

C-156 2375

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CORTINA SUBDIVISION

BEING A REPLAT OF A PORTION OF LOTS 3, 4 AND 5, BLOCK 92
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO.

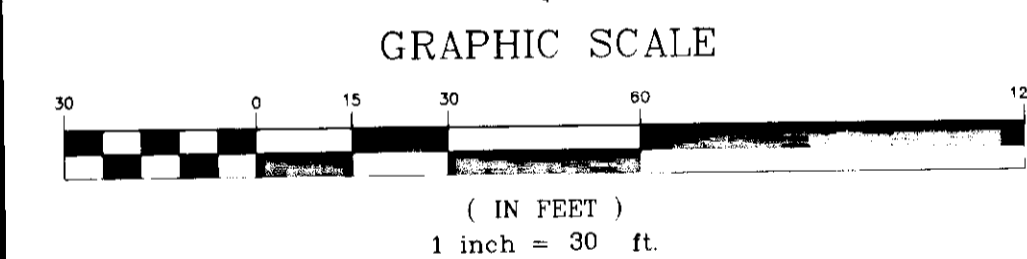
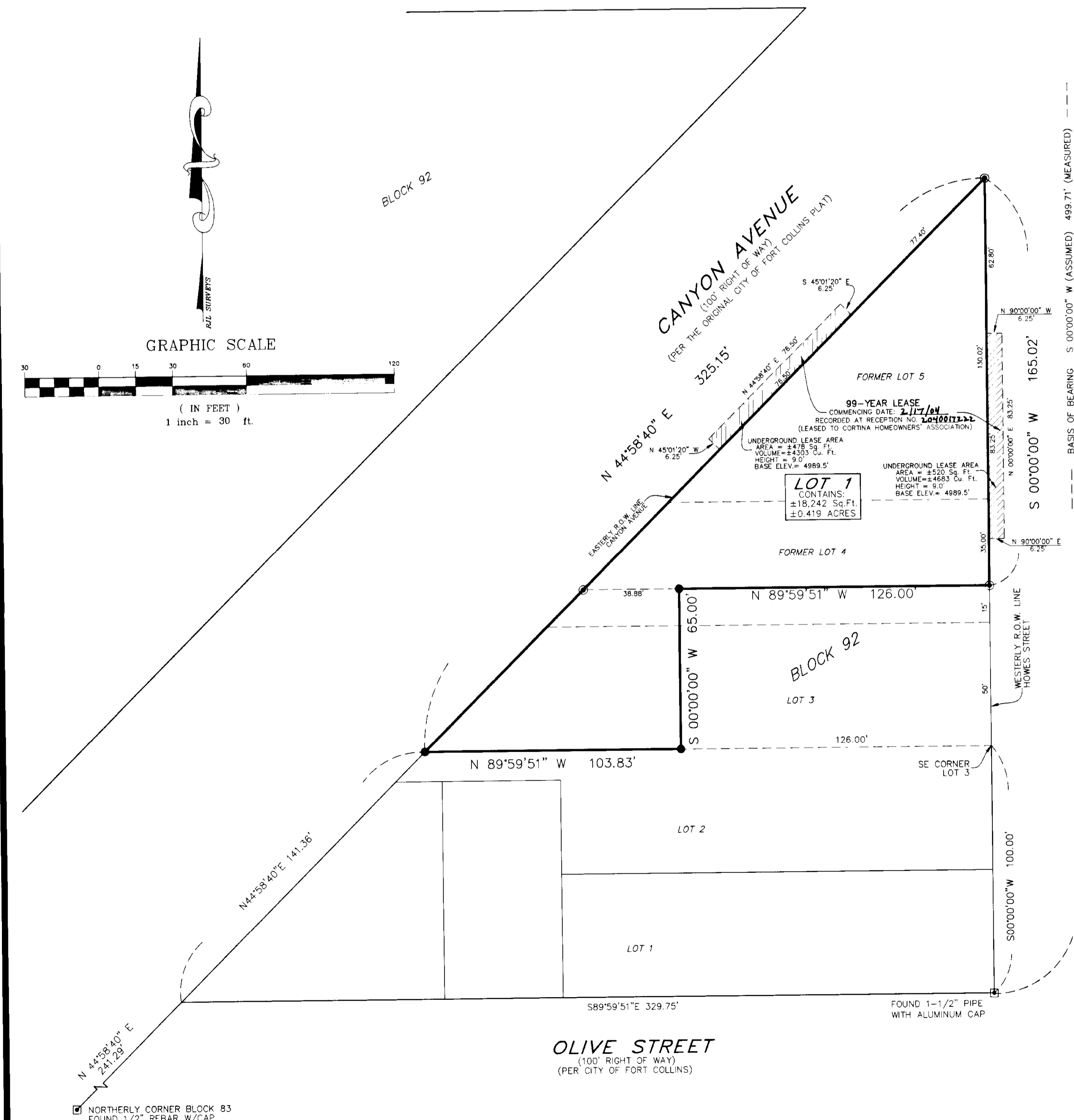
BEING LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 11, TOWNSHIP 7 NORTH,
RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO.

NOTES:

- 1) ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF SURVEY SHOWN HEREON.
- 2) BASIS OF BEARINGS: BEARINGS FOR THIS SURVEY ARE BASED ON A PORTION OF THE WEST RIGHT-OF-WAY LINE OF SOUTH HOWES STREET BETWEEN THE SOUTHEAST CORNER OF BLOCK 91 AND THE SOUTHEAST CORNER OF BLOCK 92, CITY OF FORT COLLINS, BEING MONUMENTED AS SHOWN AND DESCRIBED HEREON. SAID LINE IS ASSUMED TO BEAR S00°00'00"W.

LEGEND:

- INDICATES FOUND SURVEY MONUMENT AS NOTED HEREON
- INDICATES FOUND NO. 4 REBAR WITH CAP, LS 25372
- INDICATES SET NO. 4 REBAR WITH CAP, LS 25372



STATEMENT OF OWNERSHIP AND SUBDIVISION:

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING OWNERS OF THE FOLLOWING DESCRIBED LAND: A TRACT OF LAND LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 11, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL OF LOT 5, THE NORTH 35 FEET OF LOT 4, AND A PORTION OF LOT 3, BLOCK 92, CITY OF FORT COLLINS, AND BEING ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 5, BLOCK 92, CITY OF FORT COLLINS, THENCE S00°00'00"W ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH HOWES STREET 65.02 FEET; THENCE N89°59'51"W 126.00 FEET; THENCE S00°00'00"W 65.00 FEET TO THE SOUTH LINE OF LOT 3, SAID BLOCK 92; THENCE N89°59'51"W ALONG THE SOUTH LINE OF SAID LOT 3, 103.83 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF CANYON AVENUE; THENCE N44°58'40"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 325.15 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 0.419 ACRES, MORE OR LESS.

THE UNDERSIGNED HAVE CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED AND SUBDIVIDED INTO LOTS, TRACTS AND STREETS AS SHOWN ON THIS PLAT TO BE KNOWN AS CORTINA SUBDIVISION, SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY NOW OF RECORD OR EXISTING OR INDICATED ON THIS PLAT.

CERTIFICATE OF DEDICATION:

THE UNDERSIGNED DOES HEREBY DEDICATE AND CONVEY TO THE CITY OF FORT COLLINS, COLORADO, FOR PUBLIC USE, FOREVER, THE STREETS AND EASEMENTS AS Laid out AN DESIGNATED ON THIS PLAT; PROVIDED, HOWEVER, THAT (1) ACCEPTANCE BY THE CITY OF THIS DEDICATION OF EASEMENTS DOES NOT IMPOSE UPON THE CITY A DUTY TO MAINTAIN THE EASEMENTS SO DEDICATED, AND (2) ACCEPTANCE BY THE CITY OF THIS DEDICATION OF STREETS DOES NOT IMPOSE UPON THE CITY A DUTY TO MAINTAIN STREETS SO DEDICATED UNTIL SUCH TIME AS THE PROVISIONS OF THE MAINTENANCE GUARANTEE HAVE BEEN FULLY SATISFIED.

MAINTENANCE GUARANTEE:

THE UNDERSIGNED HEREBY WARRANTS AND GUARANTEES TO THE CITY OF FORT COLLINS, FOR A PERIOD OF TWO (2) YEARS FROM THE DATE OF COMPLETION AND FIRST ACCEPTANCE BY THE CITY OF THE IMPROVEMENTS WARRANTED HEREUNDER, THE FULL AND COMPLETE MAINTENANCE AND REPAIR OF THE IMPROVEMENTS CONSTRUCTED UNDER THE AUTHORITY OF THIS PLAT. THIS WARRANTY AND GUARANTEE IS MADE IN ACCORDANCE WITH THE CITY OF FORT COLLINS LAND USE CODE AND/OR THE TRANSITIONAL LAND USE REGULATIONS, AS APPLICABLE. THIS GUARANTEE APPLIES TO THE STREETS AND ALL OTHER APPURTENANT STRUCTURES AND AMENITIES LYING WITHIN THE RIGHTS-OF-WAY, EASEMENTS AND OTHER PUBLIC PROPERTIES, INCLUDING, WITHOUT LIMITATION, ALL CURBING, SIDEWALKS, BIKE PATHS, DRAINAGE PIPES, CULVERTS, CATCH BASINS, DRAINAGE DITCHES AND LANDSCAPING. ANY MAINTENANCE AND/OR REPAIR REQUIRED ON UTILITIES SHALL BE COORDINATED WITH THE OWNING UTILITY COMPANY OR DEPARTMENT.

THE UNDERSIGNED SHALL MAINTAIN SAID IMPROVEMENTS IN A MANNER THAT WILL ASSURE COMPLIANCE ON A CONSISTENT BASIS WITH ALL CONSTRUCTION STANDARDS, SAFETY REQUIREMENTS AND ENVIRONMENTAL PROTECTION REQUIREMENTS OF THE CITY. THE UNDERSIGNED SHALL ALSO CORRECT AND REPAIR, OR CAUSE TO BE CORRECTED AND REPAIRED, ALL DAMAGES TO SAID IMPROVEMENTS RESULTING FROM DEVELOPMENT-RELATED OR BUILDING-RELATED ACTIVITIES. IN THE EVENT THE UNDERSIGNED FAILS TO CORRECT ANY DAMAGES WITHIN THIRTY (30) DAYS AFTER WRITTEN NOTICE THEREOF, THEN SAID DAMAGES MAY BE CORRECTED BY THE CITY AND ALL COSTS AND CHARGES BILLED TO AND PAID BY THE UNDERSIGNED. THE CITY SHALL ALSO HAVE ANY OTHER REMEDIES AVAILABLE TO IT AS AUTHORIZED BY LAW. ANY DAMAGES WHICH OCCURRED PRIOR TO THE END OF SAID TWO (2) YEAR PERIOD AND WHICH ARE UNREPAIRED AT THE TERMINATION OF SAID PERIOD SHALL REMAIN THE RESPONSIBILITY OF THE UNDERSIGNED.

REPAIR GUARANTEE:

IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAT AND OTHER VALUABLE CONSIDERATION, THE UNDERSIGNED DOES HEREBY AGREE TO HOLD THE CITY OF FORT COLLINS, COLORADO, HARMLESS FOR A FIVE (5) YEAR PERIOD, COMMENCING UPON THE DATE OF COMPLETION AND FIRST ACCEPTANCE BY THE CITY OF THE IMPROVEMENTS CONSTRUCTED UNDER THE AUTHORITY OF THIS PLAT, FROM ANY AND ALL CLAIMS, DAMAGES, OR DEMANDS ARISING ON ACCOUNT OF THE DESIGN AND CONSTRUCTION OF PUBLIC IMPROVEMENTS OF THE PROPERTY SHOWN HEREIN; AND THE OWNER FURTHERMORE COMMITS TO MAKE NECESSARY REPAIRS TO SAID PUBLIC IMPROVEMENTS, TO INCLUDE, WITHOUT LIMITATION, THE ROADS, STREETS, FILLS, EMBANKMENTS, DITCHES, CROSS PANS, SUB-DRAINS, CULVERTS, WALLS AND BRIDGES WITHIN THE RIGHT-OF-WAY EASEMENTS AND OTHER PUBLIC PROPERTIES, RESULTING FROM FAILURES CAUSED BY DESIGN AND/OR CONSTRUCTION DEFECTS. THIS AGREEMENT TO HOLD THE CITY HARMLESS INCLUDES DEFECTS IN MATERIALS AND WORKMANSHIP, AS WELL AS DEFECTS CAUSED BY OR CONSISTING OF SETTLING TRENCHES, FILLS OR EXCAVATIONS.

FURTHER, THE UNDERSIGNED WARRANTS THAT HE/SHE OWNS FEE SIMPLE TITLE TO THE PROPERTY SHOWN HEREON AND AGREES THAT THE CITY OF FORT COLLINS SHALL NOT BE LIABLE TO THE UNDERSIGNED OR HIS/HER SUCCESSORS IN INTEREST DURING THE WARRANTY PERIOD, FOR ANY CLAIM OF DAMAGES RESULTING FROM NEGLIGENCE IN EXERCISING ENGINEERING TECHNIQUES AND DUE CAUTION IN THE CONSTRUCTION OF CROSS DRAINS, DRIVES, STRUCTURES OR BUILDINGS, THE CHANGING OF COURSES OF STREAMS AND RIVERS, FLOODING FROM NATURAL CREEKS AND RIVERS AND ANY OTHER MATTER WHATSOEVER ON PRIVATE PROPERTY. ANY AND ALL MONETARY LIABILITY OCCURRING UNDER THIS PARAGRAPH SHALL BE THE LIABILITY OF THE OWNER. I FURTHER WARRANT THAT I HAVE THE RIGHT TO CONVEY SAID LAND ACCORDING TO THIS PLAT.

THE OBLIGATIONS OF THE UNDERSIGNED PURSUANT TO THE "MAINTENANCE GUARANTEE" AND "REPAIR GUARANTEE" PROVISIONS SET FORTH ABOVE MAY NOT BE ASSIGNED OR TRANSFERRED TO ANY OTHER PERSON OR ENTITY UNLESS THE WARRANTED IMPROVEMENTS ARE COMPLETED BY, AND A LETTER OF ACCEPTANCE OF THE WARRANTED IMPROVEMENTS IS RECEIVED FROM THE CITY BY, SUCH OTHER PERSON OR ENTITY.

WITNESS OUR HANDS AND SEALS THIS 3rd DAY OF March, A.D., 2004.

BY: COULSON DEVELOPMENT GROUP, INC. - OWNER
COULSON DEVELOPMENT GROUP, INC.

STATE OF COLORADO) s.s.
COUNTY OF LARIMER)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 3rd DAY OF March, A.D., 2004 BY Andrea Jenkins
MY COMMISSION EXPIRES 06-24-2004
Andrea Jenkins
NOTARY PUBLIC
113 Cameron Dr.
ADDRESS Ft. Collins, CO 80525

FOUND CHISELED "X" IN CONCRETE
FOUND NAIL & SHINER

FOUND REBAR WITH 1-1/2" ALUMINUM CAP

ANDREA JENKINS
NOTARY PUBLIC
STATE OF COLORADO

FOUND 1-1/2" REBAR WITH CAP

NOTICE OF OTHER DOCUMENTS:

ALL PERSONS TAKE NOTICE THAT THE DEVELOPER AND/OR OWNER HAS EXECUTED CERTAIN DOCUMENTS PERTAINING TO THIS DEVELOPMENT WHICH CREATE CERTAIN RIGHTS AND OBLIGATIONS OF THE DEVELOPMENT, THE DEVELOPER AND/OR SUBSEQUENT OWNERS OF ALL OR PORTIONS OF THE DEVELOPMENT SITE, MANY OF WHICH OBLIGATIONS CONSTITUTE PROMISES AND COVENANTS WHICH RUN WITH THE LAND. THE SAID DOCUMENTS MAY ALSO BE AMENDED FROM TIME TO TIME AND MAY INCLUDE, WITHOUT LIMITATION, THE DEVELOPMENT AGREEMENT, SITE AND LANDSCAPE COVENANTS, FINAL SITE PLAN, FINAL LANDSCAPE PLAN, AND ARCHITECTURAL ELEVATIONS, WITH DOCUMENTS ARE ON FILE IN THE OFFICE OF THE CLERK OF THE CITY OF FORT COLLINS AND SHOULD BE CLOSELY EXAMINED BY ALL PERSONS INTERESTED IN PURCHASING ANY PORTION OF THE DEVELOPMENT SITE.

ATTORNEY'S CERTIFICATION:

I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN DULY EXECUTED AS REQUIRED PURSUANT TO SECTION 2.2.3(C)(3)(g) THROUGH (e) INCLUSIVE OF THE LAND USE CODE OF THE CITY OF FORT COLLINS AND THAT ALL PERSONS SIGNING THIS SUBDIVISION PLAT ON BEHALF OF A CORPORATION OR OTHER ENTITY ARE DULY AUTHORIZED SIGNATORIES UNDER THE LAWS OF THE STATE OF COLORADO. THIS CERTIFICATION IS BASED UPON THE RECORDS OF THE CLERK AND RECORDER OF LARIMER COUNTY, COLORADO AS OF THE DATE OF EXECUTION OF THE PLAT AND OTHER INFORMATION DISCOVERED BY ME THROUGH REASONABLE INQUIRY AND IS LIMITED AS AUTHORIZED BY SECTION 2.2.3(C)(3)(f) OF THE LAND USE CODE.

ATTEST: March + Olive, P.C.
By: J. Braden, Esq.
ADDRESS: 110 E. Day,
Ft. Collins
REGISTRATION NO.: 17355

PLANNING APPROVAL:

BY THE DIRECTOR OF PLANNING THE CITY OF FORT COLLINS, COLORADO, THIS 5th DAY OF March, A.D., 2004.
Amelia Glon
DIRECTOR OF PLANNING

APPROVED AS TO FORM CITY ENGINEER:

BY THE CITY ENGINEER OF THE CITY OF FORT COLLINS, COLORADO, THIS 5th DAY OF March, A.D., 2004.
C.M. Enair
CITY ENGINEER

SURVEYOR'S STATEMENT:

I, RICKY J. LEWIS, A COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS SUBDIVISION PLAT WAS PREPARED FROM AN ACTUAL SURVEY UNDER MY PERSONAL SUPERVISION, THAT THE MONUMENTATION AS INDICATED HEREON WERE FOUND OR SET AS SHOWN, AND THAT THE FOREGOING PLAT IS AN ACCURATE REPRESENTATION THEREOF, ALL THIS TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Ricky J. Lewis
RICKY J. LEWIS
COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR #25372

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR
RICKY J. LEWIS
26872
3304

ANDREA JENKINS
NOTARY PUBLIC
STATE OF COLORADO

BY: HOWES/CANYON LLC - OWNER
HOWES/CANYON LLC

STATE OF COLORADO) s.s.
COUNTY OF LARIMER)

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS 3rd DAY OF March, A.D., 2004 BY Andrea Jenkins
MY COMMISSION EXPIRES 06-24-2004
Andrea Jenkins
NOTARY PUBLIC
113 Cameron Dr.
ADDRESS Ft. Collins, CO 80525

DATE: 10/30/2003 DRAWN: BE
SCALE: 1"=30' CHECKED: RUL
FIELD BOOK: APPROVED: RUL
TITLE: CORTINA SUBDIVISION
PROJECT NO.: 1979
FILE NO.:
SHEET: 1
CULSON

C-156 2375