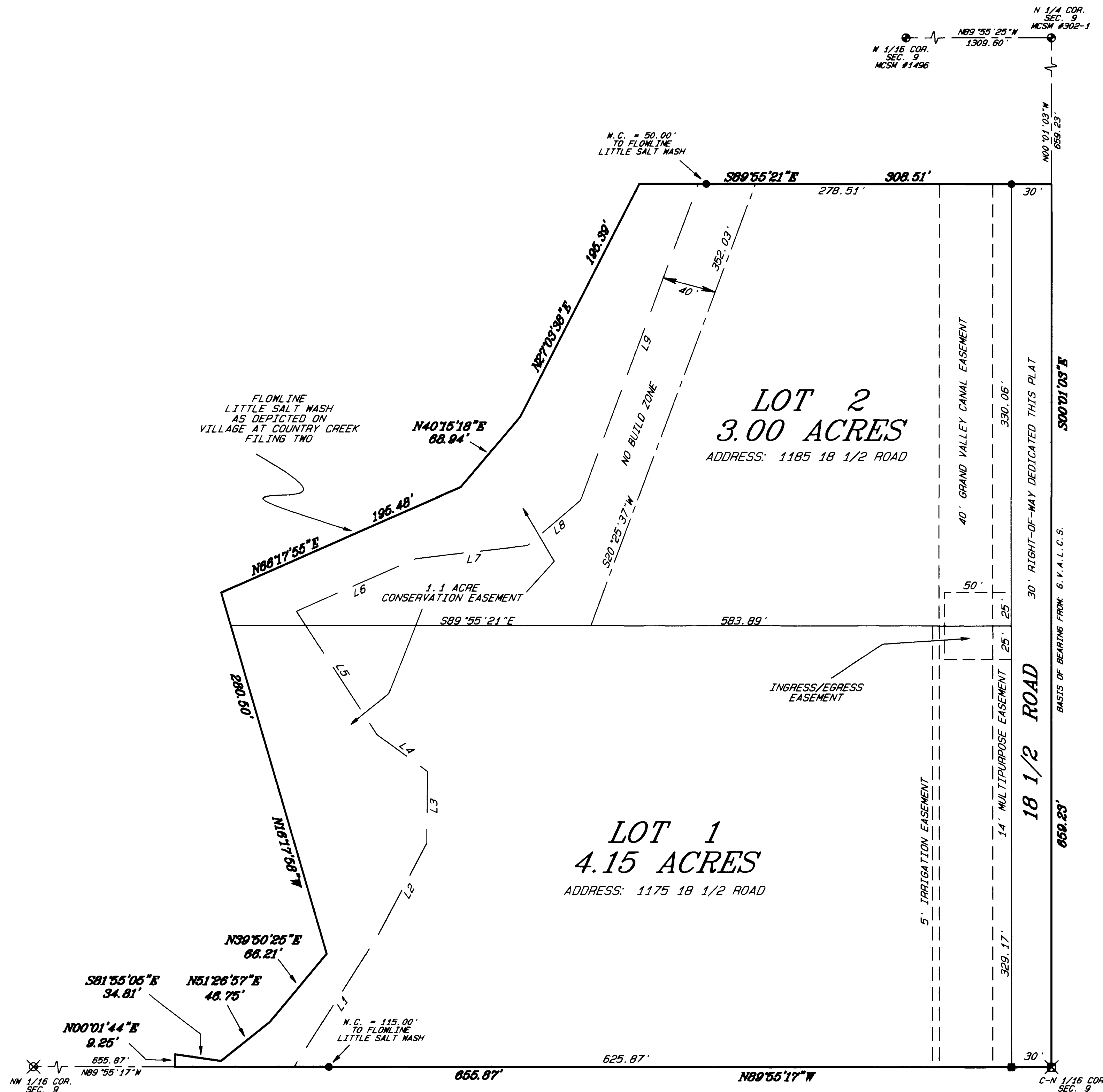
# FINAL PLAT

## MULE SHOE SUBDIVISION

NE 1/4 NW 1/4, SEC. 9, T1N, R2W, U.M.  
CITY OF FRUITA, COUNTY OF MESA, STATE OF COLORADO

### CONSERVATION EASEMENT LIMITS

LINE	BEARING	DISTANCE
L1	N32°36'42"E	116.95'
L2	N27°58'11"E	77.53'
L3	N00°21'20"E	53.66'
L4	N53°58'10"W	46.77'
L5	N33°16'37"W	109.65'
L6	N66°19'29"E	97.45'
L7	N83°18'15"E	84.54'
L8	N49°22'07"E	51.69'
L9	N20°25'37"E	252.18'



### LEGEND & ABBREVIATIONS

- FOUND MESA COUNTY SURVEY MARKER
- ⊗ FOUND 3" ALUMINUM CAP ON PIPE STAMPED BANNER INC LS 20632
- ⊗ FOUND BARE #5 REBAR, SET 2" ALUMINUM CAP STAMPED D H SURVEYS LS 20677
- FOUND #5 REBAR W/2.5" ALUMINUM CAP STAMPED TLC LS 18480
- SET #5 REBAR W/2" ALUMINUM CAP STAMPED D H SURVEYS LS 20677
- G.V.A.L.C.S. = GRAND VALLEY AREA LOCAL COORDINATE SYSTEM
- W.C. = WITNESS CORNER

### LAND USE SUMMARY

ROAD RIGHT OF WAY = 0.46 AC.  
 LOT 1 = 4.15 AC., SINGLE FAMILY RESIDENTIAL  
 LOT 2 = 3.00 AC., SINGLE FAMILY RESIDENTIAL  
 TOTAL ACREAGE = 7.61

*Michael J. Hild*  
 MICHAEL J. HILD  
 PROFESSIONAL LAND SURVEYOR  
 No. 11810  
 Exp. 12/31/2017

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**MULE SHOE SUBDIVISION**  
 LOCATED IN THE  
 NE 1/4 NW 1/4, SEC. 9, T1N, R2W, U.M.  
**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.	412-05-04
Drawn By	TMODEL	Date	JULY 2005	Sheet	2 OF 2

