

OSPREY RESERVE, THIRD AMENDMENT

A RESUBDIVISION OF TRACT A, OSPREY RESERVE, SECOND AMENDMENT TOWN OF SILVERTHORNE, SUMMIT COUNTY, COLORADO

Cheer Brunvand-Summit County Recorder 1132066 16:03 DF

CERTIFICATION OF VALIDITY AND VERIFICATION OF THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED AS FOLLOWS:

TRACT A, OSPREY RESERVE, SECOND AMENDMENT
TOWN OF SILVERTHORNE, SUMMIT COUNTY, COLORADO

HAVE LAID OUT, SUBDIVIDED AND PLATTED SAID LANDS INTO LOTS, TRACTS, BLOCKS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF OSPREY RESERVE THIRD AMENDMENT. THE UTILITY EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND CABLE COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES. ALL STREETS AND RIGHTS-OF-WAY AS SHOWN HEREON, UNLESS OTHERWISE DESIGNATED AS BEING PRIVATE ARE DEDICATED AND CONVEYED TO THE TOWN OF SILVERTHORNE, COLORADO, IN FEE SIMPLE, ABSOLUTE, FOR PUBLIC USES AND PURPOSES. DRAINAGE AND DETENTION EASEMENTS AS SHOWN HEREON, UNLESS OTHERWISE DESIGNATED AS BEING PRIVATE, ARE HEREBY DEDICATED TO THE TOWN OF SILVERTHORNE. THE TOWN IS HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO THE ADJACENT PROPERTIES FOR CONSTRUCTION, REPAIR, MAINTENANCE, OPERATION AND REPLACEMENT OF STORM SEWERS AND DRAINAGE FACILITIES.

BY: TIMOTHY J. CRANE
TITLE: MANAGER
OSPREY RESERVE LLC

ACKNOWLEDGEMENT

STATE OF Colorado JSS
COUNTY OF Summit

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS 14th DAY OF December A.D. 2005 BY TIMOTHY J. CRANE AS MANAGER OF OSPREY RESERVE LLC

MY COMMISSION EXPIRES: 9/10/09
NOTARY PUBLIC
Robert J. Caldwell
ADDRESS: 1410 Main St.,
Fruita, CO 81521

TOWN OF SILVERTHORNE APPROVAL

THIS PLAT IS APPROVED BY THE TOWN OF SILVERTHORNE, COLORADO THIS 11 DAY OF January A.D. 2006 FOR FILING WITH THE CLERK AND RECORDER OF SUMMIT COUNTY, COLORADO AND FOR THE CONVEYANCE TO THE TOWN OF SILVERTHORNE OF THE PUBLIC DEDICATIONS SHOWN HEREON, SUBJECT TO THE PROVISION THAT APPROVAL IN NO WAY OBLIGATES THE TOWN OF SILVERTHORNE FOR MAINTENANCE OF ROADS DEDICATED TO THE PUBLIC UNTIL CONSTRUCTION OF IMPROVEMENTS THEREON SHALL HAVE BEEN COMPLETED IN ACCORDANCE WITH TOWN OF SILVERTHORNE SPECIFICATIONS. THIS APPROVAL DOES NOT GUARANTEE THAT SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUND WATER CONDITIONS, OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT OR ANY OTHER REQUIRED PERMIT WILL BE ISSUED. THIS APPROVAL IS WITH THE UNDERSTANDING THAT ALL EXPENSES INVOLVING ALL IMPROVEMENTS REQUIRED SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER AND NOT THE TOWN OF SILVERTHORNE.

ATTEST:
Michelle Galen
TOWN CLERK
TOWN OF SILVERTHORNE, COLORADO

TITLE COMPANY CERTIFICATE

Highland TITLE COMPANY DOES HEREBY CERTIFY THAT IT HAS EXAMINED THE TITLE TO ALL LANDS AS SHOWN HEREON AND TITLE TO SUCH LANDS IS IN THE DESIGNATOR FREE AND CLEAR OF ALL LIENS, TAXES, AND ENCUMBRANCES, EXCEPT AS FOLLOWS:
DOT-759613, MCC-761172
DATED THIS 14th DAY OF December, 2005
Michael D.
AGENT

SURVEYOR'S CERTIFICATE

I, ROBERT R. JENKINS, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT AND SURVEY WERE PREPARED BY ME AND UNDER MY SUPERVISION AND THAT BOTH ARE ACCURATE TO THE BEST OF MY KNOWLEDGE. THIS PLAT CONTAINS ALL INFORMATION REQUIRED BY C.R.S. SECTION 38-33.3-203(1) OF THE COLORADO COMMON INTEREST OWNERSHIP ACT.
DATED THIS 14th DAY OF Dec., 2005
SIGNATURE: Robert R. Jenkins, P.L.S.
COLORADO REGISTRATION NO. 26292

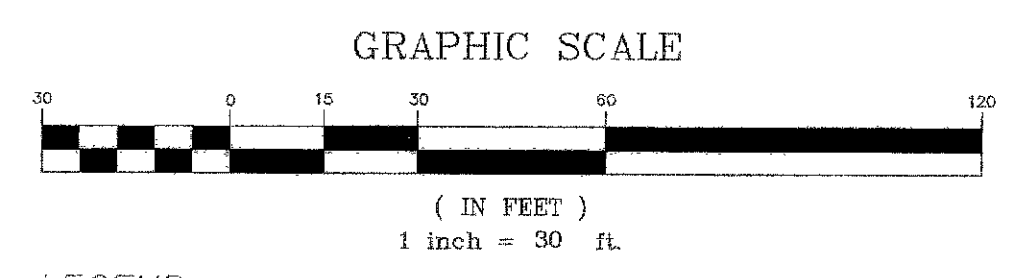
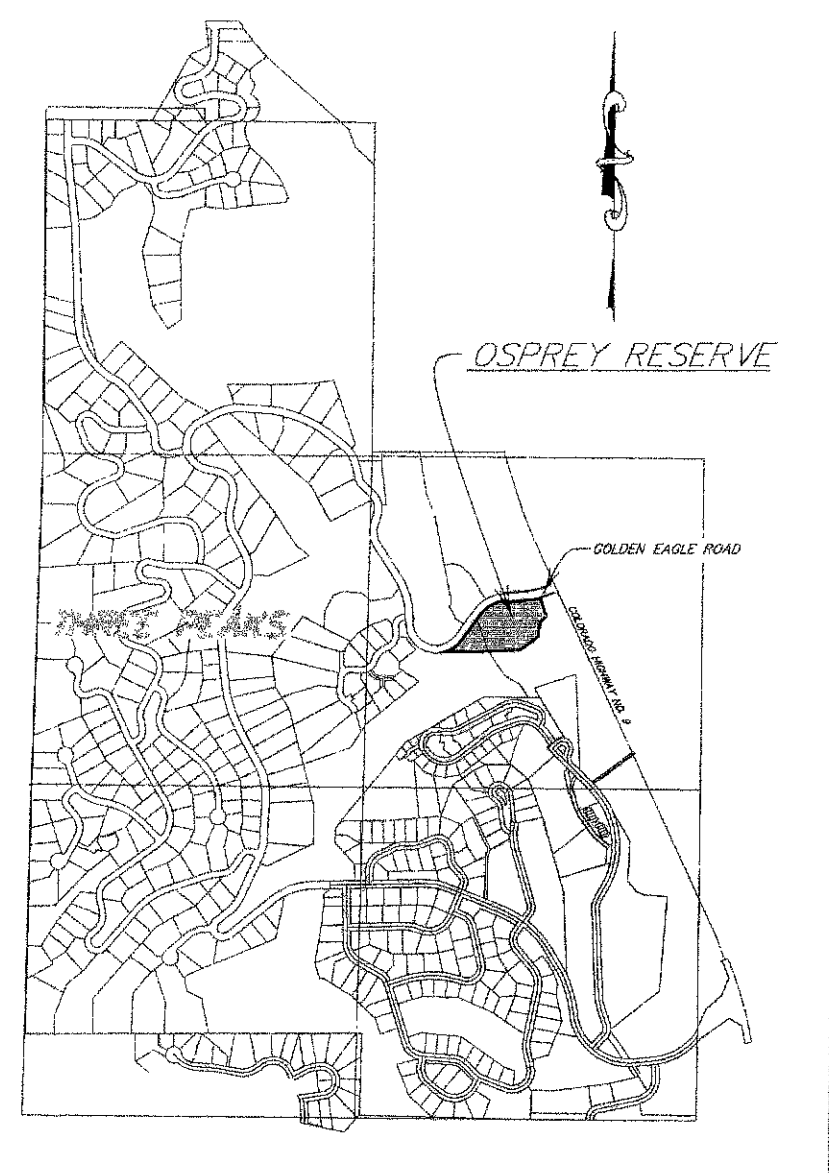
CERTIFICATE OF TAXES PAID

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ENTIRE AMOUNT OF TAXES DUE AND PAYABLE AS OF UPON ALL PARCELS OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN FULL, DATED THIS 14th DAY OF Dec., A.D., 2005
Kevin Eubank
SUMMIT COUNTY TREASURER

CLERK AND RECORDER'S CERTIFICATE

THIS PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER ON THIS 13th DAY OF January, 2006 A.D., AT 10:02 AM P.M., AND WAS RECORDED AT RECEPTION NUMBER 021194
BY: Cheer Brunvand
COUNTY CLERK AND RECORDER
SUMMIT COUNTY, COLORADO

Drawn RJJ Date 12/14/05 Project 18487
Checked RJJ Date 12/14/05 Sheet 1 of 1
RANGEWEST ENGINEERS & SURVEYORS INC.
P.O. Box 589
Silverthorne, CO 80498 970-468-6281



- FOUND REBAR & PLASTIC CAP (PLS 33642)
- FOUND REBAR & YELLOW PLASTIC CAP
- SET REBAR & PLASTIC CAP (PLS 26292)
- LCE LIMITED COMMON ELEMENT
- POCKET UTILITY EASEMENT

LINE TABLE with columns for LINE, DIRECTION, and DISTANCE. Lists lines 1 through 130 with their respective bearings and distances.

Table with columns for L, B, DIRECTION, and DISTANCE. Lists lines 131 through 154 with their respective bearings and distances.

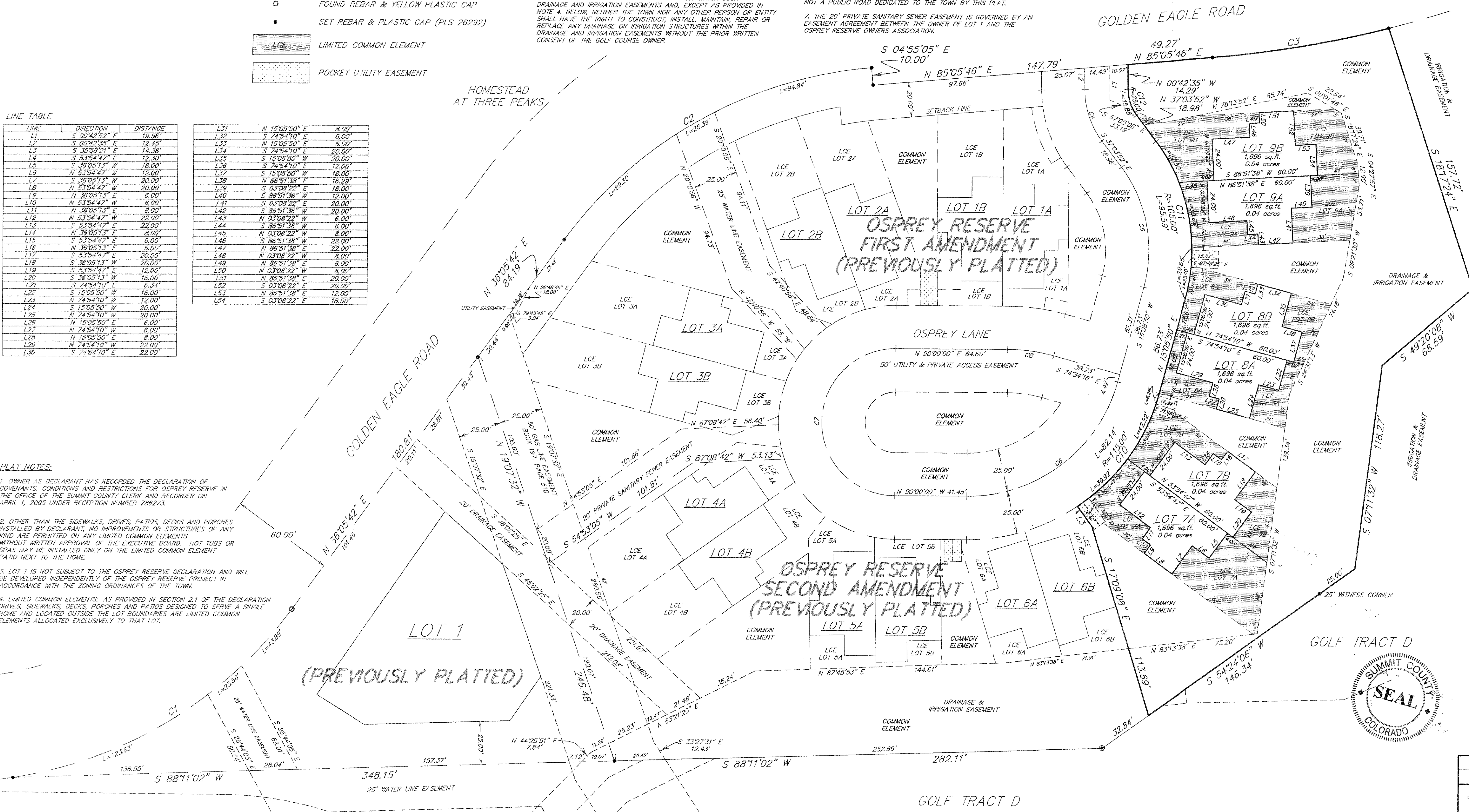
EASEMENT PLAT NOTES:

- OWNER DEDICATES TO THE TOWN, NON-EXCLUSIVE UNDERGROUND EASEMENTS FOR WATER MAIN AND SEWER MAIN UTILITIES. IN THE EVENT THAT REPAIRS ARE NEEDED ON TOWN OWNED WATER AND / OR SEWER MAINS WITHIN THESE EASEMENTS, THE TOWN WILL, FOLLOWING REPAIRS, BACKFILL THE TRENCHES TO GRADE, BUT WILL NOT BE RESPONSIBLE FOR REPLACING PAVING, CONCRETE, LANDSCAPING OR ANY OTHER IMPROVEMENTS WHICH MAY BE LOCATED WITHIN THESE EASEMENTS AND WHICH MAY HAVE EXPERIENCED DAMAGE AS A RESULT OF WATER AND / OR SEWER MAIN REPAIRS.
- THAT EASEMENT IDENTIFIED ON THE PLAT AS "DRAINAGE EASEMENT" IS HEREBY DEDICATED TO THE TOWN AS A NON-EXCLUSIVE DRAINAGE EASEMENT. THE TOWN MAY CONSTRUCT, INSTALL, MAINTAIN, REPAIR AND REPLACE SUCH DRAINAGE STRUCTURES AS IT DEEMS NECESSARY OR APPROPRIATE IN SAID DRAINAGE EASEMENT.
- THE EASEMENTS IDENTIFIED ON THE PLAT AS "DRAINAGE AND IRRIGATION EASEMENTS" ARE NON-EXCLUSIVE, CREATED FOR AND BENEFIT BOTH THE TOWN AND THE OWNER OF THE GOLF COURSE TRACTS. NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED IN THE PLAT, THE OWNER OF GOLF COURSE TRACTS SHALL CONSTRUCT, INSTALL, MAINTAIN, REPAIR AND REPLACE ALL DRAINAGE AND IRRIGATION STRUCTURES AS MAY BE NECESSARY WITHIN SUCH DRAINAGE AND IRRIGATION EASEMENTS AND, EXCEPT AS PROVIDED IN NOTE 4, BELOW, NEITHER THE TOWN NOR ANY OTHER PERSON OR ENTITY SHALL HAVE THE RIGHT TO CONSTRUCT, INSTALL, MAINTAIN, REPAIR OR REPLACE ANY DRAINAGE OR IRRIGATION STRUCTURES WITHIN THE DRAINAGE AND IRRIGATION EASEMENTS WITHOUT THE PRIOR WRITTEN CONSENT OF THE GOLF COURSE OWNER.
- IF THE OWNER OF THE GOLF COURSE TRACTS FAILS TO PERFORM ITS MAINTENANCE, REPAIR AND REPLACEMENT OBLIGATIONS UNDER NOTE 3, AND SUCH FAILURE CONTINUES FOR MORE THAN 10 DAYS AFTER THE TOWN DELIVERS WRITTEN NOTICE THEREOF TO THE OWNER OF THE GOLF COURSE TRACTS (OR SUCH LONGER PERIOD OF TIME AS MAY BE NECESSARY IF THE MAINTENANCE, REPAIR AND REPLACEMENT WILL REQUIRE MORE THAN TEN DAYS) AND THE OWNER COMMENCES THE SAME WITHIN SUCH TEN DAYS, THE TOWN MAY ENTER UPON THE GOLF COURSE TRACTS AND PERFORM SUCH MAINTENANCE, REPAIR AND REPLACEMENT.
- THE CENTERLINE OF ALL 10' POCKET UTILITY EASEMENTS ARE PERPENDICULAR TO OR RADIAL TO THE CENTERLINE OF THE 50 FOOT UTILITY & PRIVATE ACCESS EASEMENT, (EXCEPT AS NOTED).
- OSPREY LANE IS A COMMON ELEMENT PRIVATELY OWNED AND MAINTAINED BY THE OSPREY RESERVE OWNERS ASSOCIATION AND IS NOT A PUBLIC ROAD DEDICATED TO THE TOWN BY THIS PLAT.
- THE 20' PRIVATE SANITARY SEWER EASEMENT IS GOVERNED BY AN EASEMENT AGREEMENT BETWEEN THE OWNER OF LOT 1 AND THE OSPREY RESERVE OWNERS ASSOCIATION.

CURVE TABLE with columns for CURVE, RADIUS, LENGTH, TANGENT, CHORD, BEARING, and DELTA. Lists curves C1 through C12 with their respective geometric data.

PLAT NOTES:

- OWNER AS DECLARANT HAS RECORDED THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OSPREY RESERVE IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER ON APRIL 1, 2005 UNDER RECEPTION NUMBER 786273.
- OTHER THAN THE SIDEWALKS, DRIVES, PATIOS, DECKS AND PORCHES INSTALLED BY DECLARANT, NO IMPROVEMENTS OR STRUCTURES OF ANY KIND ARE PERMITTED ON ANY LIMITED COMMON ELEMENTS WITHOUT WRITTEN APPROVAL OF THE EXECUTIVE BOARD. HOT TUBS OR SPAS MAY BE INSTALLED ONLY ON THE LIMITED COMMON ELEMENT PATIO NEXT TO THE HOME.
- LOT 1 IS NOT SUBJECT TO THE OSPREY RESERVE DECLARATION AND WILL BE DEVELOPED INDEPENDENTLY OF THE OSPREY RESERVE PROJECT IN ACCORDANCE WITH THE ZONING ORDINANCES OF THE TOWN.
- LIMITED COMMON ELEMENTS: AS PROVIDED IN SECTION 2.1 OF THE DECLARATION DRIVES, SIDEWALKS, DECKS, PORCHES AND PATIOS DESIGNED TO SERVE A SINGLE HOME AND LOCATED OUTSIDE THE LOT BOUNDARIES ARE LIMITED COMMON ELEMENTS ALLOCATED EXCLUSIVELY TO THAT LOT.



NOTE: 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.