FINAL PLAT OF:

MOUNTAIN SAGE TOWNHOMES P.U.D.

A PARCEL OF LAND SITUATED IN LOT 9 OF SECTION 33, AND IN LOT 12 OF SECTION 34, ALL IN TOWNSHIP 7 SOUTH, RANGE 88, WEST OF THE 6th P.M. COUNTY OF GARFIELD, STATE OF COLORADO

SHEET 1 OF 1

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS:

That Colorado-Main Development, LLC is the sole owner in fee simple of all real property described herein and situated in the Town of Carbondale, County of Garfield, State of Colorado, said real property being more particularly described as follows:

Parcel A

A Tract of land situated in Lot 12, Section 34, Township 7 South, Range 88 West of the 6th Principal Meridian described as follows:

Beginning at the intersection of the West line of the Weaver Addition to the Town of Carbondale, Colorado, with the North line of county road whence the street center monument located at the centers of 6th Street and Main Street in said Town of Carbondale bears S. 0 degrees 03' W. 262.99 feet and S. 89 degrees 57' E. 330.23 feet; thence S. 89 degrees 16' W. 369.47 feet along North line of said county road; thence N. 0 degrees 25' W. 117.90 feet; thence N. 89 degrees 18' E. 369.47 feet to a point on the West line of said Weaver Addition; thence S. 0 degrees 25' E. 117.90 feet along the West line of said Weaver Addition to the point of beginning.

Parcel B

A parcel of land situated in Lot 12 of Section 34, Township 7 South, Range 88 West of the Sixth Principal Meridian, lying Southerly of a road-way as constructed and in place, said parcel of land is described as follows: beginning at a point on the Southerly line of said road-way whence the street center monument located at the intersection of 6th Street and Main Street in the Town of Carbondale, Colorado, bears S. 00 degrees 03'00 W. 387.89 feet and N. 89 degrees 57'00" E. 703.72 feet; thence S. 87 degrees 56'00" E. 248.28 feet along the southerly line of said road-way; thence S. 89 degrees 18'00" W. 248.06 feet; thence N. 00 degrees 25'00" W. 11.84 feet to a point on the southerly line of said road-way the point of beginning.

County of Garfield
State of Colorado

That aforesaid owner has by these presents laid out and platted all of the above described real property into Lots and Tracts as shown hereon and designates the same as Mountain Sage Townhomes Planned Unit Development, a subdivision in the Town of Carbondale, Garfield County, State of Colorado, and does hereby make the following dedications:

A. That portion of the real property within plat identified and depicted as Tract 1 and 2 is hereby dedicated and set apart to the Mountain Sage Townhomes Association, Inc., as private common area, for the use and benefit of the declarant and the members and guests of said association, in accordance with the terms and condition of the Declaration of Covenants, Conditions, Restrictions and Easements of The Mountain Sage Townhomes; subject, however, to the easements shown thereon for the purposes so designated herein.

B. All portions of the real property identified and depicted on the within plat as public access easement No. 1 & 2 are hereby reserved, dedicated and set apart as perpetual, public access easements for the use and benefit of the Town of Carbondale for public use, as set forth on the easement deed recorded as reception No. 739582 in the Garfield County records.

C. All portions of the real property within plat depicted and described as ingress, egress and emergency access easements are hereby dedicated and set apart to the Mountain Sage Townhomes Association, Inc. for use as street and road easements by the members thereof, their guests and invitees, subject to the right of all police and emergency vehicles to make use of such access easements in all reasonable circumstances.

D. All portions of real property the within plat depicted and described as drainage and landscape easements are hereby dedicated and set apart to the Mountain Sage Townhomes Association, Inc. for the purposes so designate.

E. All portions of the real property identified and depicted on the within plat as utility easements are hereby reserved, dedicated and set apart as perpetual, non-exclusive utility easements for the use and benefit of the Town of Carbondale or other appropriate utility companies for public use, for the purpose of installation, operation, maintenance, repair and replacement of utility lines and facilities, together with the perpetual right of ingress and egress thereto for the aforesaid purposes, upon the condition that such easements and rights be utilized by the beneficiaries in a reasonable and prudent manner.

F. All portions of the real property identified and depicted on the within plat are subject to the Declaration of Covenants, Conditions, Restrictions and Easements of The Mountain Sage Townhomes recorded as reception no. 739583 of the Garfield County records.

G. All portions of real property identified and dedicated on the within final plat are subject to the declaration of covenant (Transfer fee) for the Mountain Sage P.U.D. recorded as reception No. 739584 of the Garfield County Records.

H. Lots B2, F2 and G2 are subject to the Declaration of Master Deed Restriction and agreement Concerning the sale, occupancy and resale of Townhome Lots B2, F2 and G2 in the Mountain Sage Townhomes P.U.D. Town of Carbondale, Garfield County, Colorado recorded as reception No. 739585 in the Garfield County Records.

I. Lots E1, E2, E3 and E4 are subject to the Declaration of Master Deed Restriction and agreement Concerning the Sale, Occupancy and Resale of Townhome Lots in the Mountain Sage Townhomes P.U.D. Town of Carbondale, Garfield County, Colorado recorded as reception No. 739586 in the Garfield County records.

IN WITNESS WHEREOF said owner has caused his name to be hereunto subscribed this 17 day of DEC, A.D., 2007.

Owner: Colorado-Main Development, LLC

By: _____

As: MANAGER

STATE OF Colorado)
) ss.
COUNTY OF Garfield)

The foregoing dedication was acknowledged before me this 17th day of December, A.D., 2007.

by Laurence Neil Lederer
as Manager of Colorado-Main Development, LLC

My commission expires 6-17-09

WITNESS MY HAND AND SEAL

Notary Public

LYNN S. YOUNG NOTARY PUBLIC STATE OF COLORADO

My Commission Expires 06/17/2009

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 CERTIFICATION SHOWN HEREON.

Plat Notes:

1) The Mountain Sage Townhomes Association, Inc. shall be responsible for the maintenance, repair and replacement of certain improvements within Public Access Easements Nos. 1 and 2 identified and depicted on the within plat as referred to in the Conditions and Developer Representations in paragraph 1.5 of the Planned Unit Development Agreement between the Town of Carbondale and Colorado – Main Development, LLC recorded as reception No. 739580 of the Garfield County Records and the Easement Deed given by Colorado – Main Development, LLC to the Town of Carbondale, recorded as reception No. 739582 in the Garfield County Records.

2) The exterior of the Subdivision has been monumented as shown hereon. Prior to the sale of any individual lot, the corners of said lot shall be monumented by a licensed Land Surveyor.

3) Approval of this plan creats a vested real property right pursuant to Article 68 of Title 24, CRS, as amended, subject to the limitations of Chapter 17.40, Carbondale Municipal code.

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

INGRESS, EGRESS & EMERGENCY ACCESS EASEMENT

UTILITY & DRAINAGE EASEMENT

PUBLIC ACCESS EASEMENTS

LANDSCAPE EASEMENT

Survey Notes:

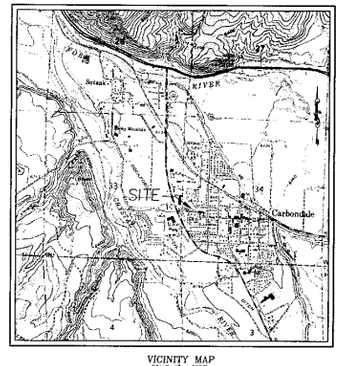
1) Date of survey: March, 2007.

2) Date of preparation: June – October, 2007.

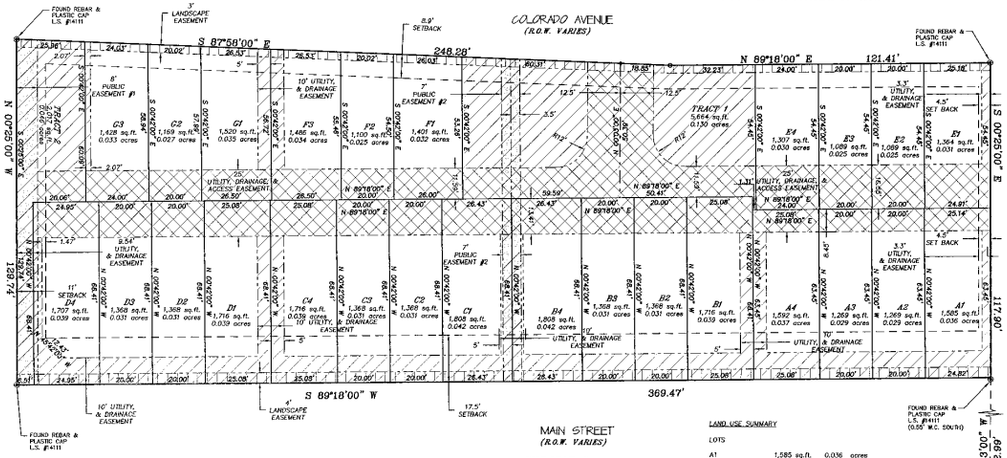
3) Basis of bearing: All bearings shown hereon are relative to a bearing of N 89°57'00" W between the Town of Carbondale street monuments at the intersections of Eighth & Main and Second & Main both being found #5 rebars.

4) Basis of survey: The Improvement Survey of Subject Property prepared by Lines in Space Job #56053 dated March 01, 2007, the Title Commitment outlined in Note 5, and the found monuments, as shown.

5) This survey does not constitute a title search by Sopris Engineering, LLC (SE) to determine ownership or easements of record. For all information regarding easements, Right-of-Way and/or title of record SE relied upon the above said Improvement Survey described in note 4, and the Title Commitment prepared by Land Title Guarantee Company, Order No. GW66000227 with an effective date of June 4, 2007 and Order No. GB63001934 for the Public Easements with an effective date of December 14, 2007.



VICINITY MAP
SCALE: 1" = 2000'



Lienholder's Subordination

United Western Bank hereby approves the grants and dedications set forth on this plat, approves the recording of this plat and subordinates its deeds of trust to the terms, provisions, subdivision dedications, and grants contained on his plat.

United Western Bank
700 17th Street, Suite 500
Denver Colorado, 80202

by: _____
as: President

State of Colorado)
) ss.
County of Garfield)

the foregoing instrument was acknowledged before me this 17 day of December, 2007, by Ryan Brickman, as President of United Western Bank

witness my hand and official seal

my commission expires: May 22, 2009

Notary public

MARY L. SCHEURICH NOTARY PUBLIC STATE OF COLORADO

My Commission Expires May 22, 2009

LAND USE SUMMARY

LOTS		
A1	1,585 sq.ft.	0.036 acres
A2	1,269 sq.ft.	0.029 acres
A3	1,269 sq.ft.	0.029 acres
A4	1,592 sq.ft.	0.037 acres
B1	1,716 sq.ft.	0.0394 acres
B2	1,368 sq.ft.	0.0314 acres
B3	1,368 sq.ft.	0.0314 acres
B4	1,808 sq.ft.	0.042 acres
C1	1,808 sq.ft.	0.042 acres
C2	1,368 sq.ft.	0.0314 acres
C3	1,368 sq.ft.	0.0314 acres
C4	1,716 sq.ft.	0.0394 acres
D1	1,716 sq.ft.	0.0394 acres
D2	1,368 sq.ft.	0.0314 acres
D3	1,368 sq.ft.	0.0314 acres
D4	1,707 sq.ft.	0.039 acres
E1	1,364 sq.ft.	0.031 acres
E2	1,089 sq.ft.	0.025 acres
E3	1,089 sq.ft.	0.025 acres
E4	1,307 sq.ft.	0.030 acres
F1	1,401 sq.ft.	0.032 acres
F2	1,100 sq.ft.	0.025 acres
F3	1,480 sq.ft.	0.034 acres
G1	1,520 sq.ft.	0.035 acres
G2	1,169 sq.ft.	0.027 acres
G3	1,428 sq.ft.	0.033 acres
SUBTOTAL	37,347 sq.ft.	0.8576 acres
COMMON OPEN SPACE		
TRACT 1	5,664 sq.ft.	0.130 acres
TRACT 2	2,017 sq.ft.	0.046 acres
SUBTOTAL	7,681 sq.ft.	0.176 acres
TOTALS	45,028 sq.ft.	1.0336 acres

LAND USE SUMMARY

TITLE PARCEL A	43,560 sq.ft.	1.000 acres
TITLE PARCEL B	1,468 sq.ft.	0.034 acres
TOTALS	45,028 sq.ft.	1.034 acres

SOPRIS ENGINEERING – LLC
CIVIL CONSULTANTS
502 MAIN STREET, SUITE A3
CARBONDALE, COLORADO 81623
(970) 704-0311

Board of Trustees' Certificate

This plat approved by the Board of Trustees of the Town of Carbondale, Garfield County, State of Colorado, this 11th day of December A.D. 2007, for filing with the Clerk and Recorder of Garfield County, State of Colorado, and for the conveyance to the Town of the public dedications shown hereon, subject to the provision that the approval in no way obligates the Town of Carbondale for financing or constructing improvements on land, streets or easements dedicated to the public except as specifically agreed to by the Board of Trustees.

Mayor Pro-Tem

ATTEST:

Town Clerk

SEAL

Planning Commission Certificate

This plat approved by the Town of Carbondale Planning and Zoning Commission, this 18 day of December A.D. 2007.

Chair

SURVEYOR'S CERTIFICATE

I, Geoffrey R. Keller, 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 Mountain Sage Townhomes Planned Unit Development as laid out, platted, dedicated and shown hereon; 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 boundary, lots, easements and streets of said subdivision as the same are staked upon the ground in compliance with applicable regulations governing the subdivision of land.

In witness whereof I have set my hand and seal this 17 day of December, A.D. 2007.

Geoffrey R. Keller, L.S. #37997

CLERK AND RECORDER'S CERTIFICATE

This plat was filed for record in the Office of the Clerk and Recorder of Garfield County at 10:17 o'clock A M., on the 19th day of December, A.D. 2007, and is duly recorded as Reception No. 739581.

Garfield County
Clerk and Recorder

By: _____
Deputy

Fee: 11.00
Drawer: 16A

739581

27748.01 12/17/07 27748PLAT\CADD\PT-TOWNHOMES-PLAT-1.DWG