

# RIVER RANCH FILING 2

## A REPLAT OF TRACT A RIVER RANCH FILING 1 SECTIONS 27 & 34, T.1 N., R.2 W., UTE MERIDIAN MESA COUNTY, COLORADO

**STATEMENT OF OWNERSHIP AND DEDICATION**

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, Lamot duPont, is the owner of that real property situated in Section 27 and the NW1/4 of Section 34, Township 1 North, Range 2 West of the Ute Meridian, Mesa County, Colorado, the ownership of which is demonstrated in instruments recorded in Book 1271 Page 557, Book 1822 Page 355 and Book 3571 at Page 623 and Order and Judgement in Book 1257 at Page 39 of the Mesa County records; said property being more particularly described as follows:

Tract A, River Ranch Filing 1, according to the plat recorded at Reception No. 2255024 of the Mesa County records, Mesa County, Colorado.

That said owner has by these presents laid out, and surveyed the above described real property as shown hereon, and designates the same as RIVER RANCH FILING 2, a subdivision of Mesa County, Colorado.

That said owner does hereby dedicate and set apart real property as shown and labeled on the accompanying plat as follows:

A utility easement in the Private Road is dedicated to the County of Mesa for the use of public utilities as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances thereto including but not limited to: electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, water lines and telephone lines. This easement is restricted to the outer 15 feet along each side of the Private Road.

Ingress and egress over the Private Road right-of-way is dedicated to Mesa County for public providers including but not limited to postal service, trash collection, fire, police and emergency vehicles and services.

Ditch and water rights - Lamot duPont reserves all ditch and water rights across River Ranch Filing 1 and River Ranch Filing 2. A portion of these rights will by separate instrument be conveyed to the River Ranch Homeowners' Association.

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 or brush, and in Drainage easements the right to dredge; provided however, that the beneficiaries/owners shall utilize the same in a reasonable and prudent manner. Furthermore, the owners of said 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 further certifies that all lienholders are represented hereon.

Executed this 8<sup>th</sup> day of MARCH, 2007.

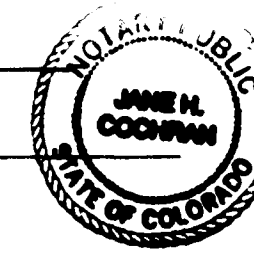
*Lamot duPont*  
Lamot duPont

State of Colorado }  
County of Mesa }

The foregoing Statement of Ownership and Dedication was acknowledged before me by Lamot duPont this 8<sup>th</sup> day of MARCH, 2007, for the aforementioned purposes.

*Jan H. Cochran*  
Notary Public

My commission expires: 2/9/08



**LIENHOLDERS RATIFICATION OF PLAT**

The undersigned hereby certify that they are holders of a security interest upon the property hereon described and do hereby join in and consent to the dedication of the land described in said dedication by the owners thereof and agree that their security interest which is recorded in Book 3571 at Pages 627-628 of the public records of Mesa County, Colorado shall be subordinated to the dedications shown hereon.

In witness whereof, the said lienholders have caused these presents to be signed this 8<sup>th</sup> day of MARCH, 2007.

By: *William D. Loring*  
William D. Loring

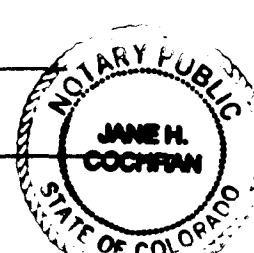
By: *Janet S. Loring*  
Janet S. Loring

State of Colorado }  
County of Mesa }

The foregoing Lienholder's Ratification of Plat was acknowledged before me by William D. Loring and Janet S. Loring this 8<sup>th</sup> day of MARCH, 2007, for the aforementioned purposes.

*Jan H. Cochran*  
Notary Public

My commission expires: 2/9/08



**BOARD OF COUNTY COMMISSIONERS' CERTIFICATE**

Accepted this 12<sup>th</sup> day of MARCH, 2007 A.D. by the Board of County Commissioners of Mesa County, Colorado.

Chairperson

**DECLARATION OF COVENANTS**

This property is subject to Covenants, Conditions and Restrictions as set forth in an instrument recorded in Book 3591 at Pages 696-722 of the Mesa County records, as amended in an instrument recorded in Book 4143a at Pages 398-400 and as further amended in an instrument recorded in Book 4374 at Page 665.

**CLERK AND RECORDER'S CERTIFICATE**

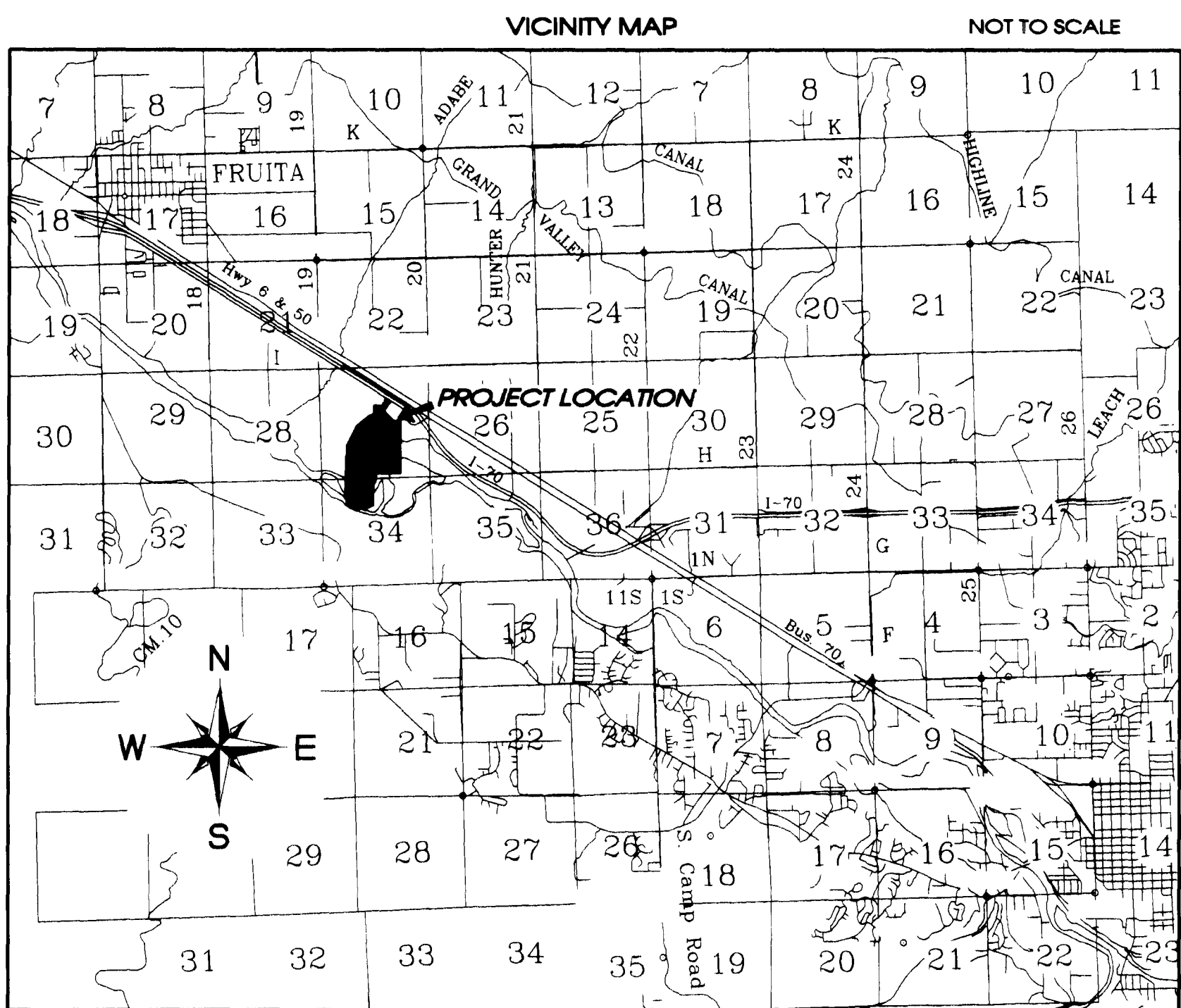
This plat was filed in the office of the Clerk and Recorder of Mesa County, Colorado, at 3:12 o'clock P.M., on this 13<sup>th</sup> day of

March, 2007, A.D., and was recorded at Reception No. 2365871, Drawer No. 77-48, Fees 30+1, Book 4374 Pg 665-667

By: *Janice Rich* Clerk and Recorder, *Sharon Bridgeman* Deputy

I, Dennis R. Shellhorn, a registered Professional Land Surveyor in the State of Colorado, do hereby state that the accompanying plat of RIVER RANCH FILING 2, a subdivision of Mesa County, Colorado, has been prepared by me and/or under my direct supervision and represents a field survey of the same. This plat conforms to the requirements for subdivision plats specified in the Mesa County Land Development Code and the applicable laws of the State of Colorado to the best of my knowledge and belief. This statement is only applicable to the survey data hereon, and does not represent a warranty or opinion as to ownership, lienholders, or quality of title.

Dennis R. Shellhorn, Colorado PLS 18478



**PLAT NOTES**

Ingress/egress easements (shaded areas) across Lot 4 for the benefit of Lot 5, across Lot 10 for the benefit of Lot 9 and across Lot 11 for the benefit of Lot 12 are to be conveyed by reference to this plat upon the sale of the lots, subject to a public utility easement over the shaded portion.

Ingress/egress license to individual River Ranch lot owners across corridors designated A, B, C and D to be established by a separated document and 2nd amendment to the Declaration of Covenants, Conditions and Restrictions for River Ranch Subdivision.

Outlots 2 and 3 are subject to a conservation easement to the Colorado Wildlife Heritage Foundation, recorded in Book 4066 at Pages 408-426 of the Mesa County records.

Private Road rights-of-way are to be granted by separate instrument to the River Ranch Homeowners' Association for use of the owners of the lots and tracts hereby platted, and for the owners of Lots 1 and 2 River Ranch Filing 1. Private Road rights-of-way are to be maintained by the Homeowners' Association.

**RIGHT TO FARM ACT**

This development is located in an agricultural area. It is hereby recognized that agricultural operations may continue in the area and shall not be considered a nuisance unless gross negligence is proven pursuant to C.R.S. 36-3.5-101.

Restrictions appurtenant to the respective lots shown on this plat are designated on the associated Site Plan recorded in the office of the Mesa County Clerk and Recorder.

Flood hazards exist on all or portions of Lots 4 - 12. Construction of the dike in Outlot 2 and 3 is of undetermined structural integrity. Owners of such Lots assume all risks from flood hazards unique to their Lots.

Riverfront Trail easement across the northwestern part of Lot 12 granted by separate instrument to the Riverfront Commission by reference to this plat, subject to terms and conditions set forth in said grant.

\*Pursuant to C.R.S. 24-68-101 et seq., and Chapter 110 of the 2000 Mesa County Land Development Code, a site specific development plan has been approved by Mesa County for River Ranch and shall result in a vested right.

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.

**LAND USE SUMMARY**

LOTS	34.444 ACRES	17.0%
OUTLOTS	166.190 ACRES	81.6%
ROAD TRACT	2.714 ACRES	1.3%
<b>TOTAL</b>	<b>202.348 ACRES</b>	<b>100.0%</b>

COUNTY PLANNING # 2002-298 PF1

## RIVER RANCH FILING 2

LAMMOT DUPONT

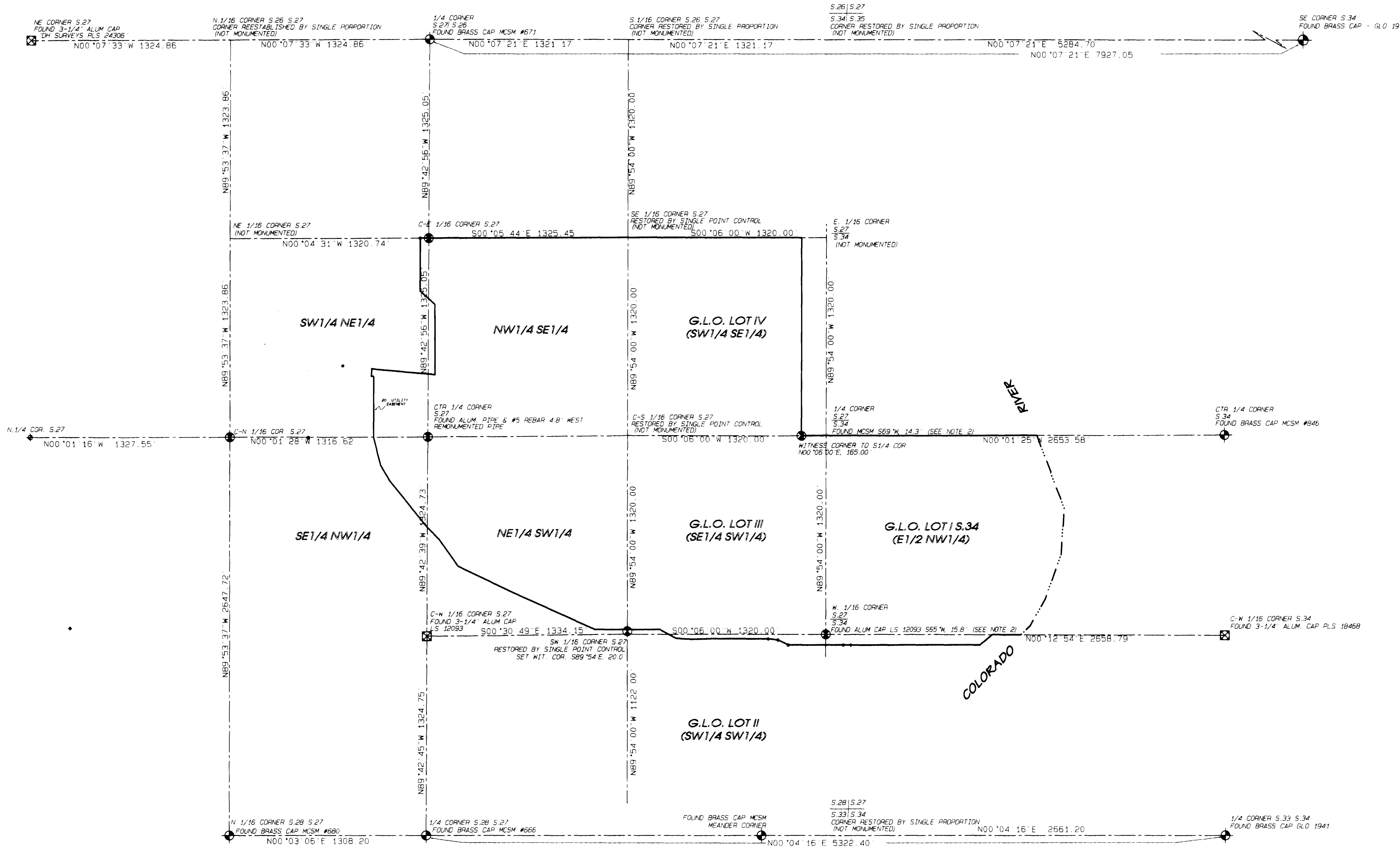
SECTION: S.27 S.34      TOWNSHIP: 1 North      RANGE: 2 West      MERIDIAN: UTE

**River City CONSULTANTS, INC.**  
Integrated Design Solutions      744 Horizon Court, Suite 110  
Grand Junction, CO 81608  
Phone: 970-241-4722 Email: info@rcwest.com

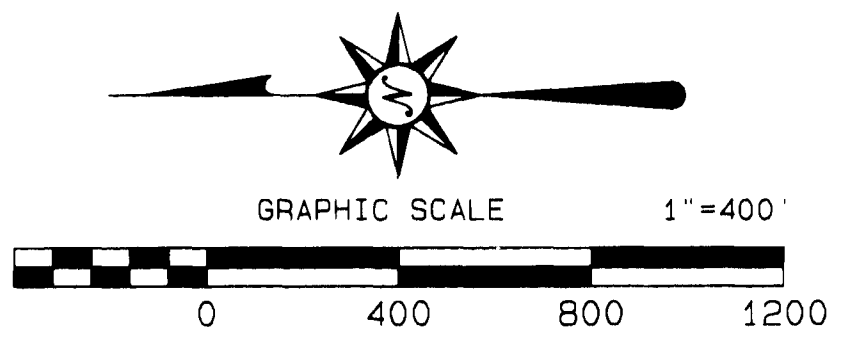
Date of Survey: Aug. 2002	Field Surveyor: SLG	Revision Date: Mar 8, 2007
Drawn: DRS	Checked: KST	Approved: DRS
S:\PROJECTS\0613-002 River Ranch 2\survey\RBR PH2.pro		Job No. 0613-001
		Sheet 1 of 3

RECORDED NOTE: POOR QUALITY DOCUMENT PROVIDED FOR REPRODUCTION

# RIVER RANCH FILING 2



- Bearings are based on grid north of the Mesa County Local Coordinate System, locally determined by GPS observations on the aluminum cap "DH Surveys - PLS 24306" for the Northeast corner of Section 27, and the brass cap Mesa County Survey at the East one-quarter corner of Section 27. The measured bearing of this line is  $90^{\circ}07'33''$  E. For the purpose of restoring lost corners, record G.L.O. bearings were rotated  $0^{\circ}06'$  clockwise.
- The Mesa County Survey marker for the South 1/4 corner of Section 27 and the aluminum cap LS 12093 for the West 1/16 corner on the South line of Section 27 were rejected on the basis that the lost corner positions were incorrectly restored. Plate and monument records on file with the Mesa County Surveyor's office show that the monuments were not set using the same methods in the retracements as those of the original survey. Refer to Land Survey Deposit #2056-99, Historical Plat #160, and field notes of the Corrected Survey of Section 27, Township 1 North, Range 2 West, by A.J. McCune.
- This survey does not constitute a title search by this surveyor or River City Consultants, Inc. 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 non-concurrent title commitment prepared by Abstract & Title Company of Mesa County, Inc., No. 00907979 C4, dated July 11, 2004.
- The Colorado River is a natural boundary subject to movement due to the action of the water and was not monumented. The meanders of the approximate mean high water line of the river were run for the calculation of the median line of the river and area at the time of survey only.
- The portions of Sections 27 and 34 bordered by the Colorado River were designated as government lots in the official surveys by the General Land Office. Patent was granted using the lot designations but they have subsequently been dropped in the chain of title. The deeds used convey the subject property and its adjoiners call to the traditional fractional section subdivision lines as the boundaries as opposed to those that would be formed by the apportionment of accreted land in government lots. This issue has been further clouded by a District Court Order and Judgement related to the effect of placer mining operations on the normal accretion of land (Book 1287 Page 39, et. seq.). This survey recognizes the lines as conveyed.
- Deed descriptions for portions of the subject property and adjoining parcels (Book 1655 Page 329, Book 1696 Page 549, Book 1845 Page 959) are metes and bounds descriptions referenced to the Center 1/4 corner of Section 27. Survey markers set in a survey of the subject property by Luther Muergrove, PLS 10386, in 1980 were found to conform to the courses as described in the deeds but appear to be referenced to an incorrectly restored position for the Center 1/4 corner, marked with #5 rebar. Although a correctly restored Center 1/4 corner would place the boundaries in a different location, passage of time, landowner testimony, evidence of occupation and mathematical consistency lead to the conclusion that the Muergrove survey represents the intent of the deeds and has been accepted as the boundary location.



- ☒ FOUND ALUMINUM CAP PUBLIC LAND SURVEY SYSTEM CORNER
- ⊕ FOUND BRASS CAP PLS CORNER (MCSM OR GLO)
- ⊙ SET #6 X 30" REBAR W/3-1/4" ALUM. CAP "THOMPSON-LANGFORD CORP. PLS 10478"



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 herein.

COUNTY PLANNING # 2002-299 FPI

## RIVER RANCH FILING 2

LAMMOT DUPONT

SECTION: S.27 S.34	TWNSHIP: 1 North	RNGE: 2 West	MERIDIAN: UTE
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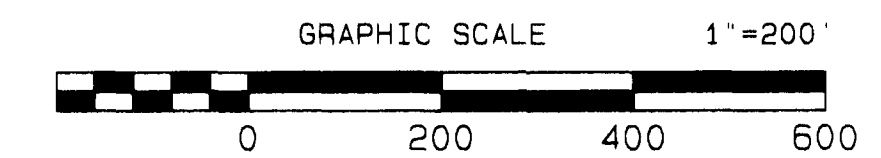
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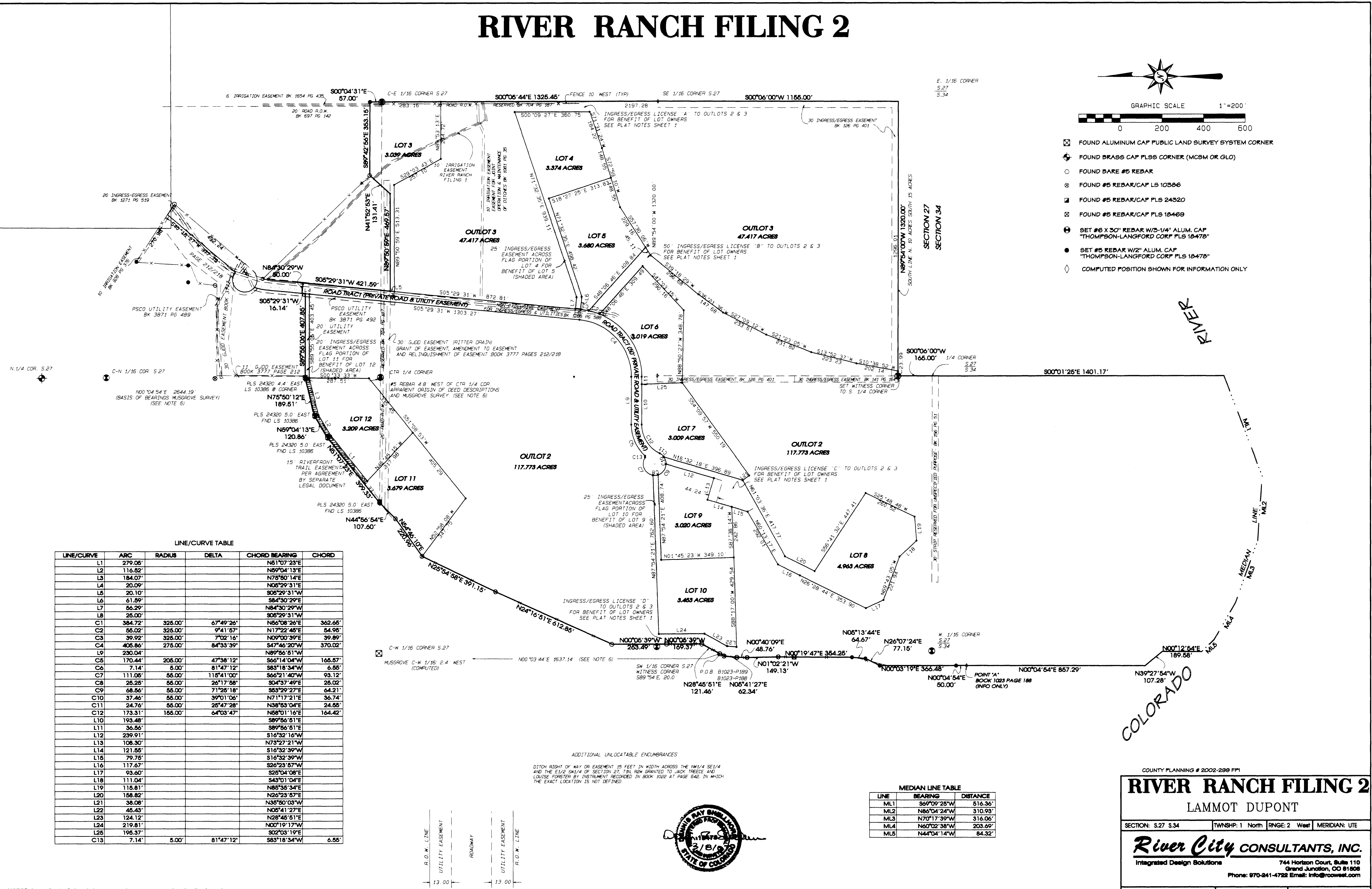
Date of Survey: Aug. 2002	Field Surveyor: SLG	Revision Date: Mar 8, 2007
Drawn: DRB	Checked: KST	Approved: DRB
S:\PROJECTS\0613-002 River Ranch 2\survey\RBR PH2.pro	Job No. 0613-001	Sheet 2 of 3



# RIVER RANCH FILING 2



- ⊠ FOUND ALUMINUM CAP PUBLIC LAND SURVEY SYSTEM CORNER
- ⊕ FOUND BRASS CAP PLSS CORNER (MC9M OR GLO)
- FOUND BARE #5 REBAR
- ⊗ FOUND #5 REBAR/CAP LS 10386
- ⊠ FOUND #5 REBAR/CAP PLS 24320
- ⊗ FOUND #5 REBAR/CAP PLS 18469
- ⊕ SET #6 X 3/8" REBAR W/3-1/4" ALUM. CAP "THOMPSON-LANGFORD CORP PLS 18478"
- SET #5 REBAR W/2" ALUM. CAP "THOMPSON-LANGFORD CORP PLS 18478"
- ◇ COMPUTED POSITION SHOWN FOR INFORMATION ONLY

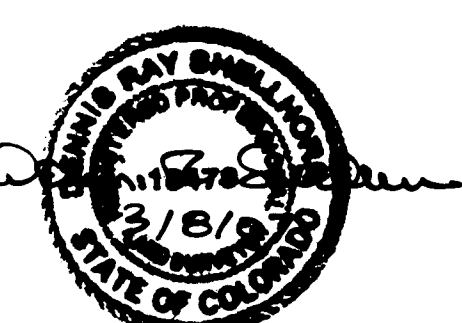
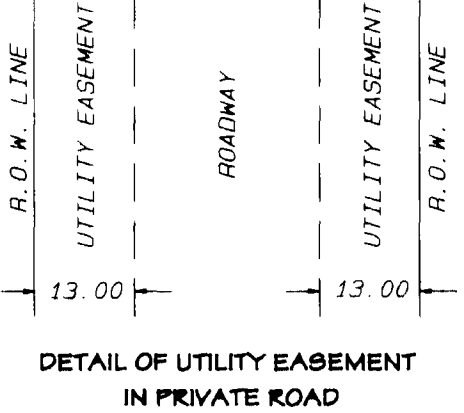


LINE/CURVE TABLE

LINE/CURVE	ARC	RADIUS	DELTA	CHORD BEARING	CHORD
L1	279.06'			N61°07'23"E	
L2	116.62'			N69°04'13"E	
L3	184.07'			N75°50'14"E	
L4	20.09'			N75°29'31"E	
L5	20.10'			S05°29'31"W	
L6	61.89'			N84°30'29"E	
L7	56.29'			N84°30'29"W	
L8	25.00'			S05°29'31"W	
C1	384.72'	325.00'	67°49'26"	N64°08'26"E	360.65'
C2	56.02'	325.00'	9°41'57"	N17°22'48"E	54.98'
C3	39.92'	325.00'	7°02'16"	N07°00'39"E	39.89'
C4	406.86'	275.00'	84°33'39"	S47°46'20"W	370.02'
L9	230.04'			N89°56'51"W	
C5	170.44'	205.00'	47°38'12"	S64°14'04"W	166.57'
C6	7.14'	5.00'	81°47'12"	S83°18'34"W	6.55'
C7	111.08'	56.00'	118°41'00"	S64°21'40"W	93.12'
C8	25.28'	56.00'	26°17'58"	S04°37'49"E	25.02'
C9	68.56'	56.00'	71°25'18"	S53°29'27"E	64.21'
C10	37.46'	56.00'	39°01'06"	N71°17'21"E	36.74'
C11	24.76'	56.00'	28°47'28"	N38°53'04"E	24.55'
C12	173.31'	155.00'	64°03'47"	N58°01'16"E	164.42'
L10	193.48'			S89°56'51"E	
L11	36.56'			S89°56'51"E	
L12	239.91'			S16°32'16"W	
L13	106.30'			N73°27'21"W	
L14	121.65'			S16°32'39"W	
L15	79.78'			S16°32'39"W	
L16	117.67'			S26°23'57"W	
L17	93.60'			S26°04'08"E	
L18	111.04'			S43°01'04"E	
L19	115.81'			N85°35'34"E	
L20	158.82'			N26°23'57"E	
L21	38.08'			N35°50'03"W	
L22	45.43'			N05°41'27"E	
L23	124.12'			N28°45'51"E	
L24	219.81'			N00°19'17"W	
L25	195.37'			S02°03'19"E	
C13	7.14'	5.00'	81°47'12"	S83°18'34"W	6.55'

MEDIAN LINE TABLE

LINE	BEARING	DISTANCE
ML1	S69°09'25"W	516.36'
ML2	N86°04'24"W	310.93'
ML3	N70°17'39"W	316.06'
ML4	N60°02'38"W	203.69'
ML5	N44°04'14"W	84.32'



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COUNTY PLANNING # 2002-299 FPI

## RIVER RANCH FILING 2

LAMMOT DUPONT

SECTION: S.27 S.34    TWPNSHP: 1 North    RANGE: 2 West    MERIDIAN: UTE

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