

FINAL PLAT ORCHARD GROVE SUBDIVISION

Section 8, Township 1 North, Range 2 West, Ute Meridian
City of Fruita - County of Mesa - State of Colorado

CERTIFICATE OF OWNERSHIP AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, H & S Investments LLC, a Colorado limited liability company, is the owner of that real property in the County of Mesa, State of Colorado, described in Book 3253 at Pages 373 and 374 of the records of the Mesa County Clerk and Recorder, and as shown on the accompanying plat, said property being more particularly described as follows:

A parcel of land situated in the southwest quarter of the southeast quarter of Section 8, Township 1 North, Range 2 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the South Quarter corner of said Section 8, a Mesa County Survey Marker, whence the Center-South Sixteenth corner of said Section 8, a Mesa County Survey Marker, bears North 00°00'00" East with all bearings herein relative thereto:
 Thence along the west line of said southwest quarter of the southeast quarter North 00°10'48" East, a distance of 330.00 feet;
 Thence South 89°54'01" East, a distance of 30.00 feet to the Point of Beginning on the west right-of-way of Maple Avenue;
 Thence South 89°54'01" East, a distance of 764.56 feet to the centerline of the Independent Ranchmans Ditch;
 Thence along said centerline South 34°32'05" East, a distance of 81.89 feet;
 Thence along said centerline 239.98 feet along the arc of a 1200.00 foot radius tangent curve to the right, through a central angle of 11°27'30", with a chord bearing South 28°48'20" East, a distance of 239.58 feet;
 Thence along said centerline South 23°04'35" East tangent to said curve, a distance of 24.89 feet to the North right-of-way of Otley Avenue;
 Thence along said north right-of-way North 89°54'01" West, a distance of 29.75 feet;
 Thence departing said right-of-way North 27°13'33" West, a distance of 56.17 feet;
 Thence North 89°44'12" West, a distance of 40.05 feet;
 Thence South 00°05'59" West, a distance of 50.02 feet to said north right-of-way;
 Thence North 89°54'01" West, a distance of 444.54 feet;
 Thence departing said right-of-way North 00°10'48" East, a distance of 155.00 feet;
 Thence North 89°54'01" West, a distance of 397.00 feet to the east right-of-way of Maple Street;
 Thence along said right-of-way North 00°10'48" East, a distance of 145.00 feet to the Point of Beginning.

Containing 4.442 acres, more or less.

That said owners have by these presents laid out, platted, and subdivided the same into streets, tracts, lots and blocks as shown on this plat and designate the same as ORCHARD GROVE, a subdivision of the City of Fruita, Mesa County, Colorado; and do hereby make the following dedications and grants:

* The street shown hereon, being Orchard Court, to the full width of its platted right-of-way is 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 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 sewers, water lines, telephone lines, and also for the installation and maintenance of traffic control facilities, street lighting, irrigation lines, landscaping, trees and grade structures.

* Tract 1 and Tract 2, shown hereon are hereby dedicated to the City of Fruita for the use of the public forever for purposes including but not limited to, ingress and egress for pedestrians and other non-motorized forms of transportation for commuting and recreational purposes.

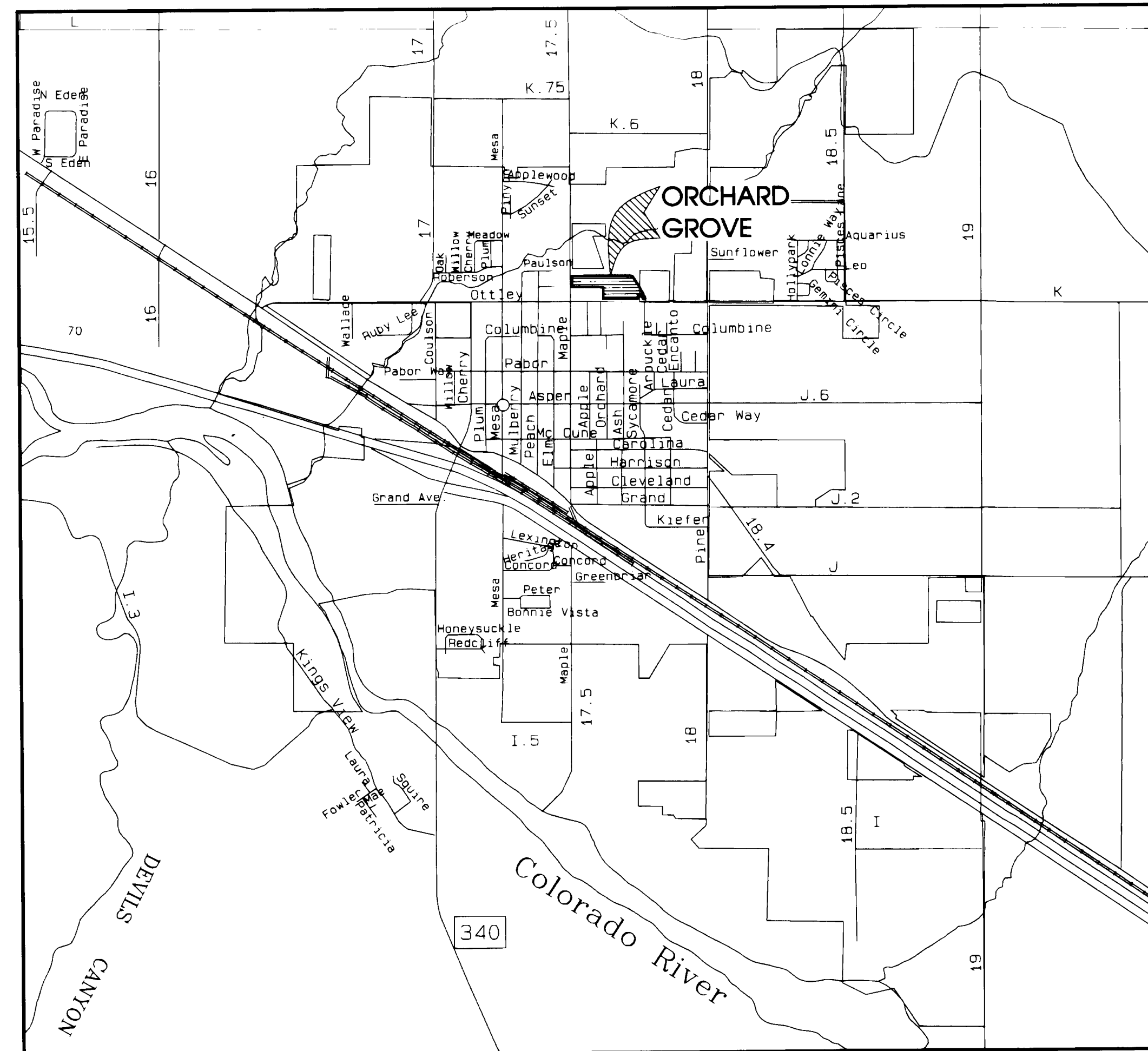
Said owners hereby accept the responsibility for the completion of required public improvements for Orchard Grove. We further state that this subdivision shall be subject to the protective covenants filed and recorded for this subdivision in the office of the Clerk and Recorder of Mesa County, in Book 3253 at Page 373-374.

That said owner certifies that all lien holders are represented hereon.

IN WITNESS WHEREOF said owner has caused their name to be hereunto subscribed this 2nd day of April, A.D., 2004.

By: Samuel J. Baldwin
H & S Investments, LLC

STATE OF COLORADO }
COUNTY OF MESA } ss
The foregoing instrument was acknowledged before me by Samuel J. Baldwin as Manager of H & S Investments, LLC this 2nd day of April, A.D., 2004.
Witness my hand and official seal:
My commission expires 11/2/05
Susan J. Ottman
Notary Public



VICINITY MAP 1" = 2000'

SUBORDINATION BY LIENHOLDER

The Bonds Company, Inc., being the holder of a promissory note secured by a deed of trust dated December 27, 2002 and recorded on January 13, 2003, at Reception No. 2098940 in the office of the Clerk and Recorder of Mesa County, Colorado hereby consents to the subdivision of the lands shown hereon, and subordinates the lien represented by the aforesaid deed of trust to the dedications and restrictions as shown hereon and relative covenants, conditions and restrictions.

EXECUTED this 2nd day of April, 2004.
By: Ronald Bonds (Pres)
The Bonds Company, Inc.

STATE OF COLORADO }
COUNTY OF MESA } ss
The foregoing instrument was acknowledged before me by Ronald Bonds as President of The Bonds Company, Inc. this 2nd day of April, A.D., 2004.
Witness my hand and official seal:
My commission expires 11/2/05
Susan J. Ottman
Notary Public

AREA SUMMARY		
LOTS	3.695 ACRE	83.20%
ROADS	0.527 ACRE	11.86%
TRACTS	0.219 ACRE	4.94%
TOTAL	4.442 ACRE	100%

TITLE CERTIFICATE

Meridian Land Title LLC
First American Heritage Title Company, does hereby certify that it has examined the title to all lands shown on this plat and that title to such lands is vested in H & S Investments, LLC, free and clear of all liens, taxes, and encumbrances, except as follows:
The Bonds Company, Inc

Executed this 2nd day of April, 2004.
By: Lawrence D. Vent, Title Examiner
First American Heritage Title Company
Meridian Land Title LLC

Irrigation easements are to be granted by separate instrument with reference to this plat to a duly formed association of the owners of the Lots and Tracts hereby platted, or to the adjoining property, as noted.

Drainage easements are to be granted by separate instrument with reference to this plat to a duly formed association of the owners of the Lots and Tracts hereby platted.

This survey does not constitute a title search by this surveyor or Thompson-Langford Corporation. All information regarding ownership, rights-of-way, easements of record, adjoiners, and other documents that may affect the quality of title to this property is from a title plat prepared by First American Heritage Title Company, Inc., No. 00148679, dated November 21, 2002.

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.

CITY OF FRUITA PLANNING COMMISSION
This plat approved by the City of Fruita Planning Commission this 6th day of April, 2004.

[Signature]
Chairman

FRUITA CITY COUNCIL CERTIFICATE

This plat approved by the Fruita City Council, Colorado, this 6th day of April, 2004, for filing with the Clerk and Recorder of Mesa County, Colorado, and for conveyance or dedication to the City of Fruita the public dedications shown hereon; subject to the provisions that approval in no way obligates the City of Fruita for financing or constructing of improvements to the public except as specifically agreed to by the Fruita City Council. 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 building permit, development 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, 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 hereon and not the City of Fruita, unless otherwise specifically agreed to in writing by the Fruita City Council. The City of Fruita has no opinion in regards to any conflicting boundary shown on this plat.

CITY OF FRUITA, COLORADO

By: [Signature]
Mayor



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

ATTEST:
[Signature]
City Clerk

SURVEYOR'S STATEMENT

I, Kenneth Scott Thompson, a registered Professional Land Surveyor in the State of Colorado, do hereby state that the accompanying plat of ORCHARD GROVE, 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. To the best of my knowledge and belief this plat conforms to the requirements for subdivision plats specified in the City of Fruita Land Use Code and the applicable laws of the State of Colorado, specifically C.R.S. 38-33.3-209. 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. This statement is not a guaranty, either expressed or implied.

Kenneth Scott Thompson,
Colorado PLS 18480



CLERK AND RECORDER'S CERTIFICATE

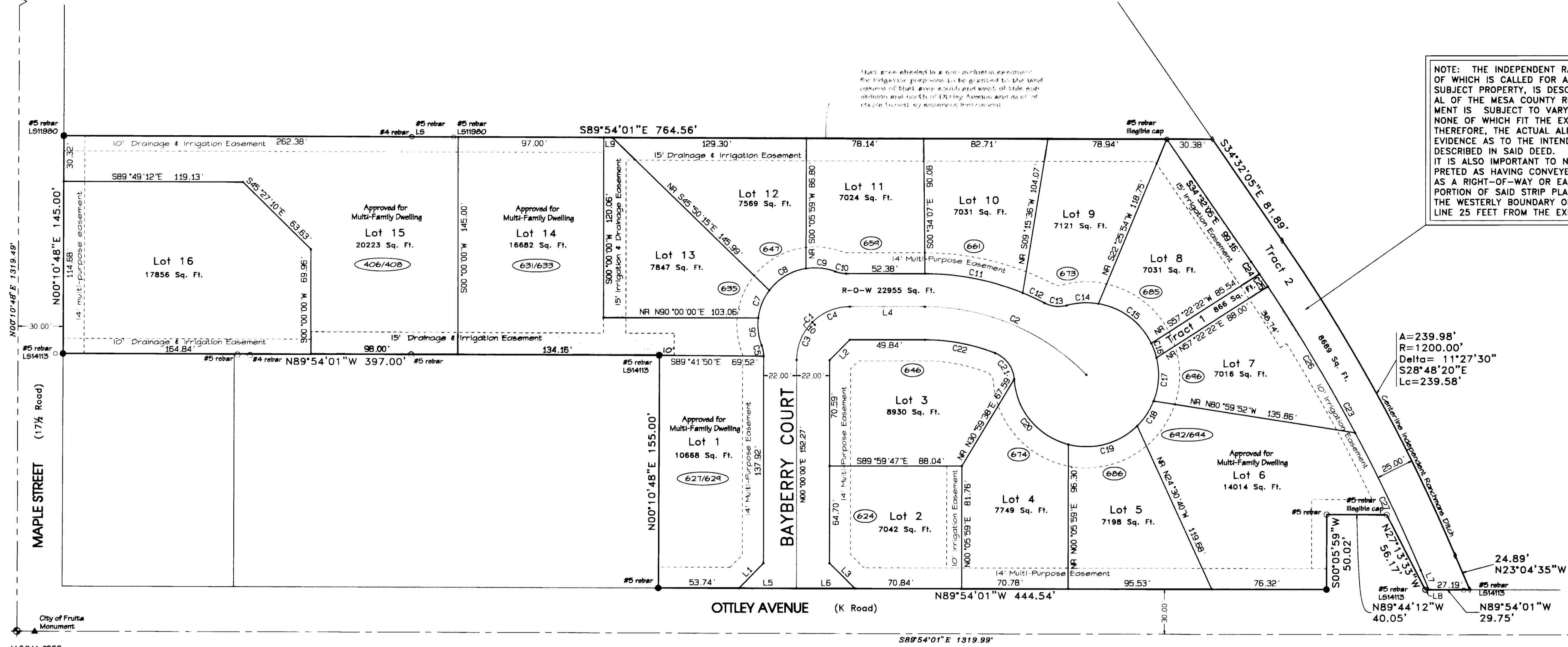
This plat was filed for record in the Office of the Mesa County Clerk and at 10:35 o'clock a.m. on the 7th day of April, 2004, and is duly recorded in Plat Book No. 3624, at Page 739-740, Reception No. 2185660. Drawer No. PP-9. Fees: 20.00 + 1.00
By: Ganice Ward and Kim Cole
Clerk and Recorder of Mesa County
Deputy Clerk

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ORCHARD GROVE SUBDIVISION
Section 8, Township 1 North, Range 2 West, Ute Meridian
City of Fruita - County of Mesa - State of Colorado

SW/4 SE/4 Section 8, Township 1 North, Range 2 West, Ute Meridian
THOMPSON-LANGFORD CORPORATION
 529 25 1/2 ROAD - B-210 (970) 243-6067
 Grand Junction CO 81505 tlc@tlcwest.com
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 Drawn: kst Checked: drs Date: Mar 29, 2004 Sheet 1 of 2

FINAL PLAT ORCHARD GROVE SUBDIVISION

Section 8, Township 1 North, Range 2 West, Ute Meridian
City of Fruita - County of Mesa - State of Colorado

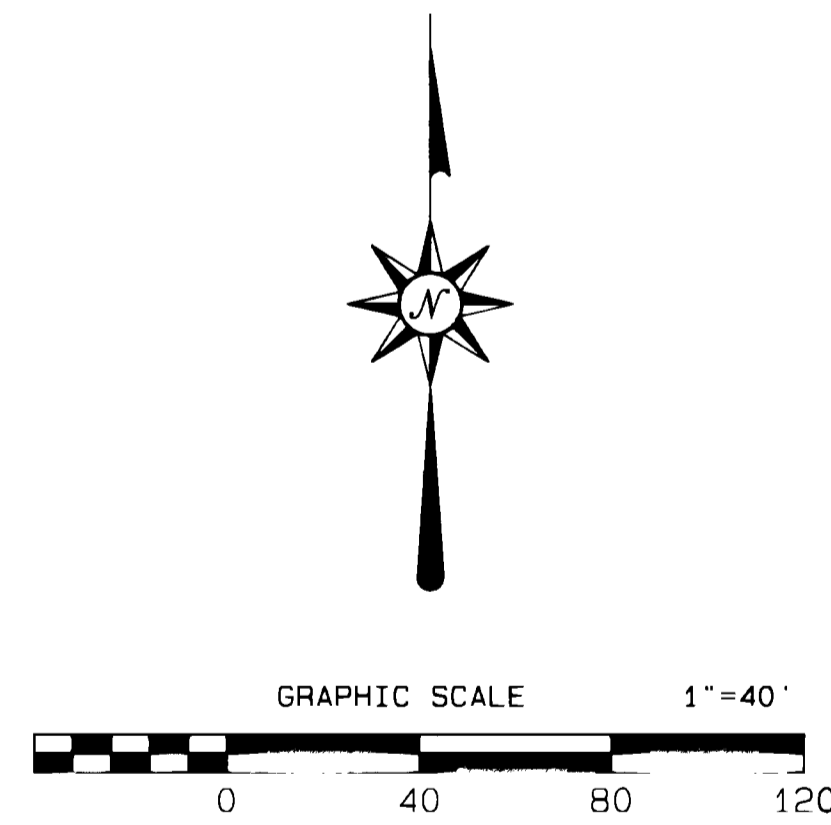


NOTE: THE INDEPENDENT RANCHMANS DITCH, THE CENTERLINE OF WHICH IS CALLED FOR AS THE EASTERLY BOUNDARY OF THE SUBJECT PROPERTY, IS DESCRIBED IN BOOK 20 AT PAGE 504 ET AL OF THE MESA COUNTY RECORDS. AS DESCRIBED THE ALIGNMENT IS SUBJECT TO VARYING INTERPRETATIONS AS TO LOCATION, NONE OF WHICH FIT THE EXISTING CANAL VERY WELL. THEREFORE, THE ACTUAL ALIGNMENT IS ACCEPTED AS THE BEST EVIDENCE AS TO THE INTENDED LOCATION OF THE STRIP OF LAND DESCRIBED IN SAID DEED. IT IS ALSO IMPORTANT TO NOTE THAT SAID DEED CAN BE INTERPRETED AS HAVING CONVEYED TITLE IN FEE SIMPLE RATHER THAN AS A RIGHT-OF-WAY OR EASEMENT. THE ENTIRETY OF THAT PORTION OF SAID STRIP PLATTED HEREON LIES WITHIN TRACT 2, THE WESTERLY BOUNDARY OF WHICH WAS ESTABLISHED AS THAT LINE 25 FEET FROM THE EXISTING CENTERLINE OF THE CANAL.

A=239.98'
R=1200.00'
Delta= 11°27'30"
S28°48'20"E
Lc=239.58'

REORDER NOTE: FOR QUALITY DOCUMENT PROVIDED FOR REPRODUCTION

- NOTES:**
- 1) Direct vehicular access to Otley Avenue is not allowed from Lots 1, 2, 4, 5, & 6.
 - 2) Lots 1, 6, 14 & 15 are approved for single family dwellings OR condominium/townhome dwellings.
 - 3) Addresses shown hereon were provided by the City of Fruita.



- LEGEND**
- ◆ found PLSS monument as noted
 - found monument as noted
 - ◇ calculated position - no monument
 - set 24" #5 rebar/aluminum cap PL 18480

BASIS OF BEARINGS

The bearings hereon are grid bearings of the Mesa County SIMSLCS determined by GPS observation on a Mesa County Survey Marker for the south quarter corner of Section 8, and a Mesa County Survey Marker for the center-south sixteenth corner of Section 8, Township 1 North, Range 2 West of the Ute Meridian. The bearing of this line is North 00°10'48" East.

CURVE TABLE

LINE	ARC	RADIUS	CHORD BEARING	DELTA	CHORD
C1	55.76	35.50	N45°00'00"E	90°00'00"	50.20
C2	119.71	150.00	S67°08'15"E	45°43'31"	116.56
C3	27.88	35.50	S22°30'00"W	45°00'00"	27.17
C4	27.88	35.50	S67°30'00"W	45°00'00"	27.17
C5	7.36	20.00	N10°32'28"W	21°04'56"	7.32
C6	18.50	38.00	N07°08'15"W	27°53'22"	18.31
C7	20.00	38.00	N21°53'06"E	30°09'20"	19.77
C8	29.21	38.00	N58°59'00"E	44°02'27"	28.50
C9	19.95	38.00	S83°57'25"E	30°04'43"	19.72
C10	7.36	20.00	S78°27'32"E	21°04'56"	7.32
C11	66.73	172.00	S78°53'10"E	22°13'40"	66.31
C12	16.11	172.00	S65°05'21"E	5°21'59"	16.10
C13	15.13	20.00	S84°04'51"E	43°21'00"	14.77
C14	21.28	48.00	N86°56'33"E	25°23'48"	21.10
C15	45.53	48.00	S53°11'09"E	54°20'48"	43.84
C16	10.27	48.00	S19°52'54"E	12°15'42"	10.25
C17	29.41	48.00	S03°48'06"W	35°08'17"	28.95
C18	20.00	48.00	S33°17'26"W	23°52'24"	19.86
C19	49.54	48.00	S74°47'48"W	59°08'21"	47.37
C20	60.39	48.00	N39°35'29"W	72°05'04"	56.48
C21	22.68	20.00	N36°02'22"W	64°58'49"	21.49
C22	47.97	128.00	N78°15'53"W	21°28'14"	47.69
C23	234.98	1175.00	S89°48'20"E	11°27'30"	234.59
C24	9.96	1175.00	N34°17'31"W	0°29'09"	9.96
C25	10.00	1175.00	N33°48'18"W	0°29'36"	10.00
C26	113.65	1175.00	N30°47'25"W	5°32'31"	113.61
C27	101.37	1175.00	N25°32'52"W	4°56'34"	101.33

LINE TABLE

LINE	BEARING	DISTANCE
L1	S44°03'36"W	23.38
L2	N44°49'30"E	19.18
L3	N45°12'22"W	24.05
L4	N90°00'00"E	49.86
L5	N89°54'01"W	38.28
L6	N89°54'01"W	39.05
L7	N23°04'35"W	14.19
L8	N89°54'01"W	2.55
L9	S89°54'01"E	5.71
L10	S45°00'00"E	2.43



SEE SHEET 1 OF 2 FOR SURVEYOR'S STATEMENT

FINAL PLAT
ORCHARD GROVE SUBDIVISION
Section 8, Township 1 North, Range 2 West, Ute Meridian
City of Fruita - County of Mesa - State of Colorado

SW/4 SE/4 Section 8, Township 1 North, Range 2 West, Ute Meridian

THOMPSON-LANGFORD CORPORATION
529 25 1/2 ROAD - B-210 (970) 243-6067
Grand Junction CO 81505 tlc@tlcwest.com

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Drawn: kst Checked: drs Date: Mar 29, 2004 Sheet 2 of 2