

ELK TRAIL FINAL PLAT

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 9 SOUTH, RANGE 80 WEST OF THE SIXTH PRINCIPAL MERIDIAN LAKE COUNTY, COLORADO

CERTIFICATE OF OWNERSHIP AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, ARKANSAS VALLEY COMPANY, L.L.C. P.O. BOX 909 LEADVILLE COLORADO, IS THE OWNER AND PROPRIETOR OF THE LAND SITUATED IN LAKE COUNTY COLORADO AND DESCRIBED AS FOLLOWS

LEGAL DESCRIPTION

A TRACT OF LAND, BEING A PORTION OF THE LAURA AND DAISY PLACER, U.S. MINERAL ENTRY NO 949 AND THE ALBERT A BLOW PLACER U.S. MINERAL ENTRY NO 361 LYING NORTHERLY OF LAKE COUNTY ROAD NO 4 (PREVIOUSLY KNOWN AS LAKE COUNTY ROAD NO 19) SITUATE IN THE NE 1/4 SW 1/4 AND THE E 1/2 NW 1/4 SW 1/4 OF SECTION 21, TOWNSHIP 9 SOUTH, RANGE 80 WEST OF THE 6th P.M., COUNTY OF LAKE AND STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT THE CENTER 1/4 CORNER OF AFORESAID SECTION 21, A BRASS CAP IN PLACE, THENCE SOUTH 02°27'41" EAST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 21, 970.73 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF AFORESAID LAKE COUNTY ROAD NO 4, AN ALUMINUM CAP IN PLACE, THENCE SOUTH 71°15'14" WEST ALONG SAID RIGHT-OF-WAY 630.80 FEET TO A POINT OF CURVE, AN ALUMINUM CAP IN PLACE, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY ON A CURVED LINE TO THE RIGHT HAVING A DELTA ANGLE OF 125°4'07", A RADIUS OF 1489.67 FEET, AN ARC LENGTH OF 335.45 FEET, AND A LONG CHORD OF 334.74 FEET WHICH BEARS SOUTH 77°42'17.5" WEST TO A POINT OF TANGENT, AN ALUMINUM CAP IN PLACE, THENCE SOUTH 84°09'21" WEST CONTINUING ALONG SAID RIGHT-OF-WAY 461.84 FEET TO A POINT OF CURVE, AN ALUMINUM CAP IN PLACE, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY ON A CURVED LINE TO THE RIGHT, HAVING A DELTA ANGLE OF 31°02'49", A RADIUS OF 806.86 FEET AN ARC LENGTH OF 437.21 FEET, AND A LONG CHORD OF 431.89 FEET WHICH BEARS NORTH 80°19'14.6" WEST TO A POINT OF REVERSE CURVE, AN ALUMINUM CAP IN PLACE, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY ON A CURVED LINE TO THE LEFT, HAVING A DELTA ANGLE OF 4°12'34", A RADIUS OF 1809.86 FEET, AN ARC LENGTH OF 132.97 FEET, AND A LONG CHORD OF 132.94 FEET WHICH BEARS NORTH 88°54'08.8" WEST TO A POINT OF INTERSECTION WITH THE WEST LINE OF AFORESAID E 1/2 NW 1/4 SW 1/4 OF SECTION 21, THENCE NORTH 00°34'17" WEST ALONG SAID WEST LINE, 1185.81 FEET TO THE C-W-W 1/4 CORNER OF SAID SECTION 21, AN ALUMINUM CAP IN PLACE, THENCE SOUTH 89°24'28" EAST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 21, 634.03 FEET TO THE C-W 1/4 CORNER OF SAID SECTION 21, AND 1902.086 FEET TO THE POINT OF BEGINNING BEARINGS ARE REFERRED TO ASTRONOMIC NORTH

AND HAS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF ELK TRAIL, AND DOES HEREBY ACCEPT THE RESPONSIBILITY FOR THE COMPLETION OF THE PUBLIC IMPROVEMENTS, AND, UNLESS OTHERWISE SPECIFICALLY NOTED BY REFERENCE ON THIS PLAT, DOES HEREBY DEDICATE AND SET APART TRACT E TO LAKE COUNTY, COLORADO FOR THE USE OF THE PUBLIC, AND DOES HEREBY DEDICATE EMERGENCY EGRESS EASEMENT AND THE 15' UTILITY EASEMENT SHOWN ON THIS PLAT AS EASEMENTS TO LAKE COUNTY, COLORADO FOR THE PURPOSE(S) SHOWN HEREON, AND DOES HEREBY GRANT THE RIGHT TO INSTALL AND MAINTAIN NECESSARY STRUCTURES TO THE ENTITY RESPONSIBLE FOR PROVIDING SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED

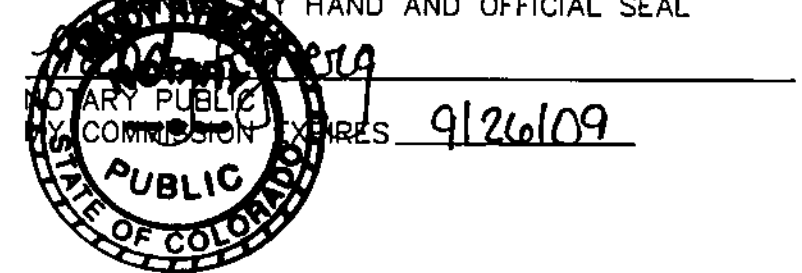
EXECUTED THIS 18th DAY OF June, 2007

ARKANSAS VALLEY COMPANY L.L.C. William P. Klauber, MEMBER AND REPRESENTATIVE

STATE OF COLORADO COUNTY OF LAKE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 18th DAY OF June, 2007 BY William P. Klauber

WITH MY HAND AND OFFICIAL SEAL



MORTGAGEE'S CONSENT CERTIFICATE

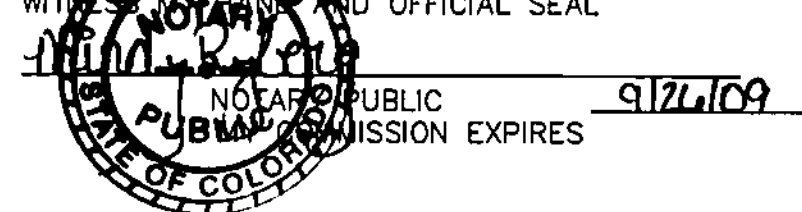
THE UNDERSIGNED BEING THE HOLDER OF A LIEN OR ENCUMBRANCE AGAINST THE REAL PROPERTY WHICH IS HEREIN PLATTED UNDER THE NAME OF ELK TRAIL FINAL PLAT SAID DEED OF TRUST FILED FOR RECORD IN BOOK 622, PAGES 498, RECEPTION NO 343068, LAKE COUNTY COLORADO RECORDS FIRST MOUNTAIN BANK HEREBY AGREES THAT ANY FORECLOSURE OF THE UNDERSIGNED'S LIEN OR ENCUMBRANCE INCLUDING, WITHOUT LIMITATION, A PUBLIC TRUSTEE FORECLOSURE, JUDICIAL FORECLOSURE OR DEED IN LIEU OF FORECLOSURE (COLLECTIVELY FORECLOSURE) SHALL BE MADE SUBJECT TO THE PROVISIONS OF THIS ELK TRAIL PLAT AND THE SUBDIVISION IMPROVEMENT AGREEMENT BETWEEN LAKE COUNTY AND ARKANSAS VALLEY COMPANY, L.L.C., AND FURTHER AGREES THAT THIS MAP SHALL REMAIN IN EXISTENCE WITH FULL FORCE AND LEGAL EFFECT NOT WITHSTANDING ANY FORECLOSURE.

Matthew J. Bracco, AS EXECUTIVE VICE PRESIDENT OF FIRST MOUNTAIN BANK

STATE OF COLORADO COUNTY OF LAKE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 18th DAY OF June, 2007 BY Matthew J. Bracco AS EXECUTIVE VICE PRESIDENT OF FIRST MOUNTAIN BANK

WITH MY HAND AND OFFICIAL SEAL



TITLE CERTIFICATE

STEWART TITLE OF LEADVILLE DOES HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO ALL LANDS SHOWN UPON THE ELK TRAIL FINAL PLAT, AND THAT TITLE TO ALL SUCH LAND IS VESTED IN

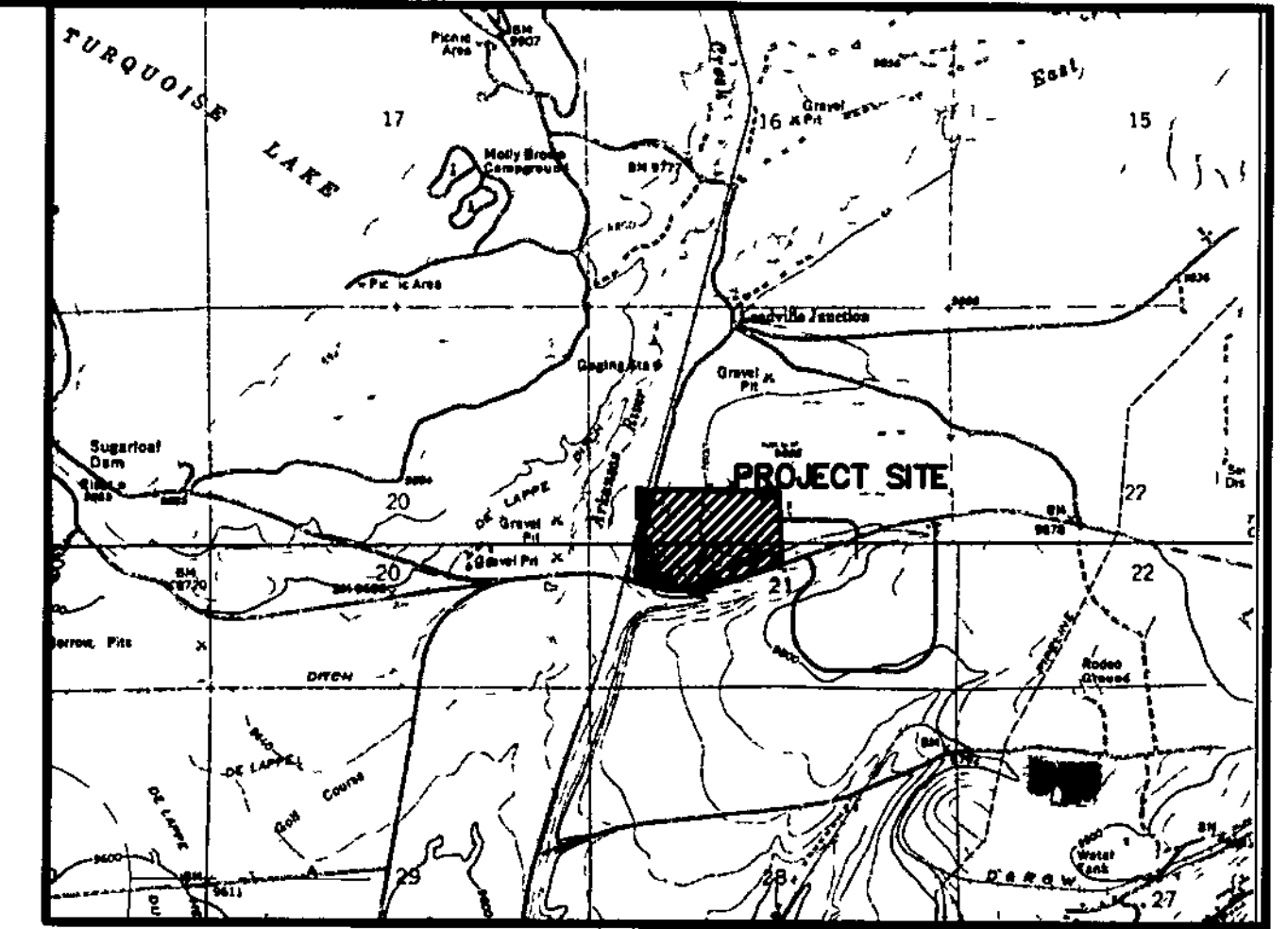
ARKANSAS VALLEY COMPANY, L.L.C

A DEED OF TRUST PAYABLE TO FIRST MOUNTAIN BANK FILED FOR RECORD MAY 12, 2008, BOOK 622, PAGES 498, RECEPTION NO 343068, LAKE COUNTY, COLORADO RECORDS And all taxes, now due & payable DATED THIS 18th DAY OF June, 2007 STEWART TITLE OF LEADVILLE

Annie Davis, Manager LCAC 6664 STEWART TITLE OF LEADVILLE

GENERAL PLAT NOTES

- 1 BASIS OF BEARING FOR SURVEY IS GEODETIC NORTH BASED UPON GPS OBSERVATIONS ALONG EAST-WEST CENTERLINE OF SECTION 21 BETWEEN 2 FOUND BLM BRASS CAPS HAVING A BEARING OF S89.23°01'E
2 TRACTS A, B, C, AND D, AND THE FIRE CISTERN EASEMENT FIRE HYDRANT EASEMENT AND SIGN EASEMENT AREAS SHALL BE OWNED AND MAINTAINED BY THE ETOA THE PERIMETER ACCESS CONTROL EASEMENT SHALL BE OWNED BY THE ETOA FOR POTENTIAL FUTURE USE IN REGULATING ACCESS TITLE TO TRACTS A, B, C, AND D, AND THE FIRE CISTERN EASEMENT FIRE HYDRANT EASEMENT, SIGN EASEMENT, AND PERIMETER ACCESS CONTROL EASEMENT SHALL BE CONVEYED BY SEPARATE INSTRUMENT
3 TITLE TO THE AREAS DESIGNATED AS "RESTRICTED PRIVATE OPEN SPACE" SHALL REMAIN WITH THE OWNERS OF THE RESPECTIVE LOTS THE ETOA SHALL MAINTAIN THE RESTRICTED PRIVATE OPEN SPACE ACCORDING TO ITS RULES AND REGULATIONS SUCH DESIGNATED RESTRICTED PRIVATE OPEN SPACE EASEMENT SHALL REMAIN PREDOMINANTLY NATURAL OPEN SPACE FOR THE BENEFIT OF THE NATIVE TERRESTRIAL WILDLIFE IN PERPETUITY SUBJECT TO THINNING, PRUNING, EROSION CONTROL, ACCESS CONTROL FUELS MITIGATION, PEST MITIGATION, AESTHETICS AND OTHER SIMILAR CONSIDERATIONS THE RESTRICTED PRIVATE OPEN SPACE SHALL ALSO BE USED FOR THE FOLLOWING PURPOSES ONLY NON-DAMAGING USE AND ENJOYMENT BY THE LOT OWNER, PROVISION FOR UNRESTRICTED MOVEMENT OF WILDLIFE, INSTALLATION AND MAINTENANCE OF UNDERGROUND UTILITIES AND ACCESS FOR THE SAME, AND EMERGENCY EGRESS FOR USE IN FIRE EMERGENCY THERE SHALL BE NO EXCAVATION OR CONSTRUCTION WITHIN THE RESTRICTED PRIVATE OPEN SPACE EXCEPT AS IS NECESSARY FOR INSTALLING AND MAINTAINING UNDERGROUND UTILITIES PEDESTRIAN PATHS, AND WHERE ALLOWED BY THE ARC
4 AN EMERGENCY EGRESS EASEMENT FOR USE IN FIRE EMERGENCY, AND TRACT E FOR USE AS A PUBLIC RIGHT-OF-WAY ARE DEDICATED TO THE COUNTY BY RECORDING OF THIS PLAT A NON-EXCLUSIVE ACCESS EASEMENT IS DEDICATED TO THE COUNTY OVER TRACT D FOR USE BY POLICE FIRE, AND OTHER EMERGENCY RESPONDERS A UTILITY ACCESS EASEMENT OVER TRACT D AND OVER EACH PRIVATE DRIVEWAY UP TO THE UNDERGROUND UTILITY EASEMENT FOR LOTS 3 THROUGH 15 IS DEDICATED TO THE COUNTY BY THIS PLAT FOR USE BY PUBLIC UTILITIES IN THE INSTALLATION AND MAINTENANCE OF THEIR EQUIPMENT AT SUCH TIME AS TRACT D IS CONVEYED TO THE COUNTY, IT SHALL BE CONVEYED VIA GENERAL WARRANTY DEED SUBJECT TO ONLY THOSE TITLE EXCEPTIONS ACCEPTABLE TO THE COUNTY COMMISSIONERS
5 TRACTS A, B, AND C SHALL BE OWNED, MAINTAINED AND REGULATED BY THE ELK TRAIL OWNERS ASSOCIATION (ETOA) ACCORDING TO ITS RULES AND REGULATIONS AS OPEN SPACE PARKS FOR THE EXCLUSIVE USE, BENEFIT, AND ENJOYMENT OF THE RESIDENTS OF ELK TRAIL SUBDIVISION THESE TRACTS MAY NOT BE SOLD OR DEVELOPED FOR RESIDENTIAL OR BUSINESS OR COMMERCIAL OR INDUSTRIAL OR ANY OTHER SUCH USE DRAINAGE, UTILITY, SNOW STORAGE, RECREATIONAL AND AESTHETIC USES SHALL BE PERMITTED FOR PROPERTY ASSESSMENT PURPOSES, THE TAXES ON THESE TRACTS SHALL BE EQUALLY DISTRIBUTED AMONG THE RESIDENTIAL LOTS
6 TRACT D, THE RIGHTS-OF-WAY FOR ELK TRAIL AND TABOR DRIVE SHALL BE OWNED AND MAINTAINED BY ETOA ACCORDING TO ITS RULES AND REGULATIONS AS PRIVATE RIGHTS-OF-WAY FOR THE BENEFIT OF ELK TRAIL SUBDIVISION RESIDENTS UNTIL THE FOLLOWING 4 CONDITIONS ARE MET THEY ARE CONSTRUCTED AND PAVED TO LAKE COUNTY STANDARDS AS HAVE BEEN APPROVED FOR THIS SUBDIVISION, AT LEAST 8 LOTS HAVE OBTAINED FINAL CERTIFICATES OF OCCUPANCY, DEDICATION HAS BEEN MADE TO LAKE COUNTY AND THE PUBLIC BY ETOA, AND LAKE COUNTY HAS ACCEPTED THEM FOR OWNERSHIP AND MAINTENANCE PURPOSES
7 LOT FRONTAGE WITHIN THE ELK TRAIL AND TABOR DRIVE RIGHTS-OF-WAY, TRACT D, EXCEPT WHERE DRIVEWAYS AND THEIR FLARES ARE LOCATED, SHALL BE KEPT CLEAR FOR USE FOR SNOW STORAGE AND ROADWAY AND DITCH MAINTENANCE, AND PARKING IS PROHIBITED ON ELK TRAIL AND TABOR DRIVE
8 THE EMERGENCY EGRESS EASEMENT ALONG THE DRIVEWAYS TO LOT 8 SHALL BE AVAILABLE FOR EGRESS USE BY THE PUBLIC AND EMERGENCY RESPONDERS DURING OFFICIALLY DECLARED PUBLIC SAFETY EMERGENCIES AT THE SITE, AND ITS GATES SHALL REMAIN UNLOCKED AT ALL TIMES THE EMERGENCY EGRESS EASEMENT SHALL BE AVAILABLE FOR INSPECTION AND TRAINING BY THE LEADVILLE LAKE COUNTY FIRE DEPARTMENT BY APPOINTMENT DURING REASONABLE BUSINESS HOURS
9 ALL LOTS, STRUCTURES AND USES ARE SUBJECT TO THE REQUIREMENTS OF THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ELK TRAIL, AS IMPLEMENTED BY ETOA, AND TO ALL OF THE REQUIREMENTS OF RELATED IMPLEMENTATION DOCUMENTS, INCLUDING THE ARCHITECTURAL DESIGN GUIDELINES AND CONSTRUCTION RULES, AS INTERPRETED BY THE ARCHITECTURAL REVIEW COMMITTEE (ARC) OF ETOA
10 ALL WATER SUPPLY AND SEPTIC SYSTEM COMPONENTS SHALL BE APPROVED BY THE ETOA THROUGH ITS ARC AND BY THE COUNTY SANITARIAN, AND INSTALLED DURING CONSTRUCTION OF THE PRINCIPAL BUILDING AND COMPLETED BEFORE ANY CERTIFICATE OF OCCUPANCY IS ISSUED THE DEEDS TO LOTS 1-15 SHALL CONTAIN A DEED RESTRICTION, TO WIT "NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED FOR THE PRINCIPAL BUILDING ON THIS LOT UNTIL A PUBLIC SEWER SYSTEM OR AN ON-LOT SEWAGE DISPOSAL SYSTEM HAS BEEN APPROVED AND PERMITTED BY LAKE COUNTY"
11 DRIVEWAYS SHALL BE BUILT TO LAKE COUNTY AND ARC STANDARDS DURING CONSTRUCTION OF THE PRINCIPAL BUILDING, AND SHALL BE COMPLETE BEFORE ANY OCCUPANCY PERMIT IS ISSUED ADDRESS MARKERS MEETING ETOA AND LAKE COUNTY REQUIREMENTS SHALL BE REQUIRED AT THE ENTRANCE TO EACH DRIVEWAY A MINIMUM OF TWO GARAGE SPACES SHALL BE PROVIDED FOR EACH LOT, TO BE CONSTRUCTED DURING CONSTRUCTION OF THE PRINCIPAL BUILDING, AND SHALL BE COMPLETE BEFORE ANY OCCUPANCY PERMIT IS ISSUED
12 ALL BUILDING PERMITS SHALL BE REVIEWED BY LEADVILLE-LAKE COUNTY FIRE DEPARTMENT AND/OR COLORADO STATE FOREST SERVICE OR THEIR DESIGNEE, FOR ADEQUATE COMPLIANCE WITH FIREWISE CONSIDERATIONS
13 WATER FOR MAINTAINING THE FIRE FIGHTING CISTERN FULL SHALL BE SUPPLIED BY THE ETOA, AND THE FIRE CISTERN AND FIRE HYDRANTS SHALL BE MAINTAINED BY THE ETOA, UNLESS AND UNTIL PUBLIC WATER SUPPLY IS EXTENDED TO THIS SUBDIVISION IF PUBLIC WATER SUPPLY IS INSTALLED, THE DISPOSITION OF THOSE EASEMENTS SHALL BE AT THE SOLE DISCRETION OF THE ETOA
14 TRACT F IS A SEPARATE PARCEL IT IS NOT SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ELK TRAIL



VICINITY MAP NTS

BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, COLORADO IS NOT RESPONSIBLE FOR THE CONSTRUCTION, MAINTENANCE OR SNOWPLOWING OF THE PRIVATE ROADS AND PRIVATE DRIVEWAYS LOCATED WITHIN THE BOUNDARIES OF THE LAND DESCRIBED ON THIS PLAT PUBLIC SERVICE VEHICLES, EMERGENCY VEHICLES AND OTHER VEHICLES AND PERSONS WITHIN THEM HAVING LEGITIMATE BUSINESS TO TRANSACT, SHALL HAVE THE RIGHT OF INGRESS AND EGRESS BY MEANS OF THE DESIGNATED PRIVATE ROADS AND PRIVATE DRIVEWAYS

CHAIR Kenneth L. Olson BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, COLORADO

CLERK AND RECORDER'S CERTIFICATE

THIS PLAT WAS ACCEPTED AND FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF LAKE COUNTY COLORADO, AT 12:10 PM ON THIS 18th DAY OF June, 2007

RECEPTION NUMBER 316160

Catharine A. Buser LAKE COUNTY CLERK AND RECORDER



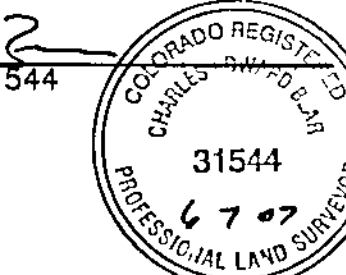
LAND USE DEPARTMENT

APPROVAL BY THE LAKE COUNTY LAND USE DEPARTMENT AND APPROVED FOR RECORDATION WITH THE LAKE COUNTY CLERK AND RECORDER'S OFFICE PURSUANT TO THE LAKE COUNTY LAND DEVELOPMENT CODE THIS 18th DAY OF June, 2007

By Curt Schaefer

I, CHARLES E BEAR, A REGISTERED LAND SURVEYOR, LICENSED TO PRACTICE IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS LAND SURVEY WAS PREPARED UNDER MY DIRECT SUPERVISION, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

CHARLES E BEAR PLS 31544



BEAR SURVEYING SERVICES logo and contact information: P.O. Box 4311, Buena Vista, Colorado, Ph 719-395-3453. ELK TRAIL FINAL PLAT. LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 9 SOUTH, RANGE 80 WEST OF THE SIXTH PRINCIPAL MERIDIAN LAKE COUNTY, COLORADO. PROJECT 04635 SHEET 1 OF 3 Date JUNE 7, 2007

NOTICE: ACCORDING TO COLORADO LAW YOU MUST EXERCISE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST RECEIVE SUCH DEFECT. DO NOT EXPECT ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY TO BE COMPLETED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION BEING HEREIN