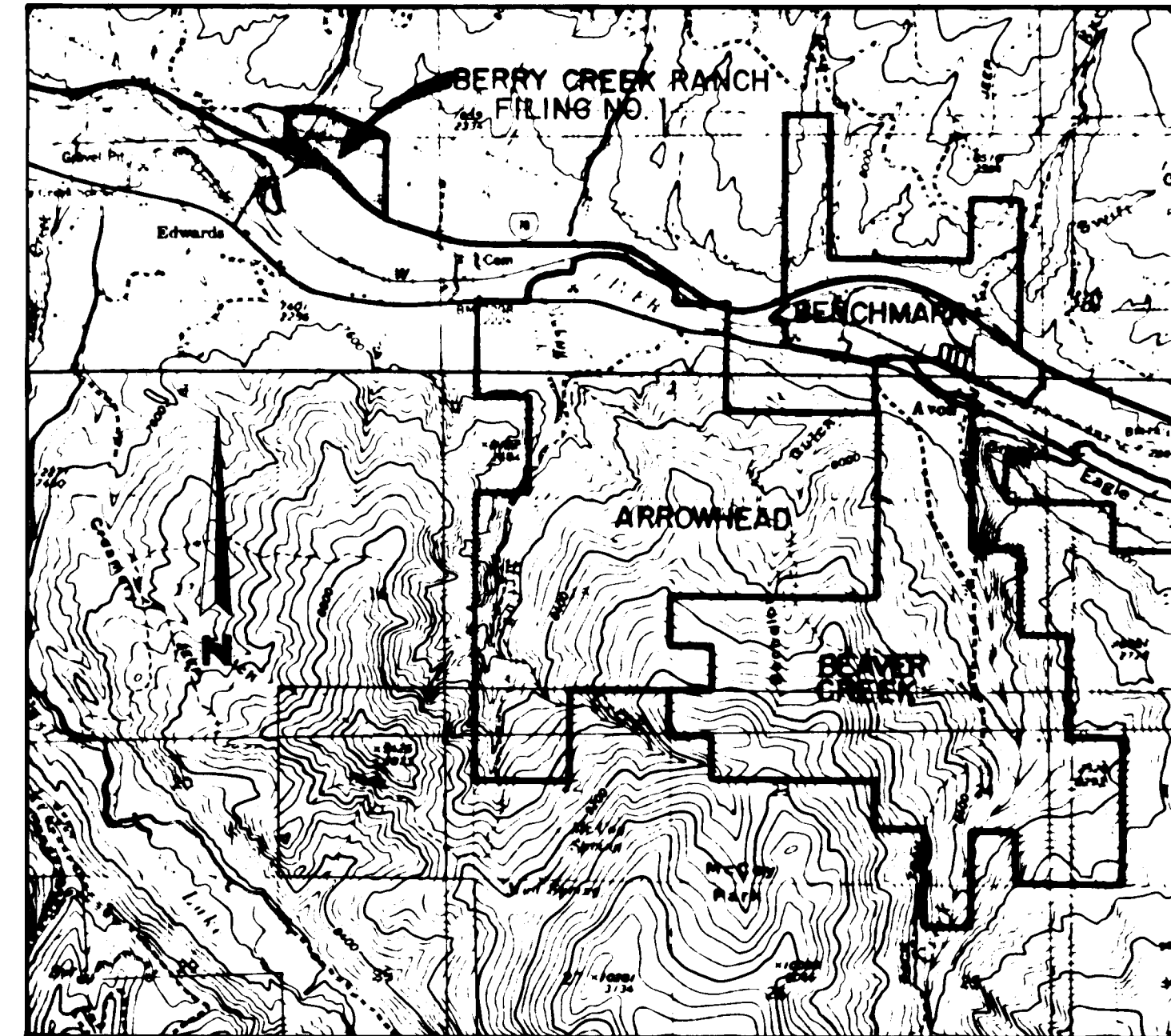
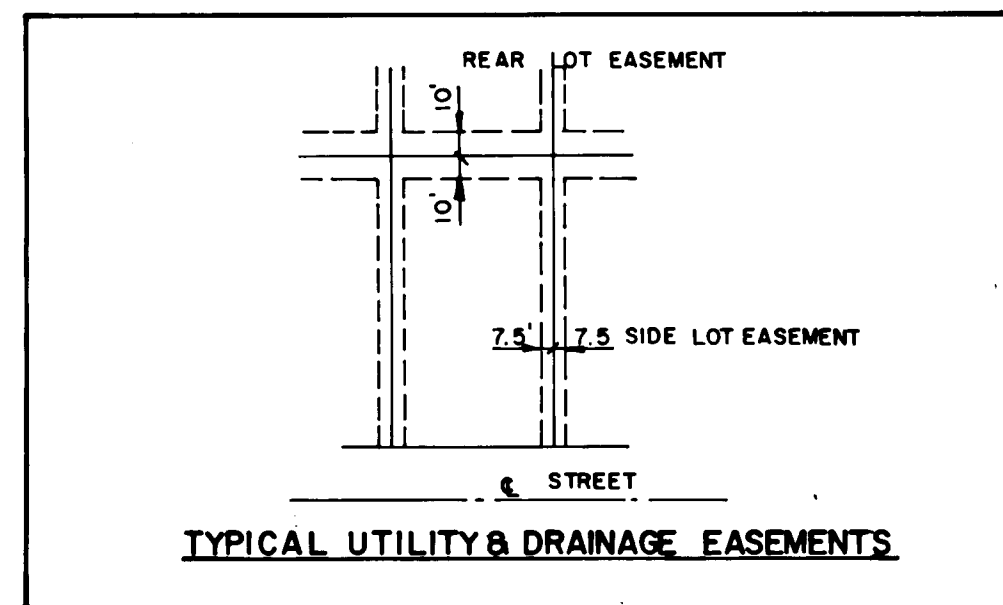


CORRECTED FINAL PLAT BERRY CREEK RANCH FILING NO. 1 EAGLE COUNTY, COLORADO SHEET 1 OF 3

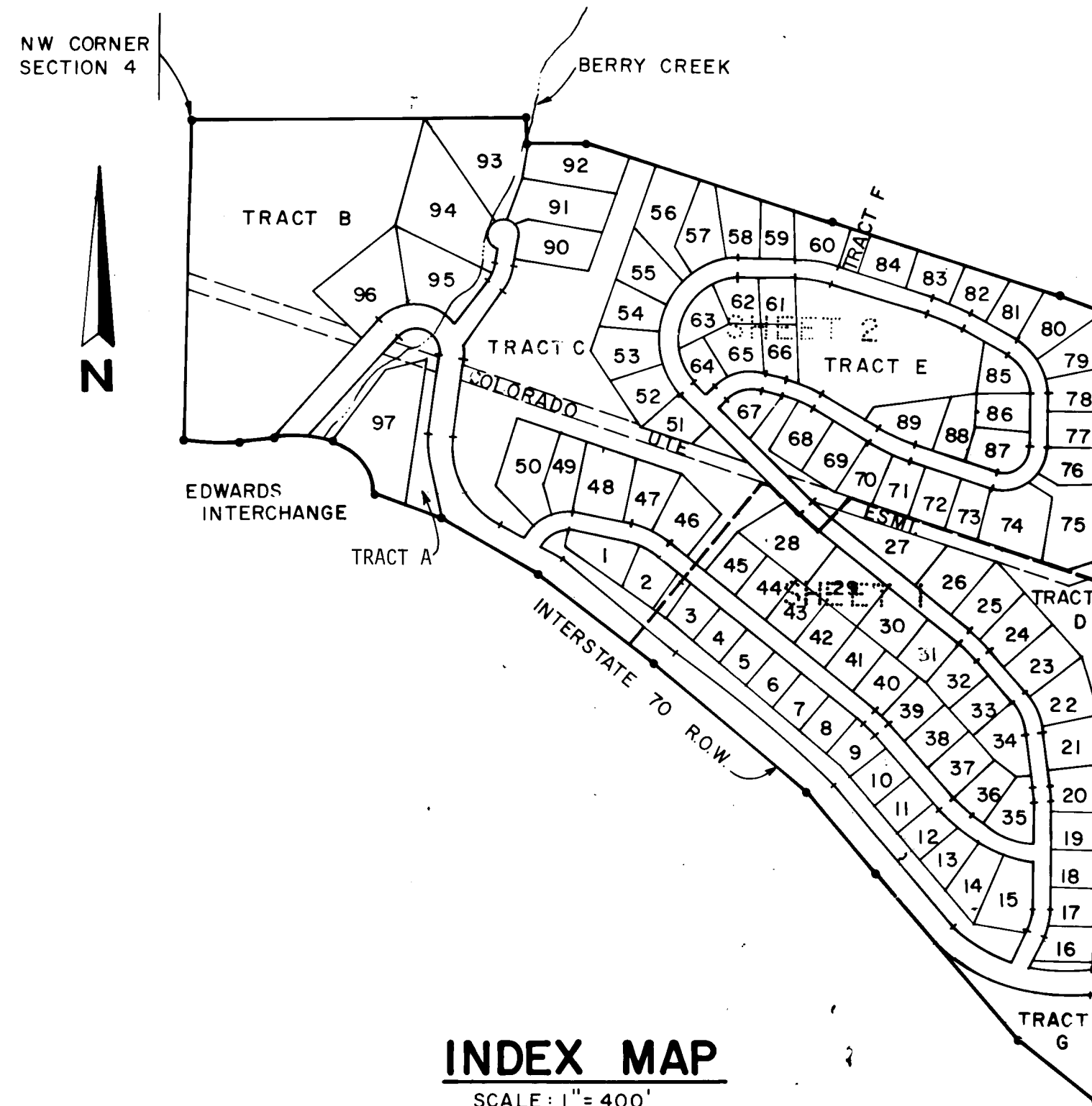
CERTIFICATION OF DEDICATION AND OWNERSHIP



VICINITY MAP
SCALE 1" = 4000'



TYPICAL UTILITY & DRAINAGE EASEMENTS



INDEX MAP
SCALE: 1" = 400'

NOTES:

- (1) BASIS OF BEARING = WEST LINE OF SECTION 4, T. 5 S., R. 82 W. OF THE 6TH P.M. A BEARING OF N 01°25'28" E WAS DETERMINED BY SCARROW & WALKER / KKDNA FROM A SOLAR OBSERVATION.
- (2) ● PIN #5447 (ALUMINUM).
- (3) DATE OF SURVEY - MARCH 1978.
- (4) LAND USE: LOTS 1 THRU 50 - DUPLEX
LOTS 51 THRU 96 - SINGLE FAMILY
LOTS 97 - MULTI FAMILY, 8 UNITS
TRACTS A THRU D AND F THRU H - OPEN SPACE/RECREATION
TRACT E - WATER SUPPLY/WATER PLANT
- (5) ESTIMATED COMPLETION DATE: 1990

TITLE CERTIFICATE

FREDERICK S. OTTO DOES HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLES TO ALL LANDS SHOWN UPON THIS PLAT AND THAT TITLE TO SUCH LANDS IS VESTED IN BERRY CREEK PROPERTIES, LTD., FREE AND CLEAR OF LIENS, TAXES, AND ENCUMBRANCES EXCEPT AS FOLLOWS:

- (1) ANY AND ALL, GENERAL OR SPECIAL TAXES AND ASSESSMENTS REQUIRED TO BE PAID IN THE YEAR 1979 AND SUBSEQUENT YEARS.
- (2) RESERVATIONS AND RIGHTS OF THE UNITED STATES PATENTS OF RECORD:
A. UNITED STATES PATENT RECORDED DECEMBER 15, 1890 IN BOOK 48 AT PAGE 496.
B. UNITED STATES PATENT RECORDED MARCH 7, 1892 IN BOOK 48 AT PAGE 179.
C. UNITED STATES PATENT RECORDED DECEMBER 15, 1890 IN BOOK 48 AT PAGE 250.
- (3) EASEMENT FROM MATHW KOPRIVNIKAR, DANIEL F. KOPRIVNIKAR, AND KATHERINE KOPRIVNIKAR RECORDED APRIL 3, 1964 IN BOOK 182 AT PAGE 171 TO COLORADO-UTE ELECTRIC ASSOCIATION, INC., A COLORADO CORPORATION.
- (4) EASEMENT FROM MATHW KOPRIVNIKAR, DANIEL F. KOPRIVNIKAR, AND KATHERINE KOPRIVNIKAR TO THE UNITED STATES OF AMERICA RECORDED FEBRUARY 28, 1969 IN FILE NO. 13 AS RECORDED MARCH 24, 1969 IN BOOK 214 AT PAGE 885, WHICH EASEMENT CONTAINS A TERMINATION CLAUSE.
- (5) EASEMENTS FOR THE HOWARD AND WINSLOW DITCH, ITS LATERALS CONNECTED THERETO, AND ANY OTHER DITCHES AS CONSTRUCTED AND PLACED OVER, ALONG AND ACROSS THE SUBJECT PROPERTY, AND THE EASEMENT FOR THE UNINTERRUPTED FLOW OF BERRY CREEK, AS SHOWN THE PLAT AND ANY WATER RIGHTS TO SAID CREEK.
- (6) RESTRICTIVE COVENANTS, WHICH DO NOT CONTAIN A FORFEITURE OR REVERTER CLAUSE, RECORDED NOVEMBER 27, 1978 IN BOOK 278 AT PAGE 908.
- (7) TERMS, CONDITIONS, STIPULATIONS AND OBLIGATIONS AS CONTAINED IN AND BURDENS IMPOSED BY SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN JUNE CREEK RANCH COMPANY, A COLORADO JOINT VENTURE AND COUNTY OF EAGLE, STATE OF COLORADO RECORDED NOVEMBER 3, 1978 IN BOOK 278 AT PAGE 74.
- (8) NOTICE OF OPTION TO PURCHASE WHEREBY JUNE CREEK RANCH COMPANY, A COLORADO JOINT VENTURE IS GRANTED THE OPTION TO PURCHASE SUBJECT PROPERTY ON OR BEFORE MAY 6, 1979, RECORDED NOVEMBER 24, 1978 IN BOOK 278 AT PAGE 890.
- (9) DEED OF TRUST DATED JANUARY 6, 1978 FROM BERRY CREEK RANCH COMPANY, A COLORADO GENERAL PARTNERSHIP TO THE PUBLIC TRUSTEE OF EAGLE COUNTY FOR THE USE OF DANIEL F. KOPRIVNIKAR AND S. KATHERINE KOPRIVNIKAR TO SECURE THE SUM OF \$340,000.00 RECORDED JANUARY 11, 1978 IN BOOK 264 AT PAGE 918.
SAID DEED OF TRUST WAS SUBORDINATED TO THE DEED OF TRUST RECORDED NOVEMBER 3, 1978 IN BOOK 278 AT PAGE 73. SAID SUBORDINATION AGREEMENT AFFECTS ONLY LOTS 1 THROUGH 15 INCLUSIVE AND LOTS 35 THROUGH 49 INCLUSIVE.
- (10) DEED OF TRUST DATED OCTOBER 27, 1978 FROM JUNE CREEK RANCH COMPANY, A COLORADO JOINT VENTURE AND BERRY CREEK PROPERTIES, LTD., A COLORADO LIMITED PARTNERSHIP TO THE PUBLIC TRUSTEE OF EAGLE COUNTY FOR THE USE OF BOARD OF COUNTY COMMISSIONERS, EAGLE COUNTY, COLORADO TO SECURE THE SUM OF \$510,000.00 RECORDED NOVEMBER 3, 1978 IN BOOK 278 AT PAGE 75. (AFFECTS LOTS 1 THROUGH 15 INCLUSIVE AND LOTS 35 THROUGH 49 INCLUSIVE).

KNOW ALL MEN BY THESE PRESENTS THAT BERRY CREEK PROPERTIES, LTD., BEING SOLE OWNER IN FEE SIMPLE OF ALL THAT REAL PROPERTY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN THE NORTHWEST 1/4 AND NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4, T. 5 S., R. 82 W. OF THE 6TH P.M. EAGLE COUNTY, COLORADO, LYING NORTH OF THE RIGHT-OF-WAY OF INTERSTATE HIGHWAY NO. 70, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 4, SAID CORNER BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF SAID SECTION 4, S 89°55'27" E, 977.44 FEET; THENCE DEPARTING THE NORTH LINE OF SAID SECTION 4, S 00° 04'33" W, 62.74 FEET; THENCE S 89°49'28" E, 171.00 FEET; THENCE S 71°03'28" E, 207.00 FEET; THENCE S 71°28'28" E, 545.00 FEET; THENCE S 71°53'28" E, 694.40 FEET; THENCE S 68°47'28" E, 136.40 FEET; THENCE S 02°25'52" W, 723.61 FEET; THENCE S 80°34'08" E, 34.07 FEET TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 4; THENCE ALONG SAID EAST LINE S 01°23'01" W, 1291.81 FEET TO THE CENTER OF SAID SECTION 4; THENCE CONTINUING ALONG SAID EAST LINE S 01°23'01" W, 262.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 70; THENCE ALONG SAID RIGHT-OF-WAY LINE 301.61 FEET ON THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 1487.00 FEET AND WHOSE CHORD BEARS N 51°24'09" W, 301.09 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE N 40°31'30" W, 629.80 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE N 40°44'00" W, 309.80 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE 581.87 FEET ON THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 2441.77 FEET AND WHOSE CHORD BEARS N 50°02'30" W, 580.50 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE N 51°39'30" W, 427.00 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE N 60°04'30" W, 319.70 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE N 70°21'00" W, 206.90 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE 194.58 FEET ON THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 167.30 FEET AND WHOSE CHORD BEARS N 36°53'30" W, 183.80 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE N 70°12'00" W, 13.10 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE 118.11 FEET ON THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 260.40 FEET AND WHOSE CHORD BEARS N 83°12'00" W, 117.10 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE S 83°48'00" W, 150.00 FEET; THENCE ALONG SAID RIGHT-OF-WAY LINE 163.74 FEET ON THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 533.00 FEET AND WHOSE CHORD BEARS N 87°24'00" W, 163.10 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 4; THENCE DEPARTING FROM SAID RIGHT-OF-WAY LINE AND ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 4, N 01°25'28" E, 923.39 FEET TO THE TRUE POINT OF BEGINNING; SAID PARCEL CONTAINING 90.52 ACRES, MORE OR LESS.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AND BLOCKS AS SHOWN HEREON AND DESIGNATED THE SAME AS BERRY CREEK RANCH, FILING NO. 1, IN THE COUNTY OF EAGLE, STATE OF COLORADO, FOR PUBLIC USE THE STREETS SHOWN HEREON INCLUDING AVENUES, DRIVES, COURTS, PLACES AND ALLEYS, THE PUBLIC LANDS AND DRAINAGE EASEMENTS SHOWN HEREON FOR UTILITY AND DRAINAGE PURPOSES ONLY; AND DO 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 EAGLE COUNTY, COLORADO IN BOOK 278 AT PAGE 908.

EXECUTED THIS 19 DAY OF February, A.D., 1979.

OWNER: BERRY CREEK PROPERTIES, LTD.
A COLORADO LIMITED PARTNERSHIP
BY BERRY CREEK RANCH COMPANY,
A COLORADO GENERAL PARTNERSHIP,
ITS SOLE GENERAL PARTNER
BY: *Frederick S. Otto*
FREDERICK S. OTTO, A GENERAL PARTNER

STATE OF COLORADO)
) ss:

COUNTY OF EAGLE)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 19th DAY OF February, A.D., 1979 BY *Frederick S. Otto*

MY COMMISSION EXPIRES: *October 27 1982*

WITNESS MY HAND AND SEAL *Patricia A. Casal*

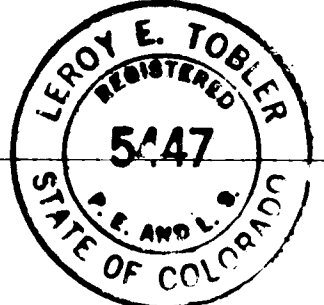
NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I, LEROY E. TOBLER, 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 THE BERRY CREEK RANCH, FILING NO. 1, 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 LOCATIONS AND DIMENSIONS OF THE 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 5th DAY OF February, A.D., 1979.

Leroy E. Tobler
Leroy E. Tobler, PE & LS #5445



PLANNING COMMISSION CERTIFICATE

THIS PLAT APPROVED BY THE EAGLE COUNTY PLANNING AND ZONING COMMISSION THIS 20 DAY OF February, A.D., 1979.

Manuel Lopez
Chairman

COUNTY COMMISSIONER'S CERTIFICATE

THIS PLAT APPROVED BY THE BOARD OF COMMISSIONERS OF EAGLE COUNTY, COLORADO THIS 20 DAY OF February, A.D., 1979 FOR FILING WITH THE CLERK AND RECORDER OF EAGLE COUNTY AND FOR CONVEYANCE TO THE COUNTY OF THE PUBLIC DEDICATIONS SHOWN HEREON; SUBJECT TO THE PROVISION THAT APPROVAL IN NO WAY OBLIGATES EAGLE COUNTY FOR FINANCING OR CONSTRUCTING OF IMPROVEMENTS ON LANDS, STREETS OR EASEMENTS DEDICATED TO THE PUBLIC EXCEPT AS SPECIFICALLY AGREED TO BY THE BOARD OF COMMISSIONERS AND FURTHER THAT SAID APPROVAL SHALL IN NO WAY OBLIGATE EAGLE COUNTY FOR MAINTENANCE OF STREETS DEDICATED TO THE PUBLIC UNTIL CONSTRUCTION OF IMPROVEMENTS THEREON SHALL HAVE BEEN COMPLETED TO THE SATISFACTION OF THE BOARD OF COMMISSIONERS.

WITNESS MY HAND AND SEAL OF THE COUNTY OF EAGLE

Van Williams
Chairman

ATTEST: *Johannette Phillips*
County Clerk

CLERK AND RECORDER'S CERTIFICATE 179045

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER AT 11:00 O'CLOCK A.M. March 6, 1979, AND IS DULY RECORDED IN BOOK 282, PAGE NUMBER 638.

DRAWER "B"

Johannette Phillips
Clerk and Recorder

BY: *Bruna Eickler*
Deputy

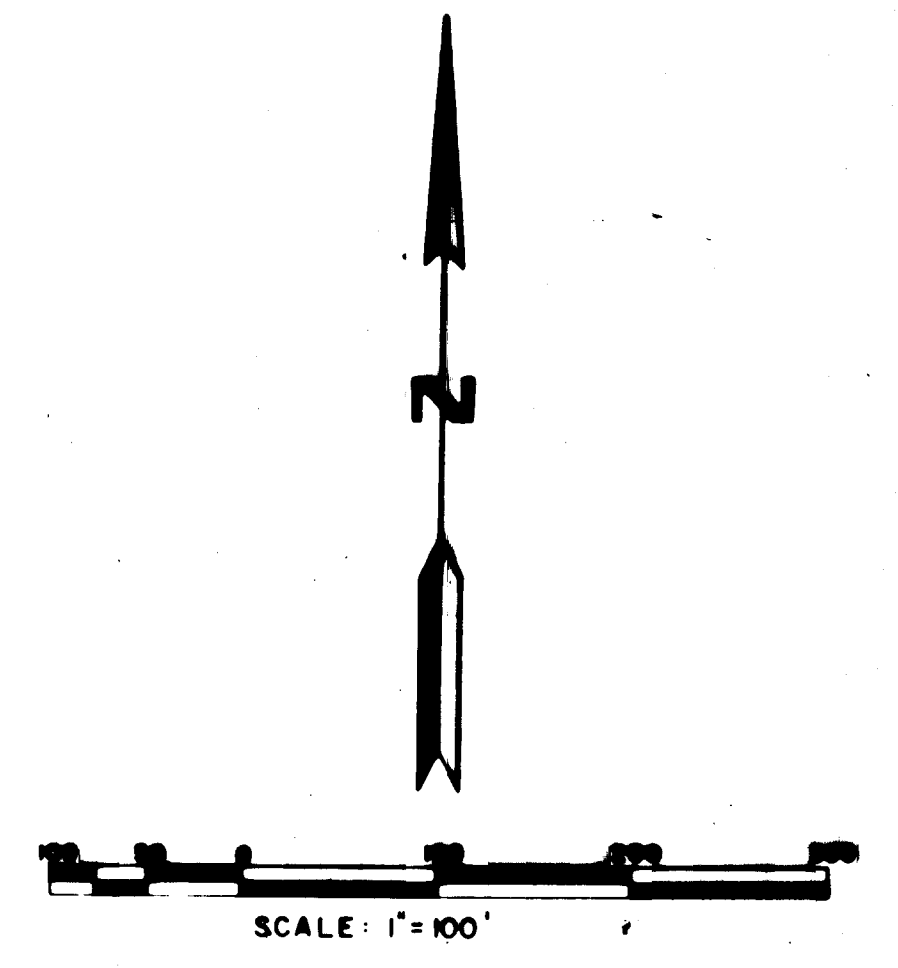
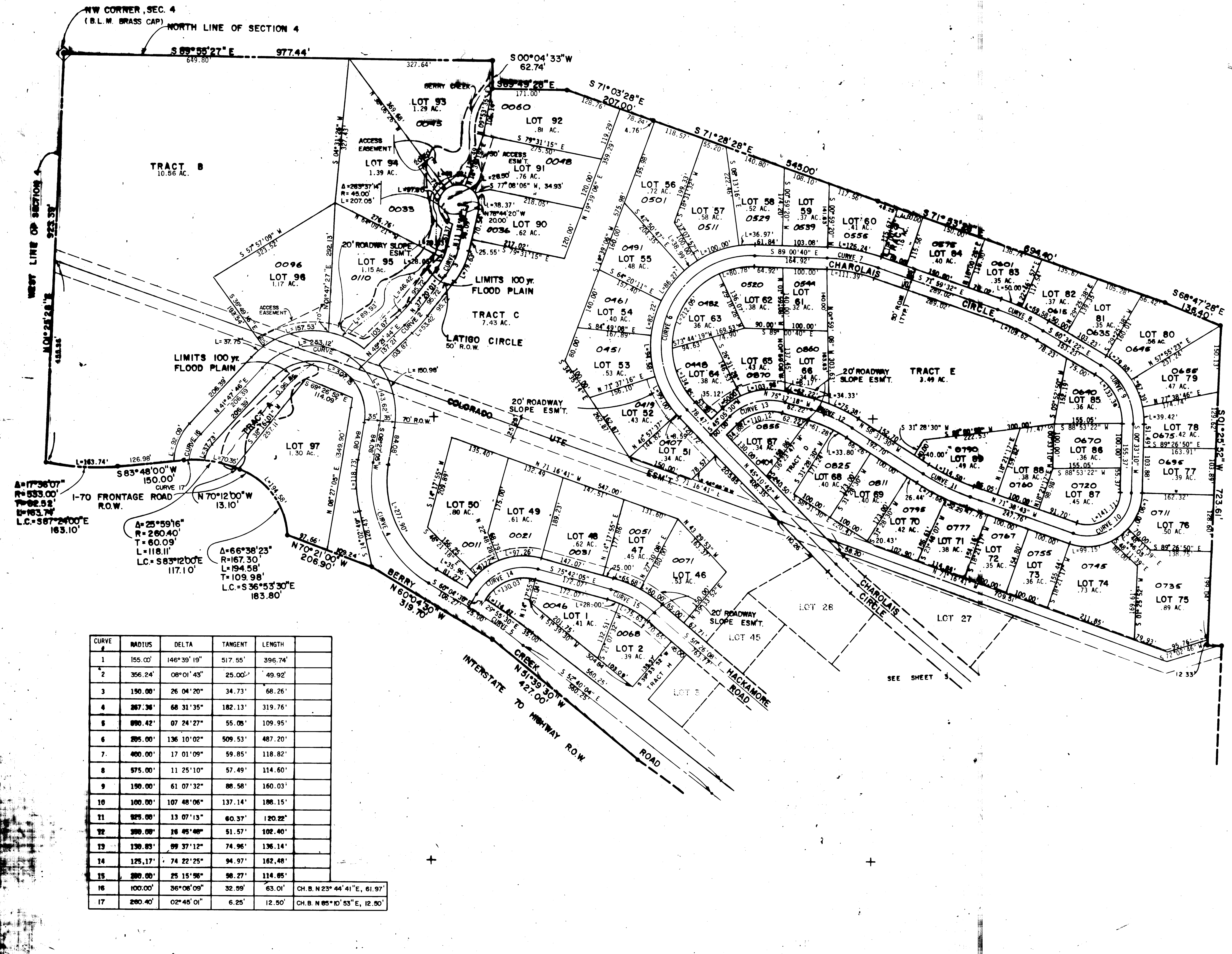
CERTIFICATE OF TAXES PAID

I, THE UNDERSIGNED DO HEREBY CERTIFY THAT THE ENTIRE AMOUNT OF TAXES AND ASSESSMENTS DUE AND PAYABLE AS OF 12-31-78 UPON THE PARCELS OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN FULL.

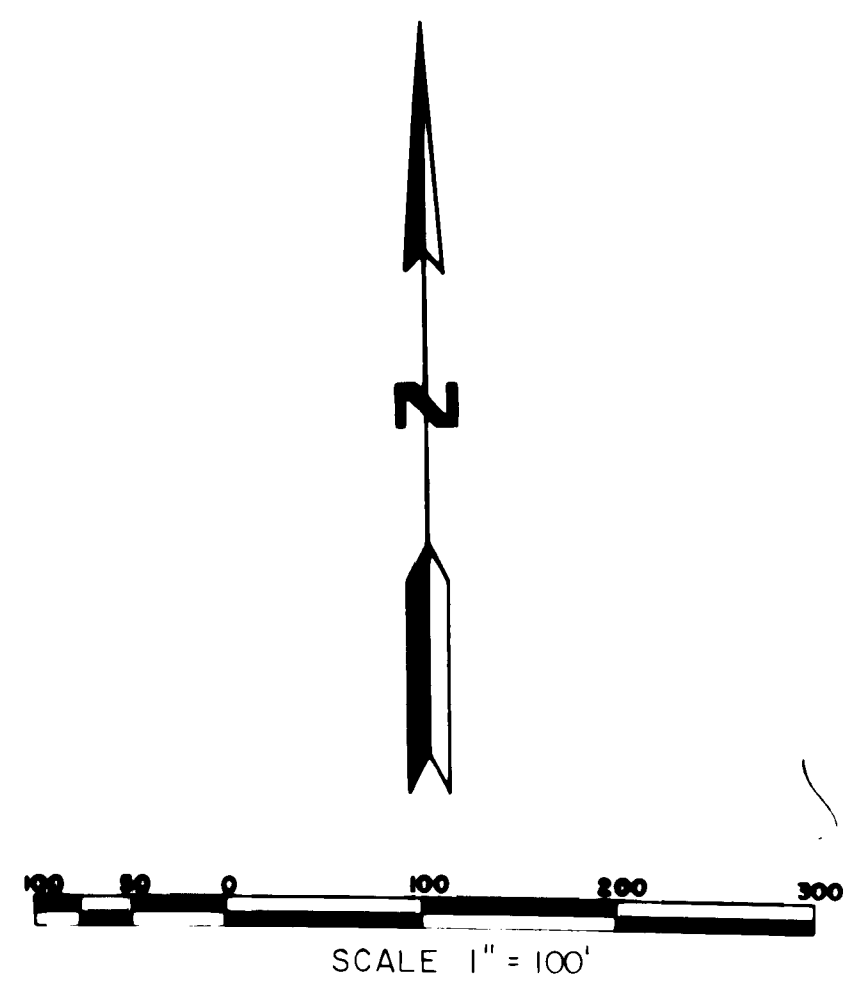
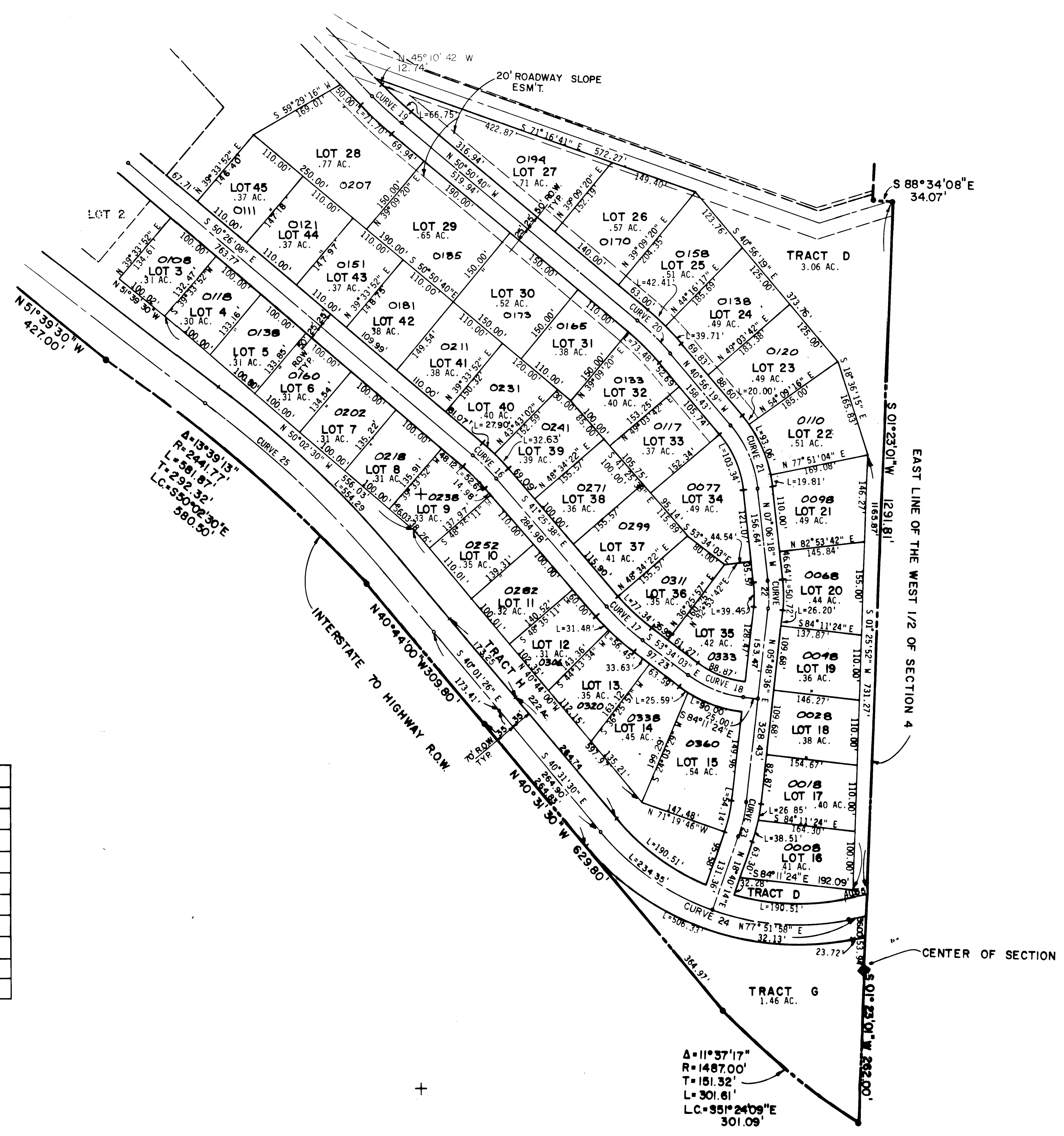
DATED Feb 14, 1979.

Robert N. Peterson
Treasurer of Eagle County, Colorado

DATED THIS 17th DAY OF February, A.D., 1979 FREDERICK S. OTTO, ATTORNEY



CURVE #	RADIUS	DELTA	TANGENT	LENGTH	
1	155.00'	146°39'19"	517.55'	396.74'	
2	356.24'	08°01'43"	25.00'	49.92'	
3	150.00'	26°04'20"	34.73'	68.26'	
4	267.36'	68°31'35"	182.13'	319.76'	
5	880.42'	07°24'27"	55.06'	109.95'	
6	205.00'	136°10'02"	509.53'	487.20'	
7	400.00'	17°01'09"	59.85'	118.82'	
8	575.00'	11°25'10"	57.49'	114.60'	
9	190.00'	61°07'32"	88.58'	160.03'	
10	100.00'	107°48'06"	137.14'	188.15'	
11	225.00'	13°07'13"	60.37'	120.22'	
12	380.00'	16°45'46"	51.57'	102.40'	
13	130.83'	89°37'12"	74.96'	136.14'	
14	125.17'	74°22'25"	94.97'	162.48'	
15	280.00'	25°15'56"	98.27'	114.85'	
16	100.00'	36°06'09"	32.99'	63.01'	CH. B. N 23° 44' 41" E, 61.97'
17	260.40'	02°45'01"	6.25'	12.50'	CH. B. N 85° 10' 53" E, 12.50'



CURVE #	RADIUS	DELTA	TANGENT	LENGTH
16	360.00'	09°00'30"	28.36'	56.60'
17	390.00'	12°08'25"	41.47'	82.64'
18	191.28'	30°37'21"	52.37'	102.23'
19	700.00'	05°39'58"	34.64'	69.22'
20	450.00'	09°54'22"	39.00'	77.80'
21	200.00'	33°50'01"	60.83'	118.10'
22	200.00'	12°54'54"	22.64'	45.08'
23	266.19'	12°51'38"	30.00'	59.75'
24	435.88'	61°36'32"	259.88'	468.70'
25	2476.80'	12°38'38"	274.40'	546.57'

$\Delta = 11^{\circ}37'17''$
 $R = 1487.00'$
 $T = 151.32'$
 $L = 301.61'$
 $LC = S51^{\circ}24'09''E$
 $301.09'$